



DEVELOPMENT REVIEW BOARD PANEL B AGENDA

June 24, 2024 at 6:30 PM

Wilsonville City Hall & Remote Video Conferencing

PARTICIPANTS MAY ATTEND THE MEETING AT:

City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon

Zoom: <https://us02web.zoom.us/j/81495007189>

TO PROVIDE PUBLIC TESTIMONY:

Individuals must submit a testimony card online:
<https://www.ci.wilsonville.or.us/DRB-SpeakerCard>
and email testimony regarding Resolution No. 434
to Cindy Luxhoj AICP, Associate Planner at
luxhoj@ci.wilsonville.or.us
by 2:00 PM on June 24, 2024.

CALL TO ORDER

CHAIR'S REMARKS

ROLL CALL

John Andrews	Rachelle Barrett
Megan Chuinard	Alice Galloway
Kamran Mesbah	

CITIZEN INPUT

This is an opportunity for visitors to address the Development Review Board on items not on the agenda. Staff and the Board will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter.

CONSENT AGENDA

- [1.](#) Approval of minutes of the February 26, 2024 DRB Panel B meeting
- [2.](#) Approval of minutes of the March 25, 2024 DRB Panel B meeting
- [3.](#) Approval of minutes of the April 8, 2024 DRB Panel B meeting
- [4.](#) Approval of minutes of the April 24, 2024 DRB Panel B meeting

PUBLIC HEARINGS

5. **Resolution No. 434. Frog Pond Neighborhood Park.** The applicant is requesting approval of a Site Design Review of Parks and Open Space, Type C Tree Removal Plan, Class 3 Sign Permit, Abbreviated SROZ Map Verification and Abbreviated SRIR Review for a new 2.93-acre neighborhood park with associated landscaping and other site improvements in Frog Pond West.

Case Files:

- DB24-0004 Frog Pond Neighborhood Park
- Site Design Review (SDR24-0002)
- Type C Tree Removal Plan (TPLN24-0002)
- Class 3 Sign Permit (SIGN24-0007)
- Abbreviated SROZ Map Verification (SROZ24-0001)
- Abbreviated SRIR Review (SRIR24-0001)

BOARD MEMBER COMMUNICATIONS

- 6. Results of the April 22, 2024 DRB Panel A meeting
- 7. Recent City Council Action Minutes

STAFF COMMUNICATIONS

ADJOURN

The City will endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting by contacting Shelley White, Administrative Assistant at 503-682-4960: assistive listening devices (ALD), sign language interpreter, and/or bilingual interpreter. Those who need accessibility assistance can contact the City by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

Habr  interpretes disponibles para aqu llas personas que no hablan Ingl s, previo acuerdo. Comun quese al 503-682-4960.

DEVELOPMENT REVIEW BOARD MEETING

**MONDAY, JUNE 24, 2024
6:30 PM**

Consent Agenda:

1. Approval of minutes from the February 26, 2024
DRB Panel B meeting



**DEVELOPMENT REVIEW BOARD PANEL B
MEETING MINUTES**

February 26, 2024 at 6:30 PM

City Hall Council Chambers & Remote Video Conferencing

CALL TO ORDER

A regular meeting of the Development Review Board Panel B was held at City Hall beginning at 6:30 p.m. on Monday, February 26, 2024. Chair Rachelle Barrett called the meeting to order at 6:32 p.m., followed by roll call.

CHAIR'S REMARKS

ROLL CALL

Present for roll call were: Rachelle Barrett, Alice Galloway, John Andrews, and Kamran Mesbah. Megan Chuinard was absent.

Staff present: Daniel Pauly, Stephanie Davidson, Amy Pepper, Kimberly Rybold, Amanda Guile-Hinman, Miranda Bateschell, Georgia McAlister, Cindy Luxhoj, and Shelley White

CITIZEN INPUT

This is an opportunity for visitors to address the Development Review Board (DRB) on items not on the agenda. There were no comments.

CONSENT AGENDA

1. Approval of minutes of January 22, 2024 DRB Panel B meeting

Alice Galloway made a motion to approve the January 22, 2024 DRB Panel B meeting minutes as presented. John Andrews seconded the motion, which passed unanimously.

PUBLIC HEARINGS

2. **Resolution No. 428. PGE Memorial Substation.** The applicant is requesting approval of a Conditional Use Permit and Site Design Review for development of the PGE Memorial Substation adjacent to SW Parkway Avenue and the I-5 Freeway.

Case Files:

DB23-0012 PGE Memorial Substation

-Site Design Review (SDR23-0005)

-Conditional Use Permit (CUP23-0001)

Chair Barrett called the public hearing to order at 6:37 p.m. and read the conduct of hearing format into the record. All Board members declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Georgia McAlister, Associate Planner, announced that the criteria applicable to the application were stated starting on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room and on the City's website.

Ms. McAlister presented the Staff report on the PGE Memorial Substation via PowerPoint, briefly noting the site's location and surrounding features, and reviewing the requested applications with these key comments:

- Currently a green field with a public sidewalk, the site also contained the Failmezger Heritage Tree, located along the east property line. The site was designated Industrial in the Comprehensive Plan and the proposed use was compatible with the PDI Zone and Comprehensive Plan designation. (Slide 2)
- Proper noticing was followed for this application. On February 6, 2024, notice was mailed to all property owners within 250ft of the subject property, published in the newspaper, and placed on the site and on the City's website.
 - No public comments were received during the comment period for the project.
- There were two requests before the DRB tonight for the PGE Memorial Substation application. The first request was objective in nature as it involved verification of compliance with Code standards. The other request for a Conditional Use Permit involved discretionary review.
- For the Site Design, the Applicant had used appropriate professional services to design the proposed substation and associated landscaping. The proposed structure would be screened from surrounding uses with landscaping and fencing. Plants selected for screening included a combination of cascara trees, large and small evergreen shrubs, and ground cover. The chosen species were selected to provide a variety of heights and sizes that would not be bare in winter. Landscape screening was proposed along the north, east, and south perimeter of the fence. Landscaping was also incorporated on the boundaries of the site and would provide shade, stormwater mitigation, and aesthetic value. (Slide 5)
 - Condition of Approval PDB 7 would require that landscape screenings installed along the western perimeter facing I-5 be substantially similar to the screening proposed on the north, east, and south perimeters. The site would be configured to allow for efficient use as well as for repairs and regular maintenance.
- Conditional use permits were intended for uses that might not be compatible with the surrounding uses, and therefore, certain uses were only permitted through Conditional Use Permits. (Slide 6)
 - Substations were only permitted through a Conditional Use Permit, and as such, were not an outright allowed use in any zone. The purpose of permitting substations solely through a Conditional Use Permit was to ensure the proposal was consistent with the Comprehensive Plan, Chapter 4, of the Wilsonville Development Code, the characteristics of the site were suitable for the proposed use, all required public facilities and services adequately met the needs of the proposed use, and that the proposed use would not alter the character of the surrounding area.

- There was no evidence that the substation would alter the industrial character of the surrounding area as there was already an existing substation located just a few parcels south of the subject property. The immediate surrounding uses, such as the commercial use to the south and church to the north of the property, were not traditional uses within the PDI Zone. The substation fit well as a more static use that would not bring daily customers or traffic.
- The substation would fortify and enhance the performance of the electrical grid within Wilsonville, and benefit existing industrial users, and therefore it would not negatively impact the surrounding uses.
- To address potential noise impact, the PGE transformers would be the only equipment that would emit a consistent sound within the facility. The technical specifications set maximum sound levels for the transformers and the manufacturer would provide test data to confirm the actual values prior to the equipment leaving the factory.
 - It was anticipated that at its loudest, the decibel level would only be 10 decibels above a normal conversational level, and sound tests would be completed during the factory acceptance testing. Overall, it was anticipated that only a low level of noise would be produced by the substation.
- The project proposed high screen landscaping to mitigate any potential noise impacts on adjacent properties. Additionally, the site and its neighboring properties were directly adjacent to the consistent high level of noise from I-5. It was unlikely any sound emitted from the substation would impact adjacent properties greater than current conditions.
 - To mitigate the visual impact of the substation, the Applicant proposed landscaping that met the high screen standard on three sides of the substation, including along SW Parkway Ave where it was not in conflict with the Heritage Tree, along the boundary of the church property to the north, and along the boundary with the Garden Center to the south.
 - A partially-sight-obscuring fence 8 ft in height surrounded the development. Only storm water facilities and an access drive were proposed between the fence and the high screen landscape of the adjacent properties. Condition of Approval PDB 7 required that the High Screen Standard be met along the west property line that abutted I-5 as well.
 - Additionally, PGE designed all its new facilities with Dark Sky fixtures in an attempt to minimize light pollution as much as possible.
- The 100-year-old Failmezger Heritage Tree on the west property line of the site was an impressive White oak with a 42-inch DBH and had held the honor of Heritage Tree Designation since 2009.
 - The tree had been preserved through the construction of Parkway Ave as well as the sidewalk that looped to the east of the tree, and the tree's unique history was memorialized with a fencepost from the original Failmezger family farm which was melded into the trunk of the oak tree. Aside from that construction, the site had been largely undisturbed, and the tree had thrived to the best of its ability in the urban environment that had grown around it.
 - The installation of the substation would be a notable disruption in the long undisturbed parcel where the tree grew. Careful consideration had been taken to ensure the installation of the substation and associated underground lines would not negatively impact the Heritage Tree. The tree protection radius would extend 45 ft from the center of the trunk and 90 ft parallel to SW Parkway Ave.
 - A tree protection easement was proposed and would ensure that care of the Heritage Tree continued after construction.

Chair Barrett noted it was clear the Applicant had taken a number of protections into consideration and asked about fire mitigation.

Ms. McAlister replied she had not looked into that but understood TVF&R had been involved and deferred to the Applicant for further information.

Chair Barrett confirmed there were no further questions from the Board and called for the Applicant's presentation.

Jordan Messinger, PGE, 121 SW Salmon St, Portland, OR, 97204 thanked Ms. McAlister for her accurate portrayal of the project and provided some extra context with the following comments:

- The subject project, along with the existing substation to the south of the site, would benefit the City by bolstering Wilsonville's growth and would allow PGE to continue to provide more reliable power into the future and to accommodate that growth.
- Additionally, it was anticipated that the substation to the south would only be operational for approximately another decade, and the new facility would have the capacity for both future growth and to take over the load currently provided by the older substation.
- There was no space on the site of the existing substation to expand and bring the substation up to modern standards, which was why the Applicant had selected the site to the north.

John Andrews asked when construction would begin and approximately how long the project would take.

Mr. Messinger responded PGE's goal was to start in May or June provided that the Applicant could get through the permitting process before then. Total duration should be about six months.

Chair Barrett asked what steps had been taken to mitigate fire.

Mr. Messinger replied that PGE designed all substations by regulatory requirements and other electrical code requirements, such as no flammable materials inside the substation and transformers filled with a mineral oil. In addition, the facilities around it were designed to contain it should there be a leak. PGE also coordinated with local fire jurisdictions for mitigation efforts if there was an event.

Mr. Andrews noted that years ago, when walking under the overhead power lines on Canyon Creek Rd, he had heard a loud hum and his hair had moved around. He asked if PGE had used overhead grounding wires for the proposed substation to prevent that from happening.

Mr. Messinger answered no. He explained that the proposed facility would be converting 115 KV power down to 12.5 KV, the voltage distributed to homes and businesses. The aforementioned Canyon Creek Rd line was likely 230 or 500 KV, a higher voltage which could generate some sound and induction. Although the proposed transformers themselves could hum at times, specifically during hot weather when there was higher usage, a standard had been set for maximum sound level. Additionally, because it was next to I-5, it would be unlikely that any noise would be heard above the freeway noise.

Chair Barrett called for public testimony regarding the application.

Kerry Gillespie, Owner, Gillespie Properties, noted his company was directly east of the subject property. He asked if any overhead power lines would flow east of the substation, as he was concerned about hums, buzzing, and possible interference with power equipment in his business. He asked if any shielding would be in place to mitigate those issues.

- He noted the proposal had stated that the grading was relatively flat; however, Mentor had increased the grading approximately 15 feet approaching I-5. He asked if the Applicant would bring that back to street level.

Chair Barrett confirmed with Staff that no one else present at City Hall or on Zoom wanted to testify. She called for the Applicant's rebuttal.

Mr. Messinger responded that onsite grading would be done to remove the fill that had accumulated over the years to pull that grading back down, noting that when PGE was finished, the grading would be lower than it was currently. He confirmed that new overhead power lines would go into the site to feed the substation for the higher voltage, but they would come from the west, across I-5, via an existing 115 KV line on Boones Ferry Rd. Ultimately, there would be two new, short taps that crossed the freeway directly into the substation site but nothing going east.

Ms. McAlister noted there had been a question about noise and shielding across the site and whether it would be noticeable across the street to the east.

Mr. Messinger reiterated that noise levels would be low, and no interference should extend beyond the boundary of the fence around the subject property.

Mr. Andrews noted that a lot of high-powered transformers contained fluorinated hydro-carbonated liquids and asked if the proposed transformers would contain any such material.

Mr. Messinger explained that although Mr. Andrews was correct regarding older transformers, PGE had shifted over to mineral oil for new ones.

Mr. Andrews understood that immature trees and shrubbery would be planted that would grow to eventually screen the facility from the roadway.

Mr. Pauly received confirmation from Mr. Messinger in the audience that Mr. Andrews was correct.

Chair Barrett confirmed there were no additional questions or discussion and closed the public hearing at 7:02 pm.

Alice Galloway moved to adopt the Staff report as presented. Kamran Mesbah seconded the motion, which passed unanimously.

John Andrews moved to adopt Resolution No. 428. The motion was seconded by Alice Galloway and passed unanimously.

Chair Barrett read the rules of appeal into the record.

3. **Resolution No. 429. Appeal of Administrative Decision.** The applicant is appealing the Planning Director's determination of non-conformance in Case File ADMN23-0029.

Case File:

DB24-0002 Appeal of Administrative Decision

Chair Barrett called the public hearing to order at 7:05 p.m. and read the conduct of hearing format into the record. Alice Galloway and John Andrews declared for the record that they had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Kamran Mesbah noted for the record that he served on the Planning Commission when the Town Center Plan was adopted.

Cindy Luxhoj, AICP, Associate Planner, announced that the criteria applicable to the application were stated starting on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room and on the City's website.

The following exhibit was entered into the record:

- Exhibit C1: Written comments received from the Home Building Association (HBA) after publication of the DRB B February 26, 2024 meeting packet.

Ms. Luxhoj presented the Staff report via PowerPoint (Exhibit A2), briefly noting the subject property's address, referenced as the Location, and zoning, and reviewing the procedural background and key considerations of the appeal as follows:

- On October 30, 2023, the City received a Class 1 Review application to confirm the status of an existing non-conforming use and structure at the Location previously occupied by Fry's Electronics, an electronics retail store vacant since 2021. The City deemed the application complete on November 29, 2023, processing the request as a Class 1 Planning Director Determination per Development Code Section 4.030(.01)A7, and provided notice of Planning Director Determination on December 28, 2023. (Slide 3)
 - The Appellant submitted a notice of appeal of the Planning Director's decision on January 10, 2024.
- Development Code Section 4.030(.01)A gave the Planning Director authority to address non-discretionary matters, including Class 1 Review applications, and to process these applications as a ministerial action without public notice or public hearing.
 - Per Section 4.030(.01)A7, a determination that an existing use or structure is a non-conforming use or non-conforming structure was to be processed as a Class 1 Review, however in cases where any uncertainty exists as to the history of the property, the Planning Director may choose to process such determinations as Class 2 Review.

- The appeal of the Class 1 Review application ADMN23-0029, currently before the Development Review Board (DRB), was a de novo review under Development Code Subsection 4.022(.01), meaning the DRB must approach the Class 1 Review Application as a brand-new application. The DRB's decision should be based on testimony, evidence, and other materials submitted by the Applicant to the City in the Class 1 Review application as well as affirm, reverse, or modify in whole or part a decision under review.
 - The decision under review was the Planning Director's decision in Case File Number ADMN23-00 29. To apply the applicable 120-day time limit, a final decision on the Class 1 Review application, including any appeals must be rendered by March 28, 2024.
- Staff noted that the City was currently processing a separate but related Class 2 Review application, Case File AR23-0031, per Development Code Subsection 4.030(.01) B3, filed by the Applicant on December 15, 2023. Any issues subject to the Class 2 Review, such as the scope of what non-conforming use may be continued at the Location, were beyond the scope of this appeal proceeding.
 - Staff further noted that the findings related to general submission requirements on Pages 13 to 14 of the DRB Staff report for tonight's public hearing included a list of documents and/or testimony contained within the Appellant's Exhibit B1 that were deemed rejected or excluded from the record because the materials were beyond the scope of and/or not relevant to the Class 1 Review. Staff respectfully requested that the DRB kept this in mind during tonight's public hearing as testimony was presented. If this raised any questions related to the scope of review, Board members were invited to ask Staff what was relevant to tonight's proceedings.
- The applicable legal standards related to non-conformance were discussed in detail in the DRB Staff report; however, Staff believed summarizing some key points of case law would be helpful (Slide 7):
 - Before a use can be deemed non-conforming, it must be impermissible under a current land use ordinance. Generally, a non-conforming use was understood to be one that was contrary to a land use ordinance, but that, nonetheless, was allowed to continue because the use lawfully existed prior to the enactment of the ordinance.
 - Non-conforming uses were not favored because by definition they detract from the effectiveness of a comprehensive zoning plan. Accordingly, provisions for the continuation of non-conforming uses were strictly construed against continuation of the use, and, conversely, provisions for limiting non-conforming uses were liberally construed to prevent the continuation or expansion of non-conforming uses as much as possible.
 - Once use was determined to be impermissible under a current land use ordinance, the question becomes, "May the use continue because it was legally protectable as non-conforming?" The purpose of a local government proceeding to determine the existence of a non-conforming use is to determine what use existed on the date restrictive regulations were applied.
- As stated in the DRB Staff report, Staff believed the Applicant in the Class 1 Review application requested an answer to three questions (Slide 8). Because tonight's public hearing was a de novo review of the Class 1 Review application, DRB should address each question; however, the notice of appeal does not challenge the Planning Director's decision on the second and third questions. The main point of disagreement between the Applicant and the City is the Planning Director's decision regarding the first question of non-conforming use.
 - The Staff report addressed each question in order, outlining the legal standard that applied to the question, then highlighting facts Staff believed were relevant to the question, and finally,

quoting the determination of the question as stated in the Planning Director's decision. She briefly summarized Staff's responses to the questions but asked the DRB to refer to the detailed findings in the Staff report as the basis for tonight's deliberation and decision.

- Is the Location a non-conforming use? Generally, a non-conforming use was understood to be one that was contrary to a current land use ordinance but allowed to continue because the use lawfully existed prior to the enactment of the ordinance. (Slide 9)
 - As stated, the Location was currently in the Town Center Zone. The ordinance implementing the Town Center zoning became effective on June 5, 2019. Permitted uses include retail sales and service of retail products under a footprint of 30,000 sq ft per use, office, personal, and professional services. The Commercial Mixed-Use Subdistrict of the Town Center zoning applied to roughly two-thirds of the Location, which also allowed single-user commercial or retail, such as a grocery store or retail establishment that may exceed 30,000 sq ft if located on more than one story of a multi-story building, provided the footprint of the building does not exceed 30,000 sq ft. The existing structure at the Location had a footprint of 124,215 sq ft in a single story with a partial mezzanine, which exceeded the footprint of 30,000 sq ft per retail user and the footprint limitation allowed in the Town Center Zone.
 - As of June 5, 2019, the actual use at the Location was a Fry's Electronics store, an electronics retail store with a total interior square footage of 159,400 sq ft and a footprint of 124,215 sq ft.
 - The Planning Director's decision addressed the non-conforming use inquiry as follows: the use is a legally established non-conforming use in the Town Center Zone.
- Does the Location contain a non-conforming structure? The structure as it currently existed did not conform to many of the Design and Development Standards in Subsection 4.132(.06), such as building placement and frontage requirements, location of parking in relation to the building, building setbacks, height and number of stories, facade design, and architectural materials and treatments. A waiver to these standards for the existing structure had not been applied for, nor had a waiver been granted.
 - The Planning Director's decision addressed the non-conforming structure inquiry as follows: the structure is a legally established non-conforming structure in the Town Center Zone. (Slide 10)
- Does the Location contain non-conforming site conditions? The existing site conditions did not comply with at least two City Code sections, including Subsection 4.132(.04)A, which required that all development in the Town Center Zone be consistent with the street network and multimodal network, and Subsection 4.132(.05)A, which required that all development be consistent with the open space network. Other site improvement standards of the Town Center Zone addressed such features as walkway connection to building entrances, parking location, landscape design, and plaza areas. Existing site conditions did not comply with these applicable standards.
 - The Planning Director's decision addressed the non-conforming site conditions inquiry as follows: the existing site conditions are legally established non-conforming site conditions in the Town Center Zone.
- Staff recommended that the DRB affirm the Planning Director's Determination of non-conformance in ADMN23-0029, determining that there is a legally established, non-conforming use at the

Location, specifically that the protected use is a 159,400 sq ft electronics related retail store; there is a legally established non-conforming structure at the Location; and there are legally established non-conforming site conditions at the Location.

Chair Barrett confirmed there were no questions from the Board and called for the Applicant's presentation.

Keenan Ordon-Bakalian, Schwabe Williamson & Wyatt, Portland, OR, representing the Applicant/Appellant, Home Depot, thanked the DRB members for their time and Staff for their work on the project.

Dan Zoldak, Lars Anderson & Associates, Fresno, CA introduced himself, along with Barry Simmons.

Mr. Ordon-Bakalian noted his team had not been provided and therefore had not read a comment that was received after the development review packet was submitted, so he requested that the record be held open for written testimony after this hearing. He presented the Appellant's presentation via PowerPoint (Exhibit B2) with the following comments:

- He briefly reviewed the background of the procedural history for the appeal as follows:
 - On October 30, 2023, Home Depot applied for a Class 1 Review to confirm the non-conforming use status of the existing use and structure at the property. Within this application, Home Depot indicated that its intention was to operate a Home Depot within the existing structure at the property once the property's non-conforming use status was confirmed.
 - On November 28, 2023, the City emailed the Appellant, Home Depot, stating that the Appellant's request for confirmation that Home Depot could continue operating at the property under the scope of the non-conforming use required an interpretation of the City's Development Code under the City's Class 2 procedures. The City provided the Appellant with several options, including an option where Staff proceeds with the Class 1 Review and in addition, Home Depot applies for a Class 2 Review, requesting a written interpretation regarding the classification and scope of the non-conforming use of the property. That email was in the record as well as in Staff's packet.
 - Home Depot chose to proceed with the option for a Class 2 Review and submitted the application on December 15, 2023. The application was deemed complete on January 12, 2024. On December 28, 2023, the City issued its decision for the Class 1 application which was before the DRB on appeal today.
- He reviewed the City's findings, which were also contained in the Applicant's notice of appeal, with the following comments (Slide 2):
 - The City's decision for a Class 1 application approved the non-conforming use of the property but contained several findings that the Appellant took issue with.
 - Some of the findings stated the non-conforming use is a 159,400 sq ft electronics retail store; a large format, single-story with partial mezzanine, single-user electronics retail store; or that it is a Fry's Electronics. In fact, Staff's decision was inconsistent because a Fry's Electronics and a single-user electronics retail store are two very different things. Although Fry's Electronics is an electronics retail store, the scope of the use is very different for those two purposes. Regardless, the Applicant disagreed with both of those conclusions within the Staff decision.

- The City's findings regarding the nature of the non-conforming use of the property were entirely unsupported within its decision. Staff did not cite to any evidence for coming to these conclusions, only that the non-conforming use is what Staff said it is.
- Moreover, Staff's packet for tonight's appeal hearing was also inconsistent because it contained a draft resolution that would have the DRB find that non-conforming use of the property is a 159,400 sq ft electronics related retail store; whereas the Staff report requested the DRB affirm the Planning Director's decision that the non-conforming use is a Fry's Electronics. Those again are two very different things.
- What should be controlling in this appeal is the 1991 Decision, which approved the original use of the subject property, and contained findings that conflicted with Staff's findings related to the Planning Director's Determination. The 1991 Decision was prepared on the basis of an anonymous company and Fry's Electronics was not included within that decision whatsoever; so, the fact that the non-conforming use could be a Fry's Electronics was inconsistent with the controlling document that approved the underlying use.
 - The request for the 1991 Decision sought approval of a 159,400 sq ft retail commercial building, not a single-user electronics retail store, and throughout the Staff report for the decision, which was adopted as part of the City's approval, the use being approved was repeatedly stated as a commercial retail use.
 - Comments in the Staff report stated that the building uses (Slide 4) related to parking standards, but the decision itself, which was on Page 3 (Slide 5), made no reference to parking standards whatsoever. The use of the building was the use of the property, which was a commercial retail use at that point.
 - Other findings and comments within the Staff report, which again, were adopted as the decision, stated that the use was a commercial retail use. Page 3 of the 1991 Decision stated, "It is apparent the remaining undeveloped property has become very desirable as reflected by this application for a 159,400 sq ft commercial retail store." A conclusionary finding also stated it was a retail commercial center. Other statements throughout the record and in the application materials for the 1991 Decisions discussed a commercial retail anchor store.
 - Sections 4.130 to 4.140 were the findings within the 1991 Decision related to zoning consistency, whether the use was allowed in underlying zone, which he believed at the time was Planned Development Commercial. (Slide 5) Finding 39 included a statement, "The proposed commercial/office uses were permitted in the overlay zones as part of the Town Center Master Plan." So, there was no reference to a single-user electronic retail store and certainly not to Fry's Electronics, which was nowhere in the decision. This was really where the Appellant took issue with the Planning Director's Determination.
- The Appellant respectfully disagreed with the Planning Director's Determination of the nature of the non-conforming use of the property as it was a commercial retail use controlled by the 1991 Decision. It was surprising that the Planning Director's Determination contained interpretations of use because the Appellant was under the impression, based on the November 28th email, that this would be addressed in the Class 2 proceeding. When the Class 1 Determination found non-conforming use, but then went as far as to find what the nature and scope of the use was, the Applicant was effectively forced to appeal to preserve their rights here.

- The City's interpretation of the non-conforming use was wrong; it was neither a single-user electronics retail store or Fry's Electronics because that was an impermissibly narrow interpretation of what was proved in the 1991 Decision, and it was not in accordance with any of the findings that were adopted.
- The Applicant noted for the record that City's interpretation of a prior decision was not afforded any deference were there to be an appeal to the Land Use Board of Appeals (LUBA) as determined in *Gould v. Deschutes County*; though several such cases exist. This was important because, generally, local jurisdictions may have deference in interpreting their land use code, but because this was a decision and not the land use code, it would be reviewed effectively as a clean slate before LUBA. (Slide 7)
- The DRB had the responsibility of reviewing the 1991 Decision in the first instance, as noted by this de novo hearing procedure. From the unambiguous request statement in the 1991 Decision, where it references a commercial retail use to the numerous references of the use being reviewed and approved, it was absolutely clear that the use approved within the 1991 Decision was commercial retail.
 - Due to the City's adoption of the Town Center Plan, the commercial retail use had been rendered non-conforming. Staff did a good job detailing why it conflicted with the current zoning designation for the subject property.
 - The Applicant was not disputing the non-conforming use, but just the nature of that use. They believed the commercial retail use was lawfully established, and why they had appealed the Planning Director's Determination narrowing the non-conforming use to a single-user electronics retail store or even a Fry's Electronics.
- While Staff might dislike the idea of a Home Depot at the subject property, believing it was inconsistent with the adopted 2019 City's Town Center Plan; however, Staff's position was inconsistent with the legal authorization and non-conforming use law in the State of Oregon, and certainly, Home Depot had the right to continue its lawfully established commercial retail non-conforming use of the property.
- He noted the Applicant was not talking about a traditional big-box retail use of the property, and since the DRB would likely see Home Depot's Class 2 application in the near future, the Applicant team would show Home Depot's vision of the site, which they believed were consistent with the vision and goals for the City's Town Center Plan.

Barry Simmons, Home Depot, Atlanta, GA, stated after reviewing the Town Center Plan, the Applicant believed they were actually in alignment with the Plan and hoped to further the Plan in partnership with the City of Wilsonville. He continued the Applicant's presentation via PowerPoint with these comments:

- Table 3.1 from the Town Center Plan showed the 300,000 existing commercial square footage that was adopted back in 2019. The City had no way of knowing Fry's would no longer be operating as of 2021. But today, Home Depot would like to reoccupy, re-energize, and make use of the existing 125,000 sq ft for its purpose. (Slide 9)
- Based on the size of its out parcels around the store, Home Depot's vision was to add 250 to 300 housing units around the store, a vision which closely aligned with the Town Center Plan for multi-family use in the area in the future. He noted the Town Center Plan was a 40-year plan, adding the first sentence in the lower right corner under Table 3.1 stated Town Center's

evolution would take time and contain many steps. Home Depot believed a future partnership with Wilsonville could be one of those steps to further that vision.

- On the displayed Town Center Future Scenario, he explained the image on the left was Phase 1, directly from the Town Center Plan, which indicated the existing 125,000 sq ft building with the purple indicating some infill of new housing, new street level, retail, etc. On the right was the site plan Home Depot envisioned for the 200 to 300 multifamily units with street-level retail within the four or five acres of out lots. (Slide 10)
- Two aerial renderings showed what the Applicant believed the development might look like within the 15-acre property in the future, with the Home Depot store tucked in behind multifamily residences in the Town Center. (Slide 11-12)
- Some might think no one would want to live next to a Home Depot; however, there were several places where a Home Depot was located in the middle of live-play-work communities. He briefly described three specific, relatively recent examples where Home Depots were part of larger development multifamily and multifamily/street retail developments in a high performing store in Atlanta, Georgia, as well as in Surrey, Canada, and Lynnwood, Washington. The store in Atlanta was built in 2006 with the housing completed in 2008, and the Lynnwood store was built in 2021 with the housing finished in 2022. Such developments, which included multifamily units and street-level retail closely aligned with what was expected with the Town Center Plan. (Slides 13-16)
- He appreciated the opportunity to share Home Depot's thoughts, noting the potential benefit for everyone to walk hand-in-hand with the Town Center Plan and reiterating that Home Depot was more in alignment with than opposed to the Town Center Plan.

Mr. Ordon-Bakalian reiterated the appeal proceeding was only necessary because the Applicant believed the Planning Director Determination impermissibly narrowed the scope of the approval in the 1991 Decision, which is controlling for the property. As stated, the Applicant wanted to be a collaborative partner with the City and did not intend for this process to be adversarial. However, based on the findings of the decision, the Appellant was obligated to file this appeal and certainly disagreed with the scope and nature of the non-conforming use decision within the Director's Determination.

- The Appellant respectfully requested the DRB find that the legally established non-conforming use of the subject property is a commercial retail use as approved in the 1991 Decision, not a Fry's Electronics, not a single-user electronics retail store.
- He repeated the Appellant's request to keep the record open so they could respond to the comment received earlier tonight and to provide additional written testimony. He also asked for the opportunity to provide rebuttal or final argument should Staff have any additional testimony.

John Andrews noted the community had changed a lot since 1991 and Fry's had abandoned ship. He asked why the Board needed to continue with the 1991 Decision.

Mr. Ordon-Bakalian responded the Appellant could certainly provide more detailed in their written response, and explained Oregon's non-conforming use law allows certain uses that may no longer be consistent with the underlying zoning of a property to continue. The 1991 Decision approved a commercial retail use, so although Fry's might be gone and bankrupt, a commercial retail use is still allowed at the subject property. Based on what Mr. Simmons detailed, Home Depot would be a willing

and able partner to achieve both the City's vision under the Town Center Plan, while also providing an anchor commercial retail use at the property stepping into Fry's shoes.

Mr. Andrews asked if there had been some kind of formal proposal for the residential areas or was that something that might happen if Home Depot decided not to layout more parking.

Mr. Simmons replied Home Depot had not marketed those spots yet, since the store had not even been built, but it certainly was their plan as done in other locations. Home Depot would market the excess property or out-parcels to multifamily home builders to get that work done. If in alignment with the Town Center Plan's vision, Home Depot would look more specifically at targeting that type of use for that land if Home Depot got a store at this location.

Mr. Ordon-Bakalian reiterated Home Depot was trying to approach this as a collaborative partner with the City. There had been initial discussions about Home Depot's vision for the site, but those discussions were on hold until the issue with the non-conforming use was sorted out to gain certainty for both the City and Home Depot, which was open and willing to have those discussions, but there needed to be alignment together as partners.

Chair Barrett asked what an effective date for non-conforming use was and when it went into effect.

Mr. Ordon-Bakalian responded that effectively, a use became non-conforming when it is prohibited by the underlying zoning district. The use only became non-conforming when the Town Center Zone was adopted for the subject property, which had the 30,000 sq ft maximum, and several other standards that neither the subject property nor the structure complied with; however, uses that were lawfully established prior to the change of the zoning were allowed to continue. In this case, the Appellant's position is that the commercial retail use approved in 1991 was lawfully established, approved by the City, has never been abandoned. City Code actually had provisions for abandonment, which were detail in the Appellant's application, and he believed both the City and the Appellant believed those were met. Because the use was established in 1991, it may continue. The effective date for non-conformance was when the zoning designation changed in 2019 with the adoption of the Town Center Plan.

Stephanie Davidson, Assistant City Attorney, stated Staff agreed, noting the effective date of that zoning regulation was June 5, 2019.

Chair Barrett asked what the use was. Was it the Fry's retail store in 2019?

Ms. Davidson replied the legal standard was outlined in the Staff report, and one key case was the Nehoda LUBA Case, from which she read, "The purpose of the local government proceeding to determine the existence of a non-conforming use is to determine what use existed on the date the restrictive regulations were applied." So essentially, the question was "What was the actual use of the property as of June of 2019?"

Mr. Ordon-Bakalian replied from the Appellant's position, the use was commercial retail. The Planning Director's Determination narrowed it to a Fry's Electronics, and in some instances, maybe a single-user electronic retail store. Again, the information shared in his presentation was taken directly from the

1991 Decision, which clearly, the use approved was a commercial retail use. Electronic stores, including Fry's, fall within that subset of uses, but he did not believe the 1991 Decision intended to narrow such a use to that level.

Chair Barrett asked how the structure/property had been since Fry's—the retail use went out of business in 2021.

Mr. Ordon-Bakalian responded the property itself has been vacant, but due to the City's non-conforming use standards, the use had continued and not been abandoned. More details could be provided in writing; however, he believed the standards for continuance of a non-conforming use included continuing to pay utilities, taxes, and other facets of continuing to employ the site, and the current owner of the site had done so. There was no evidence that they had stopped doing any of those things. So, the position of the Appellant, and the City based on the findings in the Planning Director's Determination, was that the existing non-conforming use had not been abandoned, the question regarded the nature of that use.

Mr. Mesbah asked why the Applicant was essentially forced to appeal the decision of the Planning Director.

Mr. Ordon-Bakalian believed "compelled" might be a better word than "forced", noting the Applicant could have chosen not to appeal the decision and that it all went back to the City's November 28th email.

The Applicant had requested confirmation there was a non-conforming use of the property and had stated the Applicant's intention to operate a Home Depot at the site. In response, Staff stated the second part of the Applicant's request required a Planning Director interpretation, which should be processed under a Class 2 application, so the Applicant believed the Class 1 would essentially confirm whether it was a non-conforming use or not; a non-conforming structure or not; however, the Planning Director determined that the non-conforming use, the nature of the use, was a Fry's Electronics or a single-user electronic retail store, which meant if that decision was not appealed, that would be the only use allowed at the site under its non-conforming use rights. As the Appellants, they were not denying Home Depot was not a single-user electronic retail store or a Fry's, so they were obligated to appeal because they believed that 1991 Decision approved a commercial retail use; not something as narrow as was in the Determination.

Mr. Mesbah asked if a Class 2 Review, which would be coming before the DRB, would deal with that specific question and what was the difference.

Mr. Ordon-Bakalian confirmed it would address that specific question and explained the difference was if the decision had not been appealed within the allotted appeal timeline, the decision would become final. And, the decision in the Class 1 Determination, which the Appellant believed may have been outside the scope of what should have been decided, was that the use is a Fry's Electronics or a single-user electronic retail store, so in effect, the Class 2 decision had already been made, even though the Appellant had not understood that was to occur. If the Applicant had let the decision stand that the non-conforming use was a Fry's Electronics, the Class 2 process would effectively be mute; there would be no reason for the Applicant to proceed at that point.

Mr. Mesbah explained as someone who needed to figure out the complexity of this issue, he did not feel there was enough information, other than the Appellant's say so, to determine whether this was conforming or a continuation of use. He would rather wait for a Class 2 Review with a thorough evaluation. He did not know if there was an option of withdrawing the Applicant's Class 1 application, so the DRB could go forward with Class 2 with an open slate or something like that instead of prejudicing it, as the Applicant was worried would happen.

Mr. Ordon-Bakalian replied that made perfect sense and was an astute observation. Again, the Appellant was open to discussing potential solutions with the City, in terms of what could be done to focus the process before DRB, so two different processes were not proceeding at once. As noted, Home Depot was not forced, but obligated to appeal, based on the substance of the Determination of the Class 1 decision.

Ms. Davidson explained there had been negotiations with the Applicant, even late on Friday afternoon, with discussion about the Applicant potentially withdrawing the Class 1 application. One of the resolutions within the circulated documents noted the Planning Director would modify her December 28, 2023 letter to say that no determination of non-conformance was made, to which the Applicant would have to agree. City Staff agreed the record was a little confused between the Class 1 and Class 2 applications proceeding at the same time.

- She confirmed it was possible to have a clean slate for a Class 2 Review as long as the Applicant agreed.

Mr. Ordon-Bakalian confirmed he saw the same correspondence and reached out to City Attorney Guile-Hinman that morning. There would need to be an agreement between the City and Home Depot that the DRB would adopt a new resolution, effectively cleaning the slate from the Planning Director's Determination before the Appellant dismissed their appeal. If the appeal was dismissed prior to that, the decision would be inconsistent with what the Appellant agreed with, so some certainty was needed. The open record period would be beneficial at this point to allow continued discussions. He was not sure if the DRB was interested in exploring options, but he understood the DRB's concerns.

Ms. Davidson confirmed the request to keep the record open was granted.

Mr. Mesbah confirmed another DRB meeting was required if the record was left open and for the DRB to adopt some resolution.

Daniel Pauly, Planning Manager noted the DRB might need to hold a special meeting for that.

Ms. Davidson stated that given the timelines at play, the Board members' availability on March 5th and March 21st needed to be discussed.

Miranda Bateschell, Planning Director, did a raise of hands inventory for potential meeting dates: three Board members were available March 5th, four on March 18th, 19th, and 20th, and three on March 21st.

Chair Barrett asked what the difference was between a Class 1 and Class 2 Review.

Mr. Pauly explained Class 1 was a ministerial or administrative decision where there was no discretion. The only person noticed of the application was the Applicant. Class 2 was also administrative, but the surrounding properties, the DRB, and the Planning Director received notice. So, more notice was given and more was involved with a Class 2 than in Class 1, which were essentially issued over the counter. The Planning Director could also refer a Class 2 Review to the DRB. More discretion was allowed under a Class 2 Review.

Chair Barrett asked if the questions the applicant posed would be different for a Class 1 versus a Class 2 Review?

Ms. Rybold replied yes. While the submitted Class 1 application was the determination of non-conforming status related to the Location: the use, site conditions, and structure, the Class 2 was a Planning Director's interpretation of the question posed regarding the Fry's Electronics and the Home Depot and whether that was a continuation of use according to City Code, which required an interpretation of the standards within the Development Code.

Chair Barrett asked who did the interpretation.

Ms. Rybold responded both decisions were issued by the Planning Director. One was a determination of status, and the other was an interpretation as to whether the two retail users would constitute a continuation of use. So, as highlighted in Ms. Luxhoj's presentation, any testimony or conversation related to the proposed user in the case is tied more to Class 2 than the current Class 1 Review.

Mr. Ordon-Bakalian added that although the Appellant agreed in premise with Ms. Rybold, ORS 197.797 said that for a quasi-judicial hearing, to the extent there was argument or evidence that the Appellant believed was relevant, they were allowed to offer that. Because these two proceedings had gotten so intertwined, there were things the Appellant felt obligated to raise during this hearing to preserve them. Whether or not they were deemed relevant was effectively up to the Board, and not the City or the Appellant.

Chair Barrett called for public testimony regarding the application and confirmed with Staff that no one was present at City Hall to testify and no one on Zoom indicated they wanted to testify. Seeing none, she called for rebuttal or responsive testimony from the Applicant.

Mr. Ordon-Bakalian asked if the Appellant would have opportunity to rebut any Staff testimony that came after his comments or was this their final time to speak.

Chair Barrett replied the Board would be asking questions, so Mr. Ordon-Bakalian could stay and respond.

Mr. Ordon-Bakalian responded to Commissioner Mesbah's earlier question about non-conforming use standards for whether a use is continued, noting that was detailed in the Appellant's application, Exhibit 429 of the City's Staff report and packet, because it was application criteria. Wilsonville Development Code (WDC) 4.189(.01) stated, "A non-conforming use may be continued subject to the requirements of this section". One requirement of this section was to determine whether the use has

been abandoned, which was WDC 4.189(.03), which said, "If a non-conforming use is abandoned for a period of 18 consecutive months, the use shall not be reestablished without fully complying with the use requirements of the zone" which would be the Town Center Zone. "Mere vacancy of a site or building while it is being marketed, or other plans for its use are being readied, does not constitute abandonment. In order for it to be considered abandoned, a site must not be receiving City utilities, must not be actively marketed for rent, lease, or sale. These standards concerning abandonment do not affect the City's process for abating nuisances" which in his opinion, was likely not relevant to this proceeding. What was relevant was whether the property was receiving City utilities, whether it was marketed for rent, lease, or sale—both were true. There was evidence in the record demonstrating as much and that was the City's standard for abandonment. The Appellant believed the use had not been abandoned because the site is receiving utilities, and is currently being marketed for rent, sale, or lease. So again, the Appellant believed the use, the commercial retail use approved in 1991 had not been abandoned and has continued. To the Appellant's knowledge, based on the Planning Director's Determination, and the Staff report for this appeal, the City did not appear to dispute that; however, he did not want to speak for the City.

Mr. Mesbah clarified he was not confused about the Appellant's position. Staff did not necessarily agree with all the Appellant's positions, and because the scope of analysis was being expanded, that disagreement might become clearer to the Board later, so there was no reason to rush a decision now if some understanding could be engineered.

Mr. Ordon-Bakalian agreed.

Mr. Andrews asked if the 2019 date was the effective date for when the use of the property became defined.

Ms. Davidson responded June 5, 2019 was the date the Town Center Plan became effective. Based on the content of the Town Center Plan, the proposed use would not be allowed, so that was the date of the more restrictive land use regulation.

Mr. Pauly added that even though it was a planned unit development, the zoning changed so now it was a non-conforming planned unit development.

Ms. Galloway understood the Board was to affirm or reject a Planning Director's decision and said she would move to reject from the record certain information from the Applicant.

Ms. Davidson clarified nothing could be done with the record tonight because the Applicant had requested to keep the record open for seven days. Staff would discuss a date for the Board to reconvene to make a decision on this application.

Mr. Ordon-Bakalian stated based on ORS 197.797 and the standards that allowed them to make argument in evidence in a quasi-judicial setting, the Appellant formally objected for the record the future exclusion of testimony and evidence in the record

Ms. Davidson added that City Staff reviewed the cited 2019 case, *Gould v. Deschutes County* 79 Or LUBA 561, and observed that case did not cite ORS 197.829 as noted on Slide 7. (Exhibit B2) The legal standard was outlined in the Staff report, which the Board reviewed.

Chair Barrett the ORS Standard cited as.

Mr. Ordon-Bakalian confirmed the ORS standard he cited was ORS 197.797 Sub 9, which was the procedure for local quasi-judicial land use proceedings or hearings and detailed both hearing process and notice requirements. Subsection 9 of that statute stated, "Argument means assertions and analysis regarding the satisfaction or violation of legal standards or policy believed to be relevant by a proponent to a decision. Evidence means facts, documents, data, or other information offered to demonstrate compliance or non-compliance with the standards believed to be relevant by the proponent." The Appellant believed all the information they had entered into the record was relevant for the decision before the DRB.

- He clarified it was not in *Gould*, but another standard he had referenced. He added more could be followed up on in writing, but the Appellant believed the *Gould's* decision found that a local government's interpretation of a prior land use decision was not afforded the same level of deference before the Land Use Board of Appeals that a City would be afforded if interpreting its Development Code. In this case, the DRB was interpreting the 1991 Decision, so the nature of the use allowed to continue at the property would not be afforded any special deference. The *Gould* case was referenced to provide context for the decision before the Board.

Amanda Guile-Hinman, City Attorney, clarified the definition for the record, noting it ended with "...argument does not include facts." And then "Evidence means facts, documents, data or other information offered to demonstrate compliance or non-compliance with the standards believed by the proponent to be relevant to the decision." She wanted to be clear that argument and evidence were different and discussed differently in ORS 197.797.

Mr. Ordon-Bakalian agreed with that clarification, adding Sub A and Sub B.

Ms. Rybold added a clarification pertaining to uses, the new zoning, and what applied. When the Planning Director made determinations or interpretations, Staff's standards for the uses that are allowed were agnostic of a specific business or user. No preferences were being expressed in terms of a specific business being preferred or not preferred by Staff. Staff was making the determinations based on uses and interpretations of uses, considering prior decisions or legal case law to determine how to define those uses.

Chair Barrett asked if a business name had to go into a use.

Ms. Davidson replied the DRB has discretion to decide the nature and the extent of the use in the Class 2 proceedings.

Chair Barrett confirmed there were no additional questions or discussion and closed the public hearing at 9:17 p.m.

Ms. Bateschell clarified Staff would contact the Board about specific dates to hold the special DRB meeting, requesting that the Board members hold open March 5th and March 19th. She noted Staff had to work internally to determine other City meeting schedules and to potentially accommodate additional time beyond the seven days should anyone on the record submit testimony because the Appellant would have additional time to submit a response, which would mean meeting March 19th. Most meetings of this nature were held in the evening, so she asked Board members to hold those evenings open and to contact Mr. Pauly if they were only available after a certain time.

Ms. Davidson advised making a motion to keep the written record open for seven days until March 4, 2024 at 5:00 p.m., the date the record would close. Staff would have to separately determine the date of the Board would reconvene. So that's a motion to keep the written record open for seven days until March 4th, 2024

Alice Galloway moved to keep the written record open until March 4, 2024, at 5:00 p.m. Karman Mesbah seconded the motion, which passed unanimously.

BOARD MEMBER COMMUNICATIONS

1. Results of the February 12, 2024 DRB Panel A meeting
2. Recent City Council Action Minutes

There were no comments.

STAFF COMMUNICATION

There were no comments.

ADJOURNMENT

The meeting adjourned at 8:23 p.m.

DEVELOPMENT REVIEW BOARD MEETING

**MONDAY, JUNE 24, 2024
6:30 PM**

Consent Agenda:

2. Approval of minutes from the March 25, 2024 DRB Panel B meeting



**DEVELOPMENT REVIEW BOARD PANEL B
MEETING MINUTES**

March 25, 2024 at 6:30 PM

City Hall Council Chambers & Remote Video Conferencing

CALL TO ORDER

A regular meeting of the Development Review Board Panel B was held at City Hall beginning at 6:30 p.m. on Monday, March 25, 2024. Chair Rachelle Barrett called the meeting to order at 6:32 p.m., followed by roll call.

CHAIR'S REMARKS

The Conduct of Hearing and Statement of Public Notice were read into the record.

ROLL CALL

Present for roll call were: Rachelle Barrett, Megan Chuinard, and Clark Hildum (Panel A). Alice Galloway, John Andrews, and Kamran Mesbah were absent

Staff present: Daniel Pauly, Stephanie Davidson, Amy Pepper, Kimberly Rybold, Georgia McAlister, and Shelley White

CITIZEN INPUT

This is an opportunity for visitors to address the Development Review Board (DRB) on items not on the agenda. There were no comments.

CONSENT AGENDA

1. Approval of minutes of February 26, 2024 DRB Panel B meeting

Chair Barrett noted that she but no other Board members were present at the February 26th meeting.

Chair Barrett moved to table the February 27, 2024 DRB Panel B meeting minutes until the May 30, 2024 DRB-Panel B meeting. Clark Hildum seconded the motion, which passed unanimously.

PUBLIC HEARINGS

2. **Resolution No. 431. Citycounty Insurance Services (CIS) Oregon Collaboration Center.** The applicant is requesting approval of a Stage 2 Final Plan Modification, Site Design Review, Type C Tree Removal Plan, Class 3 Sign Permit and Waiver for development of a single story, 15,744 square foot, office building and associated site development on the southwest corner of Wilsonville Road and Kinsman Road.

Case Files:

- DB23-0015 CIS Oregon Collaboration Center
- Stage 2 Final Plan Modification (STG223-0008)
- Site Design Review (SDR23-0010)
- Type C Tree Removal Plan (TPLN23-0005)
- Class 3 Sign Permit (SIGN23-0014)
- Waiver Request (WAIV23-0006)

Chair Barrett called the public hearing to order at 6:37 p.m. and read the conduct of hearing format into the record. Clark Hildum declared for the record that he had visited the site. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Georgia McAlister, Associate Planner, announced that the criteria applicable to the application were stated starting on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room and on the City's website.

Ms. McAlister presented the Staff report on the CIS Collaboration Center via PowerPoint, briefly noting the site's location and reviewing the site's background and requested applications with these key comments:

- The subject site designation was industrial within the Comprehensive Plan, and surrounding land uses included industrial to the north, agricultural to the south and west, and a mix of industrial and commercial uses to the east. (Slide 2)
- Proper noticing was followed for the application. Notice was mailed to all property owners within 250 ft of the subject property and on March 15 and published in the newspaper. Additional postings were placed onsite and on the City's website. (Slide 3)
 - No public comments were received for the project during the public comment period.
- Of the five requests before the DRB tonight, the first four were objective in nature, as they involved verifying compliance with Code standards, and the request for a waiver involved discretionary review. (Slide 4)
- The Stage 1 Preliminary Plan for the subject project was approved in 2009, establishing the use for development as part of DB09-0047 through DB09-0053, and was vested when substantial development of Phase 1 on the other side of Kinsman Rd occurred. The Wilsonville Road Business Park Development included the approval of industrial, office, and commercial use over two parcels and would be constructed in two phases. (Slide 5)
 - The proposed use of the 15,700 sq ft office was consistent with the original approval and Stage 1 Plan, which included the approval of 70,731 sq ft of Industrial Use, 8,814 sq ft of Service/Retail Use, and 31,990 sq ft of Office Use.
 - Phase I of the approval included 10,290 sq ft of allocated Office Use and the subject Phase 2 allocated 21,700 sq ft of Office Use, for a total of 28.7 percent of the total development falling within the 30 percent allowance for office space in the Planned Development Industrial (PDI) Zone as permitted by Code Section 4.135(.03).
 - The Stage 2 Final Plan Modification included approximately 15,700 sq ft of office space and associated improvements. The proposed uses of the development were consistent with the PDI

Zone and underlying Stage 1 approval, which allocated 21,700 sq ft of office space on the development site. (Slide 6)

- All services for the site were currently available or would be with conditions of approval. The site included parking, a circulation area, pedestrian connection, and landscaping that met or exceeded City standards.
- The Traffic Study evaluated two intersections which would remain at Level of Service (LOS) D or better. While additional road improvements were not triggered by the proposed project, Conditions of Approval PF 4 and PF 6 addressed the reconstruction of any road improvements impacted by construction along Kinsman and SW Wilsonville Rd during construction, as was typical for new development along already-developed roads. (Slide 7)
- Site Design Review. The Applicant used appropriate professional services to design the proposed office headquarters building and utilized quality materials and design. The proposed building would be highly visible, being located along Wilsonville Rd and had been designed accordingly, featuring a modern design that utilized angles to contrast the gray palette as well as ample glazing on all facades.
 - The configuration of the site would allow for efficient employee and visitor parking while also creating safe pedestrian access throughout the parking area.
 - The close proximity to the Significant Resource Overlay Zone (SROZ) provided the opportunity for diverse and lush planting to the south portion of the site. In addition to the native mitigation planting, landscaping was incorporated throughout the site and would provide shade, stormwater mitigation, and aesthetic value. (Slide 8)
- Type C Tree Removal. Three trees were proposed for removal on the site and one native tree was proposed for preservation. Tree species on site were a mix of native and non-native. Trees proposed for removal included Ponderosa Pines of good quality; however, removal was necessary for site development. (Slide 9)
 - The Applicant proposed replanting 11 trees within the parking area, 11 trees along the north property line, and 24 trees within the SROZ mitigation area on the subject property, which was in excess of the one-for-one mitigation ratio required by the Development Code.
- Class 3 Sign Permit. The original approval for the Wilsonville Road Business Park included a Master Sign Plan which provided guidance on location, size, materials, colors, and finishes for any future signs to ensure compliance with the Development Code. (Slide 10)
 - The Applicant had proposed slight changes to the Master Sign Plan, which included eliminating the monument sign.
- The requested waiver to the 30-ft setback required in the PDI Zone would impact the north and east sides of the building. Waiving the setback would enable the best use of the triangular-shaped parcel, which partially extended into the SROZ on some portions of the property, and allow for a one-story, 15,700 sq ft office building and parking area with supporting site improvements. (Slide 11)
 - Several unique factors of the development site necessitated the setback reduction, such as the existing property line along Wilsonville Rd that was well behind the existing sidewalk and right-of-way located in the Kinsman/Wilsonville Rd intersection, which provided 30 ft of separation from the edge of curb to the parcel's property line. An additional setback of 30 ft from the property line was required to meet the PDI setback requirements for the proposed building, which would place the building a full 60 ft away from the intersection.

- The requested setback reduction for the northeast corner of the building would place the proposed building 40 ft from the intersection, which was a more appropriate distance given the active intersection. The 18-ft right-of-way along the north frontage included a sidewalk and trees. The requested setback reduction would place the north façade 24 ft from the property line and 40 ft from Wilsonville Rd. A reasonable buffer between the street and building was provided on all frontages even with the requested reductions and mitigated the impact of said reductions.
- On the western portion of the site, the west property line abutted a wetland area and SROZ that extended 50 ft onto the property. With a large portion of the property in a protected area, the portion of the site available for development was limited. To shift the building to the west in order to meet the 30-ft setback would result in either poor site design or an odd-shaped building. The SROZ along the western edge provided buffering to any surrounding uses to the southwest. Wilsonville Rd and Kinsman Rd were to the north and east and already buffered by the previously described right-of-way which included trees and pedestrian infrastructure.
- Beyond site constraints, it was important to acknowledge that office use, while allowed in the PDI Zone, was not a traditional industrial use that warranted further separation and large setbacks from other surrounding operations. Instead, office space was more similar that seen in some commercial zones that did not have 30-ft setbacks to allow for an active façade, which was desired in areas where people utilized the space more often, along Kinsman and Wilsonville Rd.
- Based on discussions with the Applicant, Staff wanted to add more specificity to Condition of Approval PF 2 to state, "The Traffic Impact Study for the project (DKS December 2023) found that all intersections impacted by the proposed development would operate above the City's acceptable Level of Service (LOS) D. The driveway aisle length is less than the required 100 ft, however, there are no on-site circulation or safety concerns with the proposed 60-ft driveway aisle length. ***Prior to issuance of Public Works permit: The applicant shall provide a technical memo supporting a Public Works Standards Variance request for a driveway less than 100 feet. The technical memo shall provide evidence that the requested driveway length can accommodate the vehicles queuing length.***"

Chair Barrett confirmed there were no further questions from the Board and called for the Applicant's presentation.

Sid Hariharan Godt, Land Use Planner, Mackenzie, introduced the members of the team and thanked Staff for their comprehensive presentation of the project and help in moving the project along as they were excited to see it move to the next stage.

Steve Norman, Administrative Officer, CIS, stated he was present on behalf of CIS staff and the CIS Executive Director Patrick Priest. He explained CIS was a public entity created by the League of Oregon Cities and the Association of Oregon Counties that provided risk management services and insurance for 98 percent of cities and 78 percent of counties in Oregon, including Wilsonville. Coverage included auto, general liability, property, and workers' compensation through a partnership with SAIF, and employee benefits. CIS was owned by the member cities and counties that participated in CIS coverage.

- Until 2021, CIS staff worked primarily in two offices, one in Salem and one in Tigard. Beginning in 2019, CIS made an effort to bring staff together, both in culture and proximity, which led CIS to sell its two locations and begin looking for one consolidated location. After pausing its search due to the pandemic, CIS found the subject property in 2022 which was excellent for its purposes.
 - CIS choose Wilsonville, not only for its general proximity to the bulk of its staff, but also for the city's excellent amenities, shopping, wonderful quality of life, and easy access to I-5. Consequently, CIS purchased the subject site and began the design process with Mackenzie, Burman Construction, and Cumming Group.
- Because CIS staff remained a hybrid workforce, they decided to call the future headquarters a collaboration center, as it would be designed as a place where staff living throughout the state could come to work together as appropriate to provide risk management services for Oregon cities and counties.
 - Because the center was envisioned not only as a work space for CIS staff, but also for the member cities and counties, the design included a training/meeting room available for use by both staff and members.
- The proposed office was not just a functional space for CIS, it was an investment; one that would benefit CIS members and the Wilsonville community as CIS looked to stay in its new home for a long time. He thanked the Board members for their time and consideration of the CIS project.

Adam Goldberg, Landscape Architect, Mackenzie, 1515 SE Water Ave, Portland, OR, 97214, presented the Applicant's proposal via PowerPoint, reviewing several of the proposed building's elevations with these key additional comments:

- The southeast corner of the building was the main user access and view for pedestrians. The tallest element was the training room and he emphasized the amount of glazing used to take advantage of the south exposure. (Slide 1)
 - The proposed color palette was relatively simple and monotone to keep things modern and clean, and the project team was playing with various materials, concretes, fiber cement panels, textures, and paints. No building materials would be unfinished. To inject some natural materials into the design, local cedar would wrap the underside of the training room roof overhang and then turn down toward the sidewalk at the human scale.
- The east elevation was the first view of the building after turning onto Kinsman Rd. The training room opened onto a patio that would be open to anyone who visited the space. (Slide 2)
- The north elevation fronted Wilsonville Rd and was accentuated with a nice rhythm of punched openings for the offices that lined the wall from the inside. The elevation was relatively low and pedestrian friendly with glazing. Not reflected in the renderings, a large number of trees and plantings would break up the scale to make the building more lovely at pedestrian level. (Slides 3-4)
 - In the background, the top of the south-facing sloped roof could be seen. He noted the almost continuous, clear story window that would bring in a tremendous amount of daylight and make the deepest part of the floorplate vibrant, alive, and well-lit.
- The aerial view showed butterfly-like roof of the training room and the full solar array on the south facing sloped roof. (Slide 5)
- The 2D building elevations in 2D showed how the design team had maximized the amount of glazing while making the interior environment friendly as well. (Slide 6)

Mr. Hariharan continued the PowerPoint presentation, describing the land use discretionary review items as follows:

- **Setback Waiver.** As Staff discussed, PDI setbacks were intended for industrial developments, such as warehouses and manufacturing facilities that might not have compatibility with the pedestrian realm. In the Planned Development Commercial Zone, where commercial development was more prevalent, there would be no minimum setback requirement for a building on this particular subject site. He suggested taking the perspective of looking at a commercial building in the Industrial Zone at the intersection.
- He displayed the Site Plan which featured added dimensions to highlight the setback of the building from the public sidewalk and out to the street. (Slide 9, Sheet C1.10)
 - Along Wilsonville Rd, the public right-of-way was generally 40 ft on the corners of the building, and there was an approximately 23-ft setback to the property line that extended to about a 30-ft setback to the back edge of the sidewalk.
 - In the area on the north side, there was no building due to the 21-ft-wide public utility easement, which further constrained the site and necessitated the need to shift the building south, away from the north property line.
 - The northeast corner of the building would be approximately 22 ft from the back of the sidewalk and 11 ft from the property line, which was very irregular as it jogged the corner.
 - The southeast corner of the building would be approximately 40-ft from back-of-curb from Kinsman Rd and 27-ft from the property line in that area.
- As mentioned, extensive sensitive lands were on the western portion of the site and in an effort to keep all development out of the SROZ and provide enhanced plantings and mitigation plantings in that area, the Applicant shifted the building to the northeast corner of the site and located the parking area to the south.
- With regard to the pedestrian scale of commercial development, the yellow highlight on the Planting Plan indicated the sidewalk wrapping around the corner. Quite a few shrubs would be planted along the south sides of the building as well as ground cover and street trees. (Slides 15-16)
 - Along the north sidewalk were tree plantings compatible with the public utility easement as well as shrubs and ground cover to soften up the side of the building fronting Wilsonville Rd, making it a more pedestrian-friendly with a canopy of trees over the sidewalk.
- The Staff report concurred a reasonable buffer existed between the buildings and streets, even with the reduced setback waiver request. The Applicant believed the waiver would allow for the best use of the site, as shown by the current building design and the prior 2009 approval which featured a commercial building in a similar position on the site, which created some precedent. Additionally, it was the best way to capture the active corner.
- The Applicant sought clarification about the scope of Condition PF 4.
 - Finding A59 stated, "Adjacent streets are fully developed to City standards and no additional street improvements are warranted." Condition PF 4 read, "Prior to issuance of the Public Works permit, submit site plans to engineering showing street improvements, including pavement restoration, curb, planter strip, and street tree along Wilsonville Rd and pavement, sidewalk, driveway restoration, curb, planter strip, and water service connection along SW Kinsman Rd. All street improvements shall be constructed, inspected, and approved by the City."

- He asked if the restoration imposed by Condition PF 4 was applicable to the driveway the Applicant proposed to close off Wilsonville Rd and any inadvertent damage that might occur as part of construction. He noted the existing driveway planned for closure was at the north end of the site, highlighted in yellow, and would be restored to City standards as part of the project. (Slide 8)

Chair Barrett said she wanted to understand how the bus pullout related to Condition PF 2 and if that was part of the same driveway Mr. Hariharan had referred to.

Mr. Hariharan clarified the driveway the Applicant was proposing was an existing driveway with access from the south, off Kinsman Rd. The driveway from Wilsonville Rd would be closed and not operable as part of the site improvements.

Chair Barrett asked what clarification Mr. Hariharan sought regarding Condition PF 4 and if it regarded the plantings.

Mr. Hariharan replied that he wanted clarification on the scope of the restoration. Condition PF 4 discussed restoration along both Wilsonville Rd and SW Kinsman Rd, and Finding A 59 stated those streets were fully improved to City standards. He understood the Applicant needed to complete restoration to where the Wilsonville Rd driveway would be closed, but wanted to ensure it was limited to that scope of the site, as well as any other inadvertent damage that happened as part of construction. The Applicant understood, for example, if the construction crew were to damage a curb, the Applicant would be responsible for restoring it, but wanted clarification that was the extent of the condition.

Amy Pepper, Development Engineering Manager confirmed Mr. Hariharan was correct. The City was not looking for anything like a pavement overlay on either Wilsonville Rd or Kinsman Rd, only restoration of sidewalk panels or anything damaged during construction.

Mr. Hariharan confirmed that was the clarification the Applicant was looking for and confirmed he was satisfied with the amendment as proposed in the City Staff report for Condition PF 2.

Chair Barrett called for public testimony regarding the application and confirmed with Staff that no one was present at City Hall to testify and no one on Zoom indicated they wanted to testify.

Chair Barrett confirmed there were no additional questions or discussion and closed the public hearing at 7:12 pm.

Megan Chuinard moved to approve the Staff report with the amendment to Condition of Approval PF 2 as read by Staff. Clark Hildum seconded the motion.

Condition of Approval PF 2 was amended to state:

(Note: additional language in bold, italic text)

“The Traffic Impact Study for the project (DKS, December 2023) found that all intersections impacted with the proposed development would operate above the City’s acceptable the level of service (LOS) D. The driveway aisle length is less than the required 100 feet,

however, there are no on-site circulation or safety concerns with the proposed 60-foot driveway aisle length. ***Prior to Issuance of Public Works Permit: The applicant shall provide a technical memo supporting a Public Works Standards Variance request for a driveway less than 100 feet. The technical memo shall provide evidence that the requested driveway length can accommodate the vehicle queuing length”***

The motion passed unanimously.

Megan Chuinard moved to adopt Resolution No. 431 with the Staff report as amended. Clark Hildum seconded the motion, which passed unanimously.

Chair Barrett read the rules of appeal into the record.

BOARD MEMBER COMMUNICATIONS

3. Results of the March 11, 2024 DRB Panel A Meeting
4. Recent City Council Action Minutes

There were no comments.

STAFF COMMUNICATIONS

Daniel Pauly Planning Manager, reminded Board members of the date switch for the upcoming April meetings, with Panel A meeting on April 22 and Panel B meeting on April 8, 2024.

Chair Barrett thanked Clark Hildum for filling in tonight.

ADJOURNMENT

The meeting adjourned at 7:18 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, LLC. for
Shelley White, Planning Administrative Assistant

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, JUNE 24, 2024
6:30 PM

Consent Agenda:

3. Approval of minutes from the April 8, 2024 DRB Panel B meeting



**DEVELOPMENT REVIEW BOARD PANEL B
MEETING MINUTES**

April 8, 2024 at 6:30 PM

City Hall Council Chambers & Remote Video Conferencing

CALL TO ORDER

A regular meeting of the Development Review Board Panel B was held at City Hall beginning at 6:30 p.m. on Monday, April 8, 2024. Chair Rachelle Barrett called the meeting to order at 6:30 p.m., followed by roll call.

CHAIR'S REMARKS

The Conduct of Hearing and Statement of Public Notice were read into the record.

ROLL CALL

Present for roll call were: Rachelle Barrett, John Andrews, and Kamran Mesbah. Alice Galloway and Megan Chuinard were absent.

Staff present: Daniel Pauly, Stephanie Davidson, Kimberly Rybold, Miranda Bateschell, Amanda Guile-Hinman, Cindy Luxhoj, and Shelley White

CITIZEN INPUT

This is an opportunity for visitors to address the Development Review Board (DRB) on items not on the agenda. There were no comments.

CONSENT AGENDA

PUBLIC HEARINGS

1. **Resolution No. 432 - Planning Director's Referral of a Continuation of Non-Conforming Use Determination:** The Planning Director has referred Case File AR23-0031 to the Development Review Board for determination regarding the continuation of an existing Non-Conforming Use.

Chair Barrett called the public hearing to order at 6:35 p.m. and read the conduct of hearing format into the record. John Andrews declared for the record that he had visited the site recently. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

Cindy Luxhoj, AICP, Associate Planner, announced that the criteria applicable to the application were stated starting on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room and on the City's website.

The following exhibits were entered into the record:

- Exhibit B3: Applicant's PowerPoint presentation
- Exhibit D1: Comment letter from Garet Prior dated April 5, 2024
- Exhibit D2: Comment from Kristen Roche dated April 8, 2024
- Exhibit D3: Email read into the record from Dave Wortman dated April 8, 2024

Ms. Luxhoj presented the Staff report via PowerPoint, briefly noting the subject property's location in the Town Center Zone and its Town Center Comprehensive Plan Designation. The subject property was referred to as the "Location" in her presentation. Her key comments were as follows:

- **Background.** On October 30, 2023, the City received an application for a Class I Review to confirm the status of the existing non-conforming use and structure at the Location. (Slide 3)
 - On December 28, 2023 the City's Planning Director issued their decision on the Class I Review, and the Applicant submitted a Notice of Appeal of the Planning Director's decision on January 10, 2024.
 - On February 26, 2024, a public hearing on the Notice of Appeal was held before the DRB. At that time, the hearing was closed but the record was left open to allow the Applicant to submit arguments and evidence.
 - DRB held a special meeting on March 14, 2024, and after deliberation, approved Resolution No. 429, which unanimously affirmed the Planning Director's determination of non-conformance. The Notice of Decision was issued on March 15, 2024.
 - DRB Resolution No. 429 was a City decision and could only be overturned on appeal, and an appeal was currently pending before City Council.
- Proper noticing was followed for the application. Public hearing notice was mailed to property owners within 250 ft of the subject property and additional notice was published in the Wilsonville Spokesman and placed on-site. (Slide 4)
 - No public comments were received during the comment period; however, two comments were received after publication of the Staff report and had been entered into the record as Exhibits D1 and D2.
- On December 15, 2023, Application AR23-00031 was submitted for Class II Review by the same Applicant that filed the Class I Review application. The application for Class II Review was stated as, "A Class II Staff Interpretation to confirm that the Home Depot and Fry's Electronics are both warehouse retail uses." (Slide 5)
 - The Applicant also described the application as, "An application for a Staff Interpretation of the Wilsonville Development Code to confirm that the Home Depot proposed for 29400 Town Center Lp West constitutes a warehouse retail use and may operate in the existing structure."
 - The City deemed the Class II Review application complete on January 12, 2024 and was processing the request as a Class II Planning Director Interpretation.
 - Given the public comment on the aforementioned Class I Review Application, and because some interested parties may want to participate in the Class II Review, the Planning Director chose to refer the application to the DRB for public hearing.
- To clarify language used in this and subsequent presentation slides, she noted Fry's Electronics was referred to as Current Occupant and The Home Depot as the Proposed Occupant.

- In addition to the application materials submitted with its application for Class II Review, the Proposed Occupant also submitted a letter to the City dated March 29, 2024 inviting the DRB to address or remedy the flaws in Resolution No. 429 on the Class I Review. (Slide 6)
 - The issues resolved in Resolution 429 were beyond the scope of the subject Class II Review application. Further, the Applicant had waived its right to address the issues that were addressed in Resolution No. 429 through this Class II Review application. The City invited the Applicant to withdraw their Class I Review application, in writing, on November 28, 2023. At the DRB hearing on February 26, 2024, and in the days following that hearing, the City offered to void and withdraw the Planning Director's determination in the Class I Review, have the DRB not issue a decision, and made clear that the issues under review in the Class I proceeding would be addressed in the Class II Review.
 - The City's goal was to allow the City to address all issues pertinent to the Class I and Class II Review in one combined proceeding. The Applicant declined the offer.
 - Staff noted that consideration of any future development of the location would be subject to additional land use review that was also beyond the scope of the subject Class II Review application.
- In the current application, the Applicant requested confirmation that the Proposed Occupant and the Current Occupant were both warehouse retail uses and that the Proposed Occupant may continue to operate at the location. Therefore, the DRB's decision in the Class II Review must determine whether the Proposed Occupant's operation at the location constituted a continuation of the non-conforming use, which involved determining (Slide 7):
 - Step 1 the existing non-conforming use
 - Step 2 the proposed use
 - Step 3 if the proposed use was a continuation of the current non-conforming use
- Pursuant to Wilsonville Code 4.189 (.01), a non-conforming use may be continued subject to the requirements of Section 4.189. No other Code provisions regulated the continuation of a non-conforming use. (Slide 8)
 - Key points regarding case law for the DRB to keep in mind when considering the current application were discussed in detail in the Staff report and included:
 - Non-conforming uses and expansion thereof were disfavored.
 - Local government had broad discretion to resist expansion of non-conforming uses.
 - Whether a proposed use was a continuation or change (of non-conforming use) depended on the nature and extent of the recognized non-conforming use.
 - Local government had broad discretion to draw distinctions between various uses and allow some uses to continue but disallow other uses.
- She provided answers to the three questions or steps that related to determining the continuation of the non-conforming use as follows:
 - Step 1. What is the existing non-conforming use? (Slide 9)
 - The DRB decision in Case File No. DB24-0002, Resolution No. 429, determined there was a legally established, non-conforming use at the Location, specifically that the protected use was a 159,400 sq ft electronics-related retail store. The Staff report included additional information to substantiate that determination.
 - Step 2. What is the proposed use? (Slide 10)

- Based on the application materials provided by the Proposed Occupant and an examination of how the Proposed Occupant operated locally, the City concluded the following:
 - The Applicant acknowledged that the Proposed Occupant operated home improvement warehouse stores and that contractors and other professionals, as opposed to private individuals, accounted for close to half of the Proposed Occupant's annual sales.
 - The Applicant acknowledged that the Current Occupant and the Proposed Occupant carried different products and included a list of products and services provided by the Proposed Occupant such as tools, construction products, appliances, and services, including transportation and equipment rentals, and both on-site and off-site install, repair, and remodel services that were not electronics-related or included in the products and services provided by the Current Occupant.
 - On the Site Plan included in its application materials, the Applicant showed activities that occurred outside the structure at the Location, such as the proposed lumber pad at the back of the structure, or described activities likely to occur outside, such as transportation and equipment rentals.
 - As such, the Proposed Occupant was not an electronics-related retail store and contained products and activities t different than those provided by the Current Occupant and had not presented any evidence to prove that the Proposed Occupant's activities existed at the Location as of June 5, 2019 when the Town Center zoning went into effect.
- Step 3. Is the proposed use a continuation of the current non-conforming use? (Slide 11)
 - For a use to be deemed a continuation of a legally established, non-conforming use, it must have the same nature and extent as the recognized non-conforming use.
 - In the current matter, the reference point was the nature and extent of the Location as of June 5, 2019 as determined by the DRB in Case File No. DB24-0002, Resolution No. 429. The City was entitled to draw distinctions between uses, and once the City drew a distinction between uses, it was entitled to determine that certain uses were beyond the scope of a recognized non-conforming use when there was no evidence of such use at the relevant time, and therefore, determine that there was no continuation with respect to those uses.
 - In other words, the Proposed Occupant's proposed use of the Location (Slide 10) went beyond a mere continuation of the non-conforming use of the Location recognized by the DRB.
 - The Proposed Occupant may engage in those uses at the Location only if a recognition of change of use was obtained, which was beyond the scope of the subject matter before DRB tonight.
- The City's conclusionary findings found that the Proposed Occupant's operation at the Location would not be a mere continuation of the non-conforming use previously approved by the City, and therefore, Staff recommended that DRB deny the Proposed Occupant as a continuation of non-conforming use of the Location. (Slide 12)
- Staff's recommendation was based on the following considerations (Slide 13):
 - The 1991 decision and zoning regulations in effect when the 1991 decision was granted were irrelevant to the subject decision.
 - The Proposed Occupant described itself as a home improvement warehouse store, which was not the same as an electronics-related retail store, the legally established, non-conforming use

at the Location. The Proposed Occupant's characterization of the non-conforming use approved by the City as warehouse retail use was incorrect and not persuasive.

- The Proposed Occupant admitted its proposed use of the Location would include the sale of tools and construction products, the rental of transportation vehicles and equipment, technical expertise for improvement projects, and both on-site and off-site installation, repair, and remodeling services.
- Some of the Proposed Occupant's customers included contractors and professionals, which were uses that extended beyond the scope of the Current Occupant's actual use of the Location as of June 5, 2019 when the Town Center zoning went into effect.
- The Proposed Occupant relied heavily on the 1991 decision to substantiate its argument that the proposed use was a continuation of non-conforming use of the Location. The only relevant point of reference when determining the scope of a non-conforming use was the nature and extent of the use of the subject property at the time the use became non-conforming. However, for the sake of responding to the Applicant's argument only, the City had addressed the 1991 decision; a brief synopsis of the detailed discussion in the Staff report was as follows:
 - Based upon the zoning designation of a location, Stage I plans established "bubble diagram" level uses for development and Stage II plans indicate the specific types and locations of all proposed uses, enabling analysis of the impacts of those uses for the purpose of traffic and other infrastructure impacts and concurrency evaluation.
 - In 1991, Capital Realty Corporation submitted an application for approval of a Stage I Master Plan modification and Stage II Site Development Plan for the Location. This action changed the land use overlay classification of the Location to Central Commercial (CC). As the CC use designation is the basis of the Stage I approval, approved uses for the Location were those identified as CC in the Stage I Wilsonville Town Center Master Plan as defined by Ordinance No. 55.
 - The proposed development, called Project Thunder, an electronics-related retail store, was considered consistent with the CC use category when approved in 1991. While electronics store was not a use listed specifically in CC, modification to the Stage I Master Plan for the development was approved by the Planning Commission under the authority granted to them in Ordinance No. 55. Conversely, uses more closely associated with the Proposed Occupant of the Location were not listed in the CC use category, but were included in other land use categories such as Service Commercial and Food and Sundries.
 - No reference to warehouse retail use or commercial retail center existed in the 1991 decision, Ordinance No. 55 land use categories, or in the Stage I Master Plan. While the Applicant asserted that warehouse retail or commercial retail center was the approved use and that the Current Occupant and the Proposed Occupant were the same, Project Thunder was never approved as such; therefore, neither the 1991 decision nor the zoning regulations in effect in 1991 were relevant in the matter before the DRB tonight, and the Applicant had not cited any legal authorities that said otherwise.

Chair Barrett called for the Applicant's presentation.

Ken Katzaroff, Schwabe Williamson & Wyatt, P.C., thanked Staff for the detailed report, and the DRB for taking time tonight, noting he had some additional pieces he wanted to highlight.

- The Applicant and Staff clearly disagreed about the relevancy of the 1991 decision, as well as the scope of what the Applicant's request was for; several things were read either out of context or very narrowly, and he wanted to be clear that the proposed use the Applicant was continuing was a retail use writ large, and the 1991 decision specifically approved a commercial retail use.
- He disagreed that the Applicant had not provided any legal authority for why the 1991 decision was relevant, noting the Applicant had provided both evidence and legal analysis.
 - Although not yet briefed, he noted that the Oregon Codification Requirement stated that anything in a land use code had to be codified, including the different types of uses. He referred any attending legal staff to *Waveseer of Or., LLC v. Deschutes Cnty.*, 308 Or. App. 494 or *Nehmzow v. Deschutes County*, 308 Or. App. 533. Although County cases, the statute was essentially the same, with the same language, and required that any particular use had to be specifically codified. For the subject application, the specific codification was for retail use, not a difference between an electronics or a hardware use, which was a burden the City would have to address.
 - In the *Waveseer* case, Deschutes County attempted to invent a new use in its Code, and although rare, ultimately had to pay attorneys' fees, which showed that these issues were real and important.
 - He stated the Applicant would provide [inaudible] in the open record and final legal argument, adding it would be potentially important to the legal analysis provided to the Board.
- He was unclear about Staff's comment about a required future land use review because the Applicant was present for a continuation of an existing use, and the Applicant had neither seen nor heard about an additional land use requirement that would be overlaid to continue an existing use.
- He noted the Applicant had appealed the Class I decision to City Council, which was scheduled to be heard on April 15, 2024. In the Staff report, the authority for positions taking was based largely on that decision, which was still pending. Nevertheless, the Applicant believed the DRB could make a determination that the proposed use of the Location was a valid continuation of the existing use should the DRB choose to do so.
- What the Applicant wanted to do at the Location was relevant to the entire discussion about what the previous or existing use was and how Home Depot fit that exactly.

Barry Simmons, Real Estate Manager, Home Depot, 2455 Paces Ferry Rd NW, Atlanta, Georgia, 30339 stated that as the Applicant, they were told they bore the burden of proof to show that the Current Occupant and Proposed Occupant had the same commercial retail uses. He gave the Applicant's presentation via PowerPoint as follows (Exhibit B3):

- The Fixture Plan provided by the City showed the interior walls for the Current Occupant (left) and what Home Depot proposed (right). He noted no exterior Garden Center would be at this location, which was alluded to in the Staff report, and that the Applicant would only use the existing building as it exists. (Slide 2)
- He emphasized that no expansion of the existing use would occur. Based on previous documentation that had been referenced, the previous commercial user had approximately 4,100 vehicle trips in its Traffic Study. Home Depot would not generate nearly as much traffic and anticipated that approximately 1,800 daily trips would be taken off the roads. (Slide 3)
 - Home Depot also had a much lower parking requirement than the nearly 840 parking stalls of the current or previous user. Home Depot requested only 400 parking spaces, as was typical of

its stores. The benefit of that reduction would leave about 5 acres of current parking area that could be redeveloped for other uses that aligned with the Town Center Plan.

- To demonstrate the continuation of commercial retail use, he noted how the current and proposed occupancy aligned as follows:
 - Both commercial retailers had similar points of sale as both required customers to pick up their merchandise, bring it to the front for purchase, and exit from the front of the building. The last customer interaction within the store for the Proposed Occupant would be located adjacent to the exit, same as the Current Occupant. (Slides 4)
 - Commercial retail also involved the necessary function of processing returns, and Home Depot's return-processing area fell almost within the same side of the store as the Current Occupant. (Slide 5)
 - Home Depot offered a store pickup service similar to that offered by Fry's Electronics wherein customers could buy online and pick up in store (BOPIS). The previous user used cages to protect those purchased products, and Home Depot used lockers.
 - The customer experience and navigation through the store were similar. Both occupants used signage for wayfinding and to assist customers in locating products for purchase, as well as aisle signage with numerical identifiers to indicate what products were on the aisle; both were examples of continuation of commercial retail use. (Slide 6)
 - Products displayed in the aisles were laid out similarly between both the previous Commercial Retail occupant and Home Depot's proposed Commercial Retail occupancy with merchandise organized within aisles by related project. Products were displayed for easier customer access, and both the current and proposed retail users used endcaps to maximize the space in which product was shown to customers. (Slide 7)
 - The Applicant disagreed with Staff's implication that Home Depot offered services that the previous Commercial Retail User did not. He displayed two examples of customer service locations within a Home Depot store, a paint desk and computer work desk. Both the previous and proposed commercial retailers offered technical expertise and customized products. While the previous commercial retailer might sell a software package and install it onto a hardware device in-store, Home Depot offered the technical expertise of a sales associate who could mix custom paint colors for a customer. As such, there was a level of service and a level of technical expertise found in both uses. (Slide 8)
 - Additional Services. Both the current previous user and the proposed user used signage hung from ceiling fixtures to advertise available services, such as product delivery, which both the previous and proposed users provided as an off-site service to their customers; additionally, both had sales associates available for customer assistance. (Slide 9)
 - The continuation of retail use between the two users was also shown by major end items: hardware for desktop computers with monitors offered by the previous occupants and appliances offered by Home Depot as a retailer. Even the layouts were similar within the stores. (Slide 10)
 - Both stores utilized similar merchandizing display techniques. Both the previous commercial retailer and proposed use displayed product examples on a counter for customers to see and touch with inventory for sale available underneath the display. (Slide 11)

- Both the previous and proposed retailers displayed merchandise on similar fixtures, such as a pegboard fixture with hangers, featuring product information and price posted for each individual item. (Slide 12)
- Component Items. Just as game cartridges were components for gaming systems, Home Depot effectively had saw blades as components to circular saws, which was a fair analogy of continuation of retail use as both the previous and proposed occupants sold the end item and its components. (Slide 13)
- Both the previous and proposed users dedicated floor space to seasonal sales areas that featured floor-stacked product with sales signs for easy customer access. Product quantities varied based on seasonal demand and often involved discounts. For the previous user, the holiday season was at the end of the year, while for the proposed user, spring was its holiday season. (Slide 14)
- Both users sold furniture. The previous occupant sold gaming chairs, for example, and Home Depot sold patio furniture, and both users had floor space dedicated to those particular furniture offerings. (Slide 15)
- Both the previous and proposed users had ancillary sales, items that may or may not be directly related to either electronics or home improvement. For example, both stores sold hats, one for winter use and one for summer use. Additionally, both stores displayed the hats in packaging direct from the manufacturer in containers set up and ready to be placed in locations, such as aisles in the customers' path to entice them to buy the items, which was another example of the continuation of commercial use. He added the pricing was almost identical as well. (Slide 16)
- The customer experience upon entering the store was almost identical, right down to the shopping carts both users provided as a service to their customers. Additionally, both users' carts were branded with their respective store logo. (Slide 17)
- A summary of the aforementioned examples was displayed to give Board a sense of why the Applicant believed this was a continuation of use from the previous user to the proposed use and that it was all commercial retail. (Slide 18)
 - Regarding Staff's comment regarding "Marketed to Professionals", the Applicant believed the previous user also marketed to professionals as their slogan was, "From the hobbyist to the Silicon Valley professional." The proposed user's tagline is, "From the do-it-yourselfer to the pro," and he saw no significant difference between those two approaches.
 - He believed reasonable people would agree that both the previous user and the proposed use were both commercial retail uses.
- The proposed Home Depot store was planned as a non-prototypical Home Depot, so any comparisons to other stores was unfair. The Applicant understood they were moving into an existing building, were not able to change the exterior, and were not able to perform other functions. (Slide 19)
 - He noted that not all Home Depot stores carried the same products or services, which was sometimes due to compliance with local requirements, regional differences in products, or the physical arrangement of the store.
 - The Applicant believed the proposed usage represented a sustainable reuse of the existing building. The proposal from others that the Applicant demolish and replace the building did not make sense.

- There was no exterior garden center and one was never proposed. Home Depot's live goods would be inside the existing building.
- The lumber pad referred to by Staff was not exterior storage or part of the customer experience. Lumber pad was an internal term used by Home Depot to refer to product that arrived at the store on a flatbed, as opposed to in a box truck or 53-ft trailer that could back into a loading dock, and was, effectively, a receiving function for the store.
- The Home Depot had not applied for sidewalk sales, outdoor seasonal sales, exterior shed displays or exterior rental staging, so any comparisons to other stores was unfair as none of that had been requested at the subject location.
- The Home Depot direct-to-customer delivery capability reduced the volume through its stores. Home Depot has opened approximately 50 million sq ft of new distribution centers over the past five years, including flatbed distribution centers and market delivery operations.
 - For example, the store likely had enough inventory for a parent to buy enough lumber to build a treehouse; however, if a pro went to a store to buy enough lumber to build a house, a sales associate would have the lumber delivered directly from the distribution center straight to the job site. The sale would be attributed to the store, but the stores did not carry that volume of lumber. This system was more efficient for both Home Depot and the customer and eliminated large orders passing through the stores. The quantity of some of Home Depot's product selections, particularly on the pro side, was much less as well.
 - Items such as large appliances did not leave the store the same way as smaller items. There were market delivery operations, including within the subject market, wherein appliances were ordered and delivered to customers direct from the distribution center without passing through the store. Any preconceived notions regarding the volume of materials that would move customers in and out of the store were likely different today as Home Depot was capitalizing on market forces the previous user was not able to capitalize on.
- He displayed Town Center Plan Figure 3.6, noting the existing buildings shown in white and the new/infill development shown in purple. The existing subject 125,000 sq ft building was anticipated to be a part of the Town Center Plan for at least the next 20 years or more. (Slide 20)
- In furtherance of the Town Center Plan, Home Depot would be able to use the 5 acres of parking lot that Home Depot did not need to develop the multi-family housing, etc. in the Town Center Plan. The Applicant believed about 275 housing units could be added to the market, though no designs had been finalized, and that such a development was fully in alignment with the Town Center Plan. (Slides 21-23)
- He displayed various renderings of the Applicant's high-level proposal, including a side-by-side with Figure 3.6 to demonstrate the alignment and what the Applicant believed the 15 acres could be for Wilsonville. The Applicant was willing to work with Staff and wanted to be a partner in bringing that vision of the Town Center Plan to reality for the city of Wilsonville.
- There were several existing multi-family mixed-use developments around a Home Depot throughout the country and two were in relatively close proximity:
 - Store No. 4233, opened in Lynnwood, WA in August 2021 was an example of a Home Depot being integrated with a mixed-use multi-family development. (Slide 24)
 - The Home Depot in North Surrey, Canada, opened in April 1994 and architectural renderings were shown of what had been planned and what the space looked like today. (Slides 25-26)

- There were many other examples from across the country, which he believed might be in evidence already, but only two were chosen to highlight in the interest of time.
- As a Commercial Retail User and the benefits Home Depot could offer, he highlighted the following:
 - Home Depot had set a goal that by 2028, 85% of its lawn and outdoor equipment, handheld mowers, etc. would be battery-powered or electric, as the company was trying to eliminate gas equipment. More than 90% of Home Depot's store leaders and managers started as hourly employees. (Slide 27)
 - Since 2011, Home Depot had donated \$450 million and 1.5 million hours of service to veterans' causes. Home Depot also had \$3.4 billion diversity spend.
 - Home Depot was making strides to reduce packing material, including reduced use of packing foam and eliminating 81 million sq ft of PVC film and 940,000 pounds of damaged products that would have ended up in landfills. (Slide 28)
 - Home Depot won the Energy Star Retail Partner of the Year Award and constantly discussed how to constantly look at sustainable functions to save water and energy, such as the sourcing of materials and packaging, waste management, the products they offered, and even responsible chemistry from its cleaning products to garden products.
 - Home Depot's economic impact specifically within Oregon was detailed on Slide 29.
- He concluded stating it was reasonable to believe that the previous user and proposed user were both retail uses, and that Home Depot would be a benefit to the community, both economically and for sustainable reasons.

Mr. Katzaroff reiterated that the Applicant really believed the proposed use was a continuation of the commercial retail. The Applicant also understood that Wilsonville had spent a large amount of community hours, Staff time, etc. designing the Town Center Plan. The Location was already planned to be part of the Town Center Plan for at least the first 20 years, and the Applicant's proposal was not inconsistent with that Plan.

- He noted an existing set of CC&Rs overlaid the Town Center that were currently problematic to effectuate the Town Center Plan, such as residential uses that were not allowed. In order to implement the Plan at all, property owners like Home Depot would need to work together to amend those CC&Rs so the Town Center Plan could be effectuated, and the Applicant was committed to doing that.
 - The Applicant would submit a memorandum from City Staff to the record during the open comment period that specifically addressed the issue and how the Town Center Plan could not come into fruition without an amendment to the CC&Rs. The Applicant would likely also submit portions, or all, of the CC&Rs as well.
 - Because the Applicant was a partner in this project and wanted to partner with the City, he wanted to ensure the DRB was aware that had to be figured out to effectuate the Town Center Plan.

John Andrews asked if the rendering showing the Home Depot store surrounded by the mixed-use residential buildings was committed or if the Applicant could change it and use the property differently after approval.

Mr. Katzaroff replied the Applicant wanted to develop the property in conjunction with the City, so whether the City wanted 5-over-1 retail, mixed-use, or something else, the Applicant was trying to

create an opportunity to effectuate the Town Center Plan. In many other jurisdictions, the Applicant had worked with cities in the form of a development agreement or other conditions of approval to make that happen. So, the Applicant had the ability to change the site to free up about 5 acres of property for another use.

Mr. Simmons added that the proposed rendering was a vision the Applicant had that they believed aligned with the Town Center Plan. The Applicant was open to a development agreement with the City and working with Staff on what the out parcels would be used for.

Mr. Katzaroff replied Home Depot spent a lot of money on infrastructure improvements when redeveloping these sorts of sites.

Mr. Simmons stated Home Depot would normally spend about \$20 million on site work and infrastructure associated with a store.

Mr. Andrews asked how the \$20 million would be used.

Mr. Katzaroff responded it would be spent on upgrades to roads, water systems, sewers, and everything else necessary to service the site and every use that would be out there. As the first major redevelopment in the area, potentially, Home Depot had to set the stage and was prepared to do so.

Chair Barrett called for public testimony regarding the application and confirmed with Staff that no one on Zoom indicated they wanted to testify. She called for public testimony from anyone present at the meeting.

Shawn O'Neil stated he was a Wilsonville community member and former of DRB Panel B member, and that he was against the Applicant's proposal. He asked Board members to support the City's plan to oppose the development, and outlined why with the following comments:

- His law firm was down the street from the proposed development, in the vicinity of Citizens Dr and Town Center Lp West, and the current traffic level was a challenge. He believed the Applicant's suggestion that traffic for Fry's was similar or less than Home Depot's was a misstatement, and the volume of traffic with a Home Depot there would be far greater.
 - While customers could frequently buy electronics from online retailers, Home Depot customers, both contractors and the general public, would have to physically drive to the location more often, which would impact traffic on Citizens Dr trying to get on Town Center Lp. Traffic was already problematic given the redesign from one lane to two lanes at that location, so he believed the proposal was not a good fit from a traffic viewpoint.
- The whole concept was inconsistent with the Town Center Plan. He heard promises from the Applicant that they would invest a lot of money, which sounded like a car salesman pitch. He did not view that offering as something to be relied on unless it was written in stone.
- A Home Depot would impact small businesses in the area that would struggle to get their customers to see their businesses. Additionally, small businesses employed a lot of people in the community and had given a lot to local schools. Home Depot was not as connected to the community as those small business owners.

- He understood the decision was not a planning issue. He had been a DRB Board member, he looked at this community that they all lived in, and the people coming in from Home Depot did not live there.
- The Applicant had brought their attorney, who threatened legal fees. As a fellow lawyer, he wondered why Home Depot would come in and present their proposal to the DRB like a bully, effectively stating that if the decision did not go their way, they would sue the City. He had a problem with that.
- He loved Home Depot. He liked them in Sherwood and in Tigard, but he noted the road design was different at those locations and not the loop design at the subject location. The loop road in Wilsonville encompassed a great deal of entities such as City Hall, small mom-and-pop stores and food stores, and a Home Depot would not fit into that concept as the Applicant would like the City to believe.
 - He was really concerned that Wilsonville would allow this conglomerate into the community and allow them to dictate how the City was designed, as the Applicant had done tonight in their presentation.
- It really ticked him off that Home Depot had brought their lawyer in from downtown and increased the time and effort put in by Wilsonville's good city planners for tonight's presentation.
- In his experience, City Staff usually endorsed projects, and when he had wondered why Staff had not, he realized Staff was honoring the Plan that was designed for Wilsonville and its community, and he asked the DRB to support Staff's recommendation tonight.

Aaron Lemka, Manager, Ace Hardware, 29029 Town Center Lp, Wilsonville, OR, 97070 stated he was a 25-year resident of Wilsonville, and he opposed the proposed Home Depot because it would dramatically impact Ace Hardware and could, quite possibly, kill the store.

- He agreed the traffic on both Wilsonville Rd and Town Center Lp was already problematic and having a Home Depot come in would further that, especially with the large delivery trucks and Town Center Lp narrowed to one lane to incorporate a bike lane. The subject site was not ideally set up for large delivery trucks. A Home Depot in Town Center was not a great fit.

Chair Barrett asked if Ace Hardware was an electronics store.

Mr. Lemka replied it was not.

Daniel Pauly, Planning Manager, read into the record an email received from Dave Wortman just prior to the meeting, "I am opposed to Home Depot locating in the Town Center. This runs completely counter to the City's Town Center Master Plan. What's more, Oregon is in a housing crisis. The City has climate-friendly equitable community obligations that both strongly point to this being a mixed-use development. Wilsonville has enough chain big boxes. What we really need is a vibrant walkable city center. Respectfully, David Wortman, Wilsonville." He noted the email from Mr. Wortman would be entered into the record as Exhibit D3.

Chair Barrett confirmed there was no further testimony and called for the Applicant's rebuttal.

Mr. Katzaroff stated the Applicant had submitted evidence from a traffic engineer, which was controlling on this issue and was the only evidence in the record, but the Applicant was happy to do additional analysis and provide the results if relevant. He again requested that the record be left open.

- He clarified that he had not threatened attorney fees but had pointed out a real issue in Oregon law. The way the Land Use Board of Appeals (LUBA) had decided the Waveseer case in particular was because paying attorney's fees was required under statute and very rare. He was merely noting that the codification requirement was real and had not been addressed by either the Applicant or City Staff as of yet.

Stephanie Davidson, Assistant City Attorney, acknowledged that the Applicant's request to leave the record open had been heard.

Chair Barrett noted the Staff report addressed the Fraley v. Deschutes County case, which addressed the scope of uses being narrow in nonconformance cases; however, the Applicant was asking the DRB to consider a use that was broader than what the City Planner designated. She asked if there was case law that supported that ask.

Keenan Ordon-Bakalian, Schwabe, Williamson & Wyatt, stated he was also counsel for Home Depot and that the Applicant would follow-up with citations, but there was nonconforming use case law in Oregon that did address the scope of nonconforming uses and continuations of use even if the distinction was necessarily different between the occupants and the activities they were conducting. He believed those case law citations had been put into the record for the final legal argument the DRB reviewed for the Class I application. They were happy to elaborate on the case law citations and apply them to the subject application specifically. Additionally, he believed that case law was controlling in this instance.

Mr. Katzaroff added the case law had to be looked at through the lens of the codification requirement, meaning that the allowed or permitted use still had to be something that was articulated in the Code.

Chair Barrett asked who decided that and if that was within the scope of the Board's decision.

Ms. Davidson stated she believed that this issue had already been decided by the DRB in the Class I proceeding which was currently on appeal to City Council. As stated in the Staff report, the scope of the nonconforming use was Step 1.

Mr. Katzaroff responded he was not sure the Applicant agreed with Ms. Davidson, but that could be addressed further in writing.

Chair Barrett noted the Applicant kept saying CC&Rs and she did not think the DRB could make a decision on that in this proceeding.

Mr. Katzaroff clarified he had mentioned the CC&Rs once at the end of his testimony. The CC&Rs were not relevant to the question about continuation of use. His point in raising the issue of CC&Rs was to inform the Board that there was an additional item to consider when looking at the Town Center Plan as a whole.

- The City had gone through a monumental planning effort that should be applauded, and everybody attempting to develop in Town Center should do so in a way that was consistent with the Plan. Currently, the Town Center Plan could not be effectuated, period, based upon the CC&Rs, which had to be amended before a multi-family development, or any other use planned for the Town Center, could be developed.
- As a prospective tenant of a continuing use in Town Center, the Applicant wanted to be a part of making those amendments occur and be partner in that. As the CC&Rs were currently drafted, any particular user with more than 30,000 sq ft, i.e. a Fry's Electronics, Home Depot or Safeway, could deny an amendment to those CC&Rs.
 - Rather than being a party that stood in the way via denying an amendment, the Applicant wanted to be a partner with the City and have both the Home Depot store continue its use and effectuate the remainder of the Plan, which the Applicant could help bring to the table.

Mr. Ordon-Bakalian reminded the subject discussion regarded a nonconforming use analysis, but future development applications had also been mentioned, as well as an application of the Town Center Plan and the existing zoning of the subject property, and those CC&Rs were directly relevant to that, which was why the CC&Rs were raised here.

Mr. Katzaroff agreed, noted the CC&Rs were different than the continuation of use but certainly relevant to the consideration of whether or not it was consistent with the Plan.

Chair Barrett understood the Applicant was considering a continuation of use currently, but if they were to develop the property, it would no longer be a continuation of use, and they would have to submit proposals and requests.

Mr. Katzaroff responded that was not what the Applicant was saying, rather, there were other uses in the Town Center Plan, and other uses on the properties covered by the CC&Rs, including the subject location, but in order to effectuate development on them, the CC&Rs would have to be amended.

Chair Barrett stated there were a lot procedures in place to develop in Wilsonville, and asked why the Applicant was going about their proposal in this way when they could have submitted a Master Plan on a place that would have fit the Home Depot.

Mr. Simmons asked if Chair Barrett was asking why Home Depot wanted to be in Wilsonville.

Chair Barrett said she was trying to figure out why the Applicant had chosen this difficult process.

Mr. Simmons replied he was not sure it was the Applicant making it difficult. Home Depot had identified an empty box that would fit their store, and the procedures to get its business into that box required that they first apply for a Class I Review for the nonconforming use of that existing structure, and then a Class II Review to ensure continuance of the same commercial retail use. The process of Home Depot going into the empty box was being driven by the City of Wilsonville, not Home Depot.

Chair Barrett confirmed no further questions for the Applicant.

Mr. Andrews asked Staff if there was any acceptable use for the large building sitting in the middle of town according to current regulations.

Ms. Luxhoj replied a continuation of use would be another electronics-related retail store locating there, like a Best Buy which would be consistent with what had been determined to be the legally established nonconforming use at the property.

Kimberly Rybold, Senior Planner, added that the Town Center Zone now regulated permitted uses within the Town Center. The footprint limitation applied only to retail uses in the Town Center Zone. Other uses were allowed under the Town Center Zone that did not have a footprint limitation. Conceivably, permitted uses within that zone that were larger than a footprint 30,000 sq ft could potentially also locate into the subject building.

- As the Board had discussed and been provided information on previously, other considerations were at play beyond the use, such as site conditions and the structures, and that was where the Applicant had chosen to pursue this process that fell under the nonconforming standards.
- Alternatively, an applicant could apply through the Town Center Zone to get a new planned development approval for the site, but the Applicant had not elected to do that. There was a provision built into the Town Center Zone that contemplated the possibility of a waiver process specifically for retail users that had a footprint greater than 30,000 sq ft, and that option was another, separate, land use approval process than what the Applicant had elected to apply for at this time. The Applicant had chosen to go through the nonconforming process in terms of this particular use and user.
 - While there was a continuation of use under the nonconforming standards, there was also a process whereby a nonconforming use could go through a change-of-use process, which the Applicant did not apply for, but another option was available if one sought to change a currently existing, non-conforming use.
 - She noted those options were outside the scope of this particular proceeding, as indicated earlier by Ms. Luxhoj.

Kamran Mesbah asked if Staff had any additional information or responses to the Applicant for the record.

Ms. Rybold replied she would like to clarify a statement in Ms. Luxhoj's presentation about an additional land use application process, which Ms. Luxhoj noted was for any additional proposed development, such as future residential development, not what the Applicant had currently applied for. Based on the application materials received by Staff and what the Applicant had applied for, Staff was processing the request purely as a request for a continuation of use.

- She clarified that Figure 3.6 in the Town Center Plan was an illustrative image, and there were a series of illustrative images in the Town Center Plan that illustrated concepts of how the Town Center could build out over time. Figure 3.6 should not be construed to imply that because the existing building footprint was there in that image that it had status in the Plan or that it was planned to be there. It was merely a conceptual drawing.
- To be clear, no proposed development was in the current development application. Anything that would conceive of how to use the site in line with the Town Center Zone would go through a planned development process before the DRB and would apply the standards of Section 4.132.

- The CC&Rs were not a development criterion used by the City to determine whether or not development applications should be approved, so CC&Rs were not under the DRB's purview. Any decisions made by DRB should not consider the presence or absence of CC&Rs and how they may or may not have standards for use.
- Any implications that the City was looking at changes in parking usage or trip generation inherently imply a change of use as opposed to a continuation of use.
- She noted the image comparisons presented in the Applicant's materials were looked at by Staff as a Ven diagram wherein some components of the electronics-related retail store and some components of the home improvement warehouse might look or function the same. Staff's recommendation highlighted that it was the differences that had been presented within the Applicant's materials, including statements within their narrative about the types of functions that they had, that did vary from what the Current Occupant had and functioned as on June 5, 2019.

Ms. Davidson noted for the record that Staff looked up the case citations provided by Ken Katzaroff, and in Staff's opinion, the statute at issue in those cases applied to only counties. There were some other distinctions Staff would draw and Staff disagreed with the statement made about those cases earlier.

- Staff still supported what was written in the Staff report in terms of what the analysis was, the fact that the Applicant had the burden of proof, the City was not obligated to produce evidence to support its position in this case, and the scope was pretty narrow; the only thing before the DRB tonight was whether or not Home Depot constituted a continuation of use.

Mr. Andrews understood the proposed use was not permitted by the original 1991 agreement.

Ms. Davidson replied that in Staff's opinion, based on their analysis of the case law, the 1991 land use approvals were irrelevant to the subject decision.

Mr. Andrews asked if there was a later time period in which the City had made specific use decisions.

Mr. Pauly explained the original decision was made in 1991, and then the City changed the zoning in 2019. When the zoning changed, the original approval was essentially irrelevant because the Location had become a legal, nonconforming use. The use that existed on that day in 2019 could continue, but the Board was not looking back at 1991.

Ms. Rybold clarified that DRB was not looking back at 1991, and anything that was legally nonconforming then fell under the requirements of Sections 4.189 to 4.192 of the Development Code.

Ms. Davidson emphasized that any discussion regarding 1991 or 2019 was beyond the scope of DRB's decision tonight. The starting point for tonight's decision was the existing DRB decision, which was on appeal to City Council and currently a City decision. The scope of the nonconforming use in this case was a 159,400 sq ft electronics-related retail store was the starting point for tonight's DRB decision.

Chair Barrett noted she wanted to respect the 120-day period of time available to get this filed and asked how to close out the meeting in such a way as to respect the evidence she knew wanted to be submitted.

Ms. Davidson replied that Chair Barrett should close the public hearing tonight but leave the record open until 5 pm on Monday, April 15th.

Chair Barrett asked if that was acceptable to the Applicant.

Mr. Katzaroff replied that was acceptable in terms of new evidence, but he wanted to be mindful that the Applicant still got final legal argument which technically was not counted on the clock, according to ORS 197.797.

Ms. Davidson confirmed the Applicant got final legal argument and that DRB Panel B would need to reconvene after the record was closed to review the matter again. Everyone would have 7 days to submit additional evidence and then ultimately the Applicant would have 7 additional days to submit final legal argument. Staff would work with all parties to schedule that additional meeting once a decision was made.

Chair Barrett closed the public hearing at 8:06 pm.

Mr. Pauly confirmed that adding Exhibit D3 to the record would be done as part of the adoption.

Chair Barrett moved to keep the public record open for seven (7) days until 5 pm on April 15, 2024. John Andrews seconded the motion, which passed unanimously.

BOARD MEMBER COMMUNICATIONS

2. Recent City Council Action Minutes

There were no comments.

STAFF COMMUNICATIONS

There were none.

ADJOURNMENT

The meeting adjourned at 8:09 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, LLC. for
Shelley White, Planning Administrative Assistant

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, JUNE 24, 2024
6:30 PM

Consent Agenda:

4. Approval of minutes from the April 24, 2024 DRB Panel B meeting



**DEVELOPMENT REVIEW BOARD PANEL B
SPECIAL MEETING MINUTES
April 24, 2024 at 4:00 PM**

City Hall Council Chambers & Remote Video Conferencing

CALL TO ORDER

A special meeting of the Development Review Board Panel B was held at City Hall beginning at 4:00 p.m. on Monday, April 24, 2024. Vice Chair Alice Galloway called the meeting to order at 4:00 p.m., followed by roll call.

CHAIR'S REMARKS

The Conduct of Hearing and Statement of Public Notice were read into the record.

ROLL CALL

Present for roll call were: Alice Galloway, John Andrews, Kamran Mesbah, and Megan Chuinard. Rachelle Barrett was absent.

Staff present: Daniel Pauly, Stephanie Davidson, Kimberly Rybold, Miranda Bateschell, Cindy Luxhoj, and Shelley White

PUBLIC HEARINGS

1. **Resolution No. 432 - Planning Director's Referral of a Continuation of Non-Conforming Use Determination:** The Planning Director has referred Case File AR23-0031 to the Development Review Board for determination regarding the continuation of an existing Non-Conforming Use.

On April 8, 2024, the Development Review Board moved to keep the record open until April 15, 2024. This item will be for deliberation and decision only based on the evidence in the record. No further testimony or written comments will be accepted.

Vice Chair Galloway called the public hearing to order at 4:00 p.m. She noted that although some Board members had not attended the prior hearing on the subject matter, they could participate tonight so long as they had reviewed the recording of the hearing and the materials. She stated she was not present at the April 8, 2024 meeting but had listened to the entire recording of the hearing and had reviewed all of the materials.

Megan Chuinard stated she was also not present at the April 8 meeting but had listened to the full recording and had reviewed all materials related to the application.

Vice Chair Galloway confirmed that no Board member had any conflict of interest, bias, or ex parte contact or had gained any information outside of the hearing. She noted with the public hearing and the record closed, the Board should entertain a motion to deliberate on, and make a decision on, the application. She highlighted the motion making process, noting the need to amend the Staff report by adding Exhibits B3, B4, B5, and D1, D2, D3, and D4.

John Andrews moved to adopt the Staff report with the following amendments, adding Exhibits B3, B4, B5, D1, D2, D3 and D4. Megan Chuinard seconded the motion.

Vice Chair Galloway called for any discussion among the Board members.

Kamran Mesbah asked if Staff had any additional comments regarding the materials received yesterday from the Applicant.

Mr. Pauly noted that the hearing was at a point of discussion for the Board.

Mr. Mesbah stated he wanted to talk about the bifurcation of the application. The Applicant had stated the City had required the bifurcation when he had very clearly offered for the Applicant to withdraw their first application and combine all of their efforts in the current one, but they had refused. He felt miffed that the Applicant blamed the City for their decision and wondered what benefit the bifurcation would have had for the Applicant. There must have been some strategic advantage to doing it the long way. The Applicant was not present to respond, but if the Board were to believe that the Applicant had made a good faith effort to work with the City, this kind of gaming of the system was not consistent with that approach. As a member of DRB, he felt it was an affront.

Vice Chair Galloway agreed. It had taken a lot more time, Class I and Class II had to be differentiated, and it was confusing why both were being done. Additionally, the Board was back to the same position after already making a decision about Class I.

Mr. Andrews noted the last submittal was more like a legal brief rather than material for the DRB, or even City Council, the next group likely to review the application, and that was not very satisfying.

Ms. Chuinard stated there was quite a lot to review, a lot of the materials were duplicative of previous packets and a bit confusing as to how the germaneness to the argument. She found the additional documents inconclusive.

Mr. Mesbah noted the other aspect of the Applicant's approach that was reinforced over several meetings, in his opinion, was their clear effort to over-generalize on one hand, whitewash differences on the other hand, and create a kind of nebulous environment where anything from a Super Walmart to the corner grocery store with rows, aisles, signage, and shelving was in the same category and acceptable.

- The traffic count statement had been generalized to suggest that Home Depot would have less impact on traffic than Fry's, a very universal statement. As a civil engineer, he understood that wear and tear on streets was a function of the weight of the vehicles, not the number. The number of trips indicated if there would be traffic jams.
 - When shopping at Home Depot, he drove his SUV and trailer and filled it with lumber, rocks, and bark dust, for example, which was a heavier load on the street than when he went to Best Buy to pick up a computer wire. A generalized statement about traffic count to indicate less impact by Home Depot shoppers in the hopes no one would pay attention to the details indicated to him that the Applicant was not transparent and forthcoming with their proposal.
- Showing beautiful photos of what the development could be like was a promise that once their foot was in the door, would probably be an entitlement like their approach had been. Overall, the provided materials did not satisfy him and were not at all convincing.

Vice Chair Galloway believed there was a disregard for the time, energy, and input that Wilsonville citizens had to the Town Center Plan. A lot of people worked for a long time to come up with the vision that the citizens wanted for their community, and she had not heard much from the Applicant on how important that vision was to a city or town.

Mr. Andrews noted the Applicant had described a vision of all sorts of other buildings, including housing, but he had seen nothing in the form of a commitment to actually doing those things. They were just dangled in front of the DRB as a possibility, rather than fact, because that was not in the Applicant's proposal.

Ms. Chuinard stated she did not believe the additional documents from the Applicant addressed the legal cases the City had provided as direction for why the City's conclusory findings as listed in the original packet from the City.

- Additionally, she believed there was a grand use of the commercial/retail building description, even in the 1991 documents. And, while irrelevant to today's discussion, those documents called out an electronics-related retail store use. She believed arguments were made by picking whatever wording one wanted.
- Per the Applicant's description of the use of the building, it was very clear it would be a home improvement warehouse. The Applicant's PowerPoint had described a use of products that was very similar to what was in the current occupant's space, but those items were broad and could apply to many stores; therefore, she did not believe the Applicant had clarified that better in their additional commentary.

Vice Chair Galloway confirmed there were no further comments and called the question.

The motion passed 4 to 0.

Kamran Mesbah moved to adopt Resolution No. 432. Megan Chuinard seconded the motion.

Vice Chair Galloway called for any further discussion.

Mr. Mesbah noted a date of filing was still open in the resolution he had and asked what the date should be and if it would be filled in.

Shelley White responded the date would be the date the resolution was mailed out, which would be today or tomorrow.

Vice Chair Galloway confirmed there were no further comments and called the question.

The motion passed 4 to 0.

Vice Chair Galloway read the rules of appeal into the record.

STAFF COMMUNICATIONS

There were none.

ADJOURNMENT

The meeting adjourned at 4:19 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, LLC. for
Shelley White, Planning Administrative Assistant

MONDAY, JUNE 24, 2024
6:30 PM

Public Hearing:

5. **Resolution No. 434. Frog Pond Neighborhood Park.** The applicant is requesting approval of a Site Design Review of Parks and Open Space, Type C Tree Removal Plan, Class 3 Sign Permit, Abbreviated SROZ Map Verification and Abbreviated SRIR Review for a new 2.93-acre neighborhood park with associated landscaping and other site improvements in Frog Pond West.

Case Files:

- DB24-0004 Frog Pond Neighborhood Park
- Site Design Review (SDR24-0002)
- Type C Tree Removal Plan (TPLN24-0002)
- Class 3 Sign Permit (SIGN24-0007)
- Abbreviated SROZ Map Verification (SROZ24-0001)
- Abbreviated SRIR Review (SRIR24-0001)

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 434**

A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL, APPROVING A SITE DESIGN REVIEW OF PARKS AND OPEN SPACE, TYPE C TREE REMOVAL PLAN, CLASS 3 SIGN PERMIT, ABBREVIATED SROZ MAP VERIFICATION AND ABBREVIATED SRIR REVIEW FOR A NEW 2.93-ACRE NEIGHBORHOOD PARK WITH ASSOCIATED LANDSCAPING AND OTHER SITE IMPROVEMENTS IN FROG POND WEST.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by the City of Wilsonville, Parks and Recreation – Owner/Applicant, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code; and

WHEREAS, the subject site is located at 7042 SW Brisband Street (formerly 7035 SW Boeckman Road) on Tax Lot 9000, Section 12DC (formerly Tax Lot 400, Section 12DD), Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon; and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated June 17, 2024; and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on June 24, 2024, at which time exhibits, together with findings and public testimony were entered into the public record; and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report; and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby incorporate as part of this resolution, as if fully set forth herein, the staff report, as adopted with any amendments and attached hereto, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB24-0004 Frog Pond Neighborhood Park: Site Design Review of Parks and Open Space (SDR24-0002), Type C Tree Removal Plan (TPLN24-0002), Class 3 Sign Permit (SIGN24-0007), Abbreviated SROZ Map Verification (SROZ24-0001), and Abbreviated SRIR Review (SRIR24-0001).

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 24th day of June, 2024, and filed with the Planning Administrative Assistant on _____. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the Council in accordance with *WC Sec 4.022(.03)*.

Rachelle Barrett, Chair - Panel B

Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant



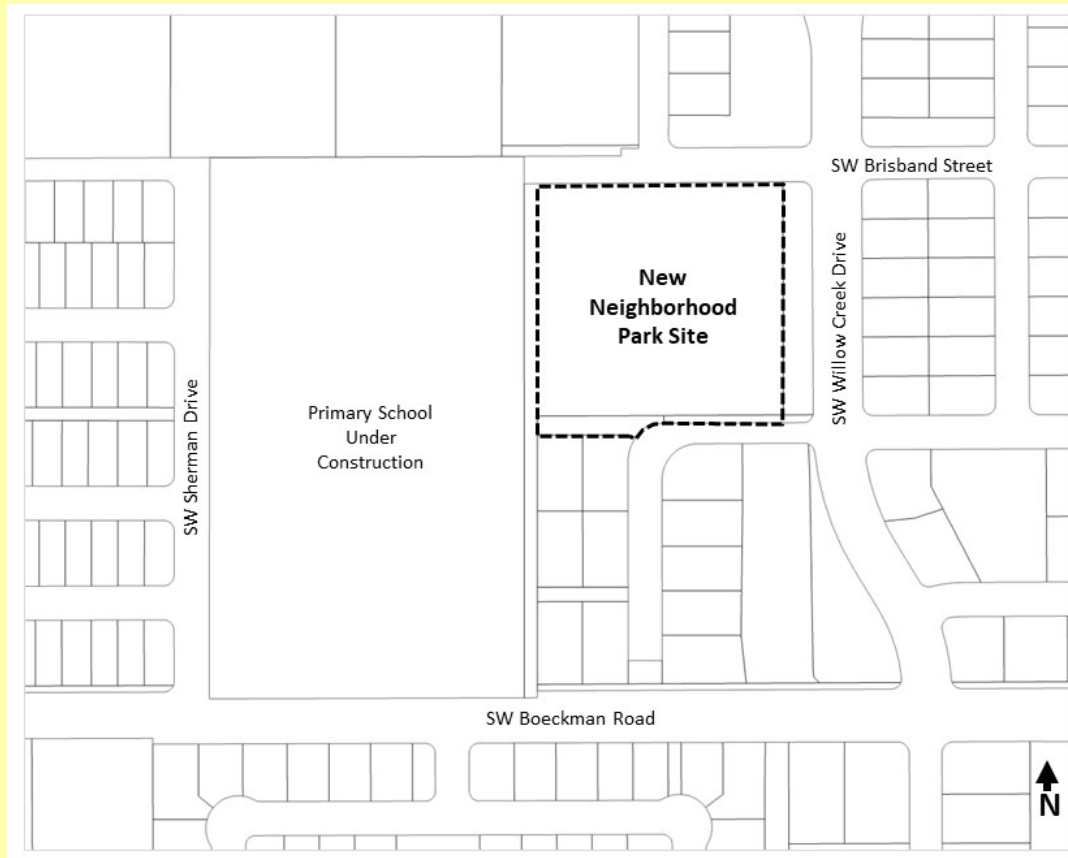
Exhibit A1
Staff Report
Wilsonville Planning Division
Frog Pond Neighborhood Park
Development Review Board Panel 'B'
Quasi-Judicial Public Hearing

Hearing Date:	June 24, 2024
Date of Report:	June 17, 2024
Application No.:	DB24-0004 Frog Pond Neighborhood Park
Request/Summary:	The requests before the Development Review Board include Site Design Review of Parks and Open Space, Type C Tree Removal Plan, Class 3 Sign Permit, Abbreviated SROZ Map Verification, and Abbreviated SRIR Review
Location:	7042 SW Brisband Street (formerly 7035 SW Boeckman Road). The property is specifically known as Tax Lot 9000, Section 12DC (formerly Tax Lot 400, Section 12DD), Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.
Owner/Applicant:	City of Wilsonville, Parks and Recreation (Contact: Kris Ammerman)
Authorized Representative:	3J Consulting, Inc. (Contact: Mercedes Serra)
Comprehensive Plan Designation:	Public
Zone Map Classification:	Public Facility (PF)
Staff Reviewers:	Cindy Luxhoj AICP, Associate Planner Amy Pepper, PE, Development Engineering Manager Kerry Rappold, Natural Resources Manager
Staff Recommendation:	<u>Approve with conditions</u> the requested Site Design Review of Parks and Open Space, Type C Tree Plan, Class 3 Sign Permit, Abbreviated SROZ Map Verification, and Abbreviated SRIR Review.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.136	Public Facility (PF) Zone
Sections 4.139 through 4.139.11	Significant Resource Overlay Zone (SROZ)
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Sections 4.156.01 through 4.156.11	Signs
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.179	Mixed Solid Waste and Recycling
Section 4.199 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600 through 4.640.20	Tree Preservation and Protection
<u>Other Planning Documents:</u>	
Wilsonville Comprehensive Plan	
Frog Pond West Master Plan	

Vicinity Map



Background:

In July 2017, the City of Wilsonville adopted the Frog Pond West Master Plan for the subject property and surrounding area to guide development and implement the vision of previous planning efforts. The Frog Pond West Master Plan includes details on land use (including residential types and unit count ranges), location of other uses such as schools, residential and community design, transportation, parks and open space, and community elements such as lighting, street trees, gateways, and signs.

The new neighborhood park site as identified as a “future school site” and “land banked” (future park site) in the Frog Pond West Master Plan. In 2019, as part of the Frog Pond Meadows subdivision annexation and Zone Map amendment (Ordinance Nos. 832 and 833), the future park property was annexed into the City and zoned PF (Public Facility) consistent with the Frog Pond West Master Plan. In 2022, as part of land use review for the new primary school proposed by the West Linn-Wilsonville School District on adjacent property to the west, the Stage 1 Preliminary Plan and Stage 2 Final Plan for the new primary school in Frog Pond (Case File No. DB22-0012) included discussion of the park. In 2023, the City purchased the property from the District for development of the proposed park.

The new 2.93-acre neighborhood park is proposed to include a picnic shelter, a playground for young children, an adult fitness area, a small stage to accommodate community events, a central lawn area, and both paved and unpaved walking paths that weave through existing stands of trees, lawns, and meadows on the site. Landscaping, lighting, and site furnishings also are included in the park design, as well as completion of the right-of-way improvements on the SW Brisband Street frontage along the park's north boundary.

Application Summary:

Site Design Review of Parks and Open Space

The scope of the Site Design Review request includes review of the design of the new park, landscaping, and site furnishings, and the adjacent streetscape on the north side of the property for consistency with the Site Design Review standards and the Frog Pond West Master Plan. (See Request A)

Type C Tree Removal Plan

The Type C Tree Removal Plan reviews inventoried trees on the site, which are proposed for removal or retention, and a replacement/mitigation plan. (See Request B)

Class 3 Sign Permit

The Class 3 Sign Permit reviews the proposed monument sign on the north side of the site for consistency with the sign standards, as well as the Frog Pond West Master Plan and the adopted Citywide Signage and Wayfinding Plan. (See Request C)

Abbreviated SROZ Map Verification

The Abbreviated Significant Resource Overlay Zone (SROZ) Map Verification reviews the proposed park improvements for consistency with the Development Code requirements, specifically the SROZ Ordinance, including review and approval of a detailed site analysis by the City's Natural Resources Manager. (See Request D)

Abbreviated SRIR Review

This scope of this request includes review and approval by the City's Natural Resources Manager of a Significant Resource Impact Report (SRIR) for exempt development located within the SROZ and its associated 25-foot impact area. (See Request E)

Public Comments and Responses:

The City received one (1) public comment letter about the proposed project during the comment period (Exhibit D1). The comment expresses concerns about parking/traffic that could result from people outside Frog Pond West, who cannot access the park without a motor vehicle, using the facility, and noise that could result from community events that could occur at the proposed small

stage. This comment has been forwarded to the applicant so that they may respond during their presentation at the Development Review Board public hearing.

Discussion Points – Verifying Compliance with Standards:

This section provides a discussion of key clear and objective development standards that apply to the proposed applications. The Development Review Board will verify compliance of the proposed applications with these standards. The ability of the proposed applications to meet these standards may be impacted by the Development Review Board’s consideration of discretionary review items as noted in the next section of this report.

Key Project in Frog Pond West Master Plan

A Neighborhood Park is one of five key projects identified in the Frog Pond West Master Plan, with preliminary designs, estimated costs and proposed funding strategies included in the document. The new neighborhood park proposed in the current application meets the stated intent in the Master Plan and is located on the previously “land banked” parcel identified as a potential site for a park. With connected paths, a shelter area, and a relationship between the adjacent community and the park, the proposed park will be a shared amenity for the neighborhood and also complies with the Frog Pond West Master Plan vision, principles, and intent.

Parking and Traffic Impacts

A Traffic Impact Analysis performed by the City’s consultant, DKS Associates, was not required for the current application. No parking is proposed and the park is designed to be used by residents in the surrounding Frog Pond West neighborhood who will walk or use other non-motorized means to access the facility. In the event people from outside the area choose to visit the park, on-street parking is available on both sides of SW Brisband Street on the north side of the park site, as well as in the adjacent neighborhood to the north.

Tree Removal and Preservation

There are 29 on-site and 20 off-site trees inventoried for the subject site, of which nine (9) on-site trees are proposed for removal. Most of the preserved trees are located either in a dense grove in the southwest part of the site or in the SROZ immediately to the east, with one (1) 40-inch DBH giant sequoia (Tree #3334), previously preserved with construction of the primary school to the west, located at the northwest corner of the site. One (1) of the inventoried trees is an Oregon white oak (Tree #5002), located just off-site in the SROZ to the east, which is planned for protection with site development. The applicant proposes planting nine (9) mitigation trees, seven (7) street trees, and 32 smaller restoration trees, for a total of 48 trees. Thus, the total number of trees planted will exceed the mitigation required.

Discussion Points – Discretionary Review:

The Development Review Board may approve or deny items in this section based upon a review of evidence submitted by the applicant. There are no discretionary review requests to address as part of the proposed application.

Conclusion and Conditions of Approval:

Staff has reviewed the applicant’s analysis of compliance with the applicable criteria. The Staff Report adopts the applicant’s responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board approve the proposed application (DB24-0004) with the following conditions:

Planning Division Conditions:

Request A: Site Design Review of Parks and Open Space (SDR24-0002)

PDA 1.	General: Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding A2.
PDA 2.	Prior to Final Inspection of the Picnic Shelter or Park Use: All landscaping required and approved by the Development Review Board shall be installed prior to use of the proposed inventory storage area unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Development Review Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding A8.
PDA 3.	Ongoing: The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville’s Development Code. See Finding A9.
PDA 4.	Ongoing: All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as

	originally approved by the DRB, unless altered as allowed by Wilsonville’s Development Code. See Findings A10 and A11.
PDA 5.	<p>General: The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> • Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch. • Native topsoil shall be preserved and reused to the extent feasible. • Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings. • All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10-inch to 12-inch spread. • Shrubs shall reach their designed size for screening within three (3) years of planting. • Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4-inch pot spaced 2 feet on center minimum, 2-1/4-inch pots spaced at 18-inch on center minimum. • No bare root planting shall be permitted. • Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. • Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations. • Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. See Finding A15.
PDA 6.	<p>General: All trees shall be balled and burlapped and conform in size and grade to “American Standards for Nursery Stock” current edition. See Finding A15.</p>
PDA 7.	<p>Ongoing: Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding A16.</p>
PDA 8.	<p>General: A note shall be added to the Landscape Plans (Sheet 2.00) in the construction plan set specifying that all landscape areas shall be watered by a fully automatic underground irrigation system. See Finding A16.</p>
PDA 9.	<p>Prior to Issuance of any Public Works Permits: The applicant/owner shall revise the street trees selected for SW Brisband Street to match the American linden (<i>Tilia americana</i>) trees established with the Morgan Farm subdivision and consistent with other developments with frontage on SW Brisband Street. See Finding A21.</p>

Request B: Type C Tree Plan (TPLN24-0002)

PDB 1.	<p>General: This approval for removal applies only to the nine (9) trees identified in the applicant’s submitted Tree Maintenance and Protection Plan, see Exhibit B2. All</p>
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	other trees on the property shall be maintained unless removal is approved through separate application.
PDB 2.	<u>Prior to Grading Permit Issuance:</u> The applicant/owner shall submit an application for a Type C Tree Removal Permit on the Planning Division’s Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant/owner shall provide the City’s Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant/owner shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff. See Finding B19.
PDB 3.	<u>Prior to Final Inspection of the Picnic Shelter or Park Use:</u> The applicant/owner shall install the required mitigation trees, as shown in the applicant’s plans (Exhibit B2) per Section 4.620 WC. See Finding B22.
PDB 4.	<u>General:</u> The permit grantee or the grantee’s successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A “guaranteed” tree that dies or becomes diseased during the two (2) years after planting shall be replaced. See Finding B23.
PDB 5.	<u>Prior to Commencing Site Grading:</u> The applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. See Finding B25.

Request C: Class 3 Sign Permit (SIGN24-0007)

PDC 1.	<u>Ongoing:</u> Approved signs shall be installed in a manner substantially similar to the plans approved by the DRB and stamped approved by the Planning Division.
PDC 2.	<u>Prior to Sign Installation/Ongoing:</u> The applicant/owner of the property shall obtain all necessary building and electrical permits for the approved signs, prior to their installation, and shall ensure that the signs are maintained in a commonly-accepted, professional manner.
PDC 3.	<u>With Building Permit Submittal:</u> The applicant/owner shall submit a revised sign plan that is consistent with the design of other signs recently installed in City parks, as illustrated in Finding C11, which reflect modifications made for aesthetic and readability purposes to the design in the Citywide Signage and Wayfinding Plan. See Finding C11.
PDC 4.	<u>Ongoing:</u> The applicant/owner must confirm sight distance clearance for the freestanding sign with the Engineering Division prior to construction and installation. See Finding C14.
PDC 5.	<u>Ongoing:</u> The applicant/owner shall ensure that the approved sign is installed outside of all Public Utility Easements. See Finding C17.

Request D: Abbreviated SROZ Map Verification (SROZ24-0001)

No conditions for this request.

Request E: Abbreviated SRIR Review (SRIR24-0001)

No conditions for this request.

The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City’s Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.

Engineering Division Conditions:

All Requests

PFA 1.	<u>Ongoing:</u> Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1 and to specifics as found in the Frog Pond West Master Plan (July 17, 2017).
PFA 2.	<u>Prior to Issuance of Public Works Permit:</u> The applicant shall submit site plans to Engineering showing street improvements along SW Brisband Street including planter strip, street trees, sidewalk, and ADA ramps. Street improvements shall be constructed in accordance with the Public Works Standards.
PFA 3.	<u>Prior to the Issuance of the Public Works Permit:</u> The applicant shall obtain an NPDES 1200CN Erosion Control Permit from the City of Wilsonville. All erosion control measures shall be in place prior to starting any construction work, including any demolition work. Permits shall remain active until all construction work is complete and the site has been stabilized.
PFA 4.	<u>Prior to final completeness of the Public Works Permit:</u> The applicant shall submit documentation that the existing on-site septic system was properly decommissioned per the requirements of OAR 340-071-0185.

Natural Resources Division Conditions:

All Requests

NR 1.	Natural Resource Division Requirements and Advisories listed in Exhibit C2 apply to the proposed development.
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Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB24-0004. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

Planning Staff Materials

- A1. Staff Report and Findings (*this document*)
- A2. Staff's Presentation Slides for Public Hearing (*to be presented at Public Hearing*)

Materials from Applicant

- B1. **Applicant's Narrative and Materials** – *Available Under Separate Cover*
Signed Application Form
Narrative
- B2. **Applicant's Drawings and Plans** – *Available Under Separate Cover*

Development Review Team Correspondence

- C1. Public Works Plan Submittal and Other Engineering Requirements
- C2. Natural Resources Conditions

Other Correspondence/Public Comments

- D1. J. Solomon Comment Dated June 11, 2024

Procedural Statements and Background Information:

- 1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on April 29, 2024. Staff conducted a completeness review within the statutorily allowed 30-day review period and deemed the application complete on May 9, 2024. The City must render a final decision for the request, including any appeals, by September 6, 2024.
- 2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North	RN	Residential (Frog Pond Estates, Frog Pond Ridge)
East	RN	Residential (Stafford Meadows, Frog Pond Meadows)
South	RN	Residential (Stafford Meadows)
West	PF	Public Facility (Primary School – under construction)

- 3. Previous City Planning Approvals:
 DB18-0060 and DB18-0061 Frog Pond Meadows Subdivision (Annexation, Zone Map Amendment)
 DB22-0012 Primary School in Frog Pond (Stage 1 Preliminary Plan, Stage 2 Final Plan)
- 4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information

Application Procedures-In General

Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application

Section 4.009

The application has the signature of the applicant/owner, City of Wilsonville, Parks and Recreation, and has been submitted by an authorized representative, Mercedes Serra of 3J Consulting, Inc.

Pre-Application Conference

Subsection 4.010 (.02)

Following a request from the applicant, the City held a pre-application conference for the proposal on November 2, 2023 (PA23-0015), in accordance with this subsection.

Lien Payment before Approval

Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

General Submission Requirements

Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements contained in this subsection.

Zoning-Generally

Section 4.110

This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199, applied in accordance with this Section.

Request A: Site Design Review of Parks and Open Space (SDR24-0002)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Site Design Review

Open Space Requirements Objectives and Design
Subsection 4.400 (.01), 4.400 (.02) and Subsection 4.421 (.03)

A1. The new neighborhood park has been professionally designed by a credentialed professional and meets applicable landscape and site design standards, which ensures the proposed park design meets the standards and objectives of Site Design Review. Specifically:

- The proposed shelter, picnic tables, benches, and other site furnishings are typical of park areas, are appropriate for the site function, and are well designed.
- Landscaping is proposed throughout the site and is designed to provide a pleasing environment for users while blending with and complementing retained trees and other vegetation on the site.
- The proposed layout for park allows for landscaping requirements to be met while also supporting recreational use of the site, and creates a visual environment that is compatible with the surrounding residential neighborhood and primary school to the west.
- The park will provide recreation for nearby residents in the Frog Pond West neighborhood, thus sustaining the comfort, health and tranquility of the community.
- The proposal will not impact the availability or orderly, efficient and economic provision of public services and facilities, which are available and adequate for the subject property.

Development Review Board Jurisdiction
Section 4.420

A2. A Condition of Approval will ensure construction, site development, and landscaping are carried out in substantial accordance with the DRB-approved plans, drawings, sketches, and other documents. No building permits will be granted prior to Development Review Board approval. No variances are requested from site development requirements.

Design Standards
Subsection 4.421 (.01) A. through G.

A3. The applicant has provided sufficient information demonstrating compliance with the standards of this subsection as follows:

- **Pursuant to Standard A** (Preservation of Landscape), As described by the applicant, the park design preserves, incorporates and enhances existing landscaping, where appropriate, and minimizes tree removal.
- **Pursuant to Standard B** (Relation of Proposed Buildings to Environment), the proposed shelter, picnic tables, benches and other site furnishings are located appropriately throughout the site, taking advantage of the natural environment where possible.
- **Pursuant to Standard C** (Drives, Parking, and Circulation), since users are expected to primarily walk and bike from the surrounding neighborhood to the park, special consideration and attention is given to access points from adjacent streets, pedestrian connections, and pathways, and separating pedestrian activity from vehicular traffic for safety and practicability.
- **Pursuant to Standard D** (Surface Water Drainage), there is no indication this project will have a negative impact on surface water drainage.
- **Pursuant to Standard E** (Utility Service), no above ground utility installations are proposed and no changes to utility service are included in the current application.
- **Pursuant to Standard F** (Advertising Features), no advertising features are proposed, and the monument sign proposed as part of the current application is reviewed as a separate request (see Request C).
- **Pursuant to Standard G** (Special Features), no special features are proposed for the site.

Conditions of Approval

Subsection 4.421 (.05)

- A4.** The Development Review Board may attach certain development or use conditions in granting an approval that are determined necessary to insure the proper and efficient functioning of the development, consistent with the intent of the Comprehensive Plan, allowed densities and the requirements of the Code. In making this determination of compliance and attaching conditions, the DRB is required, however, to consider the effects of this action on the availability and cost of needed housing. No conditions of approval in addition to those already included in this staff report are recommended to ensure the proper and efficient functioning of the proposed park improvements.

Color or Materials Requirements

Subsection 4.421 (.06)

- A5.** As shown in the applicant's plans, the structures proposed throughout the park including the shelter, benches, picnic tables, play equipment, and other site furnishings will use a variety of materials such as natural, painted, and thermally modified wood, and powder-coated metal in natural colors (dark green, blue, brown, black). The proposed materials will reflect the existing surrounding environment while also creating a unique neighborhood feature.

Site Design Review Submission Requirements

Submission Requirements Section 4.440

- A6.** The applicant has submitted materials in addition to requirements of Section 4.035, as applicable.

Time Limit on Site Design Review Approvals

Time Limit on Approval Section 4.442

- A7.** The current applications will expire two (2) years after approval, unless a building permit has been issued and substantial development has taken place or an extension is approved in accordance with this section.

Installation of Landscaping

Landscape Installation or Bonding Subsection 4.450 (.01)

- A8.** A Condition of Approval ensures all landscaping shall be installed prior to final inspection of the picnic shelter or park use, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account, irrevocable letter of credit, or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If installation of the landscaping is not completed within the 6-month period, or within an extension of time authorized by the DRB, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant.

Approved Landscape Plan Subsection 4.450 (.02)

- A9.** Action by the City approving a proposed landscape plan is binding on the applicant. A Condition of Approval will ensure that substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan will not be made without official action of the Planning Director through a Class 1 or Class 2 Administrative Review or Development Review Board and provide ongoing assurance the criterion is met.

Landscape Maintenance and Watering

Subsection 4.450 (.03)

A10. A Condition of Approval will ensure landscaping is continually maintained in accordance with this subsection.

Modifications of Landscaping

Subsection 4.450 (.04)

A11. A Condition of Approval will provide ongoing assurance that this criterion is met by preventing modification or removal of landscaping without appropriate City review.

Natural Features and Other Resources

Protection

Section 4.171

A12. The proposed design of the site provides for protection of natural features and other resources consistent with the purpose and objectives of Site Design Review.

Landscaping

Landscape Standards Code Compliance

Subsection 4.176 (.02) B.

A13. The applicant requests no waivers or variances to landscape standards. Thus, all landscaping and screening must comply with standards of this section.

Intent and Required Materials

Subsections 4.176 (.02) C. through I.

A14. The general landscape standard applies throughout different landscape areas of the site and the applicant proposes landscape materials to meet each standard in the different areas.

Quality and Size of Plant Material

Subsection 4.176 (.06)

A15. The quality of the plant materials must meet American Association of Nurserymen (AAN) standards as required by this subsection. Mitigation trees as shown on the applicant's plans are specified at two (2)-inch caliper or greater than six (6) feet for evergreen trees. Some shrubs are specified on the landscape plans as one (1) gallon, rather than two (2) gallon or greater in size. Ground cover is specified as greater than 4 inches. Turf or lawn is used for a minimal amount of the proposed public landscape area. Conditions of Approval ensure the requirements of this subsection are met including use of native topsoil, mulch, and non-use of plastic sheeting.

Landscape Installation and Maintenance

Subsection 4.176 (.07)

A16. Installation and maintenance standards are or will be met by Conditions of Approval as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival.
- Plants that die are required to be replaced in kind, within one (1) growing season, unless appropriate substitute species are approved by the City.
- The applicant's planting schedule (Sheet L5.00 in Exhibit B2) in Note 1 states that planting will not occur "until irrigation system is installed, tested, and approved", however, the notes do not specifically state that the required irrigation system will be installed. A condition of approval ensures that this requirement is met.

Landscape Plans

Subsection 4.176 (.09)

A17. The applicant's submitted landscape plans provide the required information.

Completion of Landscaping

Subsection 4.176 (.10)

A18. The applicant has not requested to defer installation of plant materials.

Public Lighting Plan

Lighting of Local Streets

Local Street, page 78 and Figure 42 of Frog Pond West Master Plan

A19. The applicant's plans (Exhibit B2) show one (1) street light in the SW Brisband Street right-of-way on the north side of the site. This light was installed by the West Linn-Wilsonville School District as part of the street frontage improvements associated with the new primary school development on property west of the proposed neighborhood park. The light meets the requirements for lighting on local streets in the Frog Pond West Master Plan. No other street lighting is proposed to be installed as part of the current project.

Lighting of Pathways

Pedestrian Connections, Trailheads and Paths, page 80 and Figure 42 of Frog Pond West Master Plan

A20. The Frog Pond West Master Plan requires a Public Lighting Plan and recommended light plan hierarchy to define various travel routes within Frog Pond. Pedestrian connections, trailheads, and paths are required to be uniformly illuminated and shall follow the Public Works Standards for Shared Use Path Lighting. As the application for the new park, the City does not propose to include any lighting of pathways to minimize light pollution and discourage use of the trail after dark. However, lighting is proposed for safety reasons on the portion of pathway at the southwest corner of the park where it connects with pathways on the primary school site.

Street Tree Plan

Tree Lists for Primary Streets, Neighborhood Streets, and Pedestrian Connections
 Pages 81-83 and Figure 43 of Frog Pond West Master Plan

A21. The Street Tree Plan provides guidance tied to the street typology for Frog Pond West, with an overall intent to beautify and unify the neighborhood while providing a variety of tree species. The Frog Pond West Master Plan intends to achieve continuity through consistent tree types and consistent spacing along both sides of a street.

The proposed street tree species does not comply with the Frog Pond West Master Plan and is not consistent with the species established in Morgan Farm, which is American linden (*Tilia americana*). A condition of approval ensures that the requirement will be met.

Street Name	Street Type	Proposed Species	Compliance Notes
SW Brisband Street	Neighborhood	Bigleaf Linden (<i>Tilia cordata</i>)	Not on approved list; inconsistent with species established in Morgan Farm – American linden (<i>Tilia americana</i>); condition of approval ensures compliance

Frog Pond West – Gateways, Monuments and Signage

Unifying Frog Pond Name, Gateway Signs, Prohibition on Individual Subdivision Signs
 Page 92 of the Frog Pond West Master Plan

A22. There are no neighborhood gateways planned within the area of the subject site; therefore, no monument signs or other neighborhood gateway signs are permitted.

Unifying Frog Pond Name, Sign Caps on Street Signs
 Page 92 of the Frog Pond West Master Plan

A23. No street signs will be installed as part of the current project; therefore, this standard does not apply.

Request B: Type C Tree Removal Plan (TPLN24-0002)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Type C Tree Removal

Review Authority When Site Plan Review Involved

Subsection 4.610.00 (.03) B.

- B1.** The requested tree removal is connected to Site Plan Review by the DRB and, thus, is under their authority.

Reasonable Timeframe for Removal

Subsection 4.610.00 (.06) B.

- B2.** It is understood that tree removal will be completed by the time the applicant completes construction of the park and other site improvements, which is a reasonable time frame for tree removal.

Security for Permit Compliance

Subsection 4.610.00 (.06) C.

- B3.** As allowed by Subsection 1, the City is waiving the bonding requirement as the application is required to comply with WC 4.264 (.01).

General Standards for Tree Removal, Relocation or Replacement

Preservation and Conservation

Subsection 4.610.10 (.01)

- B4.** Proposed land clearing is limited to designated street rights-of-way and areas necessary for construction of the proposed neighborhood park and associated facilities. The park is designed and constructed, as much as possible, to blend into the natural areas on the site.

Per the arborist report (Exhibit B1) and Tree Protection and Removal Plan (Sheet L0.02 in Exhibit B2), 49 existing trees were inventoried, including 29 on-site trees and 20 off-site trees representing 16 different species. Fourteen (14) of the on-site trees are Douglas-fir, and 12 of the off-site trees are black cottonwood. Most of the preserved trees are located either in a dense grove in the southwest part of the site or in the SROZ immediately to the east, with one (1) 40-inch DBH giant sequoia (Tree #3334), previously preserved with construction of the primary school to the west, located at the northwest corner of the site. One (1) of the inventoried trees is an Oregon white oak (Tree #5002), located just off-site in the SROZ to the east, which is planned for protection with site development.

Nine (9) on-site trees and none of the off-site trees are proposed for removal; thus 40 of the 49 inventoried trees will be retained and protected. As shown on the plans (Sheet L0.02 in Exhibit B2), and described in the arborist report, trees proposed for removal include one (1)

Oregon ash, two (2) princess trees, one (2) Norway maple, one (1) multi-stemmed pear, one (1) sweetgum, and three (3) Lombardy poplars. The trees are generally in fair to poor condition or considered invasive species.

Development Alternatives

Subsection 4.610.10 (.01) C.

- B5.** The Frog Pond West Master Plan provides clear direction for street connections, parks and open space, and preservation of the SROZ. Development alternatives have been given due consideration in design of the proposed park, and preservation and conservation of 40 out of 49 on- and off-site trees is consistent with this intent. The applicant proposes tree protection fencing around all protected trees in order to ensure their preservation during construction. Conditions of Approval ensure this criterion is met.

Land Clearing Limited to Right-of-Way and Areas Necessary for Construction

Subsection 4.610.10 (.01) D.

- B6.** The proposed clearing is necessary for pathways, park facilities, and related improvements.

Residential Development to Blend into Natural Setting

Subsection 4.610.10 (.01) E.

- B7.** While the current application does not include residential development, new tree plantings, preservation of existing on-site trees and those within the SROZ, and new native ground cover allow the development to blend with the natural elements of the property.

Compliance with All Applicable Statutes and Ordinances

Subsection 4.610.10 (.01) F.

- B8.** As found elsewhere in this report, the City is applying the applicable standards.

Tree Relocation and Replacement, Protection of Preserved Trees

Subsection 4.610.10 (.01) G.

- B9.** Reviews of tree removal, replacements, and protection is in accordance with the relevant sections of the Code.

Tree Removal Limitations

Subsection 4.610.10 (.01) H.

- B10.** The proposed tree removal is due to health or necessary for construction.

Additional Standards for Type C Permits

Tree Survey and Tree Maintenance and Protection Plan to be Submitted

Subsection 4.610.10 (.01) I. 1.-2.

- B11.** The applicant submitted the required Tree Maintenance and Protection Plan and Tree Survey (see Exhibit B2).

Utilities Locations to Avoid Adverse Environmental Consequences
Subsection 4.610.10 (.01) I. 3.

B12. The submitted plans (Exhibit B2) show utilities in the SW Brisband Street right-of-way on the north side of the site, lighting at the southwest corner of the site, and an underground irrigation system, with placement designed to minimize impact on the environment to the extent feasible given existing conditions. The City will further review utility placement in relation to the SROZ and preserved trees during review of construction drawings.

Type C Tree Plan Review

Tree Removal Related to Site Development at Type C Permit
Subsection 4.610.40 (.01)

B13. Review of the proposed Type C Tree Plan is concurrent with other site development applications.

Standards and Criteria of Chapter 4 Applicable
Subsection 4.610.40 (.01)

B14. As found elsewhere in this report, the City's review applies applicable standards.

Application of Tree Removal Standards Cannot Result in Loss of Development Density
Subsection 4.610.40 (.01)

B15. As the current application is for a new neighborhood park and does not involve residential development, this standard does not apply.

Development Landscape Plan and Type C Tree Plan to be Submitted Together
Subsection 4.610.40 (.01)

B16. The applicant submitted the Type C Tree Plan concurrently with the landscape plan for the proposed development.

Type C Tree Plan Review with Stage 2 Final Plan
Subsection 4.610.40 (.01)

B17. Review of the proposed Type C Tree Plan is concurrent with the site development application. See Request A.

Required Mitigation May Be Used to Meet Landscaping Requirements
Subsection 4.610.40 (.01)

B18. The applicant proposes counting the proposed street trees and other landscaping trees as mitigation for removal.

No Tree Removal Before Decision Final
Subsection 4.610.40 (.01)

- B19.** Review of the proposed Type C Tree Plan is concurrent with other necessary land use approvals. The City will not issue any tree removal permit prior to final approval of concurrent land use requests.

Tree Maintenance and Protection Plan Submission Requirements
Section 4.610.40 (.02)

- B20.** The applicant submitted the necessary copies of a Tree Maintenance and Protection Plan.

Tree Relocation, Mitigation, or Replacement

Tree Replacement Required
Subsection 4.620.00 (.01)

- B21.** Consistent with the tree replacement requirements for Type C Tree Removal Permits established by this subsection, the applicant proposes to plant mitigation trees consistent with Subsection 4.620.00 (.06).

Replacement Requirement: 1 for 1, 2-inch Caliper
Subsection 4.620.00 (.02)

- B22.** The applicant proposes planting 41 mitigation, right-of-way, and restoration trees. Of these, nine (9) are two (2)-inch caliper deciduous or six to eight (6-8)-foot coniferous trees, and 32 are smaller restoration size trees (1/2-inch caliper or four to six (4-6)-foot height). An additional seven (7) are salvaged, previously planted street trees that will be replanted in the SW Brisband Street right-of-way. Thus, the total number of trees planted will exceed the mitigation required by this subsection.

Replacement Plan and Tree Stock Requirements
Subsections 4.620.00 (.03) and (.04)

- B23.** Review of the Tree Replacement and Mitigation Plan is prior to planting and in accordance with the Tree Ordinance, as established by other findings in this request. The applicant's landscape plans show tree stock meeting the tree stock requirements.

Replacement Trees, City Tree Fund
Subsection 4.620.00 (.05)

- B24.** As shown on the Landscape Plans (Exhibit B2), some of the proposed replacement trees consist of street trees. Because the applicant is planting trees more than the required one-to-one mitigation ratio required by this subsection, payment into the City's Tree Fund as mitigation is not required.

Protection of Preserved Trees

Tree Protection During Construction
Section 4.620.10

- B25.** A Condition of Approval ensures tree protection measures, including fencing, are in place consistent with Public Works Standards Detail Drawing RD-1230.

Request C: Class 3 Sign Permit (SIGN24-007)

As described in the Findings below, the request meets the applicable criteria or will by conditions of approval.

Sign Review and Submission

Class 2 Sign Permits Reviewed by DRB
Subsection 4.031 (.01) M. and Subsection 4.156.02 (.03)

- C1.** The application qualifies as a Class 3 Sign Permit and the Development Review Board is reviewing the application.

What Requires Class 3 Sign Permit Review
Subsection 4.156.02 (.06)

- C2.** The request involves a single user in a development subject to Site Design Review by the Development Review Board thus requiring a Class 3 Sign Permit.

Class 3 Sign Permit Submission Requirements
 Subsection 4.156.02 (.06) A.

C3. As indicated in the table below the applicant has satisfied the submission requirements for Class 3 sign permits, which includes the submission requirements for Class 2 sign permits:

Requirement	Submitted	Waiver Granted		Condition of Approval	Not Applicable	Additional findings/notes
		Info Already Available to City	Info Not Necessary for Review			
Completed Application Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sign Drawings or Descriptions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Documentation of Tenant Spaces Used in Calculating Max. Sign Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Drawings of Sign Placement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Project Narrative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Information on Any Requested Waivers or Variances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Class 3 Sign Permit Review Criteria

Class 2 Review Criteria-Generally and Site Design Review
 Subsection 4.156.02 (.05) E. and F.

C4. As indicated in the table above and Findings below, the proposed sign will either satisfy the sign regulations for the applicable zoning district and the relevant Site Design Review criteria, or the applicant has been granted a waiver under Subsection 4.156.02 (.10).

Class 2 Review Criteria-Compatibility with Zone
 Subsection 4.156.02 (.05) F. 1.

C5. The proposed new monument sign is consistent with the adopted Citywide Signage and Wayfinding Plan. The sign is typical of and compatible with development within the PF zone, and includes design, colors, and materials reflecting a community destination.

Class 2 Review Criteria-Nuisance and Impact on Surrounding Properties
Subsection 4.156.02 (.05) F. 2.

- C6. There is no evidence and no testimony has been received that the monument sign would create a nuisance or negatively impact the value of surrounding properties.

Class 2 Review Criteria-Items for Special Attention
Subsection 4.156.02 (.05) F. 3.

- C7. The proposed monument sign is appropriately placed and does not conflict with trees or other landscaping on the site.

Sign Measurement

Measurement of Cabinet Signs
Subsection 4.156.03 (.01) A.

- C8. The proposed monument sign has been measured consistent with the method defined in this subsection by using one shape drawn around the cabinet, frame, or background. See Findings C10 and C11 below for proposed sign dimensions.

Freestanding and Ground Mounted Signs in the PDC, TC, PDI, and PF Zones

General Allowance
Subsection 4.156.08 (.01) A.

- C9. The subject site has frontage on SW Brisband Street of sufficient length to be sign eligible and the applicant is proposing one (1) sign, on this frontage, located between two access pathways on the north site of the site.

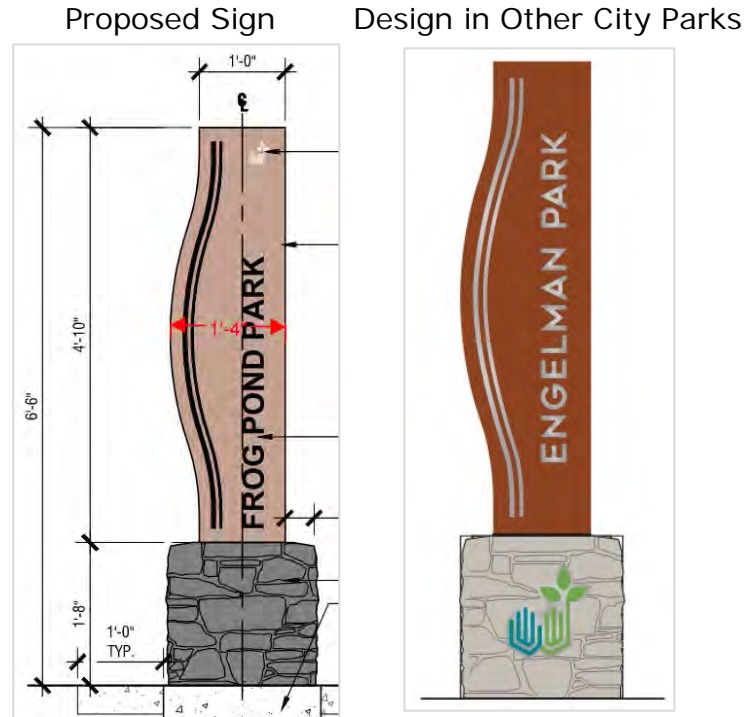
Allowed Height
Subsection 4.156.08 (.01) B.

- C10. The allowed height for the sign is 20 feet in the PF zone. The proposed six and one-half (6.5)-foot-tall freestanding sign (see Sheet L6.40 in Exhibit B2) thus meets the requirements of this subsection.

Allowed Area
Subsection 4.156.08 (.01) C.

- C11. For PF zoned properties adjacent to residential zoned land, the maximum allowed area is 32 square feet. As shown on the applicant's plans (Sheet L6.40 in Exhibit B2) the sign cabinet is a rectangle measuring 1.33 feet by 4.83 feet, for an area of 6.42 square feet, as shown in the illustration below (see Sheet L6.40 in Exhibit B2). The sign design, although consistent with the Final Citywide Signage and Wayfinding Plan (March 2019), is not consistent with the design of other signs recently installed in City parks, which reflect modifications made for aesthetic and readability purposes. The modified sign, as shown below, centers the park name in the cabinet and includes a one (1)-square-foot logo on the base, resulting in a total

area of 7.42 square feet. A condition of approval ensures that the park sign will be consistent with the design of other City park signs reflecting the Citywide Signage and Wayfinding Plan.



Pole or Sign Support Placement Vertical

Subsection 4.156.08 (.01) D.

C12. The applicant proposes constructing the freestanding sign and its foundation in a full vertical position.

Extending Over Right-of-Way, Parking, and Maneuvering Areas

Subsection 4.156.08 (.01) E.

C13. The subject freestanding sign will not extend into or above right-of-way, parking, and maneuvering areas.

Sight Distance Clearance

Subsection 4.156.08 (.01) F.

C14. While no site distance clearance issues are anticipated, the applicant will need to confirm this with the Engineering Division prior to construction.

Architectural Design of Freestanding Signs

Subsection 4.156.08 (.01) G.

C15. The sign features a stone veneer base, steel panel with aluminum cut motifs and letters, and an aluminum painted logo. The sign reflects the design guidelines laid out in the Citywide Signage and Wayfinding Plan.

Width Not Greater Than Height for Signs Over 8 Feet

Subsection 4.156.08 (.01) H.

C16. The proposed freestanding sign does not exceed eight (8) feet in height, therefore, the requirements of this subsection do not apply.

Sign Distance from Property Line

Subsection 4.156.08 (.01) J.

C17. The setback requirements intend for freestanding signs to be located no further than 15 feet from the property line and no closer than two feet from a sidewalk or other hard surface in the public right-of-way. The applicant's plans (Sheet L1.01 in Exhibit B2) show the freestanding sign located approximately two and one-half (2.5) feet from the north property line and the public sidewalk in SW Brisband Street, consistent with the requirement.

Address Required on Sign

Subsection 4.156.08 (.01) K.

C18. The proposed sign will be fronting SW Brisband Street. However, the proposed sign is not associated with a building, therefore, the address is not required.

Site Design Review

Excessive Uniformity, Inappropriate Design

Subsection 4.400 (.01)

C19. With its professional design specific to the City's design brand, the monument sign will not result in excessive uniformity and inappropriateness or poor design. The sign will be placed in an appropriate location on the SW Brisband Street frontage indicating that the proper attention has been paid to site development.

Purpose and Objectives

Subsection 4.400 (.02) and Subsection 4.421 (.03)

C20. The monument sign is scaled and designed appropriately related to the subject site and the appropriate amount of attention has been given to visual appearance.

Design Standards

Subsection 4.421 (.01)

C21. There is no indication that the size, location, design, color, texture, lighting or material of the proposed monument sign would detract from the design of the surrounding properties.

Design Standards and Signs

Subsection 4.421 (.02)

C22. This review applies design standards to exterior signs, as required.

Conditions of Approval to Insure Proper and Efficient Function

Subsection 4.421 (.05)

C23. Staff recommends no additional conditions of approval to ensure the proper and efficient functioning of the development in relation to the sign.

Color or Materials Requirements

Subsection 4.421 (.06)

C24. The proposed coloring is appropriate for the sign and no additional requirements are necessary.

Site Design Review-Procedures and Submittal Requirements

Section 4.440

C25. The applicant has submitted a sign plan as required by this section.

Request D: Abbreviated SROZ Map Verification (SROZ24-0001)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

SROZ Map Verification

Requirements and Process

Section 4.139.05

D1. Consistent with the requirements of this section, a verification of the SROZ boundary is required as the applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with the requirements of this section, which the City's Natural Resources Manager reviewed and approved.

Request E: Abbreviated SRIR Review (SRIR24-0001)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Findings of Fact:

1. Pursuant to Section 4.139.05 (Significant Resource Overlay Zone Map Verification), the map verification requirements shall be met at the time an applicant requests a land use

decision. The applicant conducted a detailed site analysis consistent with Code requirements, which the Natural Resources Manager reviewed and approved.

2. The stream, known as Willow Creek, and its associated riparian corridor comprises the upper reach of the West fork of Meridian Creek (Site ID Number 2.15S). The riparian corridor includes a locally significant wetland on the west side of the creek.
3. Except for a scattering of willow and pine trees, the riparian corridor is primarily comprised of non-native plant species, such as Himalayan blackberry, reed canary grass, and pasture grasses.
4. The Significant Resource Overlay Zone ordinance prescribes regulations for development within the SROZ and its associated 25-foot Impact Area. Setbacks from significant natural resources implement the requirements of Metro Title 3 Water Quality Resource Areas, Metro Title 13 Nature in Neighborhoods, and Statewide Planning Goal 5. All significant natural resources have an Impact Area. Development or other alteration activities may be permitted within the SROZ and its associated Impact Area through the review of a Significant Resource Impact Report (SRIR). The primary purpose of the Impact Area is to insure that development does not encroach into the SROZ.
5. Pursuant to the City's SROZ ordinance, development is only allowed within the Area of Limited Conflicting Use (ALCU). The ALCU is located between the riparian corridor boundary, riparian impact area or the Metro Title 3 Water Quality Resource Area boundary, whichever is furthest from the wetland or stream, and the outside edge of the SROZ, or an isolated significant wildlife habitat (upland forest) resource site.
6. The applicant's submittal delineated specific resource boundaries and analyzed the impacts of exempt development within the SROZ. The applicant's submittal contained the required information, including an analysis and development recommendations for mitigating impacts.

Exempt Uses in SROZ

Use and Activities Exempt from These Regulations Subsection 4.118 (.03) A. and 4.139.04

- E1. The applicant is requesting approval of proposed exempt development that will encroach into the Significant Resource Overlay Zone and its associated Impact Area. The impacts to the SROZ are necessary for site improvements.

Proposed exempt development in the SROZ and its associated Impact Area include the following:

1. A pervious aggregate paving pedestrian path, associated grading, and columnar basalt seating.

4.139.04 (.08) Uses and Activities Exempt from These Regulations. Proposed exempt development in the SROZ and its associated Impact Area comply with the following exemptions: “The construction of new roads, pedestrian or bike paths into the SROZ in order to provide access to the sensitive area or across the sensitive area, provided the location of the crossing is consistent with the intent of the Wilsonville Comprehensive Plan. Roads and paths shall be constructed so as to minimize and repair disturbance to existing vegetation and slope stability.”

Finding: The proposed aggregate path and seating area will provide access to the eastern edge of the park and not negatively impact the adjacent wetland and riparian corridor.

Abbreviated SRIR Requirements

Site Development Permit Application Requirement

Subsection 4.139.06 (.01) A.

- E2.** The applicant has submitted a land use application in conformance with the Planning and Land Development Ordinance.

Outline of Existing Features

Subsection 4.139.06 (.01) B.

- E3.** Preliminary plans have been submitted which include all of the proposed development.

Location of Wetlands or Water Bodies

Subsection 4.139.06 (.01) C.

- E4.** The submittal includes a depiction of the locally significant wetland delineated by Pacific Habitat Services and the location of the stream channel.

Tree Inventory Requirement

Subsection 4.139.06 (.01) D.

- E5.** The preliminary plans include a tree inventory.

Location of SROZ and Impact Area Boundaries

Subsection 4.139.06 (.01) E.

- E6.** The SROZ and Impact Area boundaries have been identified on the preliminary plans.

Slope Cross-Section Measurements

Subsection 4.139.06 (.01) F.

- E7.** A slope analysis was not required.

Metro Title 3 Boundary Delineation

Subsection 4.139.06 (.01) G.

- E8.** The submittal includes a delineation of the Metro Title 3 Water Quality Resource Area boundary.

Photos of Site Conditions

Subsection 4.139.06 (.01) H.

E9. Site photographs have been included with other related submittals, such as the new primary school.

Narrative Describing Impacts

Subsection 4.139.06 (.01) I.

E10. The proposed development impacts have been documented in the applicant's submittal. Mitigation includes the removal of invasive plant species and the installation of native plant species, such as Pacific ninebark, Douglas spirea, and red twig dogwood.

Exhibit C1
Public Works Plan Submittal Requirements
and Other Engineering Requirements

1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards - 2017.
2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

Coverage (<i>Aggregate, accept where noted</i>)	Limit
Commercial General Liability:	
▪ General Aggregate (per project)	\$3,000,000
▪ General Aggregate (per occurrence)	\$2,000,000
▪ Fire Damage (any one fire)	\$50,000
▪ Medical Expense (any one person)	\$10,000
Business Automobile Liability Insurance:	
▪ Each Occurrence	\$1,000,000
▪ Aggregate	\$2,000,000
Workers Compensation Insurance	\$500,000

3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.
4. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
5. Plans submitted for review shall meet the following general criteria:
 - a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
 - b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department.
 - c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.

- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
 - e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
 - f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
 - g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
 - h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
 - i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.
 - j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
 - k. All engineering plans shall be printed to PDF, combined to a single file, stamped and digitally signed by a Professional Engineer registered in the State of Oregon.
 - l. All plans submitted for review shall be in sets of a digitally signed PDF and three printed sets.
6. Submit plans in the following general format and order for all public works construction to be maintained by the City:
- a. Cover sheet
 - b. City of Wilsonville construction note sheet
 - c. General construction note sheet
 - d. Existing conditions plan.
 - e. Erosion control and tree protection plan.
 - f. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
 - g. Grading plan, with 1-foot contours.
 - h. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
 - i. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
 - j. Street plans.
 - k. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference.
 - l. Stormwater LIDA facilities (Low Impact Development): provide plan and profile views of all LIDA facilities.
 - m. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.

- n. Where depth of water mains are designed deeper than the 3-foot minimum (to clear other pipe lines or obstructions), the design engineer shall add the required depth information to the plan sheets.
 - o. Detailed plan for storm water detention facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water detention facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.
 - p. Detailed plan for water quality facility (both plan and profile views). Note that although storm water quality facilities are typically privately maintained they will be inspected by Natural Resources, and the plans must be part of the Public Works Permit set.
 - q. Composite franchise utility plan.
 - r. City of Wilsonville detail drawings.
 - s. Illumination plan.
 - t. Striping and signage plan.
 - u. Landscape plan.
7. Design engineer shall coordinate with the City in numbering the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to City's numbering system.
 8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
 9. Applicant shall work with City Engineering before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
 10. The applicant shall be in conformance with all stormwater and flow control requirements for the proposed development per the Public Works Standards.
 11. A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City.
 12. The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.

13. Storm water quality facilities shall have approved landscape planted and/or some other erosion control method installed and approved by the City of Wilsonville prior to streets and/or alleys being paved.
14. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
15. All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
16. Streetlights shall be in compliance with City dark sky, LED, and PGE Option C requirements.
17. Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
18. No surcharging of sanitary or storm water manholes is allowed.
19. The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
20. A City approved energy dissipation device shall be installed at all proposed storm system outfalls. Storm outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
21. The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
22. All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
23. Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.

24. The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
25. The applicant shall provide adequate sight distance at all project street intersections, alley intersections and commercial driveways by properly designing intersection alignments, establishing set-backs, driveway placement and/or vegetation control. Coordinate and align proposed streets, alleys and commercial driveways with existing streets, alleys and commercial driveways located on the opposite side of the proposed project site existing roadways. Specific designs shall be approved by a Professional Engineer registered in the State of Oregon. As part of project acceptance by the City the Applicant shall have the sight distance at all project intersections, alley intersections and commercial driveways verified and approved by a Professional Engineer registered in the State of Oregon, with the approval(s) submitted to the City (on City approved forms).
26. Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
27. Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and Allied Waste Management (United Disposal) for access and use of their vehicles.
28. The applicant shall provide the City with a Stormwater Maintenance and Access Easement Agreement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Applicant shall provide City with a map exhibit showing the location of all stormwater facilities which will be maintained by the Applicant or designee. Stormwater or rainwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
29. The applicant shall "loop" proposed waterlines by connecting to the existing City waterlines where applicable.
30. Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
31. For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).

32. Mylar Record Drawings:

At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.

Exhibit C2
Natural Resources Findings & Requirements

Findings for SROZ24-0001 and SRIR24-0001

(if SRIR include related findings here)

Significant Resource Overlay Zone

1. The applicant shall submit the SROZ mapping as ARCGIS shape files or a compatible format.
2. All landscaping, including herbicides used to eradicate invasive plant species and existing vegetation, in the SROZ shall be reviewed and approved by the Natural Resources Manager. Native plants are required for landscaping or site restoration in the SROZ.
3. Prior to any site grading or ground disturbance, the applicant is required to delineate the boundary of the SROZ. Six-foot (6') tall cyclone fences with metal posts pounded into the ground at 6'-8' centers shall be used to protect the significant natural resource area where development encroaches into the 25-foot Impact Area.
4. Mitigation actions shall be implemented prior to or at the same time as the impact activity is conducted.



From: [JEFF SOLOMON](#)
To: [Cindy Luxhoj](#)
Cc: [Carolyn Solomon](#)
Subject: Frog Pond West 2.93-acre Neighborhood Park Comments/Concerns (Development Review Board Members)
Date: Tuesday, June 11, 2024 3:59:27 PM

Attention: Ms. Cindy Luxhoj AICP and Development Review Board Members

Dear Ms. Luxhoj:

Thank you for considering our comments and concerns regarding the new Frog Pond West Neighborhood Park. We appreciate it.

My wife Carolyn and I live directly across from the future park located at 27790 SW Willow Creek Drive. We currently look out at a beautiful pastoral meadow setting with graceful, mature trees for a peaceful feeling of being in the country. We hope and trust that the plan for the new park is to keep this natural, tranquil feel when constructing the new neighborhood park.

When we moved into our new home a little over 2 years ago, we understood that there was a good possibility that a neighborhood park would be going in across the street from us, and it was and still is an exciting proposition. How great it will be for us to be able to walk across the street and be able to go on a morning walk, have a picnic or throw the Frisbee with the grandkids!

Carolyn and I absolutely love our neighborhood. It is quiet and peaceful, yet there is good energy with many different people and families of all ages and backgrounds walking their dogs, going for jogs, taking walks, bike riding, etc. throughout Frog Pond West. Things are really, really good right now.

Since we purchased this property we were told that a **neighborhood park** might be developed. Additionally, the City of Wilsonville's letter to the community states that this is going to be a **neighborhood park**. We trust that it will be developed and treated as such. To us this means that the park will predominantly be geared and developed towards accommodating the neighbors that live in Frog Pond West. With that in mind our 2 key comments are:

1. **Parking/Traffic:** Please consider the parking situation carefully. We certainly do not want a lot of people from outside of Frog Pond West driving into our small neighborhood and taking up valuable parking space, creating more traffic and noise pollution. We have limited parking space in front of our home and it would create a problem for our family, friends and service people to park when visiting us. I'm sure the 5 adjoining neighbors on our street facing the park would agree.
2. **Noise:** Another concern we have is noise, and we are not talking about the joyful sound of children laughing and playing in a park. We love that. What we are talking about is a plan for a "small stage to accommodate community events". This seems excessive, out of place and inappropriate for a small neighborhood park. This in our opinion is going to invite too much unwanted, reverberated noise echoing through this small neighborhood, as well as



bringing in too many people into the size and scope of this type of neighborhood park.

We understand there will be different opinions on how the park will be developed and used. Carolyn and I just ask you to please imagine yourself living in this neighborhood and the impact of how higher traffic, less parking, more congestion and noise would affect your living situation if you lived here. This new park can be incredible or it can be a big “takeaway” for us and our neighbors. We are hoping for the incredible park!

Thank you very much for listening to our concerns.

Best regards,

Jeff Solomon
27790 SW Willow Creek Drive
Wilsonville, OR 97070
503-347-4339

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29799 SW Town Center Loop E, Wilsonville, OR 97070
Phone: 503.682.4960 Fax: 503.682.7025
Web: www.ci.wilsonville.or.us

Planning Division
Development Permit Application

Item 5.

Final action on development application or zone change is required within 120 days per ORS 227.175 or as otherwise required by state or federal law for specific application types.

A pre application conference may be required.

The City will not accept applications for wireless communication facilities or similar facilities without a completed copy of a Wireless Facility Review Worksheet.

The City will not schedule incomplete applications for public hearing or send administrative public notice until all of the required materials are submitted.

Applicant:

Name: Kris Ammerman
Company: Wilsonville Parks and Recreation
Mailing Address: 29600 Park Place
City, State, Zip: Wilsonville, OR 97070
Phone: 503-570-1579 Fax:
E-mail: kammerman@ci.wilsonville.or.us

Authorized Representative:

Name: Mercedes Serra
Company: 3J Consulting, Inc.
Mailing Address: 3600 SW Nimbus Avenue, Suite 100
City, State, Zip: Beaverton, OR 97008
Phone: 503-946-9365 x 211 Fax:
E-mail: mercedes.serra@3j-consulting.com

Property Owner:

Name: Wilsonville Parks and Recreation
Company: City of Wilsonville
Mailing Address: 29600 Park Place
City, State, Zip: Wilsonville, OR, 97070
Phone: 503-570-1579 Fax:
E-mail: kammerman@ci.wilsonville.or.us

Property Owner's Signature:

Kris Ammerman

Printed Name: Kris Ammerman Date: 4/3/2024

Applicant's Signature: (if different from Property Owner)

Printed Name: Date:

Site Location and Description:

Project Address if Available: 7035 SW Boeckman Road. Wilsonville, OR 97070 Suite/Unit
Project Location: 7035 SW Boeckman Road. Wilsonville, OR 97070
Tax Map #(s): 31W12DD Tax Lot #(s): 00400 County: Washington Clackamas

Request:

Wilsonville Parks and Recreation is proposing a new neighborhood park and seeks approval of a Site Design Review Application, Class III Tree Removal Application, and Class II Sign Permit, to be reviewed by the Development Review Board.

Project Type: Class I Class II Class III

Residential Commercial Industrial Other: Public Park

Application Type(s):

- Annexation Appeal Comp Plan Map Amend Parks Plan Review
Final Plat Major Partition Minor Partition Request to Modify Conditions
Plan Amendment Planned Development Preliminary Plat Site Design Review
Request for Special Meeting Request for Time Extension Signs Stage II Final Plan
SROZ/SRIR Review Staff Interpretation Stage I Master Plan Variance
Type C Tree Removal Plan Tree Permit (B or C) Temporary Use Other (describe)
Villebois SAP Villebois PDP Villebois FDP
Zone Map Amendment Waiver(s) Conditional Use

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- Site Furnishings
- Picnic Shelter Drawings by Western Wood
- Frog Pond Park Fitness Materials
- Frog Pond Park Playground Equipment Materials

GENERAL INFORMATION

Property Owner and Applicant: **Wilsonville Parks and Recreation**
 29600 Park Place
 Wilsonville, OR 97070
 Contact: Kris Ammerman
 Phone: 503-783-7529
 Email: kammerman@ci-wilsonville.or.us

Planning Consultant: **3J Consulting, Inc.**
 9600 SW Nimbus Avenue, Suite 100
 Beaverton, OR 97008
 Contact: Mercedes Serra
 Phone: 503-946-9365 x211
 Email: mercedes.serra@3j-consulting.com

Landscape Architect: **Mayer/Reed, Inc.**
 319 SW Washington Street, Suite 820
 Portland, OR 97204
 Contact: Anne Samuel
 Phone: 503-223-5953
 Email: anne@mayerreed.com

Civil Engineer: **3J Consulting, Inc.**
 9600 SW Nimbus Avenue, Suite 100
 Beaverton, OR 97008
 Contact: Ashley Doty, PE
 Phone: 503-946-9365 x223
 Email: ashley.doty@3j-consulting.com

SITE INFORMATION

Parcel Number: 31W12DD00400
 Address: 7035 SW Boeckman Road. Wilsonville, OR 97070
 Gross Site Area: 2.93 acres
 Zoning Designation: Public Facility (PF)
 Existing Use: Vacant
 Surrounding Zoning: The property to the west is zoned Public Facility (PF). The properties to the north, south, and east are zoned Residential Neighborhood (RN).
 Street Classification: SW Brisband Street and SW Wehler Way are classified as local streets.

INTRODUCTION

APPLICANT'S REQUEST

The City of Wilsonville ("the Applicant") is proposing a new neighborhood park and seeks approval of concurrent Site Development Permit applications for a Site Design Review, Class III Tree Removal Application, and Class II Sign Permit. This narrative describes the proposed development and demonstrates compliance with the relevant approval standards of the City of Wilsonville's Planning and Development Ordinance, Chapter 4 – Planning and Land Development.

The Site Design Review, Class III Tree Removal applications, and Class II Sign Permit included in this application will be evaluated under the quasi-judicial decision process. The Development Review Board will render the decision after a public hearing on the application is held.

SITE DESCRIPTION/SURROUNDING LAND USE

The subject property is located at 7035 SW Boeckman Road within the City of Wilsonville. The site consists of one tax lot, 31W12DD00400. The site is approximately 2.93 acres and is zoned Public Facility (PF). The site has frontage on SW Brisband Street to the north and SW Wehler Way to the south, which are classified as local streets. Tax lot 31W12DD13500, a 0.37-acre parcel to the east of the subject site, separates the site from SW Willow Creek Drive which is classified as a collector street. A new elementary school at Frog Pond is currently under construction to the west of the site. The elementary school construction contains associated frontage improvements on SW Brisband Street. The properties to the north, east, and south are zoned Residential Neighborhood (RN), and are developed with primarily single-family residential homes. The site has a slight grade change from the northeast corner of the site sloping to the southwest. There are no existing structures on the site. The site contains a mix of deciduous and coniferous trees, grasses, and some shrubs.

PROPOSAL

The Applicant proposes to construct a neighborhood park on the subject property to provide outdoor recreation areas to meet the needs of the growing community. The proposed park will offer an approximately 500 square foot permanent shelter with picnic tables, an area with play equipment for young children, a small stage to accommodate small community events, and a central lawn between the picnic shelter and stage. Both paved and unpaved walking paths are proposed that will weave through existing stands of trees, lawns, and meadows on the site. The pathways through the park will lead community members to recreation areas and benches for resting and viewing along the walking paths.

APPLICABLE CRITERIA

The following sections of the City of Wilsonville's Planning and Development Ordinance (WPDO) have been extracted as they have been deemed to be applicable to the proposal. Following each **bold** applicable criteria or design standard, the Applicant has provided a series of draft findings. The intent of providing code and detailed responses and findings is to document, with absolute certainty, that the proposed development has satisfied the approval criteria for a Site Design Review and Class III Tree Removal, and Class II Sign Permit applications.

Administration

Section 4.035 – Site Development Permits.

(.03) Class II—Administrative Review. Consistent with the authority set forth in Section 4.030, a Class II application shall be processed without a public hearing, except as determined appropriate by the Director.

A. Within ten calendar days of receiving a complete Class II Permit application, the Planning Director shall mail notice of the proposed development, pursuant to Section 4.012, to all property owners within 250 feet of the proposal. The notice shall summarize the standards and criteria that will be used to evaluate the application and shall be sent to the persons designated to receive notice by the relevant sections of this Code. The notice shall invite persons to submit information within ten calendar days, relevant to the standards pertinent to the proposal and giving reasons why the application should or should not be approved or proposing conditions the person believes are necessary for approval according to the standards. The notice shall also advise the person of the right to appeal the decision on the proposed development if the person's concerns are not resolved.

B. If the Director anticipates that persons other than the applicant can be expected to question the application's compliance with the Comprehensive Plan or Development Standards, the Planning Director may initiate a public hearing.

C. Within ten calendar days of the final response date, the Director shall review any information received under Subsection "A", above, and make a make a final decision. The final decision and supporting findings shall be forwarded to the applicant, affected parties required to be notified, and the Development Review Board. The decision shall be based upon a determination of whether the application complies with the standards and criteria listed above for Class I Administrative Reviews and the following additional standards:

- 1. The proposed development or use, including signage, is compatible with developments or uses permitted in the zone;**
- 2. The proposed development or use will not create a nuisance or result in a significant reduction in the value or usefulness of adjacent properties;**
- 3. If the proposed use is to be temporary, the length of time for which it is permitted shall be reasonable in terms of the purpose and nature of the use that is proposed;**

4. If the application involves a Variance, it shall be subject to the standards and criteria listed in Section 4.196;

5. All of the relevant application filing requirements of Chapter 4 have been met.

D. A decision of the Planning Director under a Class II procedure may be appealed by an affected party or may be called up for review by the Development Review Board, provided such action is taken by members of either panel of the Board as specified in Section 4.022.

E. The Development Review Board, Planning Commission, or City Council may delegate specific actions or duties to be executed by the Planning Director. The body making the delegation shall specify the administrative review procedures that the Director is to follow in the process.

Finding: The Applicant acknowledges and understands the procedures for a Class II Sign Permit, but has been instructed by Staff to expect the sign permit to be reviewed as a Class III Sign Permit concurrent with the full application, reviewed by the Development Review Board.

(.04) Site Development Permit Application.

A. An application for a Site Development Permit shall consist of the materials specified as follows, plus any other materials required by this Code.

1. A completed Permit application form, including identification of the project coordinator, or professional design team.
2. An explanation of intent, stating the nature of the proposed development, reasons for the Permit request, pertinent background information, information required by the development standards and other information specified by the Director as required by other sections of this Code because of the type of development proposal or the area involved or that may have a bearing in determining the action to be taken. As noted in Section 4.014, the applicant bears the burden of proving that the application meets all requirements of this Code.
3. Proof that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has the consent of all individuals or partners in ownership of the affected property.
4. Legal description of the property affected by the application.
5. The application shall include conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size and impact of the development on the community, public facilities and adjacent properties; and except as otherwise specified in this Code, shall be accompanied by the following information,
6. Unless specifically waived by the Director, the submittal shall include: ten copies folded to 9" × 12" or (one set of full-sized scaled drawings and nine 8½" × 11" reductions of larger drawings) of the proposed Site Development Plan, including a small scale vicinity map and showing:

- a. Streets, private drives, driveways, sidewalks, pedestrian ways, off-street parking, loading areas, garbage and recycling storage areas, power lines and railroad tracks, and shall indicate the direction of traffic flow into and out of off-street parking and loading areas, the location of each parking space and each loading berth and areas of turning and maneuvering vehicles.
- b. The Site Plan shall indicate how utility service, including sanitary sewer, water and storm drainage, are to be provided. The Site Plan shall also show the following off-site features: distances from the subject property to any structures on adjacent properties and the locations and uses of streets, private drives, or driveways on adjacent properties.
- c. Location and dimensions of structures, utilization of structures, including activities and the number of living units.
- d. Major existing landscaping features including trees to be saved, and existing and proposed contours.
- e. Relevant operational data, drawings and/or elevations clearly establishing the scale, character and relationship of buildings, streets, private drives, and open space.
- f. Topographic information sufficient to determine direction and percentage of slopes, drainage patterns, and in environmentally sensitive areas, e.g., flood plain, forested areas, steep slopes or adjacent to stream banks, the elevations of all points used to determine contours shall be indicated and said points shall be given to true elevation above mean sea level as determined by the City Engineer. The base data shall be clearly indicated and shall be compatible to City datum, if bench marks are not adjacent. The following intervals shall be shown:
 - i. One foot contours for slopes of up to five percent;
 - ii. Two foot contours for slopes of from six percent to 12 percent;
 - iii. Five foot contours for slopes of from 12 percent to 20 percent. These slopes shall be clearly identified, and
 - iv. Ten foot contours for slopes exceeding 20 percent.
- g. A tabulation of land area, in square feet, devoted to various uses such as building area (gross and net rentable), parking and paving coverage, landscaped area coverage and average residential density per net acre.
- h. An application fee as set by the City Council.
- i. If there are trees in the development area, an arborist's report, as required in Section 4.600. This report shall also show the impacts of grading on the trees.
- j. A list of all owners of property within 250 feet of the subject property, printed on label format. The list is to be based on the latest available information from the County Assessor.

Finding: All of the required application materials for a Site Development Permit Application are included with this proposal. This standard is met.

Zoning: Public Facility Zone

Section 4.136 – PF – Public Facility Zone

(.01) Purpose. The PF zone is intended to be applied to existing public lands and facilities; including quasi-public lands and facilities which serve and benefit the community and its citizens. Typical uses permitted in the PF Zone are schools, churches, public buildings, hospitals, parks and public utilities. Not all of the uses permitted in this zone are expected to be publicly owned.

(.02) Uses Permitted Outright:

- E. Recreational and community buildings and grounds, playgrounds, swimming pools, tennis courts and similar recreational uses.**
- I. Trails and pathways.**
- J. Parks.**

Finding: The proposed park is an outright allowed use in the PF zone and will include recreation areas, a picnic shelter, a playground area, trails and pathways, and similar passive and active recreational uses as demonstrated on the Site Plan (Sheet L1.0), provided in Appendix D. This standard is met.

(.04) Dimensional Standards:

- A. Minimum Lot Size: One (1) Acre** The minimum lot area may be reduced upon a finding that the resulting parcel is compatible with the adjoining property in that it does not impair the development of any adjoining property, does not adversely affect the value of adjoining property, and does not adversely affect the public health, safety, or welfare.

Finding: The subject property is 2.93 acres, which exceeds the minimum lot size requirements of the PF Zone. This standard is met.

- B. Minimum front and rear yard setbacks: Thirty feet. Minimum sideyard setback: Ten feet.**

Finding: The proposed neighborhood park meets the front and rear yard setbacks as demonstrated on the Site Plan (Sheet L1.01), provided in Appendix D. The front yard setback measured from the north property line is thirty feet to the nearest point of the proposed picnic shelter. The rear setback measured from the south property line exceeds the thirty foot minimum setback. The side yard setbacks measured from the east and west property lines exceed the ten foot minimum setback. This standard is met.

C. Minimum street frontage: Seventy-five feet.

Finding: There is greater than seventy-five feet of street frontage on both SW Brisband Street and SW Wehler Way as demonstrated on the Site Plan (Sheet L1.01), provided in Appendix D. This standard is met.

D. Maximum height: Thirty five feet.

Finding: The proposed Shelter is less than thirty-five feet in height, as demonstrated on the Picnic Shelter drawings provided by Western Wood Structures in Appendix D. This standard is met.

(.05) Off-Street Parking Requirements: As provided in Section 4.155.

Finding: The applicable off-street parking requirements are addressed further in this narrative.

(.06) Signs: As provided in Sections 4.156.01 through 4.156.11.

Finding: One sign, located at the north entrance to the Park is subject to the sign permit requirements in Sections 4.156.01 through 4.156.11, which are addressed further in this narrative. All other internal signs are not intended to be read from off-site and are exempt from the sign permit requirements as detailed in Section 4.156.05 (.02) B. 1.

(.07) Corner Vision: As provided in Section 4.176.

Finding: The subject site is not located at an intersection and will not require new driveways. The corner vision standards in Section 4.176 are not applicable.

(.08) Special Regulations:

- A. All principal and conditional uses shall be subject to Section 4.400 through 4.450 (Site Design Review) of the Wilsonville Code.**
- B. As part of either a permitted or conditional use, the Planning Commission may review and approve a Master Plan for an entire development or area subject to Section 4.140 (Planned Development Regulations) of the Wilsonville Code. Approval of a Master Plan would allow all uses provided in the Master Plan without further review. Minor changes which do not have off-site impact or increase visitor capacity may be reviewed by the Planning Director.**
- C. Prisons, other than minimum-security mental institutions, are hereby prohibited.**
- D. Development within Public Facility zones shall comply with applicable provisions of adopted legislative master plans.**

Finding: This narrative describes the proposed development and how it meets the Site and Design Review criteria. The subject property is within a Public Facility zone and complies with the applicable provisions of the adopted legislative master plans as detailed in this narrative. The Frog Pond West Master Plan (Master Plan) states that a Neighborhood Park is one of the five key projects outlined in the Master Plan: with preliminary designs, estimated costs and proposed funding strategies for a neighborhood park included. The proposed Frog Pond Neighborhood Park described in this narrative meets the stated intent in the Master Plan and is located on the previously “land banked” parcel identified as a potential site for a park. With connected paths, a shelter area, and a relationship between the adjacent homes and the park, the proposed Frog Pong Neighborhood Park will be a shared amenity for the neighborhood and also complies with the Frog Pond West Master Plan vision, principles, and intent. This standard is met.

(.09) Block and access standards: The PF zone shall be subject to the same block and access standards as the PDC zone, Section 4.131(.03).

Finding: The block and access standards of the PDC zone are addressed further in this narrative.

Section 4.131 – PDC—Planned Development Commercial Zone.

(.03)Block and access standards:

- 1. The Development Review Board shall determine appropriate conditions of approval to assure that adequate connectivity results for pedestrians, bicyclists, and motor vehicle drivers. Consideration shall be given to the use of public transit as a means of meeting access needs.**

Finding: The block and access standards of the PDC zone are applicable as outlined in Section 4.136(.09). The proposed park will provide connectivity for pedestrians and bicyclists through the site. Vehicular access will be provided through the existing street network. New streets are not proposed as part of the development. The Applicant finds that the access to the park from the surrounding neighborhood and uses meets the intent of the code.

Zoning: Significant Resource Overlay Zone (SROZ)

Section 4.139.00. – Significant Resource Overlay Zone (SROZ) Ordinance.

Definitions:

5. Impact Area. The area adjacent to the outer boundary of a Significant Resource within which development or other alteration activities may be permitted through the review of a Significant Resource Impact Report (SRIR) or where an SRIR has been waived in accordance with this ordinance. The impact area is 25 feet wide unless otherwise specified in this ordinance or by the decision making body.

Finding: The Applicant finds that there are SROZ Impact Areas on the subject property consistent with this definition. The identified impact areas are on the east portion of the subject property, adjacent to tax lot 31W12DD13500.

Section 4.139.02 – Where regulations apply.

The regulations of this Section apply to the portion of any lot or development site, which is within a Significant Resource Overlay Zone and its associated "Impact Areas". The text provisions of the Significant Resource Overlay Zone ordinance take precedence over the Significant Resource Overlay Zone maps. The Significant Resource Overlay Zone is described by boundary lines shown on the City of Wilsonville Significant Resource Overlay Zone Map. For the purpose of implementing the provisions of this Section, the Wilsonville Significant Resource Overlay Zone Map is used to determine whether a Significant Resource Impact Report (SRIR) is required. Through the development of an SRIR, a more specific determination can be made of possible impacts on the significant resources.

Unless otherwise exempted by these regulations, any development proposed to be located within the Significant Resource Overlay Zone and/or Impact Area must comply with these regulations. Where the provisions of this Section conflict with other provisions of the City of Wilsonville Planning and Land Development Ordinance, the more restrictive shall apply.

The SROZ represents the area within the outer boundary of all inventoried significant natural resources. The Significant Resource Overlay Zone includes all land identified and protected under Metro's UGMFP Title 3 Water Quality Resource Areas and Title 13 Habitat Conservation Areas, as currently configured, significant wetlands, riparian corridors, and significant wildlife habitat that is inventoried and mapped on the Wilsonville Significant Resource Overlay Zone Map.

Finding: The Applicant finds that the SROZ regulations apply to the portion of the subject property that have Impact Areas identified.

Section 4.139.03 – Administration

(.01) Resources. The text provisions of this section shall be used to determine whether applications may be approved within the Significant Resource Overlay Zone. The following maps and documents may be used as references for identifying areas subject to the requirements of this Section:

- A. Metro's UGMFP Title 3 Water Quality Resource Area maps.
- B. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM).
- C. The Wilsonville Local Wetland Inventory (LWI) (1998).
- D. The Wilsonville Riparian Corridor Inventory (RCI) (1998).
- E. Locally adopted studies or maps.
- F. City of Wilsonville slope analysis maps.
- G. Clackamas and Washington County soils surveys.

H. Metro's UGMFP Title 13 Habitat Conservation Area Map.

Finding: The Applicant acknowledges and understands that the listed maps and documents may be used as references for identifying areas subject to the SROZ requirements.

(.02) Impact Area. The "Impact Area" is the area adjacent to the outer boundary of a Significant Resource within which development or other alteration activities may be permitted through the review of an SRIR (Significant Resource Impact Report). Where it can be clearly determined by the Planning Director that development is only in the Impact Area and there is no impact to the Significant Resource, development may be permitted without SRIR review. The impact area is 25 feet wide unless otherwise specified in this ordinance or by the decision making body. Designation of an Impact Area is required by Statewide Planning Goal 5. The primary purpose of the Impact Area is to ensure that development does not encroach into the SROZ.

Finding: The proposed development will include landscape enhancement and a pervious walking path within the identified Impact area of the SROZ on the adjacent property. The improvements will not have a negative impact to the Significant Resource. This standard is met.

(.03) Significant Resource Impact Report (SRIR). For proposed non-exempt development within the SROZ, the applicant shall submit a Significant Resource Impact Report (SRIR) as part of any application for a development permit.

Finding: The proposed development is found to not have a negative impact on the SROZ; therefore, it is exempt from the requirement for a SRIR.

(.04) Prohibited Activities. New structures, development and construction activities shall not be permitted within the SROZ if they will negatively impact significant natural resources. Gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by DEQ, domestic animal waste, dumping of materials of any kind, or other activities shall not be permitted within the SROZ if they will negatively impact water quality. Unauthorized land clearing or grading of a site to alter site conditions is not allowed, and may result in the maximum requirement of mitigation/enhancement regardless of pre-existing conditions.

Finding: None of the above listed prohibited activities are proposed in the SROZ with this application. This standard is met.

Section 4.139.04. - Uses and Activities Exempt from These Regulations.

A request for exemption shall be consistent with the submittal requirements listed under Section 4.139.06(.01)(B—I), as applicable to the exempt use and activity.

(.08) The construction of new roads, pedestrian or bike paths into the SROZ in order to provide access to the sensitive area or across the sensitive area, provided the location of the crossing is consistent with the intent of the Wilsonville Comprehensive Plan. Roads and paths shall be constructed so as to minimize and repair disturbance to existing vegetation and slope stability.

(.10) The removal of invasive vegetation such as Himalayan Blackberry, English Ivy, Poison Oak, Scots (Scotch) Broom or as defined as invasive in the Metro Native Plant List.

(.11) The planting or propagation of any plant identified as native on the Metro Native Plant List. See Wilsonville Planning Division to obtain a copy of this list.

(.12) Grading for the purpose of enhancing the Significant Resource as approved by the City.

(.13) Enhancement of the riparian corridor or wetlands for water quality or quantity benefits, fish, or wildlife habitat as approved by the City and other appropriate regulatory authorities.

Finding: The proposed development within the riparian corridor will include a pervious porous aggregate paving pedestrian path, associated grading, columnar basalt seating, invasive plant removal, and replanting with native plant species. The proposed development within the riparian corridor is considered exempt from the Significant Resource review criteria.

Zoning: Planned Development Regulations

Section 4.140 – Planned Development Regulations.

(.09) Final Approval (Stage Two):

- A. Unless an extension has been granted by the Development Review Board or Planning Director, as applicable, within two years after the approval or modified approval of a preliminary development plan (Stage I), the applicant shall file with the City Planning Department a final plan for the entire development or when submission in stages has been authorized pursuant to Section 4.035 for the first unit of the development, a public hearing shall be held on each such application as provided in Section 4.013. As provided in Section 4.134, an application for a Stage II approval within the Coffee Creek Industrial Design Overlay District may be considered by the Planning Director without a public hearing as a Class II Administrative Review as provided in Section 4.035(.03).**
- B. The Development Review Board or Planning Director, as applicable, shall determine whether the proposal conforms to the permit criteria set forth in this Code, and shall approve, conditionally approve, or disapprove the application.**
- C. The final plan shall conform in all major respects with the approved preliminary development plan, and shall include all information included in the preliminary plan plus the following:**
 - 1. The location of water, sewerage and drainage facilities;**
 - 2. Preliminary building and landscaping plans and elevations, sufficient to indicate the general character of the development;**
 - 3. The general type and location of signs;**
 - 4. Topographic information as set forth in Section 4.035;**
 - 5. A map indicating the types and locations of all proposed uses; and**

6. A grading plan.

- D. The final plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development or phase of development. However, Site Design Review is a separate and more detailed review of proposed design features, subject to the standards of Section 4.400.**
- E. Copies of legal documents required by the Development Review Board or Planning Director, as applicable, for dedication or reservation of public facilities, or for the creation of a non-profit homeowner's association, shall also be submitted.**
- F. Within 30 days after the filing of the final development plan, the Planning staff shall forward such development plan and the original application to the Tualatin Valley Fire and Rescue District, if applicable, and other agencies involved for review of public improvements, including streets, sewers and drainage. The Development Review Board or Planning Director, as applicable, shall not act on a final development plan until it has first received a report from the agencies or until more than 30 days have elapsed since the plan and application were sent to the agencies, whichever is the shorter period.**
- G. Upon receipt of the final development plan, the Development Review Board or Planning Director, as applicable shall examine such plan and determine:1.Whether it conforms to all applicable criteria and standards; and2.Whether it conforms in all substantial respects to the preliminary approval; or3.Require such changes in the proposed development or impose such conditions of approval as are in its judgment necessary to insure conformity to the applicable criteria and standards.**
- H. If the Development Review Board or Planning Director, as applicable, permits the applicant to revise the plan, it shall be resubmitted as a final development plan within 60 days. If the Board or Planning Director approves, disapproves or grants such permission to resubmit, the decision of the Board shall become final at the end of the appeal period for the decision, unless appealed to the City Council, in accordance with Sections 4.022 of this Code.**
- I. All Stage II Site Development plan approvals shall expire two years after their approval date, if substantial development has not occurred on the property prior to that time. Provided, however, that the Development Review Board or Planning Director, as applicable, may extend these expiration times for up to three additional periods of not more than one year each. Applicants seeking time extensions shall make their requests in writing at least 30 days in advance of the expiration date. Requests for time extensions shall only be granted upon (1) a showing that the applicant has in good faith attempted to develop or market the property in the preceding year or that development can be expected to occur within the next year, and (2) payment of any and all Supplemental Street SDCs applicable to the development. Upon such payment, the development shall have vested traffic generation rights under [section] 4.140(.10), provided however, that if the Stage II approval should expire, the vested right to use trips is terminated upon City repayment, without interest, of Supplemental Street SDCs. For purposes of this Ordinance, "substantial development" is deemed to have occurred if the required building permits or public works permits have been issued for**

the development, and the development has been diligently pursued, including the completion of all conditions of approval established for the permit.

- J. A planned development permit may be granted by the Development Review Board or Planning Director, as applicable, only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Section 4.140:
1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.

Finding: The development site is dedicated as public land by the Comprehensive plan and is designated as a neighborhood park in the Frog Pond West Master Plan, thus the proposed Frog Pond Neighborhood Park is consistent.

2. That the location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D, as defined in the Highway Capacity Manual published by the National Highway Research Board, on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets. Immediately planned arterial and collector streets are those listed in the City's adopted Capital Improvement Program, for which funding has been approved or committed, and that are scheduled for completion within two years of occupancy of the development or four year if they are an associated crossing, interchange, or approach street improvement to Interstate 5.
 - b. In determining levels of Service D, the City shall hire a traffic engineer at the applicant's expense who shall prepare a written report containing the following minimum information for consideration by the Development Review Board:
 - i. An estimate of the amount of traffic generated by the proposed development, the likely routes of travel of the estimated generated traffic, and the source(s) of information of the estimate of the traffic generated and the likely routes of travel;
 - ii. What impact the estimate generated traffic will have on existing level of service including traffic generated by (1) the development itself, (2) all existing developments, (3) Stage II developments approved but not yet built, and (4) all developments that have vested traffic generation rights under section 4.140(.10), through the most probable used intersection(s), including state and county intersections, at the time of peak level of traffic. This analysis shall be conducted for each direction of travel if backup from other intersections will interfere with intersection operations.
 - c. The following are exempt from meeting the Level of Service D criteria standard:

- i. **A planned development or expansion thereof which generates three new p.m. peak hour traffic trips or less;**
- ii. **A planned development or expansion thereof which provides an essential governmental service.**
- d. **Traffic generated by development exempted under this subsection on or after Ordinance No. 463 was enacted shall not be counted in determining levels of service for any future applicant.**
- e. **Exemptions under 'b' of this subsection shall not exempt the development or expansion from payment of system development charges or other applicable regulations.**
- f. **In no case will development be permitted that creates an aggregate level of traffic at LOS "F".3.That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.**

Finding: The City's Engineering department determined a Traffic Impact Analysis is not necessary for the proposed development. As is referenced throughout the narrative, the proposed park is intended to serve the surrounding neighborhood. Vehicular traffic is not expected to increase with the installation of the park. Instead traffic to the park will be mostly pedestrians traveling on wheels or on foot.

General Development Regulations

Section 4.155 - General Regulations—Parking, Loading and Bicycle Parking.

(.02) General Provisions:

- A. The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. The standards set forth herein shall be considered by the Development Review Board as minimum criteria**

Finding: Vehicle parking spaces for parks are not specifically required by this code, as addressed in 4.155(.02)M. Additionally, Statewide Transportation Planning Rules, as determined by the Oregon Land Conservation and Development Department and outlined in the Parking Reform Near Transit Corridors rules (OAR 660-012-0440), states that:

(3) Cities and counties may not enforce parking mandates for developments on a lot or parcel that includes lands within one-half mile of frequent transit corridors, including:

- (a) Priority transit corridors designated under OAR 660-012-0710;*
- (b) Corridors with transit service arriving with a scheduled frequency of at least four times an hour during peak service; and*
- (c) If a community has no corridor qualifying under subsection (b), corridors with the most frequent transit service in the community if the scheduled frequency is at least once per hour during peak service.*

The South Metro Area Regional Transit (SMART) that serves Wilsonville, has no transit corridors qualifying under subsection (b) of this administrative rule. However, SMART Route 4 has the most frequent transit service within the community, as outlined in the SMART Route 4 transit schedule, with transit service arriving with a scheduled frequency of at least two times an hour during peak service. The closest transit bus stop to the proposed park is located at the intersection of SW Wilsonville Rd and SW Landover Dr. This transit bus stop is 0.4 miles walking distance from the south access of the proposed park, and 0.3 miles straight-line distance from the south access to the park. Therefore, in addition to the parking spaces not specifically being required by the City of Wilsonville's Planning and Development Ordinance, the City of Wilsonville may not enforce parking mandates for this proposed development in accordance with OAR 660-012-0440. This standard is met.

(.02) General Provisions:

M. Off-street parking requirements for types of uses and structures not specifically listed in this Code shall be determined by the Development Review Board if an application is pending before the Board. Otherwise, the requirements shall be specified by the Planning Director, based upon consideration of comparable uses.

Finding: The parking standards in Table 5 do not list Parks as a use. No minimum, maximum, and bicycle parking standards are outlined in the table. The proposed park is meant to be a neighborhood park to serve the surrounding residential neighborhood. It is anticipated that many who utilize the park will live within walking and biking distance to the park. On-street parking on the surrounding street network will provide parking for those who may drive to the proposed park. This standard is met.

(.04) Bicycle Parking :

A. Required Bicycle Parking – General Provisions

- 1. The required minimum number of bicycle parking spaces for each use category is shown in Table 5, Parking Standards**
- 2. Bicycle parking spaces are not required for accessory buildings. If a primary use is listed in Table 5, bicycle parking is not required for the accessory use.**
- 3. When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.**
- 4. Bicycle parking space requirements may be waived by the Development Review Board per Section 4.118(.03)A.9. and 10.**

Finding: The parking standards in Table 5 do not list Parks as a use. No minimum, maximum, and bicycle parking standards are outlined in the table. However, as previously referenced the proposed park is meant to be a neighborhood park to serve the surrounding residential neighborhood and it is anticipated that many who utilize the park will travel

to the park on wheels. While not required, in anticipation and encouragement of this need bicycle parking is provided at the north entrance of the park.

Section 4.156.02 – Sign Review Process and General Requirements.

(.01) Permit Required. Unless exempt under Section 4.156.05, no sign, permanent or temporary, shall be displayed or installed in the City without first obtaining a sign permit.

(.02) Sign Permits and Master Sign Plans. Many properties in the City have signs pre-approved through a Master Sign Plan. For the majority of applications where a Master Sign Plan has been approved the applicant need not consult the sign requirements for the zone, but rather the Master Sign Plan, copies of which are available from the Planning Division. Signs conforming to a Master Sign Plan require only a Class I Sign Permit.

(.03) Classes of Sign Permits, Master Sign Plans, and Review Process. The City has three classes of sign permits for permanent signs: Class I, Class II, and Class III. In addition, non-residential developments with three or more tenants require a Master Sign Plan. Class I sign permits are reviewed through the Class I Administrative Review Process as outlined in Subsection 4.030(.01)A. Class II sign permits are reviewed through the Class II Administrative Review Process as outlined in Subsection 4.030 (.01)B. Class III Sign Permits and Master Sign Plans are reviewed by the Development Review Board (DRB) as outlined in Section 4.031.

Finding: This proposal includes an application for a Class III Sign Permit for a proposed sign displaying the name of the park. The proposed sign will be located on the north frontage of the site in between two concrete pedestrian paths. Staff have instructed the Applicant that the Class II sign permit application will be reviewed by the Development Review Board. This standard is met.

(.05) Class II Sign Permit. Sign permit requests for meeting one or more of the descriptions listed in A. through C. below shall be processed as a Class II Sign Permit when the request does not conform with a Master Sign Plan or other previous sign approval but meets the requirements of the applicable sign regulations, unless the request would modify a condition of approval specifically imposed by the DRB or City Council:

Finding: This application includes a Class III Sign Permit for a proposed sign displaying the name of the park, located at the north frontage of the site in between two concrete pedestrian paths. Staff have instructed the Applicant that the Class II sign permit application will be reviewed by the Development Review Board. This standard is met.

E. Class II Sign Permit Submission Requirements: Application for a Class II Sign Permit shall include two paper copies and one electronic copy of the following in addition to all required fees:

- 1. Completed application form prescribed by the City and signed by the property owner or their authorized representative;**

2. **Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;**
3. **Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;**
4. **Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed; and**
5. **Narrative describing the scope of the project, including written findings addressing all applicable review criteria, along with any other information showing how the proposed signage conforms with requirements for the applicable zone.**

Finding: All of the required Class III Sign Permit materials have been submitted with this proposal. Drawings of the proposed sign are shown on the Sign Details (Sheet L6.40) provided in Appendix D.

F. Class II Sign Permit Review Criteria. Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district and the Site Design Review Criteria in Sections 4.400 through 4.421, as well as the following criteria:

1. **The proposed signage is compatible with developments or uses permitted in the zone in terms of design, materials used, color schemes, proportionality, and location, so that it does not interfere with or detract from the visual appearance of surrounding development;**
2. **The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development; and**
3. **Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees.**

Finding: The proposed sign, shown on the Sign Details (Sheet L6.40) provided in Appendix D will complement the surrounding developments and uses in terms of design, materials, and color schemes. The proposed sign has been designed in accordance with the City of Wilsonville's Citywide Signage & Wayfinding Plan, adopted in March 2019. The proposed sign features the City's Preferred Design, the Undulating Stone concept, using the "Park Sign" example in the Citywide Signage & Wayfinding Plan for guidance on the proposed park sign. The high-quality design proposed meets the Citywide Signage & Wayfinding Plan objective which "captures the local character and is coherent and attractive" with other new signs and future signs in the City. The proposed sign is designed with local stone, soft curves of corten steel, and is accented by laser cut details that allows light through. The warm color of the corten steel on the proposed sign complements the City's branding colors, resulting in a modern looking and aesthetically pleasing sign that displays the proposed park name. The proposed sign will not create a nuisance or result in reduction in value or usefulness of surrounding development, and the location of the sign placement has been determined in accordance with the Wayfinding Principles

outlined in the Citywide Signage & Wayfinding Plan, with the location enabling individuals to “easily and successfully find their destination”. Special consideration has been given to the interface between the proposed sign and the other proposed park elements including the picnic structure, walking paths, and existing natural elements and landscaping and planting plan in order to create an inviting experience when entering the site from the north. The above sign permit review criteria has been met.

Section 4.156.08 – Sign Regulations in the PDC, TC, PDI, and PF Zones.

(.01) Freestanding and Ground Mounted Signs:

- B. One freestanding or ground mounted sign is allowed for the first 200 linear feet of site frontage. One additional freestanding or ground mounted sign may be added for through and corner lots having at least 200 feet of frontage on one street or right-of-way and 100 feet on the other street or right-of-way.**
- C. The allowed height above ground of a freestanding or ground mounted sign is 20 feet except as noted in 1-2 below.**
- D. The maximum allowed area for each freestanding or ground-mounted sign is determined based on gross floor area and number of tenant spaces:**
 - 1. For frontages along streets other than those indicated in two below sign area allowed is calculated as follows:**
 - a. The sign area allowed for signs pertaining to a single tenant:**
 - i. For PF (Public Facility) zoned properties adjacent to residential zoned land the maximum allowed area is 32 square feet.**

Finding: One ground mounted sign displaying the name of the proposed park “Frog Pond Park” is proposed. The sign will also include the Wilsonville City logo. The park name and City logo will be displayed on a laser cut sign panel with a ledgestone base. The proposed sign will be located on the north frontage of the site in between two concrete pedestrian paths. The sign design and details are shown on the Sign Details (Sheet L6.40) provided in Appendix D. The site frontage exceeds 200 linear feet, and only one ground mounted sign is proposed. The proposed height of the sign is six feet and six inches. The ledgestone base is the widest point of the sign, which measures one foot four inches. The entire sign does not exceed the maximum allowed area of 32 square feet for the PF zone. This standard is met.

- E. Freestanding and ground mounted signs shall not extend into or above public rights-of-way, parking areas, or vehicle maneuvering areas.**

Finding: The proposed ground mounted sign does not extend into or above public rights-of-way, parking areas, or vehicle maneuvering areas. This standard is met.

- F. The location of free standing or ground mounted signs located adjacent to or near the Public Right-of-Way shall be in compliance with the City's Public Works Standards for sight**

distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.

Finding: The location of the ground mounted sign is in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division, and the Applicant understands and acknowledges this criteria. This standard is met.

G. Freestanding and ground mounted signs shall be designed to match or complement the architectural design of buildings on the site.

Finding: The proposed sign has been designed to match and complement the architectural design of the proposed picnic shelter on the site, as well as other Wilsonville City Park signs. This standard is met.

H. For freestanding and ground mounted signs greater than eight feet in height, the width of the sign shall not exceed the height.

J. Freestanding and ground mounted signs shall be no further than 15 feet from the property line and no closer than two feet from a sidewalk or other hard surface in the public right-of-way.

Finding: The proposed sign is not greater than eight feet in height, and the sign is not proposed to be located further than 15 feet from the property line, and is not closer than two feet from a sidewalk or other hard surface in the public right-of-way as shown on the Site Plan (Sheet L1.01) provided in Appendix D. This standard is met.

K. Except for those signs fronting Interstate 5, freestanding and ground mounted signs shall include the address number of associated buildings unless otherwise approved in writing by the City and the Fire District.

Finding: No addressing of associated buildings are expected to be required for the proposed neighborhood park, therefore this standard is not applicable.

Section 4.175 – Public Safety and Crime Prevention

(.01) All developments shall be designed to deter crime and insure public safety.

(.02) Addressing and directional signing shall be designed to assure identification of all buildings and structures by emergency response personnel, as well as the general public.

(.03) Areas vulnerable to crime shall be designed to allow surveillance. Parking and loading areas shall be designed for access by police in the course of routine patrol duties.

(.04) Exterior lighting shall be designed and oriented to discourage crime.

Finding: This development has been designed to deter crime and ensure public safety. The park has open areas that are easily monitored by patrolling law enforcement and does not promote nighttime activity in the park. The park will be operated and managed by the City of Wilsonville Parks and Recreation department, and all standard maintenance and operations, addressing and directional signage, and other crime deterrence practices will be used. Safety lighting proposed has been designed in accordance with City of Wilsonville Parks and Recreation standards and is oriented to discourage crime. These standards are met.

Section 4.176 – Landscaping, Screening, and Buffer

(.03) Landscape Area. Not less than 15 percent) of the total lot area, shall be landscaped with vegetative plant materials. The ten percent parking area landscaping required by section 4.155.03(B)(1) is included in the 15 percent total lot landscaping requirement. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be in the contiguous frontage area. Planting areas shall be encouraged adjacent to structures. Landscaping shall be used to define, soften or screen the appearance of buildings and off-street parking areas. Materials to be installed shall achieve a balance between various plant forms, textures, and heights. The installation of native plant materials shall be used whenever practicable. (For recommendations refer to the Native Plant List maintained by the City of Wilsonville).

Finding: The proposed use of the site as a park will provide over approximately 84 percent of the total lot area with landscaping, for a total of 102,628 square feet of planted area. The Site Plan, Landscape Plan, and Planting Plan demonstrate compliance with this criteria and are found in Appendix D. This standard is met.

(.06) Plant Materials:

A. Shrubs and Ground Cover. All required ground cover plants and shrubs must be of sufficient size and number to meet these standards within three years of planting. Non-horticultural plastic sheeting or other impermeable surface shall not be placed under mulch. Native topsoil shall be preserved and reused to the extent feasible. Surface mulch or bark dust are to be fully raked into soil of appropriate depth, sufficient to control erosion, and are confined to areas around plantings. Areas exhibiting only surface mulch, compost or barkdust are not to be used as substitutes for plant areas.

- 1. Shrubs. All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and ten inches to 12 inches spread.**
- 2. Ground cover. Shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at four feet on center minimum, four inch pot spaced two feet on center minimum, two one-fourth inch pots spaced at 18 inch on center minimum. No bare root planting shall be permitted. Ground cover shall be sufficient to cover at least 80 percent of the bare soil in required landscape areas**

- within three years of planting. Where wildflower seeds are designated for use as a ground cover, the City may require annual re-seeding as necessary.
3. Turf or lawn in non-residential developments. Shall not be used to cover more than ten percent of the landscaped area, unless specifically approved based on a finding that, due to site conditions and availability of water, a larger percentage of turf or lawn area is appropriate. Use of lawn fertilizer shall be discouraged. Irrigation drainage runoff from lawns shall be retained within lawn areas.
 4. Plant materials under trees or large shrubs. Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.
 5. Integrate compost-amended topsoil in all areas to be landscaped, including lawns, to help detain runoff, reduce irrigation and fertilizer needs, and create a sustainable, low-maintenance landscape.
- B. Trees.** All trees shall be well-branched and typical of their type as described in current American Association of Nurserymen (AAN) Standards and shall be balled and burlapped. The trees shall be grouped as follows:
1. Primary trees which define, outline or enclose major spaces, such as Oak, Maple, Linden, and Seedless Ash, shall be a minimum of two inch caliper.
 2. Secondary trees which define, outline or enclose interior areas, such as Columnar Red Maple, Flowering Pear, Flame Ash, and Honeylocust, shall be a minimum of 1¾ inch to 2 inch caliper.
 3. Accent trees which, are used to add color, variation and accent to architectural features, such as Flowering Pear and Kousa Dogwood, shall be 1¾ inch minimum caliper.
 4. Large conifer trees such as Douglas Fir or Deodar Cedar shall be installed at a minimum height of eight feet.
 5. Medium-sized conifers such as Shore Pine, Western Red Cedar or Mountain Hemlock shall be installed at a minimum height of five to six feet.
- C.** Where a proposed development includes buildings larger than 24 feet in height or greater than 50,000 square feet in footprint area, the Planning Director or the Development Review Board, as applicable, may require larger or more mature plant materials.
1. At maturity, proposed trees shall be at least one-half the height of the building to which they are closest, and building walls longer than 50 feet shall require tree groups located no more than 50 feet on center, to break up the length and height of the façade.
 2. Either fully branched deciduous or evergreen trees may be specified depending upon the desired results. Where solar access is to be preserved, only solar-friendly deciduous trees are to be used. Where year-round sight obscuring is the highest priority, evergreen trees are to be used.
 3. The following standards are to be applied:
 - a. Deciduous trees:
 - i. Minimum height of ten feet; and

- ii. **Minimum trunk diameter (caliper) of two inches (measured at four and one-half feet above grade).**
 - b. **Evergreen trees: Minimum height of 12 feet.**
- D. **Street Trees. In order to provide a diversity of species, the Development Review Board may require a mix of street trees throughout a development. Unless the Board waives the requirement for reasons supported by a finding in the record, different types of street trees shall be required for adjoining blocks in a development.**
 - 1. **All trees shall be standard base grafted, well branched and typical of their type as described in current AAN Standards and shall be balled and burlapped (b&b). Street trees shall be planted at sizes in accordance with the following standards:**
 - a. **Arterial streets—Three inches minimum caliper**
 - b. **Collector streets—Two inches minimum caliper.**
 - c. **Local streets or residential private access drives—1¾ inches minimum caliper.**
 - d. **Accent or median tree—1¾ inches minimum caliper.**
 - 2. **The following trees and varieties thereof are considered satisfactory street trees in most circumstances; however, other varieties and species are encouraged and will be considered:**
 - a. **Trees over 50 feet mature height: Quercus garryana (Native Oregon White Oak), Quercus rubra borealis (Red Oak), Acer Macrophyllum (Native Big Leaf Maple), Acer nigrum (Green Column Black Maple), Fraxinus americanus (White Ash), Fraxinus pennsylvannica 'Marshall' (Marshall Seedless Green Ash), Quercus coccinea (Scarlet Oak), Quercus pulustris (PinOak), Tilia americana (American Linden).**
 - b. **Trees under 50 feet mature height: Acer rubrum (Red Sunset Maple), Cornus nuttallii (Native Pacific Dogwood), Gleditsia triacanthos (Honey Locust), Pyrus calleryana 'Bradford' (Bradford Pear), Tilia cordata (Little Leaf Linden), Fraxinus oxycarpa (Flame Ash).**
 - c. **Other street tree species. Other species may be specified for use in certain situations. For instance, evergreen species may be specified where year-round color is desirable and no adverse effect on solar access is anticipated. Water-loving species may be specified in low locations where wet soil conditions are anticipated.**
- E. **Types of Plant Species:**
 - 1. **Existing landscaping or native vegetation may be used to meet these standards, if protected and maintained during the construction phase of the development and if the plant species do not include any that have been listed by the City as prohibited. The existing native and non-native vegetation to be incorporated into the landscaping shall be identified.**
 - 2. **Selection of plant materials. Landscape materials shall be selected and sited to produce hardy and drought-tolerant landscaping. Selection shall be based on soil characteristics, maintenance requirements, exposure to sun and wind, slope and contours of the site, and compatibility with other vegetation that will remain on the site. Suggested species lists for street trees, shrubs and groundcovers shall be provided by the City of Wilsonville.**

- 3. **Prohibited plant materials.** The City may establish a list of plants that are prohibited in landscaped areas. Plants may be prohibited because they are potentially damaging to sidewalks, roads, underground utilities, drainage improvements, or foundations, or because they are known to be invasive to native vegetation.
- F. **Tree Credit.** Existing trees that are in good health as certified by an arborist and are not disturbed during construction may count for landscaping tree credit as follows (measured at four and one-half feet above grade and rounded to the nearest inch):

Existing trunk diameter	Number of Tree Credits
18 to 24 inches in diameter	3 tree credits
25 to 31 inches in diameter	4 tree credits
32 inches or greater	5 tree credits

- 1. It shall be the responsibility of the owner to use reasonable care to maintain preserved trees. Trees preserved under this section may only be removed if an application for removal permit under Section 4.610.10(01)(H) has been approved. Required mitigation for removal shall be replacement with the number of trees credited to the preserved and removed tree.
- 2. Within five years of occupancy and upon notice from the City, the property owner shall replace any preserved tree that cannot be maintained due to disease or damage, or hazard or nuisance as defined in Chapter 6 of this Code. The notice shall be based on complete information provided by an arborist. Replacement with the number of trees credited shall occur within one growing season of notice.
- G. **Exceeding Standards.** Landscape materials that exceed the minimum standards of this Section are encouraged, provided that height and vision clearance requirements are met.
- H. **Compliance with Standards.** The burden of proof is on the applicant to show that proposed landscaping materials will comply with the purposes and standards of this Section.

Finding: The proposed development includes a mix of landscaping including trees, shrubs, lawn, and a few existing trees to remain. There are 7 street trees, Bigleaf Linden (*Tilia cordata*) as required in the Frog Pond West Master Plan) along Brisband Street that have been recently installed as part of the new development to the north of the project site. They will be salvaged and replanted as described in sheets L0.02 and L5.01. The planting layout with this application including planting details is described on sheets L1.01, L5.00, and L5.01.. This standard is met.

(.08) Landscaping on Corner Lots. All landscaping on corner lots shall meet the vision clearance standards of Section 4.177. If high screening would ordinarily be required by this Code, low screening shall be substituted within vision clearance areas. Taller screening may be required outside of the vision clearance area to mitigate for the reduced height within it.

Finding: The proposed park is not located on a corner lot. The requirements of this section are not applicable.

Section 4.199. - Outdoor Lighting.

Section 4.199.20. - Applicability.

(.01) This Ordinance is applicable to:

- A. Installation of new exterior lighting systems in public facility, commercial, industrial and multi-family housing projects with common areas**

Finding: New exterior lighting is proposed on the subject site, which is in a public facility zone.

Section 4.199.30. - Lighting Overlay Zones.

(.01) The designated Lighting Zone as indicated on the Lighting Overlay Zone Map for a commercial, industrial, multi-family or public facility parcel or project shall determine the limitations for lighting systems and fixtures as specified in this Ordinance.

- A. Property may contain more than one lighting zone depending on site conditions and natural resource characteristics.**

(.02) The Lighting Zones shall be:

- A. LZ 2. Low-density suburban neighborhoods and suburban commercial districts, industrial parks and districts. This zone is intended to be the default condition for the majority of the City.**

Finding: The subject property is not designated on the Lighting Overlay Zone Map. Based on the description of LZ 2 including "Low-density suburban neighborhoods", and based on discussion with City staff, the Applicant finds that the LZ 2 zone shall apply. This narrative will address those standards as applicable.

Section 4.199.40. - Lighting Systems Standards for Approval.

(.01) Non-Residential Uses and Common Residential Areas.

- A. All outdoor lighting shall comply with either the Prescriptive Option or the Performance Option below.**

Finding: The Applicant will comply with the Performance Option.

- C. Performance Option. If the lighting is to comply with the Performance Option, the proposed lighting design shall be submitted by the applicant for approval by the City meeting all of the following:**

- 1. The weighted average percentage of direct upright lumens shall be less than the allowed amount per Table 9.**

Finding: The weighted average percentage of direct upright lumens proposed will be less than the allowed amount of 5%. This standard can be met through a condition of approval.

2. The maximum light level at any property line shall be less than the values in Table 9, as evidenced by a complete photometric analysis including horizontal illuminance of the site and vertical illuminance on the plane facing the site up to the mounting height of the luminaire mounted highest above grade. The Building Official or designee may accept a photometric test report, demonstration or sample, or other satisfactory confirmation that the luminaire meets the shielding requirements of Table 7. Luminaires shall not be mounted so as to permit aiming or use in any way other than the manner maintaining the shielding classification required herein:
 - a. Exception 1. If the property line abuts a public right-of-way, including a sidewalk or street, the analysis may be performed across the street at the adjacent property line to the right-of-way.
 - b. Exception 2. If, in the opinion of the Building Official or designee, compliance is impractical due to unique site circumstances such as lot size or shape, topography, or size or shape of building, which are circumstances not typical of the general conditions of the surrounding area. The Building Official may impose conditions of approval to avoid light trespass to the maximum extent possible and minimize any additional negative impacts resulting to abutting and adjacent parcels, as well as public rights-of-way, based on best lighting practices and available lighting technology.

Lighting Zone	Maximum percentage of direct uplight lumens	Maximum Light Level at Property Line	
		Horizontal plane at grade (foot candles fc)	Vertical plane facing the site in question, from grade to mounting height of highest mounted luminaire (foot candles - fc)
LZ 2	100	0.2 fc	.04 fc

Finding: The Applicant has included a photometric analysis provided on Sheet E1.01 in Appendix D. The Applicant requests that Exception 2 is granted for this application due to site circumstances. The location of the light poles in the south portion of the site has been determined as the best location to provide safety lighting between the proposed park and the adjacent elementary school connecting pathway. This lighting will provide a path for site users and neighbors who wish to use the path to traverse from the public right-of-way to the adjacent school in a safe and accessible manner. This standard is met.

3. The maximum pole or mounting height shall comply with Table 8. The maximum luminaire lamp wattage and shielding shall comply with Table 7.

Lighting Zone	Lighting for walkways, bikeways, plazas and other pedestrian areas
LZ 2	18

(non-relevant table information omitted)

Table 7: Maximum Wattage And Required Shielding				
Lighting Zone	Fully Shielded	Shielded	Partly Shielded	Unshielded
LZ 2	100	35	39	Low voltage landscape lighting 50 watts or less

(non-relevant table information omitted)

Finding: The proposed mounted lighting will be mounted at 10 feet, as demonstrated on Sheet E1.00 in Appendix D. The proposed 10 foot mounted lighting complies with the Table 8 Maximum Lighting Mounting Height In Feet. The proposed lighting will be appropriately shielded and can meet the Table 7 standards through a condition of approval. This standard is met.

Site Design Review

Section 4.400 Site Design Review Purpose.

(.01) Excessive uniformity, inappropriateness or poor design of the exterior appearance of structures and signs and the lack of proper attention to site development and landscaping in the business, commercial, industrial and certain residential areas of the City hinders the harmonious development of the City, impairs the desirability of residence, investment or occupation in the City, limits the opportunity to attain the optimum use in value and improvements, adversely affects the stability and value of property, produces degeneration of property in such areas and with attendant deterioration of conditions affecting the peace, health and welfare, and destroys a proper relationship between the taxable value of property and the cost of municipal services therefor.

Finding: The design of the proposed neighborhood park will fit harmoniously with the surrounding residential areas of the City and will not adversely affect the community. This standard is met.

(.02) The City Council declares that the purposes and objectives of site development requirements and the site design review procedure are to:

- A. Assure that Site Development Plans are designed in a manner that insures proper functioning of the site and maintains a high quality visual environment.**
- B. Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of said development;**
- C. Discourage monotonous, drab, unsightly, dreary and inharmonious developments;**
- D. Conserve the City's natural beauty and visual character and charm by assuring that structures, signs and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs and other improvements;**

- E. **Protect and enhance the City's appeal and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business, commercial and industrial purposes;**
- F. **Stabilize and improve property values and prevent blighted areas and, thus, increase tax revenues;**
- G. **Insure that adequate public facilities are available to serve development as it occurs and that proper attention is given to site planning and development so as to not adversely impact the orderly, efficient and economic provision of public facilities and services.**
- H. **Achieve the beneficial influence of pleasant environments for living and working on behavioral patterns and, thus, decrease the cost of governmental services and reduce opportunities for crime through careful consideration of physical design and site layout under defensible space guidelines that clearly define all areas as either public, semi-private, or private, provide clear identity of structures and opportunities for easy surveillance of the site that maximize resident control of behavior—particularly crime;**
- I. **Foster civic pride and community spirit so as to improve the quality and quantity of citizen participation in local government and in community growth, change and improvements;**
- J. **Sustain the comfort, health, tranquility and contentment of residents and attract new residents by reason of the City's favorable environment and, thus, to promote and protect the peace, health and welfare of the City.**

Finding: The proposal is consistent with the purposes and objectives of site development requirements and the site design review procedure, and the proposed park has been designed to ensure a high quality visual environment and functionality. Flexibility in site planning and development is demonstrated through the incorporation and highlighting of existing natural elements of the site. The proposed structures, signs, walking paths, and interactive elements of the park are designed to provide additional public facilities, and to provide a pleasant environment for living in the adjacent neighborhood that the park will serve. The Applicant has taken into consideration these purposes and objectives in designing the park and the facilities provided in order to improve the contentment of residents, and to foster community spirit.

Section 4.421 – Criteria and Application of Design Standards.

(.01) The following standards shall be utilized by the Board in reviewing the plans, drawings, sketches and other documents required for Site Design Review. These standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the Board. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation. The specifications of one or more particular architectural styles is not included

in these standards. (Even in the Boones Ferry Overlay Zone, a range of architectural styles will be encouraged.)

- A. *Preservation of Landscape.*** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soils removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

Finding: The proposed park design includes the preservation and incorporation of existing landscaped areas on the subject property as appropriate. The existing landscaping will be enhanced through additional plantings, pathways, and passive and active recreation areas. The preservation of landscape is demonstrated on the Tree Removal Plan (Sheet L0.02), provided in Appendix D. The only trees proposed for removal are for the pedestrian connection to the west of the subject property to be completed. The minimal removal of trees and soils, and grading proposed will keep with the general appearance of the neighboring developed area and keep with the general appearance of other public parks within the City. This standard is met.

- B. *Relation of Proposed Buildings to Environment.*** Proposed structures shall be located and designed to assure harmony with the natural environment, including protection of steep slopes, vegetation and other naturally sensitive areas for wildlife habitat and shall provide proper buffering from less intensive uses in accordance with Sections 4.171 and 4.139 and 4.139.5. The achievement of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, street access or relationships to natural features such as vegetation or topography.

Finding: The proposed park shelter is located and designed to harmonize with and enhance the natural environment of the site. The location of the proposed picnic shelter maintains visual connectivity from the pedestrian right's-of-way and other portions of the park. The picnicking area is angled to take in the view from the west as the park slopes downward to the southeast, taking advantage of the natural sloping and reflecting a valley. Protection of slopes, existing non-invasive vegetation, and sensitive areas have been taken into consideration with the location of the structure. The proposed 530 square foot shelter has been designed in accordance with this standard to protect and enhance the natural environment present on the site. This standard is met.

- C. *Drives, Parking and Circulation.*** With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties.

Finding: The proposed park was designed with special consideration and attention given to the access points. The intent for the proposed park is to be an inviting neighborhood park with park users expected to primarily walk and bike to the park, with the park serving primarily the surrounding neighborhood. The access points have been located in order to provide accessible entrance for pedestrians with access points off of the surrounding local streets. The proposed park also has been designed with an access connection to the elementary school on the adjacent site, to the west of the proposed park. This design helps to separate pedestrian activity from vehicular traffic for safety and practicability. This standard is met.

D. *Surface Water Drainage.* Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties of the public storm drainage system.

Finding: The proposed park is exempt from stormwater management requirements per WPDO Section 301.1.04.f. which states that pedestrian and bicycle improvements (sidewalks trails, pathways, and bicycle paths/lanes) where no other impervious surfaces are created or replaced, built to direct stormwater runoff to adjacent vegetated areas are exempt from stormwater management requirements. The requirements of this section are not applicable.

E. *Utility Service.* Any utility installations above ground shall be located so as to have a harmonious relation to neighboring properties and site. The proposed method of sanitary and storm sewage disposal from all buildings shall be indicated.

Finding: The utility service proposed to serve the site are shown on the Brisband Plan and Profile (Sheet C7.20) provided in Appendix D. This standard is met.

F. *Advertising Features.* In addition to the requirements of the City's sign regulations, the following criteria should be included: the size, location, design, color, texture, lighting and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.

Finding: No advertising features are proposed with this application. This standard is not applicable.

G. *Special Features.* Exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall be required to prevent their being incongruous with the existing or

contemplated environment and its surrounding properties. Standards for screening and buffering are contained in Section 4.176.

Finding: The proposed park will not include any of the special features listed above. The park shelter meets the applicable setback requirements and has been designed to complement the surrounding environment and properties. This standard is met.

Tree Preservation and Protection

Section 4.620.00 – Tree Relocation, Mitigation, or Replacement

(.01) Requirement Established. A Type B or C Tree Removal Permit grantee shall replace or relocate each removed tree having six inches or greater d.b.h. within one year of removal.

(.02) Basis For Determining Replacement. The permit grantee shall replace removed trees on a basis of one tree replanted for each tree removed. All replacement trees must measure two inches or more in diameter. Alternatively, the Planning Director or Development Review Board may require the permit grantee to replace removed trees on a per caliper inch basis, based on a finding that the large size of the trees being removed justifies an increase in the replacement trees required. Except, however, that the Planning Director or Development Review Board may allow the use of replacement Oregon white oaks and other uniquely valuable trees with a smaller diameter.

(.03) Replacement Tree Requirements. A mitigation or replacement tree plan shall be reviewed by the City prior to planting and according to the standards of this subsection.

- B.** Replacement trees shall have shade potential or other characteristics comparable to the removed trees, shall be appropriately chosen for the site from an approved tree species list supplied by the City, and shall be state Department of Agriculture Nursery Grade No. 1 or better.
- C.** Replacement trees must be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantee's successors-in-interest for two years after the planting date.
- D.** A "guaranteed" tree that dies or becomes diseased during that time shall be replaced.
- E.** Diversity of tree species shall be encouraged where trees will be replaced, and diversity of species shall also be maintained where essential to preserving a wooded area or habitat.

Finding: The Arborist Report submitted with this application and provided in Appendix C details the Tree Maintenance and Protection Plan. The Arborist Report includes the full information of all trees inventoried on the site, as well as the mitigation requirements for the trees proposed for removal, and the tree protection specifications for all trees on the site that are planned for protection. In total there are nine trees to be removed, shown on the Tree Removal and Protection Plan (Sheet L0.02) in Appendix D. Of the nine trees to be removed, four are in Poor Condition, four are in Fair Condition, and one is in Good Condition. The nine trees for removal include:

- Tree #4087, a 7-inch diameter Oregon ash (*Fraxinus latifolia*), in generally good condition but is not expected to be a long-term site amenity due to the arrival of Emerald ash borer, a destructive wood-boring pest of ash trees, to our region;
- Trees #4088, #4090, two princess trees (*Paulownia tomentosa*) measuring 13-inches and 19-inches diameter each, are widely accepted as an invasive species in our region;
- Tree #4108, a 10-inch diameter Norway maple (*Acer platanoides*), which is widely accepted as an invasive species in our region;
- Tree #4089, a multi-stemmed pear (*Pyrus sp.*), which is in poor condition and has very poor structure;
- Tree #4110, a 9-inch diameter sweetgum in fair condition, but with multiple leaders and an history of branch failure and lower trunk decay, and
- Trees #4330, #4331, and #4332, a dense group of Lombardy poplars (*Populus nigra*) which are in fair to poor condition with dieback and crown decay. These three trees are located in the SROZ near the southeast corner of the site. Lombardy poplar is a fast-growing and short-lived species that tends to fall apart with maturity. These trees are declining and will be replaced with native Sitka willow (*Salix sitchensis*).

The replacement trees are majority native species with a range of mature sizes, chosen to enhance the vertical layering (canopy, subcanopy) of vegetation on site which promotes ecological diversity and resilience. The replacement trees proposed include one bigleaf maple (*Acer macrophyllum*), five western redbuds (*Cercis canadensis*), and one saucer magnolia (*Magnolia x Soulangeana*), as well as three native Sitka willow (*Salix sitchensis*) trees to be planted in the SROZ. All replacement trees will be a minimum 2-inch caliper each. In addition, two 6- to 8-foot-tall giant sequoias, along with numerous other trees and ground cover plants are proposed to be planted in the park. All nine of the proposed mitigation trees, as well as additional landscape materials proposed for the site are demonstrated on the Planting Plan (Sheet L5.01) in Appendix D. The total number of trees to be planted on the site is 40, with 7 salvaged street trees along Brisband, which exceeds the requirement of nine trees replacement trees to mitigate the nine trees being removed. The replacement trees will have comparable shade potential or other characteristics to the removed trees, and have been chosen from the approved tree species list supplied by the City. This standard is met.

(.04) All trees to be planted shall consist of nursery stock that meets requirements of the American Association of Nurserymen (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade.

(.05) Replacement Tree Location.

- A. City Review Required.** The City shall review tree relocation or replacement plans in order to provide optimum enhancement, preservation and protection of wooded areas. To the extent feasible and desirable, trees shall be relocated or replaced on-site and within the same general area as trees removed.
- B. Relocation or Replacement Off-Site.** When it is not feasible or desirable to relocate or replace trees on-site, relocation or replacement may be made at another location approved by the City.

(.06) City Tree Fund. Where it is not feasible to relocate or replace trees on site or at another approved location in the City, the Tree Removal Permit grantee shall pay into the City Tree Fund, which fund is hereby created, an amount of money approximately the value as defined by this subchapter, of the replacement trees that would otherwise be required by this subchapter. The City shall use the City Tree Fund for the purpose of producing, maintaining and preserving wooded areas and heritage trees, and for planting trees within the City.

- A. The City Tree Fund shall be used to offer trees at low cost on a first-come, first-serve basis to any Type A Permit grantee who requests a tree and registers with the City Tree Fund.
- B. In addition, and as funds allow, the City Tree Fund shall provide educational materials to assist with tree planting, mitigation, and relocation.

(.07) Exception. Tree replacement may not be required for applicants in circumstances where the Director determines that there is good cause to not so require. Good cause shall be based on a consideration of preservation of natural resources, including preservation of mature trees and diversity of ages of trees. Other criteria shall include consideration of terrain, difficulty of replacement and impact on adjacent property.

Finding: This proposal requires the removal of trees to construct the necessary site improvements and frontage improvements along SW Wehler Way. A total of 40 trees will be planted on the site, and 7 salvaged street trees along Brisband, as detailed in the Plant Schedule and Notes (Sheet L5.00), and demonstrated on the Planting Plan (Sheet L5.01) provided in Appendix D. The proposed trees have been chosen in accordance with this code. This standard is met.

Section 4.620.10 – Tree Protection During Construction

(.01) Where tree protection is required by a condition of development under Chapter 4 or by a Tree Maintenance and Protection Plan approved under this subchapter, the following standards apply:

- A. All trees required to be protected must be clearly labeled as such.
- B. **Placing Construction Materials Near Tree.** No person may conduct any construction activity likely to be injurious to a tree designated to remain, including, but not limited to, placing solvents, building material, construction equipment, or depositing soil, or placing irrigated landscaping, within the drip line, unless a plan for such construction activity has been approved by the Planning Director or Development Review Board based upon the recommendations of an arborist.
- C. **Attachments to Trees During Construction.** Notwithstanding the requirement of WC 4.620.10(1)(A), no person shall attach any device or wire to any protected tree unless needed for tree protection.
- D. **Protective Barrier.** Before development, land clearing, filling or any land alteration for which a Tree Removal Permit is required, the developer shall erect and maintain suitable barriers as identified by an arborist to protect remaining trees. Protective barriers shall remain in place until the City authorizes their removal or issues a final certificate of occupancy, whichever occurs first. Barriers shall be sufficiently substantial to withstand

nearby construction activities. Plastic tape or similar forms of markers do not constitute "barriers." The most appropriate and protective barrier shall be utilized. Barriers are required for all trees designated to remain, except in the following cases:

1. **Rights-of-Way and Easements.** Street right-of-way and utility easements may be cordoned by placing stakes a minimum of 50 feet apart and tying ribbon, plastic tape, rope, etc., from stake to stake along the outside perimeters of areas to be cleared.
2. **Any property area separate from the construction or land clearing area onto which no equipment will venture may also be cordoned off as described in paragraph (D) of this subsection, or by other reasonable means as approved by the reviewing authority.**

Finding: All trees that are required to be protected will be protected with the measures described in this code. All 20 off-site trees are planned for protection, along with 20 on-site trees proposed for retention. The other nine on-site trees proposed for removal for construction and site improvements will be mitigated in accordance with this code. Protection measures are described in the notes section of the Tree Protection and Removal Plan (Sheet L0.02) in Appendix D, and further detailed in the Arborist Report provided in Appendix C. Compliance will be verified prior to issuance of grading permits. This standard is met.

SUMMARY AND CONCLUSION

Based upon the materials submitted herein, the Applicant respectfully requests approval from the City of Wilsonville Development Review Board for this application.

Frog Pond Neighborhood Park – Wilsonville, Oregon
Tree Maintenance and Protection Plan
March 29, 2024

MHA23042

Purpose

This Tree Maintenance and Protection Plan for the Frog Pond Neighborhood Park development project located in Wilsonville, Oregon, is provided pursuant to City of Wilsonville Development Code (WDC) Section 4.610.40. This arborist report describes the existing trees located on and directly adjacent to the project site, as well as recommendations for tree removal, retention, mitigation and protection. This report is based on observations made by International Society of Arboriculture (ISA) Board Certified Master Arborist (PN-6145B) and Qualified Tree Risk Assessor Morgan Holen during a site visit conducted on October 11, 2023, an on-site design team meeting conducted on November 7, 2023, and subsequent tree plan coordination with Mayer/Reed, Inc. and 3J Consulting.

Scope of Work and Limitations

Morgan Holen & Associates, LLC, was contracted by the City of Wilsonville to visually assess existing trees measuring six inches in diameter and larger in terms of general condition and suitability for preservation with site development, and to develop a tree maintenance and protection plan for the project in coordination with Mayer/Reed, Inc. and 3J Consulting. Prior to our fieldwork, an existing conditions survey was provided to us by Mayer/Reed, Inc. illustrating the location of existing trees and survey point numbers. In accordance with WDC Section 4.610.40(.02)(A)(2)(b), all trees being retained have been identified by numbered metal tags corresponding with the tree plan.

Visual Tree Assessment (VTA¹) was performed on existing individual trees located on and directly adjacent to the project site. Individual trees were evaluated in terms of species, diameter, crown radius, general condition and potential construction impacts. Following the tree inventory fieldwork, we coordinated with the design team and City staff to discuss and finalize treatment recommendations for tree removal and protection based on the proposed site plan.

The client may choose to accept or disregard the recommendations contained herein or seek additional advice. Neither this author nor Morgan Holen & Associates, LLC, have assumed any responsibility for liability associated with the trees on or adjacent to this site.

General Description

The 2.9-acre Frog Pond Neighborhood Park project site is located within Frog Pond West adjacent to the primary school currently under construction on Boeckman Road. The site is undeveloped and relatively flat. The project proposes to develop a neighborhood park with walking paths, a playground and fitness area, a picnic shelter, benches, a drinking fountain, and landscaping. The eastern portion of the site includes a mapped Significant Resource Overlay Zone (SROZ).

¹ Visual Tree Assessment (VTA): The standard process of visual tree inspection whereby the inspector visually assesses the tree from a distance and up close, looking for defect symptoms and evaluating overall condition and vitality.

In all, 49 existing trees were inventoried including 29 on-site trees and 20 off-site trees representing 16 different species. One of the inventoried trees is an Oregon white oak (*Quercus garryana*), tree #5002, that is located just off-site to the east and planned for protection with site development. Otherwise, there are no native yews (*Taxus brevifolia*) or any species listed by either the state or federal government as rare or endangered. Table 1 provides a summary of the count of inventoried trees by species and general location. A complete description of individual trees is provided in the enclosed tree data.

Table 1. Count of Inventoried Trees by Species and Location – Frog Pond Neighborhood Park.

Common Name	Species Name	On-Site	Off-Site	Total	Percent*
Austrian pine	<i>Pinus nigra</i>	1		1	2%
black cottonwood	<i>Populus trichocarpa</i>		12	12	24%
blue spruce	<i>Picea pungens</i>	2		2	4%
Douglas-fir	<i>Pseudotsuga menziesii</i>	14	4	18	37%
giant sequoia	<i>Sequoiadendron giganteum</i>	1		1	2%
Lombardy poplar	<i>Populus nigra</i>	3		3	6%
Norway maple^	<i>Acer platanoides</i>	1		1	2%
Oregon ash	<i>Fraxinus latifolia</i>	1		1	2%
Oregon white oak	<i>Quercus garryana</i>		1	1	2%
pear	<i>Pyrus sp.</i>	1		1	2%
pin oak	<i>Quercus palustris</i>	1		1	2%
princess tree^	<i>Paulownia tomentosa</i>	2		2	4%
river birch	<i>Betula nigra</i>		1	1	2%
Scouler's willow	<i>Salix scouleriana</i>	1	1	2	4%
sweetgum	<i>Liquidambar styraciflua</i>	1		1	2%
weeping willow	<i>Salix babylonica</i>		1	1	2%
Total		29	20	49	100%
Percent		59%	41%		

*Percent total by species does not sum to 100 due to rounding.

^Identifies trees widely accepted as invasive in our region.

Tree Plan Recommendations

As described in the enclosed tree data, individual trees were assigned a general condition rating as follows, although no dead trees were identified:

- D:** Dead
- P:** Poor Condition
- F:** Fair Condition
- G:** Good Condition

Treatment recommendations include remove, retain or protect; the term “retain” is used for on-site trees, while the term “protect” is used for off-site trees. Table 2 provides a summary of the count of trees by treatment and general condition rating.

Table 2. Count of Inventoried Trees by Treatment and General Condition Rating.

Treatment	General Condition Rating				Total	Percent
	D	P	F	G		
Remove	-	4	4	1	9	18%
Retain (on-site)	-	1	13	6	20	41%
Protect (off-site)	-	5	12	3	20	41%
Total	-	10	29	10	49	100%
Percent*	-	20%	59%	20%		

*Percent total by condition does not sum to 100 due to rounding.

All 20 off-site trees are planned for protection, along with 20 on-site trees proposed for retention. The other nine on-site trees are proposed for removal for construction and site improvements. The nine trees proposed for removal include:

- Tree #4087, a 7-inch diameter Oregon ash (*Fraxinus latifolia*) in generally good condition that is not expected to be a long-term site amenity due to the arrival of Emerald ash borer to our region.
- Trees #4088, #4090 and #4108, two princess trees (*Paulownia tomentosa*) measuring 13-inch and 19-inch diameter each, respectively, and one 10-inch diameter Norway maple (*Acer platanoides*), which are widely accepted as invasive species in our region.
- Tree #4089, a multi-stemmed pear (*Pyrus* spp.) tree in poor condition and with very poor structure.
- Tree #4110, a 9-inch diameter sweetgum in generally fair condition, but with multiple leaders, a history of branch failure and lower trunk decay.
- Trees #4330, #4331 and #4332, a dense group of Lombardy poplars (*Populus nigra*) in fair to poor condition with dieback and crown decay. These trees are located in the SROZ near the southeast corner of the site. Lombardy poplar is a fast-growing and short-lived species that tends to fall apart with maturity. These trees are declining and will be replaced with native willows.

For the 20 on-site trees and 20 off-site trees to be retained and protected, tree protection fencing is specified at 5-feet beyond the dripline for all on-site trees and at the dripline of off-site trees at a minimum. The 20 on-site trees planned for retention are further described below:

- Bartlett Tree Experts conducted exploratory air-spade excavation at tree #3334, a 41-inch diameter giant sequoia (*Sequoiadendron giganteum*) on February 12, 2024 to evaluate potential root impacts for proposed sidewalk construction. Four roots measuring approximately 1-inch diameter were revealed and flagged on the western side of the excavation. Based on these findings, the sidewalk was designed to meander south of the tree 5-feet beyond the dripline and be built up from native grade with minimal excavation (removal of the uppermost organic matter only). No work is proposed inside the tree protection fencing, but arborist oversight of sidewalk construction is recommended to ensure that any exposed roots are properly pruned. In addition, Bartlett recommends installing 4-inches of wood-based mulch beneath the dripline of tree #3334 during spring 2024 and using a drip hose to providing supplemental watering to the tree during summer 2024, as needed, based on findings from a soil moisture meter.

- No construction is proposed within the tree protection fencing at the dense stand of 14 Douglas-firs (*Pseudotsuga menziesii*), two blue spruces (*Picea pungens*) and one Austrian pine (*Pinus nigra*) near the southwest corner of the site, except the tree protection fencing must be opened temporarily to remove two trees inside the protection zone, #4090 and #4108. The stumps of these two trees shall be removed by gridding the stump face below grade. In addition, protection fencing may be temporarily opened to remove blackberries by hand and with hand tools only and to access the stand to prune low-lying limbs up to 8-feet above ground level and to remove dead and defective branches as needed. Pruning shall be performed by a Qualified Tree Service. For final landscaping, 3- to 4-inches of wood-based mulch will be applied to the ground surface and native ground cover vegetation and shrubs may be planted by hand, adjusting plant locations as needed to avoid tree root impacts. Irrigation is not recommended beneath the protected tree driplines; use only drip irrigation installed at new plantings, if needed.
- No construction is proposed within the tree protection zone at tree #4086, a 22-inch diameter pin oak (*Quercus palustris*) in fair condition, or tree #4333, a multi-stemmed Scouler’s willow (*Salix scouleriana*) in poor condition with a history of branch failure, dieback and decay located in the SROZ. This declining willow has habitat value in the natural resource zone and proposed bench locations along the path were adjusted to be placed well away from this declining tree.

Mitigation Requirements

The nine trees planned for removal are at least 6-inches in diameter and require mitigation per Section 4.620.00; removed trees shall be replaced on a basis of one tree planted for each tree removed. Therefore, nine trees shall be planted as mitigation for tree removal.

In accordance with Section 4.620.00(.03), replacement trees shall have shade potential or other characteristics comparable to the removed trees, shall be appropriately chosen for the site from an approved tree species list supplied by the City, and shall be state Department of Agriculture Nursery Grade No. 1 or better. Replacement trees must be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantee’s successors-in-interest for two years after the planting date. A “guaranteed” tree that dies or becomes diseased during that time shall be replaced. Diversity of tree species shall be encouraged where trees will be replaced, and diversity of species shall also be maintained where essential to preserving a wooded area or habitat. All trees to be planted shall consist of nursery stock that meets requirements of the American Association of Nurserymen (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade. A mitigation or replacement tree plan is required prior to planting.

Sheet L5.01 details the proposed planting plan which includes one bigleaf maple (*Acer macrophyllum*), five western redbuds (*Cercis canadensis*) and one saucer magnolia (*Magnolia x Soulangeana*), all minimum 2-inch caliper each, and two 6- to 8-foot-tall giant sequoias, along with numerous other trees, shrubs and ground cover plants.

Tree Protection Specifications

The following tree protection measures are provided in accordance with WDC Section 4.620.10 and arborist recommendations specific to this project, and should be copied onto construction documents.

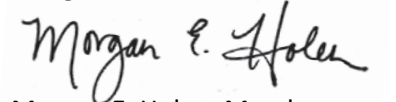
1. **Preconstruction Conference.** Prior to the start of construction activity, the contractor shall coordinate with the Project Arborist in a timely manner to review the tree protection plan, verify that trees to be retained are identified with numbered tags, confirm that trees to be removed are clearly marked, and to inspect and verify the installation of tree protection measures.
2. **Fencing.** Trees to remain on site shall be protected by installation of tree protection fencing as depicted on site plans in order to prevent injury to tree trunks or roots, or soil compaction, within the root protection area. Unless otherwise approved by the City, fences shall be a minimum 6-foot high 2-inch chain link mesh secured to metal posts driven into the ground. The contractor is responsible for coordinating with the Project Arborist in a timely manner prior to opening, adjusting or removing tree protection fencing.
3. **Tree Protection Zone.** Without authorization from the Project Arborist, none of the following shall occur beneath the dripline of any protected tree:
 - a) Grade change or cut and fill;
 - b) New impervious surfaces;
 - c) Utility or drainage field placement;
 - d) Staging or storage of materials and equipment; or
 - e) Vehicle maneuvering.

Root protection zones may be entered for tasks like surveying, measuring and sampling. Fences must be closed upon completion of these tasks.

4. **Tree and Stump Removal.** Trees approved for removal shall be clearly marked with tree marking paint. Protection fencing may be temporarily opened to remove trees #4090 and #4108; directionally fell trees with caution to avoid damage to protected trees. The stumps of trees #4090 and #4108 shall be removed by grinding the stump face up to 6-inches below ground level; do not physically extract these two stumps from the ground.
5. **Crown Pruning.** Within the stand of evergreen trees near the southwest corner of the site, prune to raise crowns up to 8-feet above ground level and to remove dead and defective branches for safety. Pruning shall be performed by a Qualified Tree Service.
6. **Sidewalk Construction – Tree #3334.** The proposed sidewalk meandering south of tree #3334 shall be built up from native grade. Remove only the uppermost organic matter and coordinate with the project arborist to supervise and document root pruning that may be needed outside the 25-foot radius tree protection zone.
7. **Landscaping.** Remove blackberries and weeds from tree protection zones by hand and with hand tools only. Install 3- to 4-inches of wood-based mulch to the ground surface; do not pile mulch against tree trunks. If new plants are installed, field-fit planting locations to avoid tree root impacts. If irrigation is needed, use drip irrigation installed at-grade and directed to water new plantings only; no trenching of irrigation and no spray heads are allowed within tree protection zones.

Thank you for choosing Morgan Holen & Associates, LLC, to provide consulting arborist services for the Frog Pond Neighborhood Park project in Wilsonville, Oregon. Please contact us if you have questions or need any additional information.

Thank you,
Morgan Holen & Associates, LLC



Morgan E. Holen, Member
ISA Board Certified Master Arborist, PN-6145B
ISA Tree Risk Assessment Qualified
Forest Biologist

Enclosures: MHA23042 Frog Pond Neighborhood Park – Tree Data 10-11-2023 Rev. 11-10-2023

No.	Location	Common Name	Species Name	DBH ¹	C-Rad ²	Cond ³	Struct ⁴	Comments	Treatment
3298	Off-site	black cottonwood	<i>Populus trichocarpa</i>	6	8	P	P	One-sided with lean west	Protect
3299	Off-site	black cottonwood	<i>Populus trichocarpa</i>	12	20	F	P	One-sided with lean northwest, upper trunk damage	Protect
3300	Off-site	black cottonwood	<i>Populus trichocarpa</i>	16	12	F	P	One-sided with lean northwest, trunk damage	Protect
3301	Off-site	black cottonwood	<i>Populus trichocarpa</i>	9	10	F	P	One-sided with lean west	Protect
3302	Off-site	black cottonwood	<i>Populus trichocarpa</i>	10,11	15	F	M	Codominant stems, one-sided to west-southwest	Protect
3304	Off-site	Scouler's willow	<i>Salix scouleriana</i>	5x6	20	P	P	Multiple stems, trunk decay	Protect
3305	Off-site	river birch	<i>Betula nigra</i>	10	18	F	M	Crooked trunk, self-correcting	Protect
3306	Off-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	16	16	F	G		Protect
3307	Off-site	black cottonwood	<i>Populus trichocarpa</i>	13	10	F	M	Lower trunk and basal damage	Protect
3308	Off-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	20	18	G	M	Minor asymmetry	Protect
3309	Off-site	black cottonwood	<i>Populus trichocarpa</i>	35	28	G	M	Dead branches, history of branch failure	Protect
3310	Off-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	16	G	M	One-sided to east, growing into crown of 3309	Protect
3311	Off-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	15	P	P	Suppressed	Protect
3311	Off-site	black cottonwood	<i>Populus trichocarpa</i>	18	18	F	M	Crooked trunk, crown asymmetry	Protect
3334	On-site	giant sequoia	<i>Sequoiadendron giganteum</i>	41	20	F	M	Crown asymmetry	Retain
4086	On-site	pin oak	<i>Quercus palustris</i>	22	24	F	M	Multiple leaders at 20' with included bark, history of branch failure, some twig dieback	Retain
4087	On-site	Oregon ash	<i>Fraxinus latifolia</i>	7	8	G	M	Codominant leaders	Remove
4088	On-site	princess tree	<i>Paulownia tomentosa</i>	13	14	P	P	Thin crown, history of branch failures, invasive species	Remove
4089	On-site	pear	<i>Pyrus sp.</i>	3x2,3,4x5, 6,8,2x12	20	P	P	Cluster of stems, very poor structure	Remove
4090	On-site	princess tree	<i>Paulownia tomentosa</i>	19	18	F	M	Dead and broken branches, invasive species	Remove
4091	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	22	20	G	M	Appears to be a trunk wound about 2/3rd way up	Retain
4092	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	24	22	G	M	Codominant leaders with included bark	Retain
4093	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	20	20	F	M	Codominant leaders with included bark	Retain
4094	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	16	20	F	M	Self-correcting crooks in upper trunk	Retain
4095	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	13	20	F	M	Very one-sided to south	Retain
4096	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	22	20	F	M	Self-correcting crook in mid-trunk	Retain
4097	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	21	22	F	M		Retain
4098	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	16	18	F	M	Self-correcting crook in mid-trunk	Retain
4099	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	20	22	G	M		Retain
4100	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	21	21	G	M		Retain
4101	On-site	blue spruce	<i>Picea pungens</i>	12	14	F	M	Codominant leaders, very one-sided to south	Retain

No.	Location	Common Name	Species Name	DBH ¹	C-Rad ²	Cond ³	Struct ⁴	Comments	Treatment
4102	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	9	F	M	overcrowded	Retain
4103	On-site	blue spruce	<i>Picea pungens</i>	14	12	F	M	Crooks in mid trunk, self-correcting, very one-sided to south	Retain
4104	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	15	F	M		Retain
4105	On-site	Austrian pine	<i>Pinus nigra</i>	20	24	G	M	Lower trunk sweep, self-correcting	Retain
4106	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	20	16	F	M		Retain
4107	On-site	Douglas-fir	<i>Pseudotsuga menziesii</i>	19	18	G	M		Retain
4108	On-site	Norway maple	<i>Acer platanoides</i>	10	20	F	M	One-sided with lean west, trunk damage at 10' and at lower trunk, invasive species	Remove
4110	On-site	sweetgum	<i>Liquidambar styraciflua</i>	9	8	F	M	Multiple leaders, failed branches, decay pocket at lower trunk	Remove
4330	On-site	Lombardy poplar	<i>Populus nigra</i>	2x2,3,8	5	F	M		Remove
4331	On-site	Lombardy poplar	<i>Populus nigra</i>	3,2x10	6	P	M	Dieback	Remove
4332	On-site	Lombardy poplar	<i>Populus nigra</i>	15,16	8	P	P	Dying, crown decay	Remove
4333	On-site	Scouler's willow	<i>Salix scouleriana</i>	5x8,4x10, 12,15,16	25	P	P	History of branch failures, dieback, decay	Retain
5001	Off-site	weeping willow	<i>Salix babylonica</i>	26	32	F	M	Inaccessible, limited assessment, diameter estimated	Protect
5002	Off-site	Oregon white oak	<i>Quercus garryana</i>	14	16	F	M		Protect
5003	Off-site	black cottonwood	<i>Populus trichocarpa</i>	11	15	F	M	One-sided with lean west	Protect
5004	Off-site	black cottonwood	<i>Populus trichocarpa</i>	6	6	P	P	Suppressed, small one-sided crown with lean west, broken top	Protect
5005	Off-site	black cottonwood	<i>Populus trichocarpa</i>	6	8	P	P	Suppressed, small one-sided crown with lean west	Protect
5006	Off-site	black cottonwood	<i>Populus trichocarpa</i>	7	10	F	M	One-sided with lean west	Protect

¹DBH is tree diameter measured at 4.5-feet above the ground level, in inches. Trees with multiple stems splitting below DBH are measured individually and separated by a comma or recorded as quantity x size.

²C-Rad is the average crown radius measured in feet.

³Cond is an arborist assigned rating to generally describe the condition of individual trees as Dead, Poor, Fair or Good.

⁴Struct is an arborist assigned rating to generally describe the structure of individual trees as Poor, Moderate or Good.



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November 8, 2023

City of Wilsonville Community Development
c/o Mayer/Reed, Inc.
319 SW Washington Street, Suite 820
Portland, OR 97204


Attention: Anne Samuel

**Re: Report of Geotechnical Engineering Services:
CGS Project: Wilsonville-2-01
Frog Pond West Neighborhood Park Project (CIP #9175-80)
Wilsonville, Oregon**

Central Geotechnical Services, LLC (CGS) is pleased to submit this report of geotechnical engineering services for the proposed Frog Pond West Neighborhood Park Project; the City of Wilsonville’s capital improvements project #9175-80). The report was prepared for conformance with the signed contract dated May 5, 2023. We appreciate the opportunity to be of service to Mayer/Reed Inc. and the City of Wilsonville. Please feel free to call our office with questions about this report.

Respectfully,

Central Geotechnical Services, LLC



Julio Vela, PhD, P.E., G.E.
Principal Engineer



Report of Geotechnical Engineering Services:

Frog Pond West Neighborhood Park

CGS Project: Wilsonville-2-01

Prepared For: City of Wilsonville c/o Mayer/Reed, Inc.

Mayer/Reed, Inc.
319 SW Washington Street, Suite 820
Portland, Oregon 97204

November 8, 2023

Submitted by:



CENTRAL
GEOTECHNICAL SERVICES, LLC





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1.0 INTRODUCTION

Central Geotechnical Services, LLC (CGS) is pleased to submit this geotechnical engineering report for the proposed Frog Pond West Neighborhood Project located on the southwest corner of SW Ponderosa Avenue and SW Willow Creek Drive in Wilsonville, Oregon. Currently, the site is generally undeveloped except for a knee-high fence in the southeast corner of the property. Based on our review of aerial imagery the site was formerly occupied by two small footprint structures and an access road in the west half of the property. The location of the site is shown in the Vicinity Map, Figure 1.

Our understanding of the project was developed from discussions with, and information provided to us by Ms. Anne Samuel of Mayer/Reed (M/R), including a final concept design site plan by Mayer/Reed titled “*Site Plan – Frog Pond Neighborhood Park*” dated April 10, 2023, that was provided to us in an email dated September 5, 2023. Based on the information provided to us, we understand that the project will include a shelter building, playground equipment, conventional retaining walls, concrete and/or asphalt paved access drives for maintenance vehicles, gravel paths for pedestrian access, and two stormwater infiltration facilities.

At the time this report was prepared, specific building and traffic loads were not provided. To develop the recommendations presented herein, we have assumed structural loads consistent with development of similar relatively lightly loaded structures with design column and wall loads on the order of 10 kips and 2 kips per lineal foot (klf) or less, respectively, and floor loads of 100 psf or less.

2.0 PURPOSE AND SCOPE OF WORK

The purpose of our services was to provide geotechnical design and construction recommendations for general site development (infrastructure development, overall site grading and design recommendations) and for design of stormwater infrastructure and pavement. Our scope of services was provided in general accordance with our proposal titled “*Proposal for Geotechnical Engineering Design Services*,” dated May 30, 2023, and authorized September 15, 2023.

3.0 SITE CONDITIONS

3.1. Site Geology

The geology of the Tualatin Valley Region, Oregon (Schlicker and Deacon 1967) shows the project area as mantled by “*Willamette Silt*,” the term used by this publication for what is now more typically referred to as “*fine-grained flood deposits*” (Madin 1990). This alluvial sediment is described as “*unconsolidated beds and lenses of fine sand, silt and clay*.” Subsurface conditions observed in our explorations are generally consistent with the site mapped geology. However, while not shown on the above referenced map shallow fill from grading activities for the previously existing structures and associated utilities are anticipated.

3.2. Surface Conditions

The site is approximately 2.9 acres of open grass- and weed-covered currently undeveloped ground, bordered by semi-mature coniferous trees along the site margins and blackberry bushes throughout. The project site is generally undeveloped except for existing fence in the southeast corner of the site, a north-south trending dirt



access road along the west margin, and an existing retaining wall along SW Ponderosa Avenue in the northeast corner. Site grades are generally flat or sloping gently down to the east.

3.3. Subsurface Conditions

Subsurface conditions at the site were explored by completing 6 exploratory hand auger borings (HA-1 through HA-6), between October 10 and October 13, 2023. Infiltration testing was performed in one of the hand auger borings (HA-5/INF-1) at a depth of approximately 4 feet below ground surface (bgs). Approximate locations of explorations completed at the site are presented in Figure 2. Logs of our explorations completed for this study are presented in Appendix A.

Soil samples obtained during explorations were taken to CGS's laboratory for further evaluation. Selected samples were tested for determination of moisture content. A description of laboratory testing and test results are presented in Appendix A.

We observed up to approximately 2.5-ft of fill in HA-1 consisting of medium stiff to stiff gravelly silt with sand that was likely placed during previous site grading or adjacent site development. Other than the Fill, subsurface conditions beneath the topsoil at the site are generally consistent with mapped site geology, except and are composed of stiff to very stiff native, brown silt with varying amounts of clay and sand observed to extend up to the maximum depths observed in our explorations of approximately 7.5 feet bgs.

3.3.1. Groundwater Conditions

Groundwater was observed in exploratory borings HA-3 at approximately 5.5-feet below ground surface (bgs). This is likely an observation of perched groundwater over less permeable soils below the surface and not an indication of areal depths. Groundwater may be present at relatively shallow depths in a perched condition on hard underlying layers as surface water moves downward during wet times of the year or during and immediately following extended periods of wet weather. Groundwater conditions at the site are expected to vary seasonally due to rainfall events and other factors not observed in our explorations.

4.0 INFILTRATION TESTING

As requested by the project team, we conducted one on-site infiltration test to assist in evaluation of the site for stormwater management design at the exploration location shown in Figure 2 at an approximate depth of 4 feet bgs.

On-site testing was conducted in general accordance with the encased falling head procedure outlined in the City's Stormwater Design Manual. Our general procedure included drilling an 8-inch diameter hole to insert a 6-inch diameter polyvinyl chloride (PVC) pipe for the encased falling head procedure at a depth of 4 feet bgs.

The encased PVC pipe was filled with clean water to approximately 1 to 2 feet above the soil at the bottom of the drilled hole. The initial fill of water did not drain into the soil within 10 minutes, so the water level was maintained, and the soil allowed to saturate for a minimum of 4 hours at the test location. Water levels were checked several times during the saturation process and the pipes were refilled to 12 inches above the soil in the bottom of the pipes at the end of each hour. The drop-in water level was measured during three, hour-long iterations at both locations. Field test results are summarized in Table 1.



Field-measured rates represent a relatively short-term infiltration rate, and factors of safety have not been applied for the type of infiltration system being considered, or for variability that may be present across large areas in the on-site soil. In our opinion, and consistent with the state of the practice, correction factors should be applied to this measured rate to reflect the localized area of testing relative to the field sizes.

Table 1. Field Measured Infiltration results

Infiltration Test No.	Location	Depth (feet)	USCS Material Type	Field Measured Infiltration Rate ¹ (in/hr)
INF-1	See Site Plan	4	ML	4.5

Notes:

1. Appropriate factors should be applied to the field-measured infiltration rate, based on the design methodology and specify system used.

USCS = Unified Soil Classification System

in/hr = inches per hour

Appropriate correction factors should also be applied by the project civil engineer to account for long-term infiltration parameters. From a geotechnical perspective, we recommend a factor of safety (correction factor) of at least 2 be applied to the field infiltration values to account for potential soil variability with depth and location within the area tested. In addition, the stormwater system design engineer should determine and apply appropriate remaining correction factor values, or factors of safety, to account for repeated wetting and drying that occur in this area, degree of in-system filtration, frequency and type of system maintenance, vegetation, potential for siltation and bio-fouling, etc., as well as system design correction factors for overflow or redundancy, and base and facility size.

Actual depths, lateral extent and estimated infiltration rates can vary from the values presented above. Field testing/confirmation during construction is often required in large or long systems or other situations where soil conditions may vary within the area where the system is constructed. The results of this field testing might necessitate that the infiltration locations be modified to achieve the design infiltration rate.

The infiltration flow rate of a focused stormwater system like a drywell or small infiltration box or pond typically diminishes over time as suspended solids and precipitates in the stormwater further clog the void spaces between the soil particles or cake on the infiltration surface or in the engineered media. The serviceable life of an infiltration media in a stormwater system can be extended by pre-filtering or with on-going accessible maintenance. Eventually, most systems will fail and will need to be replaced or have media regenerated or replaced.

We recommend that infiltration systems include an overflow that is connected to a suitable discharge point. Also, infiltration systems can cause localized, high groundwater levels and should not be located near basement walls, retaining walls or other embedded structures unless these are specifically designed to account for the resulting hydrostatic pressure. Infiltration locations should not be located on sloping ground, unless it is approved by a geotechnical engineer, and should not be infiltrated at a location that allows for flow to travel laterally toward a slope face, such as a mounded water condition or too close to a slope face that could cause instability of the slope.



4.1. Suitability of Infiltration System

Successful design and implementation of stormwater infiltration systems and whether a system is suitable for development depends on several site-specific factors. Stormwater infiltration systems are generally best suited for sites having sandy or gravelly soil with saturated hydraulic conductivities greater than 2-in/hr. Sites with silty or clayey soil, are generally not well- suited for long-term stormwater infiltration or as a sole method of stormwater infiltration. Soils that have fine-grained matrices are susceptible to volumetric change and softening during wetting and drying cycles. Fine-grained soils also have large variations in the magnitude of infiltration rates because of bedding and stratification that occurs during alluvial deposition, and often have thin layers of less permeable or impermeable soil within a larger layer.

Local groundwater conditions also significantly affect the capacity to infiltrate from a stormwater system. Sites with shallow groundwater can result in groundwater mounding. A hydraulic gradient that reaches the level of water in the soil immediately drops to zero and local groundwater will rise and mound, which slows the infiltration rate dramatically, resulting in overflows or system flooding (failure). Groundwater mounding can also negatively impact structures, slopes or other areas adjacent to the stormwater infiltration facility. Typically, we do not recommend using infiltration systems where groundwater is less than 10 feet below the bottom of the proposed system unless the host soil is very permeable and consistently graded and will not cause mounding. Some jurisdictions require a minimum of 5 or 10 feet between high groundwater conditions and the bottom of proposed facilities. Depending on the size of the project, adjacent features such as streams that can source water to a system instead of allowing it to drain and on-site soil infiltration capacities, there may be conditions where even a 10-foot separation between the level of groundwater and the base of the infiltration system may not be sufficient.

Considering the potential for shallow perched groundwater, the hydraulically restricting underlying generally medium stiff or stiffer, fine-grained soil conditions, on-site infiltration will likely be minimal during wet times of the year and infiltration may cause mounding of groundwater if areas of perched water are present in the area. We do not recommend stormwater infiltration be used as the exclusive method of stormwater management and recommend an overflow be a part of system design.

5.0 CONCLUSIONS FOR GEOTECHNICAL DESIGN

Based on our explorations, testing, and analyses, it is our opinion that the site is suitable for the proposed project from a geotechnical standpoint, provided the recommendations in this report are incorporated into the project design and implemented during construction. We offer the following conclusions regarding geotechnical engineering design and construction at the site.

- Existing site structural features designated for removal should be demolished and completely removed from the site in areas of proposed structural improvement.
- Groundwater was observed during our explorations as shallow as approximately 5.5-feet bgs. Based on our experience and our observations, relatively shallow, perched groundwater may be present during periods of persistent rainfall.
- Existing utilities below proposed structural areas, including proposed buildings and roads, should be relocated or abandoned and grouted full if left in place.



- Surface conditions at the site consist primarily of vegetated areas covered with grasses, shrubs and trees. As a result clearing, stripping, and grubbing will be required in areas of proposed development. We anticipate a stripping depth of approximately 4 to 6 inches bgs to remove the upper root and topsoil layer.

Grubbing and deeper excavations up to several feet will be required to remove the root zones of shrubs and trees. Portions of the site are heavily vegetated and previously buried roots are also expected, even in the current grassy areas of the site.

Cleared, stripped and grubbed materials should be hauled off-site and properly disposed unless otherwise allowed by the project specifications for other uses such as landscaping, stockpiling or on-site burning.
- The soils at the site below the upper organic layer are suitable to use as structural fill if they are properly moisture conditioned and compacted. Because site soils are moisture sensitive they will become significantly disturbed from construction traffic if over optimum moisture content, particularly during wet weather. Wet weather construction practices will be required over exposed native soils and to protect exposed subgrades, except during the dry summer months.
- Slabs on grade for the proposed structure can be satisfactorily supported on aggregate base that is founded on the firm native soils or on structural fill that extends to the firm native soils. We recommend that slabs-on-grade be provided with proper moisture control by constructing the aggregate base as a capillary break and providing a vapor barrier for moisture-sensitive applications.
- Proposed structures can be satisfactorily supported on continuous and isolated shallow foundations supported on firm native soils or on structural fill over firm native soils. If construction occurs during wet weather and shallow perched groundwater is encountered at footing subgrade elevation, footings should be supported on 2-foot-thick structural fill crushed rock bearing pads that extend to firm native soils. Crushed rock bearing pads should extend laterally 1 foot beyond the edges of shallow foundations.
- Based on the assumed design loads described in the “Introduction” section of this report, we estimate total settlements will be less than 1 inch for foundations constructed as recommended. If larger structural loads are anticipated, we should review and reassess the estimated settlement.
- Standard pavement sections as summarized in this report, consisting of AC or PCC over Aggregate Base and/or Aggregate Subbase, over properly prepared subgrade, can be used to support the estimated traffic loads provided the pavement sections are designed and constructed as recommended in this report.

6.0 EARTHWORK RECOMMENDATIONS

6.1. Site Preparation and Removal of Existing Fill

In general, initial site preparation and primary earthwork operations will include stripping and grubbing of upper organics, minor logging, minor grading to create level working surfaces, excavating and filling for pavements, foundations, and utilities, recompacting (dry weather) or replacing (wet weather) near surface disturbed soils, demolition of existing structural features, fine grading to establish final grades, and relocating live utilities.

All existing utilities in the proposed earthwork construction areas should be identified prior to excavation. Live utility lines beneath proposed structures should be completely removed or filled with grout to reduce potential



settlement of new structures. Soft or loose soil encountered in utility line excavations should be removed and replaced with structural fill where it is located within structural areas.

Debris materials generated during demolition of existing improvements or relocation of utilities should be transported off site for disposal. Existing voids and new depressions created during site preparation, and resulting from removal of existing utilities, or other subsurface elements, should be cleaned of loose soil or debris down to firm soil and backfilled with compacted structural fill. Disturbance to a greater depth should be expected if site preparation and earthwork are conducted during period of wet weather.

6.2. Demolition

If buried structures or structural features are present or if development extends to areas occupied by hardscapes or other structures, all structures and belowground elements should be demolished and completely removed from proposed new structural areas and for a margin of at least 3 feet around proposed structural areas. Proposed structural areas are areas where new structures will be built, including building pads and roadways. Existing utilities that will be abandoned on site should be identified prior to construction. Abandoned utility lines should be completely removed or filled with grout if abandoned and left in place to reduce potential settlement or caving in the future. Materials generated during demolition should be transported off site and properly disposed.

6.3. Clearing and Grubbing

Site clearing will be required to remove site vegetation, including grass and weeds that are designated for removal. Following clearing and grubbing, excavations up to several feet may be required to remove the root zones of shrubs and trees if encountered. Roots larger than ½ inch in diameter should be removed. Excavations to remove root zones should be done with a smooth bucket to minimize subgrade disturbance. Portions of the site are heavily vegetated and previously buried roots are also expected, even in the current grassy areas of the site. Grubbed materials should be hauled off site and properly disposed of unless otherwise allowed by the project specifications for other uses such as landscaping, stockpiling or on-site burning.

Existing voids and new depressions created during demolition, clearing, grubbing or other site preparation activities, should be excavated to firm soil and backfilled with Imported Select Structural Fill. Greater depths of disturbance should be expected if site preparation and earthwork are conducted during periods of wet weather.

6.4. Stripping

Based on our observations at the site, we estimate that the depth of stripping should be on the order of about 4 to 6 inches. Greater stripping depths may be required to remove localized zones of loose or organic soil, and in areas where moderate to heavy vegetation are present, or where surface disturbance from prior use has occurred. The actual stripping depth should be based on field observations at the time of construction. Stripped material should be transported off site for disposal unless otherwise allowed by the project specifications for other uses such as landscaping.

6.5. Site Subgrade Preparation and Evaluation

Upon completion of site preparation activities, exposed subgrades should be proof-rolled with a fully loaded dump truck or similar heavy rubber-tired construction equipment where space allows to identify soft, loose, or unsuitable areas. Probing may be used for evaluating smaller areas or where proof-rolling is not practical.



Proof-rolling and probing should be conducted prior to placing fill and should be performed by a representative of CGS who will evaluate the suitability of the subgrade and identify areas of yielding that are indicative of soft or loose soil. If soft or loose zones are identified during proof-rolling or probing, these areas should be excavated to the extent indicated by our representative and replaced with structural fill.

As discussed in the Subsurface Conditions section of this report, because of the fines content native sandy silt to silt or clayey soil can be sensitive to small changes in moisture content and will be difficult, or not possible, to compact adequately during wet weather. While tilling and compacting the subgrade is the economical method for subgrade improvement, it will likely only be possible during extended dry periods and following moisture-conditioning of the soil.

During wet weather, or when the exposed subgrade is wet or unsuitable for proof-rolling, the prepared subgrade should be evaluated by observing excavation activity and probing with a steel foundation probe. Observations, probing and compaction testing should be performed by a member of our staff. Wet soil that has been disturbed due to site preparation activities or soft or loose zones identified during probing should be removed and replaced with compacted structural fill.

6.6. Subgrade Protection and Wet Weather Considerations

Site soils are highly susceptible to moisture. Wet weather construction practices will be necessary if work is performed during periods of wet weather. If site grading occurs during wet weather conditions, it will be necessary to use track-mounted equipment, load removed material into trucks supported on gravel haul roads, use gravel working pads and employ other methods to reduce ground disturbance. The contractor should be responsible for protecting the subgrade during construction.

Earthwork planning should include considerations for minimizing subgrade disturbance. We provide the following recommendations if wet weather construction is considered:

- The ground surface in and around the work area should be sloped so that surface water is directed to a sump or discharge location. The ground surface should be graded such that areas of ponded water do not develop. Measures should be taken by the contractor to prevent surface water from collecting in excavations and trenches. Measures should be implemented to remove surface water from the work areas.
- Earthwork activities should not take place during periods of heavy precipitation.
- Slopes with exposed soils should be covered with plastic sheeting or similar means.
- The site soils should not be left in a disturbed or uncompacted state and exposed to moisture. Sealing the surficial soils by rolling with a smooth-drum roller prior to periods of precipitation may reduce the extent to which these soils become wet or unstable.
- Construction activities should be scheduled so that the length of time that soil is left exposed to moisture is reduced to the extent practicable.
- Construction traffic should be restricted to specific areas of the site, preferably areas that are not susceptible to wet weather disturbance such as haul roads and areas that are adequately surfaced with working pad materials.



- When on-site soils are wet of optimum, they are easily disturbed and will not provide adequate support for construction traffic nor for the proposed development. The use of granular haul roads and staging areas will be necessary to support heavy construction traffic. Generally, a 12- to 16-inch-thick mat of Imported Select Structural Fill should be sufficient for light staging areas for the building pad and light staging activities but is not expected to be adequate to support repeated heavy equipment or truck traffic. The thickness of the Imported Select Structural Fill for haul roads and areas with repeated heavy construction traffic should be increased to between 18 and 24 inches. The actual thickness of haul roads and staging areas should be determined at the time of construction and based on the contractor's approach to site development and the amount and type of construction traffic.
- The base rock (Aggregate Base and Aggregate Subbase) thicknesses described in the "Pavement Recommendations" sections of this report are intended to support post-construction design traffic loads. The design base rock thicknesses will likely not support repeated heavy construction traffic during site construction or during pavement construction. A thicker base rock section as described above for haul roads will likely be required to support construction traffic.
- During periods of wet weather, concrete should be placed as soon as practical after preparing foundation excavations. Foundation bearing surfaces should not be exposed to standing water. Should water infiltrate and pool in the excavation, the water should be removed, and the foundation subgrade should be re-evaluated before placing reinforcing steel or concrete. Foundation subgrade protection, such as a 3- to 4-inch thickness of Aggregate Base/Aggregate Subbase or lean concrete, may be necessary if footing excavations are exposed to extended wet weather conditions.

During wet weather, or when the exposed subgrade is wet or unsuitable for proof-rolling, the prepared subgrade should be evaluated by observing excavation activity and probing with a steel foundation probe. Observations and probing should be performed by a member of our staff. Wet soil that has been disturbed due to site preparation activities, or soft or loose zones identified during probing, should be removed, and replaced with Imported Select Structural Fill.

6.7. Dewatering

As discussed in the "Groundwater" section of this report, groundwater was observed in our explorations at relatively shallow depths. However, we do not expect groundwater to be a major factor during shallow excavations and earthwork as relatively minimal cuts and fills are anticipated. Excavations that extend into saturated/wet soils, or excavations that extend into perched groundwater, should be dewatered. Sump pumps are expected to adequately address groundwater encountered in shallow excavations. In addition to groundwater seepage, surface water inflow to the excavations during the wet season can be problematic. Provisions for surface water control during earthwork and excavations should be included in the project plans and should be installed prior to commencing earthwork.

6.8. Permanent Slopes

Permanent cut and fill slopes, where incorporated into the grading plan, should not exceed 2H:1V (horizontal to vertical). The slopes should be planted with appropriate vegetation to provide protection against erosion as soon as possible after grading. Buildings, access roads and pavements should be located at least 10 feet from the top of new fill slopes or existing slopes. Placement of fill near the top of the existing slope should be limited to 2 feet or less in thickness. If the grading plan requires additional fill, we should be contacted to evaluate the impact of the additional loading on the slope. Surface water runoff should be collected and directed away from slopes to prevent water from running down the face of the slope.



6.9. Trench Shoring

All trench excavations should be made in accordance with applicable Occupational Safety and Health Administration (OSHA) and state regulations. In our opinion, native soils are generally OSHA Type B. Temporary excavations deeper than 4 feet should be shored or laid back at an inclination of 1H:1V or flatter if workers are required to enter. Excavations made to construct footings or other structural elements should be laid back or shored at the surface as necessary to prevent soil from falling into excavations.

It should be expected that unsupported cut slopes will experience some sloughing and raveling if exposed to water. Plastic sheeting, placed over the exposed slope and directing water away from the slope, will reduce the potential for sloughing and erosion of cut slopes during wet weather.

The contractor is responsible for shoring methods and shoring system design. Shoring systems should be designed by a professional engineer before installation.

In our opinion, the contractor will be in the best position to observe subsurface conditions continuously throughout the construction process and to respond to the soil and groundwater conditions. Construction site safety is generally the sole responsibility of the contractor, who also is solely responsible for the means, methods, and sequencing of the construction operations and choices regarding excavations and shoring.

Under no circumstances should the information provided by CGS be interpreted to mean that CGS is assuming responsibility for construction site safety or the contractor's activities; such responsibility is not being implied and should not be inferred.

6.10. Structural Fill and Backfill

6.10.1. General

Structural areas include areas beneath foundations, floor slabs, pavements, and any other areas intended to support structures or within the influence zone of structures. Fill intended for use in structural areas should meet the criteria for structural fill presented below. All structural fill soils should be free of debris, clay balls, roots, organic matter, frozen soil, man-made contaminants, particles with greatest dimension exceeding 4 inches (3-inch-maximum particle size in building footprints) and other deleterious materials.

The suitability of soil for use as structural fill will depend on the gradation and moisture content of the soil. As the amount of fines in the soil matrix increases, the soil becomes increasingly more sensitive to small changes in moisture content and achieving the required degree of compaction becomes more difficult or impossible. Recommendations for suitable fill material are provided in the following sections.

6.10.2. Reuse of On-Site Soils

On-site near surface soil consists of native silt with varying clay and sand content. On-site soils can be used as structural fill, provided the material meets the above requirements, although due to moisture sensitivity, this material will likely be unsuitable as structural fill during most of the year. If the soil is too wet to achieve satisfactory compaction, moisture conditioning by drying back the material will be required. If the material cannot be properly moisture conditioned, we recommend using imported material for structural fill.

An experienced geotechnical engineer from CGS should determine the suitability of on-site soil encountered during earthwork activities for reuse as structural fill.



6.10.3. Imported Select Structural Fill

Imported Select Structural Fill may be used as structural fill and should consist of pit or quarry run rock, crushed rock, or crushed gravel and sand that is fairly well-graded between coarse and fine sizes (approximately 25 to 65 percent passing the U.S. No. 4 sieve). It should have less than 5 percent passing the U.S. No. 200 sieve and have a minimum of 75 percent fractured particles according to American Association of State Highway and Transportation Officials (AASHTO) TP-61.

6.10.4. Aggregate Base

Aggregate base material located under floor slabs and pavements and crushed rock used in footing overexcavations should consist of imported clean, durable, crushed angular rock. Such rock should be well-graded, have a maximum particle size of 1 inch and have less than 5 percent passing the U.S. No. 200 sieve (3 percent for retaining walls). In addition, aggregate base shall have a minimum of 75 percent fractured particles according to AASHTO T-335 and a sand equivalent of not less than 30 percent based on AASHTO T-176.

6.10.5. Aggregate Subbase

Aggregate Subbase material should consist of imported, clean, durable, crushed angular rock. Such rock should be well-graded, have a maximum particle size of 1½ inches, have less than 5 percent passing the U.S. No. 200 sieve and meet the gradation requirements in Oregon Department of Transportation (ODOT) Standard Section 00331. In addition, aggregate base shall have a minimum of 75 percent fractured particles according to AASHTO T-335 and a sand equivalent of not less than 30 percent based on AASHTO T-176.

6.10.6. Fill Placement and Compaction

Fill and backfill material should be placed in uniform, horizontal lifts and compacted with appropriate equipment. The appropriate lift thickness will vary depending on the material and compaction equipment used. Fill material should be compacted in accordance with Table 2. It is the contractor's responsibility to select appropriate compaction equipment and place the material in lifts that are thin enough to meet these criteria. However, in no case should the loose lift thickness exceed 18 inches.

Structural fill should be compacted at moisture contents that are within 3 percent of the optimum moisture content as determined by ASTM International (ASTM) Test Method D 1557 (Modified Proctor). The optimum moisture content varies with gradation and should be evaluated during construction. Fill material that is not near the optimum moisture content should be moisture conditioned prior to compaction.

A representative from CGS should evaluate the compaction of each lift of fill. Compaction should be evaluated by compaction testing unless other methods are proposed for oversized materials and are approved by CGS during construction. These other methods typically involve procedural placement and compaction specifications together with verification requirements such as proof-rolling.

**Table 2. Compaction Criteria**

Fill Type	Compaction Requirements		
	Percent Maximum Dry Density Determined by ASTM Test Method D 1557 at $\pm 3\%$ of Optimum Moisture		
	0 to 2 Feet Below Subgrade	> 2 Feet Below Subgrade	Pipe Zone
Fine-grained soils (non-expansive)	92	92	-----
Imported Granular, maximum particle size < 1¼ inch	95	95	-----
Imported Granular, maximum particle size 1¼ inch to 6 inches (3-inch-maximum under building footprints)	n/a (proof-roll)	n/a (proof-roll)	-----
Retaining Wall Backfill*	92	92	-----
Nonstructural Zones	90	90	90
Trench Backfill	95	90	90

Note:

* Measures should be taken to prevent overcompaction of the backfill behind retaining walls. We recommend placing the zone of backfill located within 5 feet of the wall in lifts not exceeding about 6 inches in loose thickness and compacting this zone with hand-operated equipment such as a vibrating plate compactor or a jumping jack.

Fill and backfill material should be placed in uniform, horizontal lifts and compacted with appropriate equipment. The appropriate lift thickness will vary depending on the material and compaction equipment used. Fill material should be compacted in accordance with Table 2. It is the contractor's responsibility to select appropriate compaction equipment and place the material in lifts that are thin enough to meet these criteria. However, in no case should the loose lift thickness exceed 18 inches.

6.10.7. Trench Backfill

Backfill for pipe bedding and in the pipe zone should consist of well-graded granular material with a maximum particle size of ¾ inch and less than 5 percent passing the U.S. No. 200 sieve. The material should be free of organic matter and other deleterious materials. Further, the backfill should meet the pipe manufacturer's recommendations. Above the pipe zone backfill, Imported Select Structural Fill may be used as described above.

7.0 STRUCTURAL DESIGN RECOMMENDATIONS

7.1. Foundation Support Recommendations

Proposed structures can be satisfactorily founded on continuous wall or isolated column footings supported on firm native soils encountered below upper topsoil or disturbed soils or on structural fill placed over firm native soils. Exterior footings should be established at least 18 inches below the lowest adjacent grade. The recommended minimum footing depth is greater than the anticipated frost depth. Interior footings can be found a minimum of 12 inches below the top of the first-floor slab. Isolated column and continuous wall footings should have minimum widths of 24 and 18 inches, respectively. We have assumed that the column



loads will be 60 kips or less, wall loads will be 2 klf or less, and floor loads for slabs on grade will be 125 psf or less for the proposed buildings. If design loads exceed these values, our recommendations may need to be revised.

7.1.1. Foundation Subgrade Preparation

Subgrades beneath proposed structural elements should be prepared as described in section 6.5 of this report. We recommend loose or disturbed soils resulting from foundation excavation be removed before placing reinforcing steel and concrete. Foundation bearing surfaces should not be exposed to standing water. If water infiltrates and pools in the excavation, the water, along with any disturbed soil, should be removed before placing reinforcing steel and concrete.

To limit potential post-construction settlement, footing elevation subgrade soils should be overexcavated and replaced with a minimum 2-foot-thick granular bearing pad consisting of crushed rock structural fill compacted in accordance with section 6.10.6.

We recommend CGS observe all foundation subgrades before placing concrete forms and reinforcing steel to determine that bearing surfaces have been adequately prepared and the soil conditions are consistent with those observed during our explorations.

7.1.2. Isolated Spread Footings

We recommend conventional footings be proportioned using a maximum allowable bearing pressure of 2,000 psf if supported on firm native soils or on structural fill placed over firm native soils. This bearing pressure applies to the total of dead and long-term live loads and may be increased by one-third when considering earthquake or wind loads. This is a net bearing pressure. The weight of the footing and overlying backfill can be ignored in calculating footing sizes.

7.1.3. Foundation Settlement

Foundations designed and constructed as recommended are expected to experience settlements of less than 1 inch. Differential settlements of up to one half of the total settlement magnitude can be expected between adjacent footings supporting comparable loads.

7.1.4. Lateral Resistance

Lateral loads can be resisted by a combination of friction between the footing and the supporting soil, and by the passive lateral resistance of the soil surrounding the embedded portions of the footings. A coefficient of friction between the concrete and soil of 0.35 and a passive lateral resistance corresponding to an equivalent fluid density of 250 pcf may be used for design. These values are appropriate for foundation elements that are poured directly against the native soils or surrounded by compacted structural fill.

The passive earth pressure and friction components may be combined, provided the passive component does not exceed two-thirds of the total.

The passive earth pressure value is based on the assumptions that the adjacent grade is level and static groundwater remains below the base of the footing throughout the year. The top 1 foot of soil should be neglected when calculating passive lateral earth pressures unless the adjacent area is covered with pavement. The lateral resistance values do not include safety factors.



7.2. Drainage Considerations

We recommend the ground surface be sloped away from buildings at least 5 percent for a minimum distance of 10 feet measured perpendicular to the face of the wall in accordance with section 1804.4 of the 2018 International Building Code (IBC). All downspouts should be tightlined away from the building foundation areas and should also be discharged into a stormwater disposal system. Downspouts should not be connected to footing drains.

Based on the observed subsurface groundwater conditions at the time of our explorations, we recommend the inclusion of perimeter footing drains. Perimeter footing drains should be installed for below-grade structural elements or crawlspaces to control relatively shallow perched groundwater conditions. Footing drains should be installed at the base of exterior building footings where interior spaces should be protected from inflowing water from surrounding soils. Perimeter footing drains should be provided with cleanouts and should consist of at least 4-inch-diameter perforated pipe placed on a 3-inch bed of and surrounded by 6 inches of drainage material enclosed in a non-woven geotextile such as Mirafi 140N (or approved equivalent) to prevent fine soil from migrating into the drain material. We recommend against using flexible tubing for footing drainpipes. The perimeter drains should be sloped to drain by gravity to a suitable discharge point, preferably a storm drain. We recommend that the cleanouts be covered and placed in flush-mounted utility boxes. Water collected in roof downspout lines must not be routed to the footing drain lines.

7.3. Floor Slabs

Satisfactory subgrade support for floor slabs on grade supporting the planned 100 psf floor loads can be obtained provided the floor slab subgrade is described in the “Earthwork Recommendations” section of this report. Slabs should be reinforced according to their proposed use and per the structural engineer’s recommendations. Subgrade support for concrete slabs can be obtained from the firm native soils underlying the topsoil or on structural fill placed over firm native soils.

We recommend that on-grade slabs be underlain by a minimum 6-inch-thickness of Aggregate Base in order to provide the structural design support for subgrade reaction as described below and to act as a capillary break material to reduce the potential for moisture migration into the slab. The aggregate base section should be placed as recommended in the “Fill Placement and Compaction” section of this report.

If dry on-grade slabs are required, for example at interior spaces where adhesives are used to anchor carpet or tile to the slab, a waterproof liner may be placed as a vapor barrier below the slab. The vapor barrier should be selected by the structural engineer and should be accounted for in the design floor section and mix design selection for the concrete, to accommodate the effect of the vapor barrier on concrete slab curing. Load-bearing concrete slabs should be designed assuming a modulus of subgrade reaction (k) of 125 psi per inch. We estimate that concrete slabs constructed as recommended will settle less than ½ inch. Floor slab subgrades should be evaluated according to the “Subgrade Evaluation” section of this report.

7.4. Seismic Design

Parameters provided on Table 3 are based on the conditions encountered during our subsurface exploration program and the procedure and requirements outlined in the 2018 IBC. Per American Society of Civil Engineers (ASCE) 7-16 Section 11.4.8, a site-specific response analysis is required for site class F sites, and a ground motion hazard analysis or site-specific response analysis is required to determine the design ground motions for



structures on Site Class D and E sites with S_1 greater than or equal to 0.2g. For this project, the site is classified as site class D; therefore, the provisions of 11.4.8 are applicable.

Alternatively, the parameters listed on Table 3 may be used to determine the design ground motions if the exceptions provided in ASCE 7-16 Supplement 3 are met. The applicable exceptions for the project site listed in ASCE 7-16 Supplement 3 are provided below for reference. If it is desirable to avoid these exceptions, a ground motion hazard analysis would need to be completed to determine the design seismic parameters for the site.

From ASCE 7-16 Supplement 3

Exception: A ground motion hazard analysis not required:

1. Where the values of the parameter S_{M1} determined by Eq. (11.4-2) is increased by 50% for all applications of S_{M1} in the standard. And:
2. The resulting value of the parameter S_{D1} determined by Eq. (11.4-4) shall be used for all applications of S_{D1} in the standard.

Table 3. Mapped 2018 IBC Seismic design parameters

Parameter	Recommended Value ^{1,2}
Site Class	D
Mapped Spectral Response Acceleration at Short Period (S_s)	0.819 g
Mapped Spectral Response Acceleration at 1 Second Period (S_1)	0.380 g
Site Modified Peak Ground Acceleration (PGA_M)	0.458 g
Site Amplification Factor at 0.2 second period (F_a)	1.17
Site Amplification Factor at 1.0 second period (F_v)	1.92
Design Spectral Acceleration at 0.2 second period (S_{DS})	0.640g
Design Spectral Acceleration at 1.0 second period (S_{D1}) ⁽³⁾	0.730 g

Note:

¹ Parameters developed based on Latitude 44.611569° and Longitude -123.113994 °using the ATC Hazards online tool.

² These values are only valid if the structural engineer utilizes Exception 1 of ASCE 7-16 Supplement 3 Exception 1.

³ Increased by a factor of 1.5 per ASCE 7-16 Supplement 3 Exception 1.

7.5. Design Parameters

Retaining structures free to rotate slightly around the base should be designed for active earth pressures using an equivalent fluid unit weight (efp) of 40 pcf when the ground surface extends level behind the wall equal to a distance of at least twice the height of the wall, and 65 pcf for an inclined slope of 2H:1V above the wall. For lesser slopes between flat and 2H:1V, the efp can be linearly interpolated between the recommended values. The efp value is based on the following assumptions.

- The walls will not be restrained against rotation when the backfill is placed.
- Walls are 8 feet or less in total wall support height.



- The backfill within 2 feet of the wall consists of free-draining granular materials.
- Grades above the top of the walls are no steeper than a 2H:1V slope.
- Total wall heights are determined based on a level front slope from the base of the wall.
- Adequate drainage is provided and maintained such that hydrostatic pressures do not develop behind site retaining walls. If hydrostatic pressures are anticipated, CGS should be contacted to provide updated lateral earth pressure recommendations.

Seismically induced lateral forces on permanent below-grade building walls can be calculated using a dynamic force equal to $10H$ psf, where H is the wall height. This seismic force should be applied with the centroid located at $0.6H$ from the wall base. These values assume that the wall is vertical and unrestrained and the backfill behind the wall is horizontal.

For site retaining walls, seismic lateral earth pressures should be computed as a part of retaining wall design using the Mononobe-Okabe equation or another method appropriate to the selected wall system.

Retaining walls, including foundation walls that are restrained against rotation during backfilling, should be designed for an at-rest equivalent fluid unit weight of 58 pcf when the ground surface extends level behind the wall equal to a distance of at least twice the height of the wall, and 85 pcf for an inclined slope of 2H:1V above the wall. For lesser slopes between flat and 2H:1V, the efp can be linearly interpolated between the recommended values.

Surcharge loads applied closer than one-half of the wall height should be considered as uniformly distributed horizontal pressures equal to one-third of the distributed vertical surcharge pressure. We recommend a minimum surcharge load of 200 psf to account for construction- and post-construction-traffic surcharge loading.

Footings for retaining walls should be designed as recommended for shallow foundations. Backfill should be placed and compacted as recommended for structural fill. Re-evaluation of our recommendations will be required if the retaining wall design criteria for the project vary from these assumptions.

We recommend that CGS be retained to review the retaining wall design to confirm that it meets the requirements in our report. The retaining wall designer should perform global stability analysis of the proposed wall.

8.0 PAVEMENT RECOMMENDATIONS

Our pavement recommendations are based on the results of our on-site field testing as described below, and our analysis. The recommended pavement sections assume that final improvements surrounding the pavement will be designed and constructed such that stormwater or excess irrigation water from landscape areas does not infiltrate below the pavement section into the base rock materials.

8.1. Asphalt Concrete Pavement Sections

Pavement subgrades should be prepared in accordance with the earthwork's recommendations section of this report. Our pavement recommendations assume that traffic at the site will consist of occasional maintenance truck traffic. We do not have specific information on the frequency and type of vehicles that will use the area;



however, we have based our design analysis on traffic loading consistent with heavy trucks to account for service-type vehicles and the assumed equivalent single axle loads (ESALS) presented in Table 4. Recommended AC pavement sections for on-site development is presented in Table 4.

- The pavement subgrades, fill subgrades and site earthwork used to establish road grades below the Aggregate Subbase and Aggregate Base materials have been prepared as described in the “Earthwork Recommendations” section of the Geotechnical Report.
- A resilient modulus of 20,000 pounds per square inch (psi) has been estimated for compacted Aggregate Subbase and Aggregate Base materials.
- A resilient modulus of 5,000 psi was estimated for firm native soils or structural fill placed on firm native soils or compacted on-site soils.
- Initial and terminal serviceability indices of 4.2 and 2.0, respectively.
- Reliability and standard deviations of 75 percent and 0.45, respectively.
- Structural coefficients of 0.42 and 0.10 for the asphalt and base rock, respectively.
- A 20-year design life with no growth.

If any of the noted assumptions vary from project design use, our office should be contacted with the appropriate information so that the pavement designs can be revised or confirmed adequate.

Table 4. Minimum AC Pavement Sections for on-site Development

Section	Minimum Asphalt Thickness (inches)	Minimum Aggregate Base Thickness (inches)	Minimum Aggregate Sub-Base Thickness (inches)	Assumed Traffic Loading (Design Life ESAL’s)
Light Duty	3.0	6.0	-	<10,000
	3.0	3.0	12	
Heavy Duty	3.5	7.5	-	50,000
	3.5	4.0	12	

The aggregate base course should conform to the “Aggregate Base” section of this report and be compacted to at least 95 percent of the maximum dry density (MDD) determined in accordance with AASHTO T-180/ASTM Test Method D 1557. The AC pavement should conform to Section 00745 of the most current edition of the ODOT Standard Specifications for Highway Construction. The Job Mix Formula should meet the requirements for a ½-inch Dense Graded Level 2 Mix. The AC should be PG 64-22 grade meeting the ODOT Standard Specifications for Asphalt Materials. AC pavement should be compacted to 92.0 percent at Maximum Theoretical Unit Weight (Rice Gravity) of AASHTO T-209. Additionally, we recommend that the aggregate base section extend laterally at a minimum 1-ft beyond the edges of the proposed bike path to allow for adequate compaction of material supporting new asphalt.



8.2. Portland Cement Concrete Pavement Sections

PCC pavement section recommendations for the project site are based on the assumptions below. If any of the noted assumptions vary from project design use, our office should be contacted with the appropriate information so that the pavement designs can be revised or confirmed adequate.

- The pavement subgrades, fill subgrades and site earthwork used to establish road grades below the Aggregate Subbase and Aggregate Base materials have been prepared as described in Section 6.0 of this report.
- A modulus of subgrade reaction (k) of 150 psi was estimated for subgrade prepared and compacted as recommended.
- A concrete rupture modulus of 600 psi was estimated based on a 28-day compressive strength of concrete equal to 4500 psi.
- A drainage coefficient of 0.9 was estimated for site silty soils.
- A joint load coefficient of 3.2 was estimated for PCC reinforced using plain dowel bars.
- Initial and terminal serviceability indices of 4.2 and 2.0, respectively.
- Reliability and standard deviations of 75 percent and 0.45, respectively.
- A 20-year design life.
- Design life traffic loading of 50,000 ESAL’s or less

For PCC pavement sections, we recommend the following based on the assumed traffic loading:

- 50,000 ESALS
 - 4.0 inches of PCC
 - 6.0 inches of aggregate base
 - Subgrade stabilization (if required)
 - Subgrade geotextile (if required)

9.0 LIGHT POLE FOUNDATIONS

Foundations for Lamp poles or shared-use path lighting should be designed and constructed in accordance with the City of City of Wilsonville Public Works Standards Drawing RD-1340. If standard light poles are not being utilized, light pole foundations can be designed using the soil parameters presented in the following table.

Table 5. Minimum AC Pavement Sections for on-site Development

Parameter	Recommended Value
Friction Angle (Degrees)	28
Cohesion (psf)	100
Unit Weight (pcf)	115
Buoyant Unit Weight (pcf)	53



10.0 LIMITATIONS OF REPORT

We have prepared this report for the exclusive use of Mayer/Reed, the City of Wilsonville, and their authorized parties, for the project specifically identified in this report only. The report should be provided in its entirety to prospective contractors for bidding and estimating purposes; however, the conclusions and interpretations presented should not be construed as a warranty of the subsurface conditions. Experience has shown that soil and groundwater conditions can vary significantly over small distances. Inconsistent conditions can occur between explorations that may not be detected by a geotechnical study. If, during future site operations, subsurface conditions are encountered which vary appreciably from those described herein, CGS should be notified for review of the recommendations of this report, and revision of such if necessary.

We recommend that CGS be retained to review the plans and specifications and verify that our recommendations have been interpreted and implemented as intended. Sufficient geotechnical monitoring, testing and consultation should be provided during construction to confirm that the conditions encountered are consistent with those indicated by explorations. Recommendations for design changes will be provided should conditions revealed during construction differ from those anticipated. Should CGS not be retained for Design or Construction related services further into the development process, this report and its recommendations should be considered void, as we cannot take on responsibility for construction operations that were unobserved by our office.

Within the limitations of scope, schedule and budget, the analysis, conclusions, and recommendations presented in this report were prepared in accordance with generally accepted professional principles and practices in the fields of geotechnical engineering and engineering geology in this area at the time the report was prepared. No warranty, express or implied, is made. The scope of our work did not include environmental assessments or evaluations regarding the presence or absence of wetlands or hazardous or toxic substances in the soil, surface water, or groundwater at this site.

Within the limitations of scope, schedule, and budget, our services were executed in accordance with generally accepted practices in this area at the time this report was prepared. No warranty, express or implied, should be understood.

11.0 REFERENCES

American Association of State Highway and Transportation Officials (AASHTO). 1993. Guide for Design of Pavement Structures.

International Code Council. 2018. 2018 International Building Code.

Occupational Safety and Health Administration (OSHA) Technical Manual Section V: Chapter 2, Excavations: Hazard Recognition in Trenching and Shoring:

Oregon Department of Transportation (ODOT). 2018. Standard Specifications for Highway Construction. Salem, Oregon.

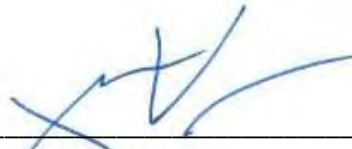
Schlicker, H.G. and R.J. Deacon. 1967. Engineering Geology of the Tualatin Valley Region, Oregon: Oregon Department of Geology and Mineral Industries, Bulletin 60, p. 103, 4 plates, 1:62,500 scale.



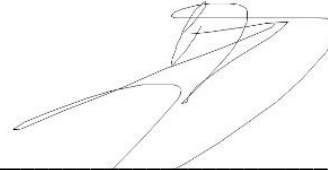
12.0 SIGNATURES

Thank you for the opportunity to work with you. If you feel obliged, we welcome referrals from our previous clients and would enjoy the opportunity to work with others in your professional and personal networks.


Central Geotechnical Services, LLC



Julio Vela, PhD, PE, GE
Principal Engineer




Blayne Sandau, PE, GIT
Project Manager



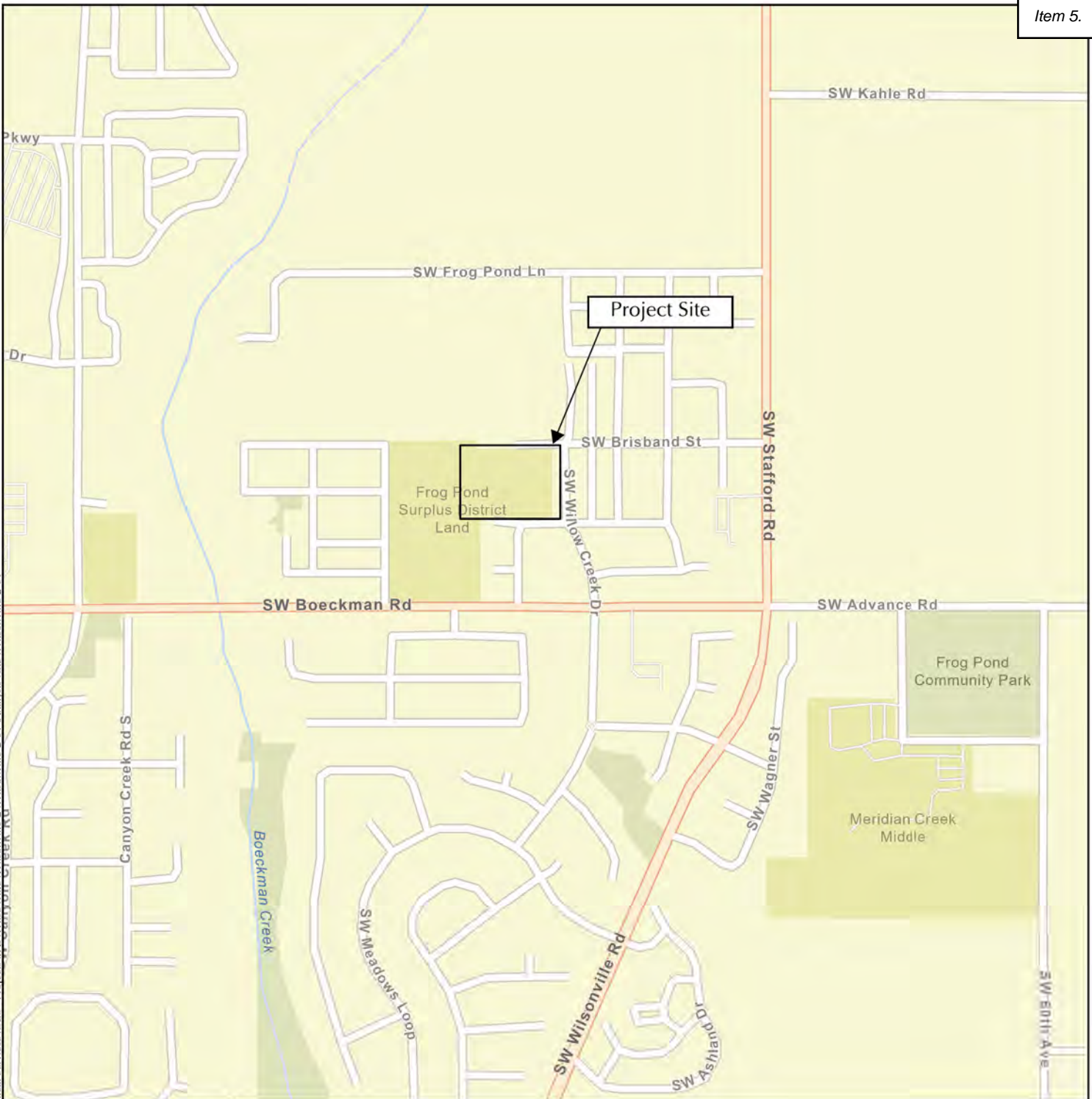
Ruslan Pavlenko
Staff Geologist



Digitally signed by Julio Vela
 DN: C=US,
 E=juliov@centralgeotechnical.com,
 O="Central Geotechnical Services, LLC", OU=Principal Geotechnical Engineer, CN=Julio Vela



REGISTERED PROFESSIONAL ENGINEER
 60333
 11/09/23
 OREGON
 FEBRUARY 08, 2000
 JULIO C VELA
 EXPIRES: 06/30/24





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Wilsonville-2-01	
Project Vicinity	
	Figur 165

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Legend

-  Hand Auger and Drive Probe Designation and approximate location
-  Hand Auger and Infiltration Test Designation and Approximate Location

Sources: Esri Community Maps Contributors, Oregon Metro, Oregon State Parks, State of Oregon GEO, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, Maxar



Wilsonville-2-01	
Site Plan	
	Figur 166

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APPENDIX A: Field Explorations



APPENDIX A FIELD EXPLORATIONS AND LABORATORY TESTING

Field Explorations

Soil and groundwater conditions at the proposed project were explored on October 10 and October 13, 2023, by completing six hand augured borings (HA-1 through HA-6); one infiltration test (HA-5/INF-1), and five drive probe soundings at the approximate locations shown on the Site Plan, Figure 2. Hand augured borings were extended to depths of up to 7.5 feet below ground surface using a 3.0-inch diameter solid stem auger.

The hand augured borings were continuously monitored by a qualified staff from our office who maintained detailed logs of subsurface explorations, visually classified the soil encountered and obtained representative soil samples from the borings. Representative grab soil samples were obtained from each boring at select depth intervals.

Recovered soil samples from exploratory borings were visually classified in the field in general accordance with ASTM D 2488 and the classification chart listed in Key to Exploration Logs. Logs of the borings are presented in this Appendix. The logs are based on interpretation of the field and laboratory data and indicate the depth at which subsurface materials, or their characteristics change, although these changes might actually be gradual.

Drive probe tests were performed by a qualified geotechnical staff member from our office who recorded blow count versus cumulative penetration depth. The drive probe test consists of a continuously drive 3/8-inch rod driven with an 11-pound slide hammer over a 39-inch free fall to obtain a correlated, continuous record of in-situ soil strength.

Recovered soil samples from exploratory borings were visually classified in the field in general accordance with ASTM D 2488 and the classification chart listed in Key to Exploration Logs, Figure A-1. Logs of the borings are presented in Figures A-2 through A-7. The logs are based on interpretation of the field and laboratory data and indicate the depth at which subsurface materials, or their characteristics change, although these changes might actually be gradual.

Laboratory Testing

Soil samples obtained from the explorations were visually classified in the field and in our laboratory using the USCS and ASTM classification methods. ASTM Test Method D 2488 was used to visually classify the soil samples, while ASTM D 2487 was used to classify the soils based on laboratory tests results. Moisture content tests were performed in general accordance with ASTM D 2216-05. Results of the moisture contents testing are presented in the appropriate exploration logs at the respective sample depths.

Atterberg limits testing was performed on selected fine-grained soil samples. The tests were used to classify the soil as well as to evaluate index properties. The liquid limit and the plastic limit were estimated through a procedure performed in general accordance with ASTM D 4318. The results of the Atterberg limits testing are summarized in Figure A-8.

SOIL CLASSIFICATION

MAJOR DIVISIONS			SYMBOLS		TYPICAL DESCRIPTIONS		
			LETTER	GRAPH			
COARSE GRAINED	GRAVEL	CLEAN GRAVELS	GW		WELL-GRADED GRAVELS AND GRAVEL/SAND MIXTURES, LITTLE OR NO FINES		
			GP		POORLY-GRADED GRAVELS, GRAVEL/SAND MIXTURES, LITTLE OR NO FINES		
		GRAVELS WITH FINES	GM		SILTY GRAVELS, GRAVEL/SAND/SILT MIXTURES		
			GC		CLAYEY GRAVELS, GRAVEL/SAND/CLAY MIXTURES		
(MORE THAN 50% RETAINED BY NO. 200 SIEVE)	SAND	CLEAN SANDS	SW		WELL-GRADED SAND AND GRAVELLY SANDS, LITTLE OR NO FINES		
			SP		POORLY-GRADED SAND AND GRAVELLY SANDS, LITTLE OR NO FINES		
		SANDS WITH FINES	SM		SILTY SANDS, SAND/SILT MIXTURES		
			SC		CLAYEY SANDS, SAND/CLAY MIXTURES		
		FINE GRAINED	SILTS AND CLAYS	LIQUID LIMIT LESS THAN 50	ML		INORGANIC SILTS, SILT WITH SLIGHT PLASTICITY
					CL		INORGANIC CLAY, CLAY WITH LOW TO MEDIUM PLASTICITY
OL					ORGANIC SILTS, ORGANIC SILTY CLAYS WITH LOW PLASTICITY		
LIQUID LIMIT MORE THAN 50	MH					INORGANIC SILTS, SILTS WITH CLAY	
	CH		INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS				
(MORE THAN 50% PASSING BY NO. 200 SIEVE)	SILTS AND CLAYS	LIQUID LIMIT MORE THAN 50	OH		ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY		
			TS		TOPSOIL, PEAT, HUMUS, MULCH AND OTHER HIGH ORGANIC SOILS		
HIGHLY ORGANIC SOILS			TS		TOPSOIL, PEAT, HUMUS, MULCH AND OTHER HIGH ORGANIC SOILS		

GEOTECHNICAL TESTING EXPLANATIONS

ATT	Atterberg Limits
CBR	California Bearing Ratio
CON	Consolidation
DD	Dry Density
DS	Direct Shear
HYD	Hydrometer Gradation
LL	Liquid Limit
PL	Plastic Limit
PI	Plasticity Index
MC	Moisture Content
MD	Moisture-Density
NP	Non-Plastic
OC	Organic Content
P	Pushed Sample
PP	Pocket Penetrometer
Passing No.200	Percent Passing U.S. Std. No.200 Sieve
RES	Resilient Modulus
SIEV	Sieve Gradation
TOR	Torvane
UC	Unconfined Compressive Strength
VS	Vane Shear

CONTACT TYPES
Distinct contact between soil strata (approximate location)
Approximate contact between soil strata

ADDITIONAL MATERIALS		
AC		ASPHALT CONCRETE
CC		CEMENT CONCRETE
CR		CRUSHED ROCK
SOD		SOD/FOREST DUFF
FILL		FILL

WATER LEVELS	
	Water Level at Time of Drilling, or as labeled
	Water Level at End of Drilling, or as labeled
	Static Water Level, or as labeled

SOIL CHARACTERISTICS			
GRADATION		CAVING	
WELL-GRADED	FULL RANGE OF GRAIN SIZES	NO	WALL STANDING VERTICAL
POORLY GRADED	LIMITED RANGE OF GRAIN SIZES	MINOR	ISOLATED SPALLING
UNIFORMLY GRADED	PREDOMINANTLY ONE GRAIN SIZE	MODERATE	COMMON SPALLING
GAP GRADED	GAPS WITHIN RANGE OF GRAIN SIZES	SEVERE	WILL NOT STAND VERTICAL

SYMBOL	SAMPLER DESCRIPTIONS	SYMBOL	SAMPLER DESCRIPTIONS
	Location of auger cuttings sample		Location of sample collected in general accordance with ASTM D1586 using Standard Penetration Test (SPT) with recovery (SS)
	Location of bulk or grab sample (GS)		Location of sample collected using the thin-wall Shelby tube or Geoprobe sample in general accordance with ASTM D1587 with recovery (SH)
	Location of rock coring interval (RC)		Location of sample collected in general accordance with ASTM D2573 using the field Vane Shear test in saturated fine-grained soils with recovery
	No Recovery		Location of sample collected using Dames & Moore sampler or pushed with recovery

HAND AUGER TEMPLATE - GINT STD US LAB.GDT - 10/31/23 13:15 - C:\USERS\CGS\USER\CENTRAL GEOTECHNICAL SERVICES\CGS - PROJECTS\R-Z\WILSONVILLE\WILSONVILLE-2\WILSONVILLE-2-01\FIELD EXPLORATION\2-FIELD AND DRAFT LOGS\AC



Central Geotechnical Services
 10240 SW Nimbus Ave, Suite L6
 Portland, OR 97223
 Telephone: (503) 616-9419

Project No:
Wilsonville-2-01

HAND AUGER LOG HA-1

Item 5.

PAGE 1 OF 1

Project: Project CIP #9175-80 Location: Frog Pond Park, Wilsonville, OR Client: City of Wilsonville	Date Started: 10/10/23 Date Completed: 10/10/23	Approximate Ground Elevation: Groundwater first encountered: --- Groundwater at end of drilling: ---
--	--	---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	Elevation:	SAMPLE TYPE NUMBER	RECOVERY (in.)	MOISTURE (%)	LAB RESULTS/REMARKS
0.0							
		Medium-stiff to stiff, gravelly SILT (ML) with sand, sand is fine, dark brown, moist (FILL)		GS S-1	6		
2.5				GS S-2	6		
		Stiff SILT (ML) with sand, gray and orange mottling, moist					
5.0				GS S-3	6	33	
		trace fine sand at 6-ft bgs					
7.5				GS S-4	6		

Boring terminated at 7.5-ft bgs
 No groundwater observed

Operator: Central Geotechnical Services Drilling Method: 3-inch Hand Auger Equipment: Hand Auger	Logged By: Ruslan Pavlenko Checked By: Blayne Sandau Approximate Location Coordinates: Lat: Long:	Remarks:
---	--	-----------------

HAND AUGER TEMPLATE - GINT STD US LAB.GDT - 10/31/23 13:15 - C:\USERS\CGS\USER\CENTRAL GEOTECHNICAL SERVICES\CGS - PROJECTS\R-Z\WILSONVILLE\WILSONVILLE-2\WILSONVILLE-2-01\FIELD EXPLORATION\2 - FIELD AND DRAFT LOGS\AC



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Project No:
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HAND AUGER LOG HA-2

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Project: Project CIP #9175-80	Date Started: 10/10/23	Approximate Ground Elevation:
Location: Frog Pond Park, Wilsonville, OR	Date Completed: 10/10/23	Groundwater first encountered: ---
Client: City of Wilsonville		Groundwater at end of drilling: ---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	Elevation:	SAMPLE TYPE NUMBER	RECOVERY (in.)	MOISTURE (%)	LAB RESULTS/REMARKS
0.0		Medium-stiff to stiff, sandy SILT (ML), sand is fine, fine roots in growth position, dark brown, moist (TOPSOIL/DISTURBED NATIVE)					
0.5		Medium-stiff to stiff SILT (ML) with sand, brown, moist					
2.5		becomes stiff and gray brown with orange mottling at 3-ft bgs		GS S-1	6		
5.0				GS S-2	6		
7.5		becomes brown @ 6.5-ft bgs		GS S-3	6		
7.5				GS S-4	6	30	LL = 36 PL = 27 PI = 9

Hand Auger terminated at 7.5-ft bgs
 No groundwater observed

Operator: Central Geotechnical Services	Logged By: Ruslan Pavlenko	Remarks:
Drilling Method: 3-inch Hand Auger	Checked By: Blayne Sandau	
Equipment: Hand Auger	Approximate Location Coordinates:	
	Lat: Long:	

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Project No:
Wilsonville-2-01

HAND AUGER LOG HA-5

Item 5.

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Project: Project CIP #9175-80	Date Started: 10/10/23	Approximate Ground Elevation:
Location: Frog Pond Park, Wilsonville, OR	Date Completed: 10/10/23	Groundwater first encountered: 6.75 ft
Client: City of Wilsonville		Groundwater at end of drilling: 5.50 ft

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	Elevation:	SAMPLE TYPE NUMBER	RECOVERY (in.)	MOISTURE (%)	LAB RESULTS/REMARKS
0.0		Medium-stiff, sandy SILT (ML), fine roots in growth position, dark brown, moist (TOPSOIL/DISTURBED NATIVE)					
0.5		Stiff SILT (ML) with sand, brown with gray and orange mottling, moist					
2.5				GS S-1	6		
				GS S-2	6		
5.0				GS S-3	6	▼	
						▽	
7.5				GS S-4	6	33	
8.0							

Hand Auger terminated at 8 feet
 Groundwater observed at 6.75 feet at completion
 Groundwater measured at 5.5 feet after 1.5 hours

Operator: Central Geotechnical Services	Logged By: Ruslan Pavlenko	Remarks:
Drilling Method: 3-inch Hand Auger	Checked By: Blayne Sandau	
Equipment: Hand Auger	Approximate Location Coordinates:	
	Lat: Long:	

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Project No:
Wilsonville-2-01

HAND AUGER LOG HA-1

Item 5.

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Project: Project CIP #9175-80	Date Started: 10/13/23	Approximate Ground Elevation:
Location: Frog Pond Park, Wilsonville, OR	Date Completed: 10/13/23	Groundwater first encountered: ---
Client: City of Wilsonville		Groundwater at end of drilling: ---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	Elevation:	SAMPLE TYPE NUMBER	RECOVERY (in.)	MOISTURE (%)	LAB RESULTS/REMARKS
0.0		Medium-stiff, SILT (ML) with sand, sand is fine, fine roots in growth position, dark brown, moist (TOPSOIL/DISTURBED NATIVE)					
0.5		Very stiff SILT (ML) with sand, sand is fine, brown with gray and orange mottling, moist		GS S-1	6		
2.5		Fine roots in growth position a 3-ft bgs becomes trace sand at 3.5-ft bgs		GS S-2	6	31	
5.0							
7.5				GS S-3	6		

Boring terminated at 7.5 feet
 No groundwater observed

Operator: Central Geotechnical Services	Logged By: Ruslan Pavlenko	Remarks:
Drilling Method: 3-inch Hand Auger	Checked By: Blayne Sandau	
Equipment: Hand Auger	Approximate Location Coordinates: Lat: Long:	

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HAND AUGER LOG HA-5

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PAGE 1 OF 1

Project: Project CIP #9175-80 Location: Frog Pond Park, Wilsonville, OR Client: City of Wilsonville	Date Started: 10/10/23 Date Completed: 10/10/23	Approximate Ground Elevation: Groundwater first encountered: --- Groundwater at end of drilling: ---
--	--	---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	Elevation:	SAMPLE TYPE NUMBER	RECOVERY (in.)	MOISTURE (%)	LAB RESULTS/REMARKS
0.0		Medium-stiff, SILT (ML) with sand, sand is fine, fine roots in growth position, dark brown, moist (TOPSOIL/DISTURBED NATIVE)					
0.5		Medium-stiff to stiff, sandy SILT (ML), sand is fine, brown with gray and orange mottling, moist					
2.5		becomes trace fine sand at 2.5-ft bgs		GS S-1	6		
5.0				GS S-2	6		
7.5				GS S-3	6	33	

Boring terminated at 7.5 feet
 No groundwater observed

Operator: Central Geotechnical Services Drilling Method: 6-inch Hand Auger Equipment: Hand Auger	Logged By: Ruslan Pavlenko Checked By: Blayne Sandau Approximate Location Coordinates: Lat: Long:	Remarks:
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HAND AUGER LOG HA-0

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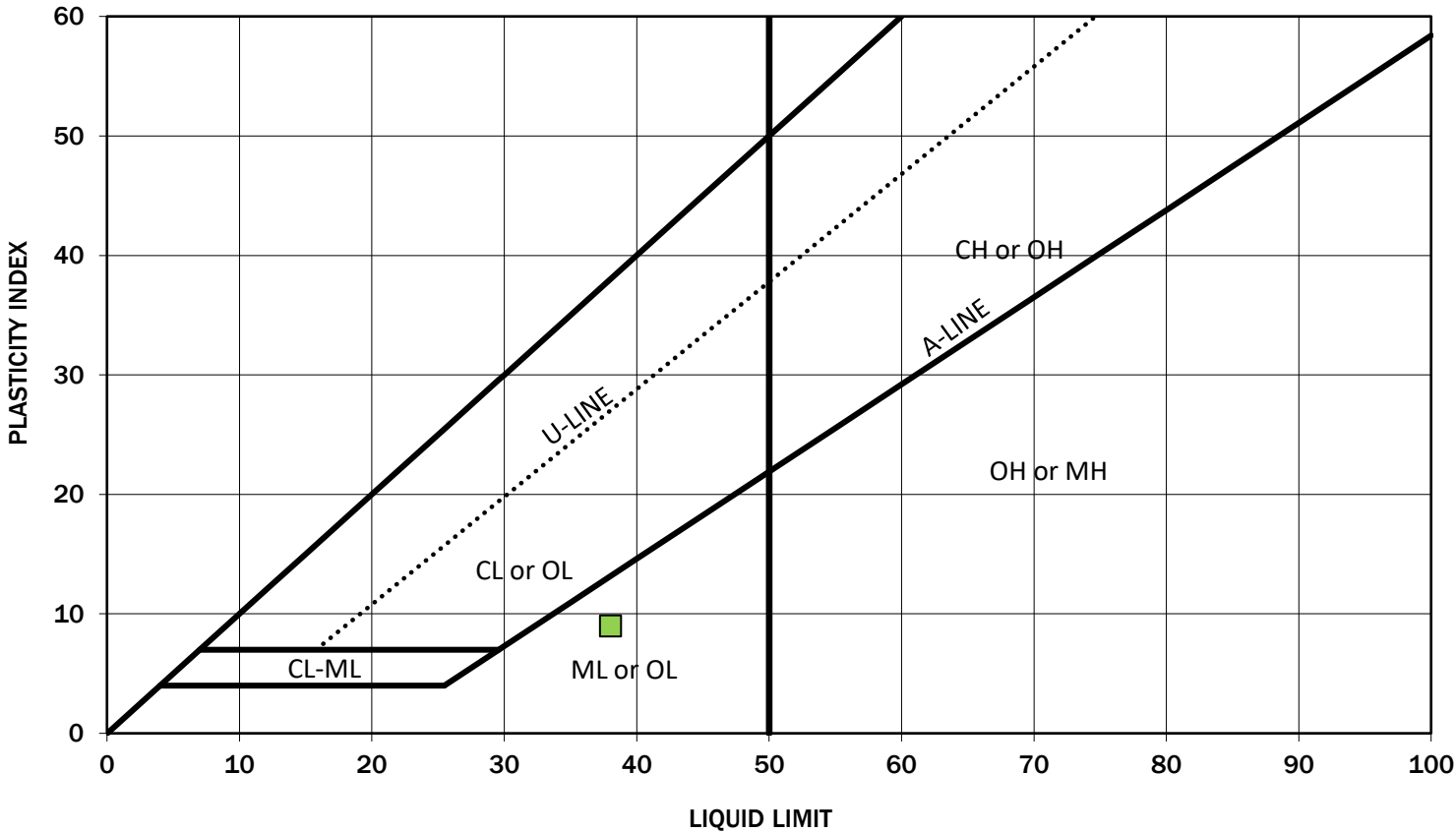
Project: Project CIP #9175-80	Date Started: 10/13/23	Approximate Ground Elevation:
Location: Frog Pond Park, Wilsonville, OR	Date Completed: 10/13/23	Groundwater first encountered: ---
Client: City of Wilsonville		Groundwater at end of drilling: ---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	Elevation:	SAMPLE TYPE NUMBER	RECOVERY (in.)	MOISTURE (%)	LAB RESULTS/REMARKS
0.0							
1.5		Medium-stiff, sandy SILT (ML) with gravel, sand is fine to coarse, fine roots in growth position, dark brown, moist (FILL)		GS S-1	6		
2.5		Stiff to very stiff, SILT (ML) with sand, sand is fine, brown with gray and orange mottling, moist Fine roots in growth position up to 3 feet becomes trace sand at 4-ft bgs		GS S-2	6		
5.0				GS S-3	6		
7.5							

Boring terminated at 7.5 feet
 No groundwater observed

Operator: Central Geotechnical Services	Logged By: Ruslan Pavlenko	Remarks:
Drilling Method: 3-inch Hand Auger	Checked By: Blayne Sandau	
Equipment: Hand Auger	Approximate Location Coordinates: Lat: Long:	


PLASTICITY CHART



Symbol	Boring Number	Depth (feet)	Moisture Content (%)	Liquid Limit (%)	Plasticity Index (%)	Soil Description
■	HA-2	7	30.0	36	27.	Silt (ML)

Atterberg Limits Test Results

Frog Pond West Neighborhood Park
Wilsonville, Oregon



CENTRAL
GEOTECHNICAL SERVICES

Figure A-8

Note: This report may not be reproduced, except in full, without written approval of Central Geotechnical Services, LLC. Test results are applicable only to the specific sample on which they were performed and should not be interpreted as representative of any other samples obtained at other times, depths or locations, or generated by separate operations or processes. The liquid limit and plasticity index were obtained in general accordance with ASTM D 4318.



PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Ticor Title Company of Oregon hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a/an Florida corporation.

Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

Countersigned

A handwritten signature in black ink, appearing to read 'Dana Freitas', written over a horizontal line.

Dana Freitas



111 SW Columbia St., Ste 1000, Portland, OR 97201
(503)242-1210 FAX (503)242-0770

PRELIMINARY REPORT

ESCROW OFFICER: Candice Weischedel
Candice.Weischedel@TicorTitle.com
503-219-1112

ORDER NO.: 36262303686
Supplement 1: Date Down/*
REVISED LEGAL* Add exceptions
#17 and #18

TITLE OFFICER: Erich Telford

TO: Ticor Title Company of Oregon
111 SW Columbia St., Ste 1000
Portland, OR 97201

ESCROW LICENSE NO.: EA850600240

OWNER/SELLER: Clackamas County School District 3, West Linn-Wilsonville School District 3JT, an Oregon non profit public benefit corporation

BUYER/BORROWER: City of Wilsonville, an Oregon municipal corporation

PROPERTY ADDRESS: 7035 SW Boeckman Road, Wilsonville, OR 97070

EFFECTIVE DATE: November 30, 2023, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	<u>AMOUNT</u>	<u>PREMIUM</u>
ALTA Owner's Policy 2021	\$ 1,387,200.00	\$ 2,682.00
OTIRO Endorsement No. 110		\$ 0.00
ALTA Loan Policy 2021	\$ TBD	\$ TBD
Government Lien Search		\$ 35.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Clackamas County School District 3, West Linn-Wilsonville School District 3JT, an Oregon non profit public benefit corporation

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF WILSONVILLE, COUNTY OF CLACKAMAS, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Order No.: 36262303686
Supplement 1: Date Down/* REVISED LEGAL* Add exceptions #17 and #18

EXHIBIT "A"
[Legal Description](#)

(REVISED)

Parcel 4, PARTITION PLAT NO. 2023-051, in the City of Wilsonville, Clackamas County, Oregon, according to the official plat thereof, recorded June 4, 2019, as Document Fee No. 2023-035048.

AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or which may be asserted by persons in possession thereof.
3. Easements, or claims thereof, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien, or right to a lien, for services, labor, material or equipment rental, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIFIC ITEMS AND EXCEPTIONS:

6. The subject property is under public, charitable, fraternal, or religious organization ownership and is exempt from ad valorem taxation. Any change in ownership prior to delivery of the assessment roll may result in tax liability.

[Tax Account No.: 00805980](#)
Map No.: 31W12DD 00400
7. [Intentionally Deleted]
8. Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.
9. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of unnamed creek.
10. [Intentionally Deleted]
11. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: The Pacific Telephone and Telegraph Company
Purpose: Poles, with necessary wires and fixtures
Recording Date: October 1, 1913
Recording No: Book 5, Page 455 (miscellaneous records)
also disclosed by Deed
Recording Date: May 24, 1999
[Recording No: 99-052396](#)

12. Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on that certain plat

Name of Plat: [Partition Plat No. 2019-047](#)

Recording Date: May 2, 2019

Recording No: 2019-030657

13. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
14. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

15. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

16. Any encroachment (of existing improvements located on the subject Land onto adjoining land or of existing improvements located on adjoining land onto the subject Land), encumbrance, violation, variation or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject Land.

The Company will require an inspection of the premises, and this exception may be eliminated or limited as a result thereof.

17. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said [tract/plat](#);

Purpose: Public Utility Easement

Affects: North Lot Line

Name of Plat: [Partition Plat 2023-051](#)

Recording Date: September 29, 2023

Recording No: 2023-035048

18. Plat Restrictions and Notes, as shown on that certain plat

Name of Plat: [Partition Plat 2023-051](#)

Recording Date: September 29, 2023

Recording No: 2023-035048

ADDITIONAL REQUIREMENTS/NOTES:

- A. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final ALTA Policy unless removed prior to issuance.

- B. NOTE: The following are required when a principal to the proposed transaction is an instrumentality of the state, such as a municipality, a county or other governmental body:
- Certification, with supporting documentation, that the board or other governing authority of the governmental body has approved the transaction in accordance with applicable practices, procedures, rules, ordinances and statutes.
 - Certification that a named person or persons, identified by name and position, are authorized to act on behalf of the governmental body in the proposed transaction.
 - Verification of the current legal name and good standing of the governmental body when it is a local governmental body other than a city or county.
- WARNING REGARDING DEED OR CONTRACT TO TAX-EXEMPT GOVERNMENTAL TRANSFEREE. Oregon law prohibits the county recording officer from recording a deed or contract to a tax-exempt governmental transferee, unless the deed or contract is accompanied by a certificate of payment of ad valorem county taxes. The certificate must be attested by the county assessor using a form prescribed by the Oregon Department of Revenue. Failure to allow adequate time for obtaining a certificate of payment may delay recording. This requirement is contained in Chapter 96, Oregon Laws 2015, effective Oct. 5, 2015.
- C. The Land described herein is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the Redevelopment Plan) as disclosed by a document.
Redevelopment Agency: The Urban Renewal Agency of the City of Wilsonville
- D. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
- E. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.
- F. Note: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.
- G. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, processing, manufacture, sale, dispensing or use of marijuana and psilocybin, the Company is not able to close or insure any transaction involving Land associated with these activities.

H. Recording Charge (Per Document) is the following:

County	First Page	Each Additional Page
Multnomah	\$86.00	\$5.00
Washington	\$81.00	\$5.00
Clackamas	\$93.00	\$5.00

Note: When possible the company will record electronically. An additional charge of \$5.00 applies to each document which is recorded electronically.

Note: Please send any documents for recording to the following address:
Portland Title Group
Attn: Recorder
1455 SW Broadway, Suite 1450
Portland, OR. 97201

I. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

J. Note: This [map/plat](#) is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

K. NOTE: IMPORTANT INFORMATION REGARDING PROPERTY TAX PAYMENTS

Fiscal Year:	July 1 st through June 30 th
Taxes become a lien on real property, but are not yet payable:	July 1 st
Taxes become certified and payable (approximately on this date):	October 15 th
First one third payment of taxes is due:	November 15 th
Second one third payment of taxes is due:	February 15 th
Final payment of taxes is due:	May 15 th

Discounts: If two thirds are paid by November 15th, a 2% discount will apply.
If the full amount of the taxes are paid by November 15th, a 3% discount will apply.

Interest: Interest accrues as of the 15th of each month based on any amount that is unpaid by the due date. No interest is charged if the minimum amount is paid according to the above mentioned payment schedule.

L. Note: If an Owner's Title Insurance Policy is requested, the State of Oregon requires every ALTA Owner's Policy (07-01-2021) to include the OTIRO 110 Endorsement as a supplement to the definition of Insured in said Owner's Policy's Conditions to confirm coverage is the same for an Oregon Registered Domestic Partner as it is for a Spouse.

EXHIBIT ONE**2021 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (07-01-2021)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions, or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed, or agreed to by the Insured Claimant;
 - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
 - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
- e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
 - a. fraudulent conveyance or fraudulent transfer;
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any reason not stated in the Covered Risk 13.b
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

**2021 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (07-01-2021)
EXCLUSIONS FROM COVERAGE**

The following matters are excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
 - i. the occupancy, use, or enjoyment of the Land;
 - ii. the character, dimensions or location of any improvement on the Land;
 - iii. the subdivision of land; or
 - iv. environmental remediation or protection;
- b. any governmental forfeiture, police, regulatory, or national security power
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
- Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
 - a. created, suffered, assumed or agreed to by the Insured Claimant;
 - b. not known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - c. resulting in no loss or damage to the Insured Claimant;
- d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
- e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
 - a. fraudulent conveyance or fraudulent transfer, or
 - b. voidable transfer under the Uniform Voidable Transactions Act; or
 - c. preferential transfer:
 - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
 - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

EXHIBIT ONE**2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- (c) resulting in no loss or damage to the Insured Claimant;
- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

**2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed or agreed to by the Insured Claimant;

- (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
- (c) resulting in no loss or damage to the Insured Claimant;
- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:

<http://www.fbi.gov>

Internet Crime Complaint Center:

<http://www.ic3.gov>

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective January 1, 2023

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to affiliated or nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to affiliated or nonaffiliated third parties with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: We are providing this notice pursuant to state law. You may be placed on our internal Do Not Call List by calling FNF Privacy at (888) 714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. For further information concerning Nevada's telephone solicitation law, you may contact: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: aginquiries@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

For Virginia Residents: For additional information about your Virginia privacy rights, please email privacy@fnf.com or call (888) 714-2710.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information; Contact Us

If you have questions or would like to correct your Personal Information, visit FNF's [Privacy Inquiry Website](#) or contact us by phone at (888) 714-2710, by email at privacy@fnf.com, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

1536

AFTER RECORDING RETURN TO:
West Linn/Wilsonville Sch. Dist

PO Box 35
West Linn OR 97068

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

PO Box 35
West Linn OR 97068

Escrow No: 4200-27182-SB
Order No: 201430

WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

201430
CHICAGO TITLE INSURANCE COMPANY

THOMAS C. SCOTT and CHARLOTTE F. SCOTT, Trustees, Thomas C. Scott Trust u/a/d February 11, 1994, an one-half undivided interest; and CHARLOTTE F. SCOTT and THOMAS C. SCOTT, Trustees, Charlotte F. Scott Trust u/a/d February 11, 1994 an one-half undivided interest, as tenants in common

Grantor, conveys and warrants to Clackamas County School District 3, West Linn-Wilsonville School District 3JT

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

(Continued)

This instrument will 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 approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

ENCUMBRANCES:

Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of an unnamed creek. (Affects Parcel II)

(Continued)

The true consideration for this conveyance is \$1,225,000.00 a portion of which will be paid to an accommodator as part of a 1031 tax deferred exchange.

Dated May 20, 1999; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Thomas C. Scott, TRUSTEE
Thomas C. Scott, Trustee of the Thomas C. Scott Trust

Charlotte F. Scott, Trustee
Charlotte F. Scott, Trustee of the Thomas C. Scott Trust

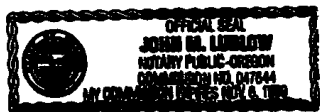
Thomas C. Scott, TRUSTEE
Thomas C. Scott, Trustee of the Charlotte F. Scott Trust

Charlotte F. Scott, Trustee
Charlotte F. Scott, Trustee of the Charlotte F. Scott Trust

99-052396

STATE OF OREGON, County of Clackamas) ss.
This instrument was acknowledged before me on May 20, 19 99
by Thomas C. & Charlotte F. Scott, Trustees
This instrument was acknowledged before me on May 20, 19 99
by Thomas C. & Charlotte F. Scott, Trustees as _____
of _____

[Signature]
Notary Public for Oregon
My commission expires: Nov. 6, 1999



Order No: 201430

LEGAL DESCRIPTION**PARCEL I:**

A tract of land situated in the Southeast one-quarter of Section 12, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at a stone in a monument box at the Southeast corner of said Section 12; thence tracing the South line of said Section 12 and the centerline of Boeckman Road South 89°46'58" West 1,519.10 feet; thence North 0°02'40" East 30.00 feet to a 5/8" iron rod on the North right-of-way line of Boeckman Road and the true point of beginning of this description; thence continuing North 0°02'40" East 828.00 feet to a 5/8" iron rod; thence South 89°46'58" West 511.16 feet; thence South 0°02'40" West 828.00 feet to the North right-of-way line of said Boeckman Road; thence along said North right-of-way line North 89°46'58" East 511.16 feet to the true point of beginning.

Bearings in this description are based on 'LP 064' (Clackamas County Restoration Survey).

PARCEL II:

A tract of land situated in the Southeast one-quarter of Section 12, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

BEGINNING at stone in monument box at the Southeast corner of said Section 12; thence tracing the South line of said Section 12 and the center line of Boeckman Road South 89°46'58" West 925.63 feet to the Southwest corner of a tract of land conveyed by Theodore C. Hopper to Walter O. and Doris A. Wehler recorded as Recorder's Fee No. 73-35929, Clackamas County Records (found 5/8-inch iron rod bears North 00°02'40" East 30.21 feet); thence continuing South 89°46'58" West 33.00 feet; thence North 00°02'40" East (parallel to the East line of the Southeast one-quarter of said Section 12) 30.00 feet to a point on the North right-of-way line of Boeckman Road (5/8-inch iron rod set by L. S. 475 bears South 63° East 0.13 feet); thence continuing North 00°02'40" East along the West line of a tract of land described in Warranty Deed from James A. Hathaway to Dale I. Kreilkamp, recorded as Recorder's Fee No. 86-01354, Clackamas County Records, North 00°02'40" East 422.00 feet to the true point of beginning of this description; thence South 89°46'58" West 540.47 feet; thence South 00°20'40" West 422.00 feet to a point on the North right-of-way line of said Boeckman Road (30.00 feet North of center line); thence tracing said North line South 89°46'58" West 20.00 feet; thence North 00°02'40" East 828.00 feet to a point on the South line of a tract of land described in Warranty Deed from Hubert Hutchcroft and Gladys B. Hutchcroft to Robert Coats, recorded in Book 641, Page 199, June 9, 1964, Clackamas County Deed Records; thence along said South line and also the South line of a tract of land conveyed by Berry K. Fuller and Stanley Kruse, co-executors of the estate of Mary W. Kruse to Ernest R. and Pauline V. Russel, recorded as Recorder's Fee No. 74-5153, Clackamas County Records, North 89°46'58" East 560.47 feet to the Northwest corner of the Kreilkamp Tract described in said Recorder's Fee No. 86-01354, Clackamas County Records; thence along the West line of said Kreilkamp Tract South 00°02'40" West 406.00 feet to the true point of beginning of this description. Bearings in this description are based on 'LP 064' (Clackamas County Restoration Survey).

EXCEPTING THEREFROM that portion thereof contained in Deed to Louie M. Pike, et ux, recorded February 9, 1989, Recorder's Fee No. 89 06039, Clackamas County Records.

Encumbrances, continued

An easement created by instrument, including terms and provisions thereof;

Dated: July 6, 1907
Recorded: July 8, 1907
Book: 99
Page: 520
In Favor Of: Portland Railway, Light and Power Company
For: Transmission lines
Affects: The Southerly portion

An easement created by instrument, including terms and provisions thereof;

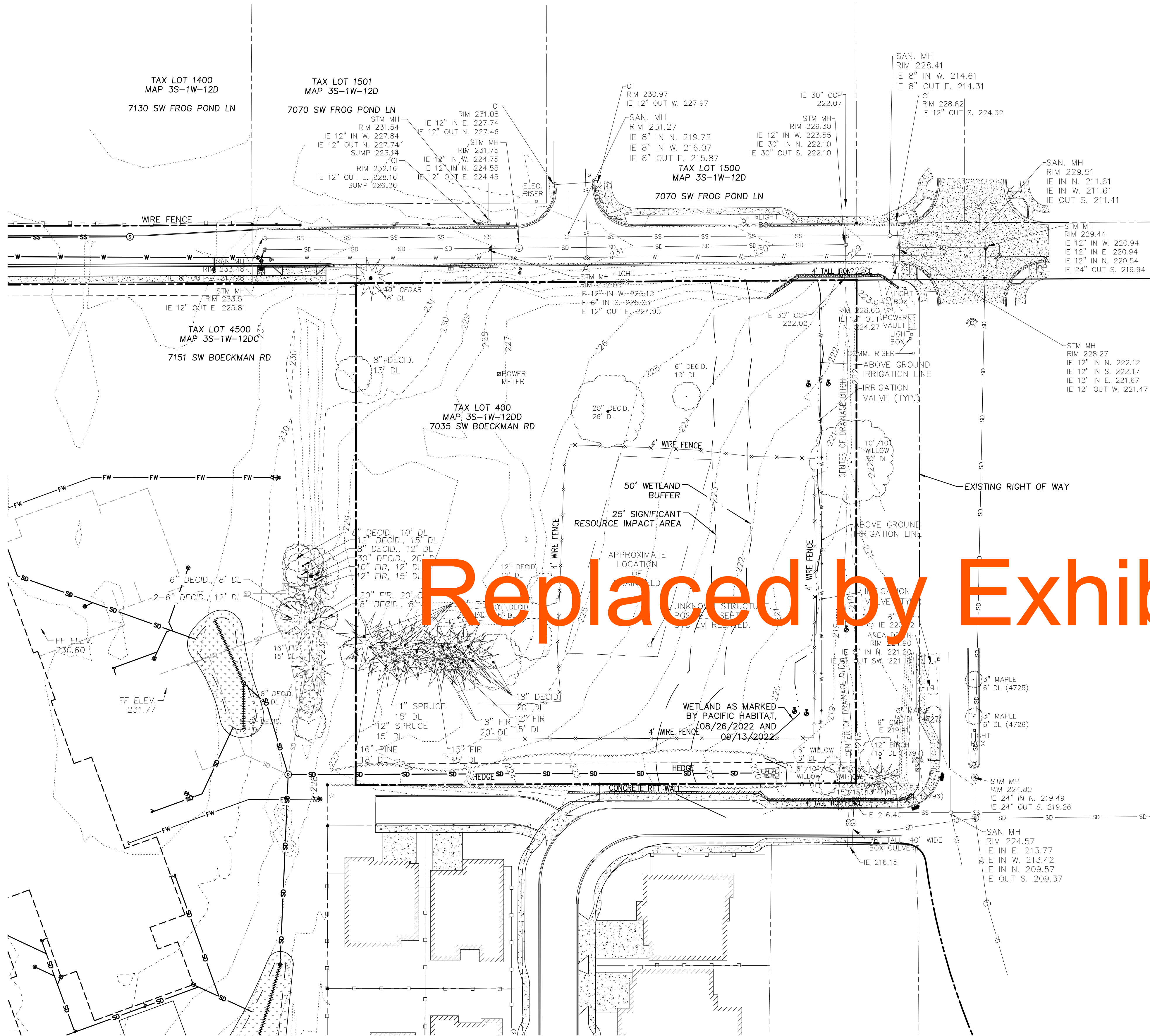
Dated: July 6, 1907
Recorded: July 8, 1907
Book: 99
Page: 520
In Favor Of: Portland Railway, Light and Power Company
For: Tree trimming and removal
Affects: The Southerly portion

An easement created by instrument, including terms and provisions thereof;

Dated: July 23, 1913
Recorded: October 1, 1913
Book: 5
Page: 455, Miscellaneous Records
In Favor Of: The Pacific Telephone and Telegraph Company
For: Poles and wires
Affects: Exact location not disclosed

3

STATE OF OREGON 99-052398
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 63878 925.00
DATE AND TIME: 05/24/99 01:52 PM
JOHN KAUFFMAN, COUNTY CLERK



EXISTING LEGEND

---	PROPERTY LINE	⊙	STORM MANHOLE
- - - -	EASEMENT LINE	□	CATCH BASIN
SD	STORM LINE	○	CLEANOUT/ROOF DRAIN
SS	SEWER LINE	○	SEWER MANHOLE
W	WATER LINE	⊗	FIRE HYDRANT
G	GAS LINE	⊕	WATER METER
UGP	UNDERGROUND POWER LINE	⊗	WATER VALVE
OHP	OVERHEAD POWER LINE	⊕	GAS METER
T	COMMUNICATIONS LINE	⊕	GAS VALVE
□	FENCE	□	ELECTRICAL VAULT/BOX
XX0	MAJOR CONTOUR	⊙	LIGHT POLE
XX1	MINOR CONTOUR	○	UTILITY POLE
- - - -	EDGE OF BRUSH	→	UTILITY POLE ANCHOR
---	CURB	⊕	SIGN
---	EXTG BUILDING	⊕	MAILBOX
---	BUILDING EAVE	⊕	CONIFEROUS TREE
---	WALL	⊕	DECIDUOUS TREE
---	ASPHALT	⊕	SEPTIC TANK
---	CONCRETE		
---	GRAVEL PATH		

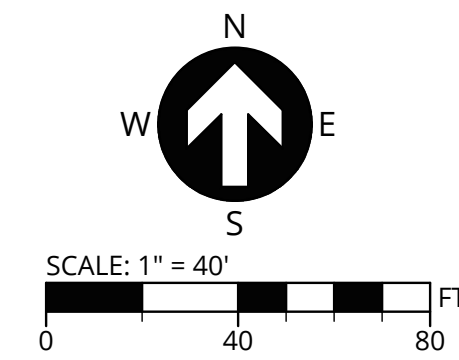
EXISTING CONDITIONS PLAN

THIS PLAN HAS BEEN PREPARED FOR ILLUSTRATIVE PURPOSES ONLY. SITE BACKGROUND INFORMATION AND FEATURES HAVE BEEN GENERATED FROM A COMBINATION OF PUBLIC GIS DATA SOURCES, AERIAL PHOTOS, TAX ASSESSOR MAPS, PHYSICAL SITE OBSERVATIONS AND A TOPOGRAPHIC MAP PROVIDED BY COMPASS LAND SURVEYORS. PROPOSED SITE FEATURES ARE PRELIMINARY IN NATURE AND SUBJECT TO CHANGE. NO WARRANTY OR GUARANTEE IS EXPRESSED OR IMPLIED.

SURVEYORS' NOTES

- VERTICAL DATUM IS 1988 OREGON REAL TIME GNSS NETWORK (ORGN).
- HORIZONTAL DATUM IS OREGON COORDINATE REFERENCE SYSTEM, PORTLAND ZONE, BASED UPON OBSERVATIONS TIED TO THE OREGON REAL TIME GNSS NETWORK (ORGN) NAD '88 (2011) EPOCH 2010.00.
- UTILITY INFORMATION SHOWN ON THIS MAP IS BASED UPON OBSERVED FEATURES AND UTILITY LOCATES. NO WARRANTIES ARE MADE REGARDING THE ACCURACY OR COMPLETENESS OF THE UTILITY INFORMATION SHOWN. ADDITIONAL UTILITIES MAY EXIST. INTERESTED PARTIES ARE HEREBY ADVISED THAT UTILITY LOCATIONS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION OF ANY CRITICAL ITEMS.
- CONTOUR INTERVAL IS ONE FOOT.
- TOPOGRAPHIC FEATURES SHOWN ON THIS MAP WERE LOCATED USING STANDARD PRECISION TOPOGRAPHIC MAPPING PROCEDURES. THIRD PARTY USERS OF DATA FROM THIS MAP PROVIDED VIA AUTOCAD DRAWING FILES OR DATA EXCHANGE FILES SHOULD NOT RELY ON ANY AUTOCAD GENERATED INFORMATION WHICH IS BEYOND THE LIMITS OF PRECISION OF THIS MAP. THIRD PARTIES USING DATA FROM THIS MAP IN AN AUTOCAD FORMAT SHOULD VERIFY ANY ELEMENTS REQUIRING PRECISE LOCATIONS PRIOR TO COMMENCEMENT OF ANY CRITICAL DESIGN OR CONSTRUCTION. CONTACT COMPASS LAND SURVEYORS FOR FURTHER INFORMATION. FURTHERMORE, COMPASS LAND SURVEYORS WILL NOT BE RESPONSIBLE NOR HELD LIABLE FOR ANY DESIGN OR CONSTRUCTION RELATED PROBLEMS THAT ARISE OUT OF THIRD PARTY USAGE OF THIS MAP (IN AUTOCAD OR OTHER FORMAT) FOR ANY PURPOSE OTHER THAN SPECIFICALLY STATED HEREIN. THIS STATEMENT IS AN OFFICIAL PART OF THIS MAP.
- PUBLIC UTILITIES NOTIFIED BY OREGON UTILITY NOTIFICATION CENTER TICKET NUMBER 20041523:

CLACKAMAS COUNTY D.O.T.	503-722-6301
CLACKAMAS COUNTY D.O.T.-CBX	503-722-6663
COMCAST	800-778-9140
FRONTIER	800-778-9140
NW NATURAL	503-220-2415
PORTLAND GENERAL ELECTRIC	503-255-4634
CENTURYLINK	800-778-9140
360 NETWORKS USA	888-267-1063



Mayer/Reed

Mayer/Reed, Inc.
319 SW Washington St.
Suite 820
Portland, Oregon 97204
503.223.5953
www.mayerreed.com



9600 SW NIMBUS AVE., SUITE 100; BEAVERTON, OR 97008



Revisions

Submittal / Date
Land Use Permit
03.28.2024

Project
FROG POND
NEIGHBORHOOD PARK

Sheet Title
EXISTING CONDITIONS
PLAN

Sheet No.
G0.01

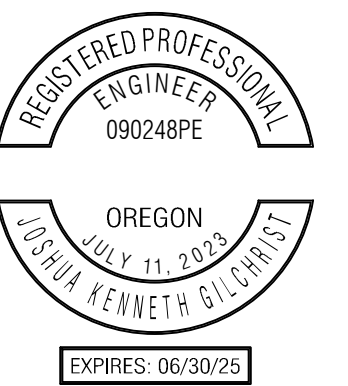


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Revisions

Submittal / Date

Land Use Permit

03.28.2024

Project

FROG POND
NEIGHBORHOOD PARK

Sheet Title

EROSION AND SEDIMENT
CONTROL PLAN

Sheet No.

C1.20

LEGEND

- - - 230 - - - EXISTING MAJOR CONTOUR
- 231 EXISTING MINOR CONTOUR
- 230 ——— PROPOSED MAJOR CONTOUR
- 231 ——— PROPOSED MINOR CONTOUR
- X — PROPOSED SILT FENCE
- PROPOSED INLET PROTECTION
- EXISTING GRADE SURFACE
RUN-OFF FLOW ARROW
- ▨ CONSTRUCTION ENTRANCE
- — — — — LIMITS OF DISTURBANCE

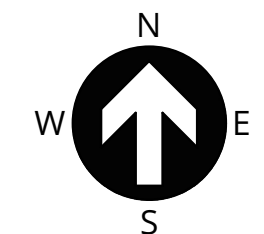
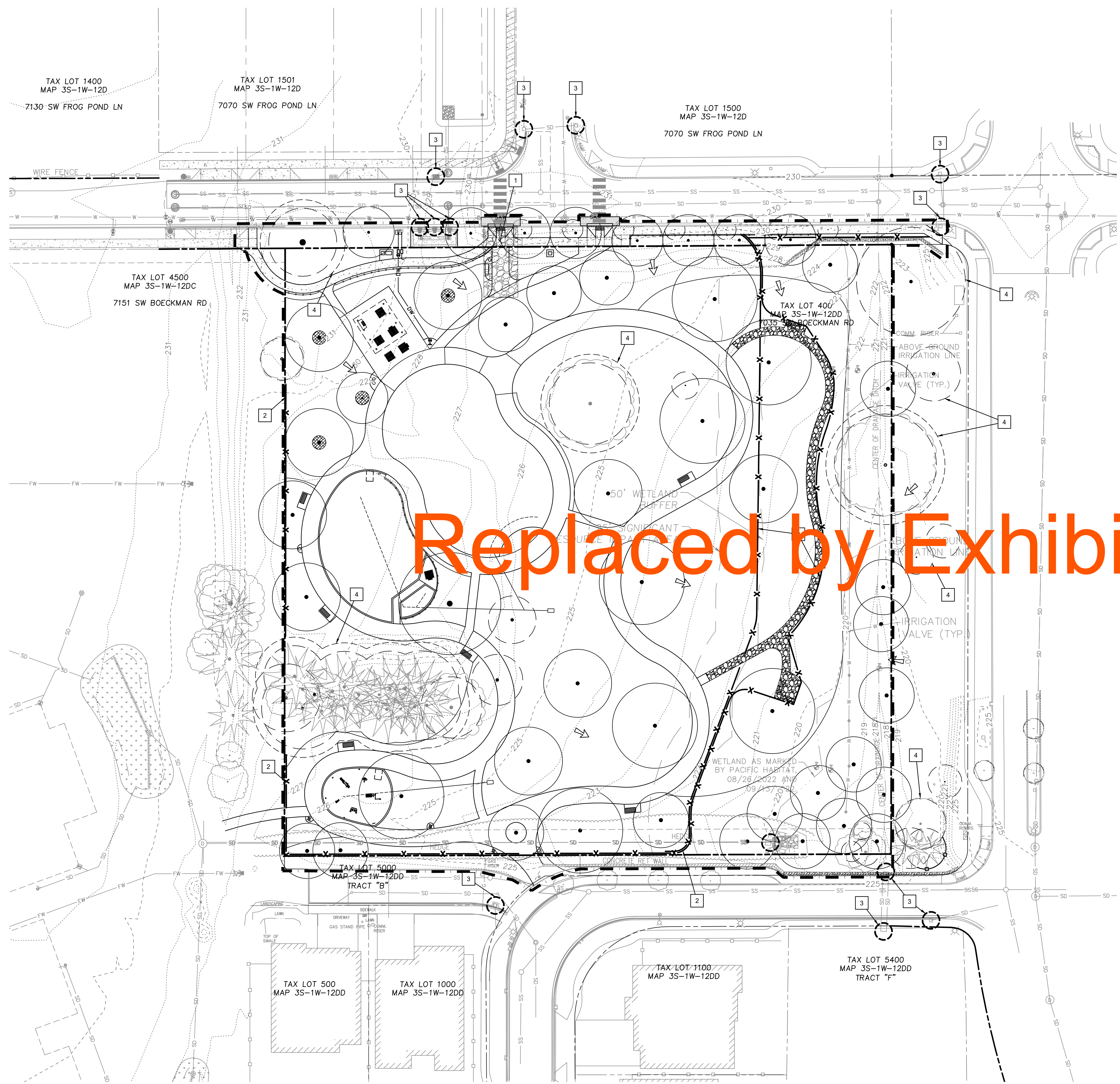
EROSION CONTROL KEY NOTES

- 1 CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE AT LOCATION SHOWN.
- 2 INSTALL SILT FENCING AT LOCATION SHOWN. MAINTAIN THROUGHOUT CONSTRUCTION.
- 3 INSTALL INLET PROTECTION AT LOCATION SHOWN. MAINTAIN THROUGHOUT CONSTRUCTION.
- 4 SEE LANDSCAPE PLANS FOR TREE PRESERVATION INFORMATION.

GENERAL NOTES

1. MAINTAIN FENCING AT WETLAND BUFFER WHILE NOT CONSTRUCTING PROPOSED PATH WITHIN BUFFER LIMITS.

Replaced by Exhibit B3



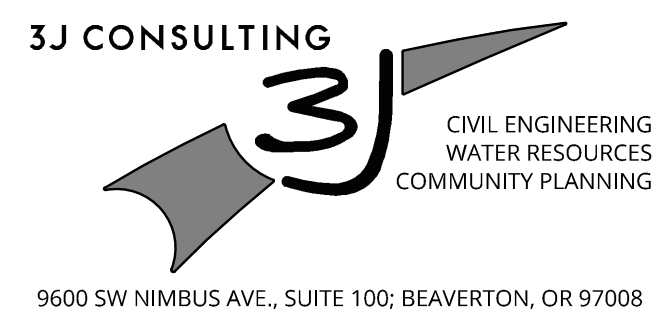
SCALE: 1" = 30'
0 30 60 FT



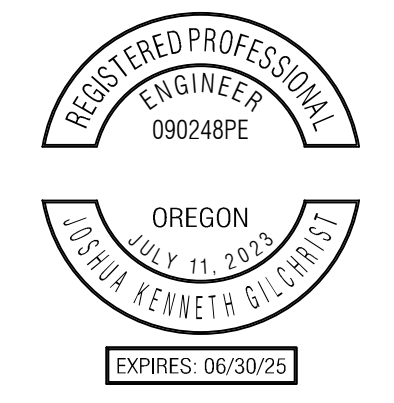


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Suite 820
Portland, Oregon 97204
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www.mayerreed.com



9600 SW NIMBUS AVE., SUITE 100; BEAVERTON, OR 97008



CONSTRUCTION KEY NOTES

- 1 CONSTRUCT SIDEWALK PER CITY OF WILSONVILLE STD. DWG. RD-1075 ON SHEET C760.
- 2 CONNECT TO EXISTING SIDEWALK.
- 3 CONSTRUCT PERPENDICULAR SIDEWALK RAMP PER CITY OF WILSONVILLE STD. DWGS. RD-1115 ON SHEET C760 USING REINFORCED CONCRETE RATED FOR VEHICLE TRAFFIC. FOR GRADING DETAILS, SEE SHEET C752. INSTALL DETECTABLE WARNING SURFACE PER CITY OF WILSONVILLE STD. DWG. RD-1125 ON SHEET C761.
- 4 INSTALL CONTINENTAL CROSSWALK PAVEMENT MARKING PER CITY OF WILSONVILLE STD. DWG. RD-1280, 140 LF.

WATER SYSTEM KEY NOTES

- 1 EXISTING WATER LINE. SHOWN FOR REFERENCE ONLY.
- 2 EXISTING METER BOX AND LID. SHOWN FOR REFERENCE ONLY.
- 3 INSTALL 1" IRRIGATION DOUBLE CHECK VALVE ASSEMBLY PER CITY OF WILSONVILLE STD. DWG. WT-3035 AND WT-3037 ON SHEET CXXX.
- 4 INSTALL MDF DRINKING FOUNTAIN MODEL 10145SM WITH PET FOUNTAIN PER DETAIL X ON SHEET CXXX WITH SUMP FOR DRAIN PIPE.
- 5 INSTALL SINGLE CHECK BACKFLOW ASSEMBLY AT LOCATION SHOWN.
- 6 INSTALL SHUT OFF VALVE.
- 7 INSTALL DRAIN VALVE FOR WINTERIZATION.

FRANCHISE UTILITIES

- 1 RELOCATE EXISTING LIGHT BOX

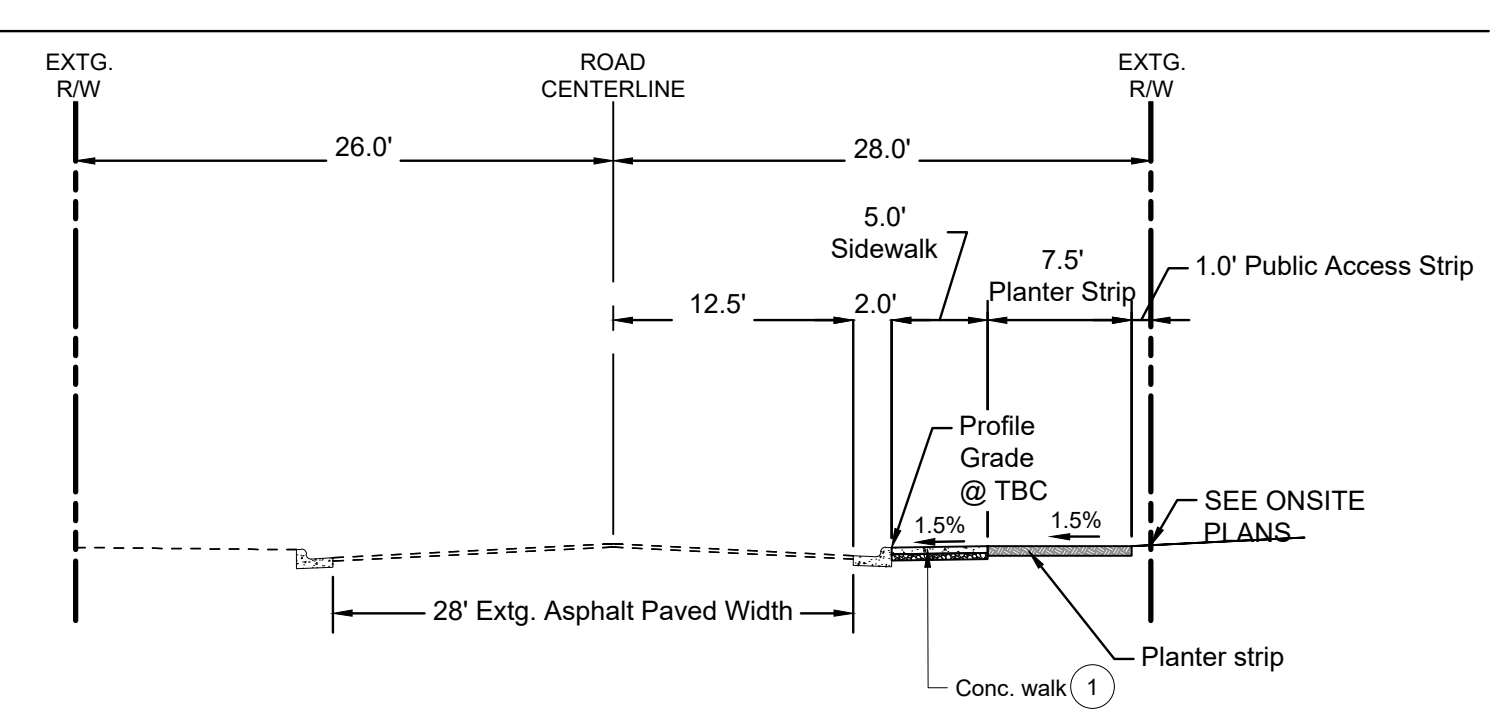
Revisions

Submittal / Date
Land Use Permit
03.28.2024

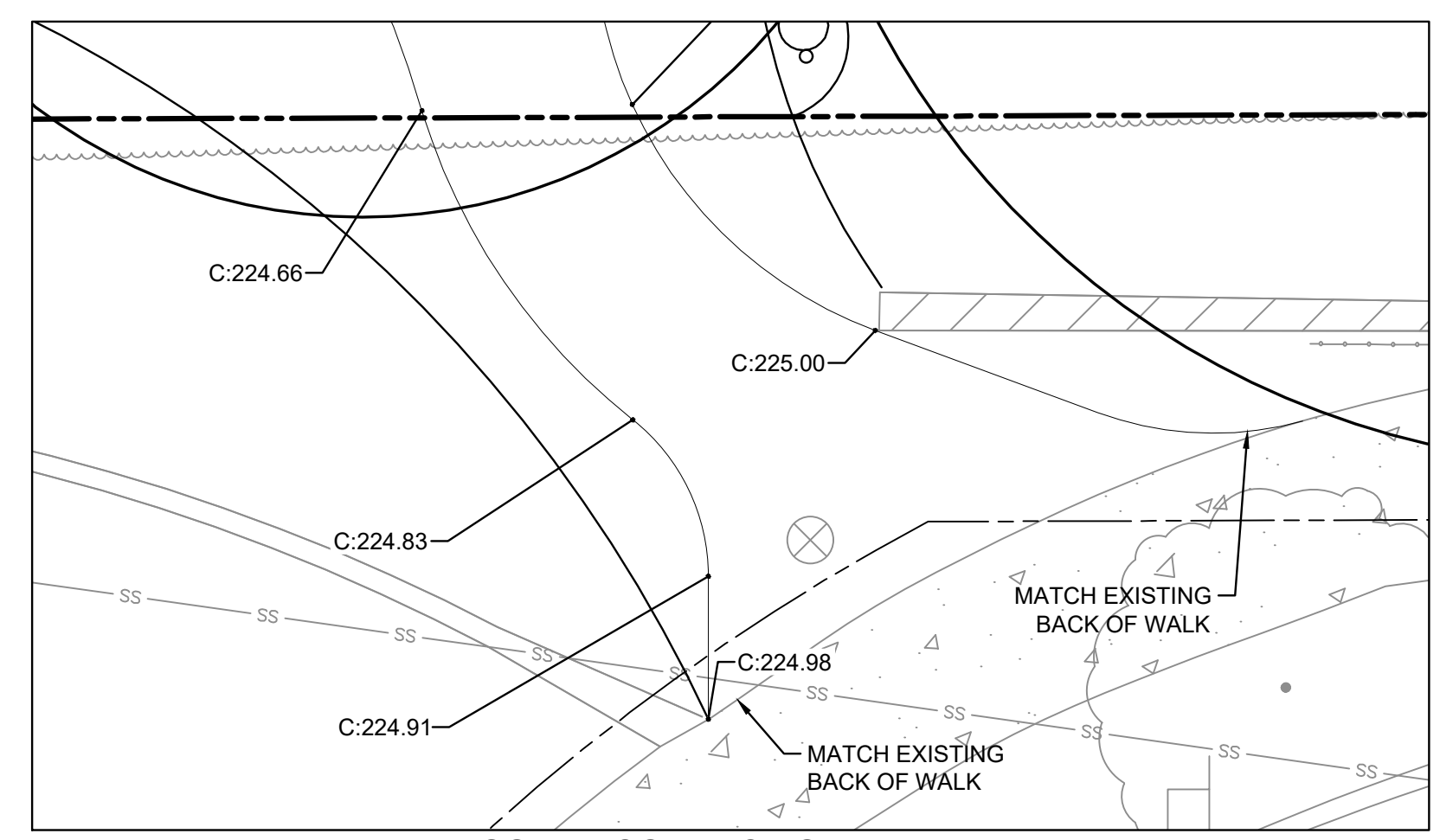
Project
FROG POND
NEIGHBORHOOD PARK

Sheet Title
BRISBAND PLAN AND
PROFILE

Sheet No.
C7.20



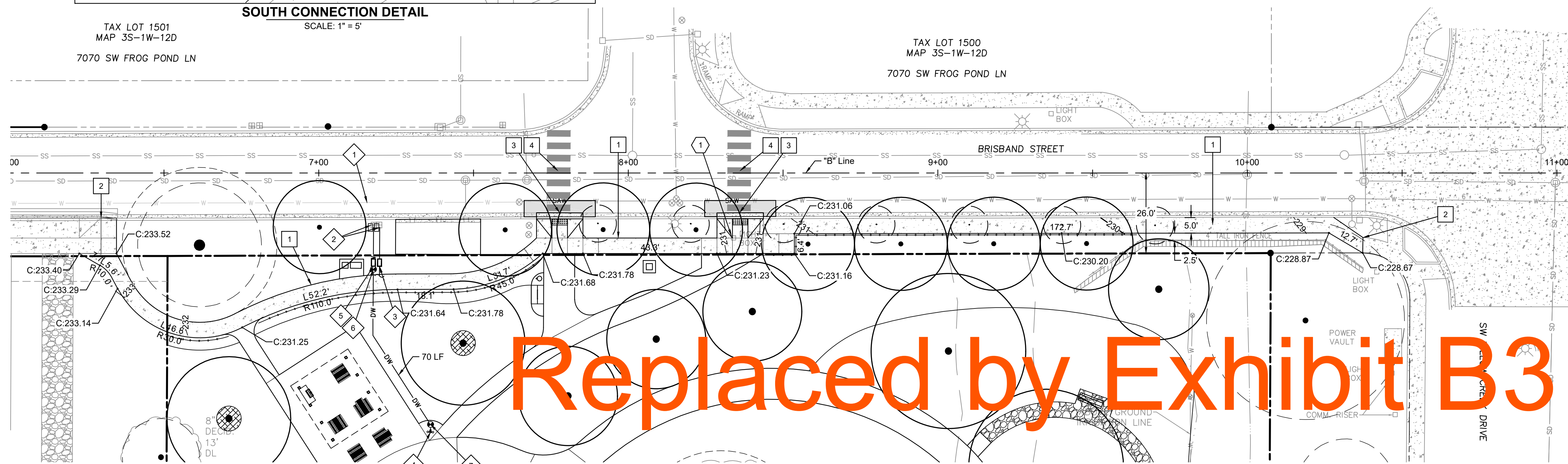
SW BRISBAND STREET - STA: 7+60.0 - 10+50.0
CLASSIFICATION: LOCAL STREET



SOUTH CONNECTION DETAIL
SCALE: 1" = 5'

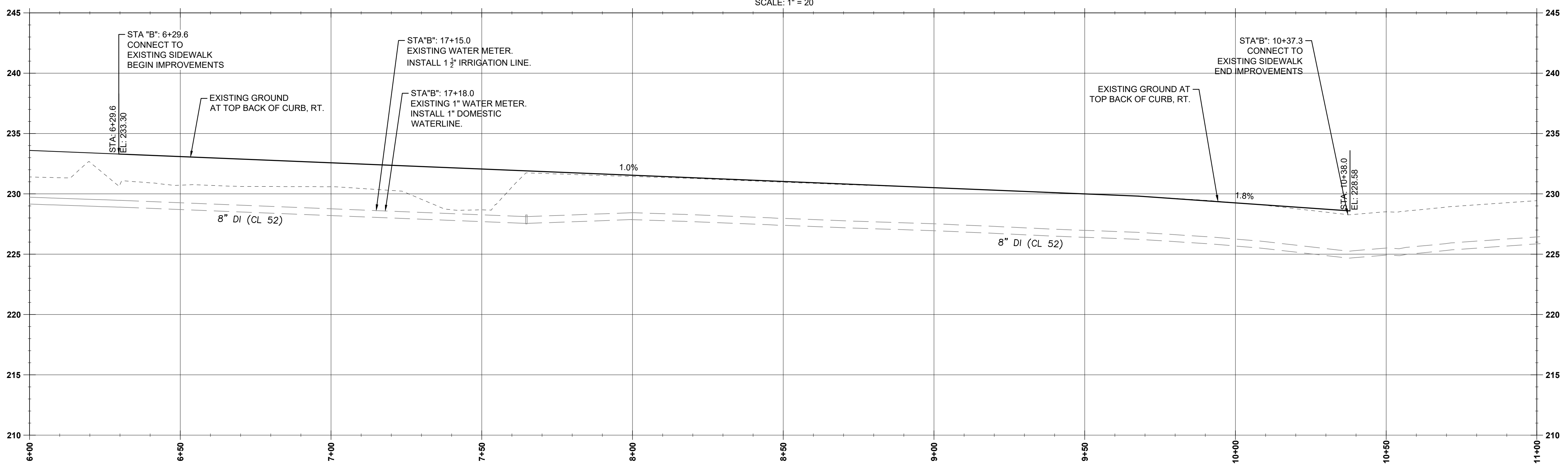
TAX LOT 1501
MAP 3S-1W-12D
7070 SW FROG POND LN

TAX LOT 1500
MAP 3S-1W-12D
7070 SW FROG POND LN

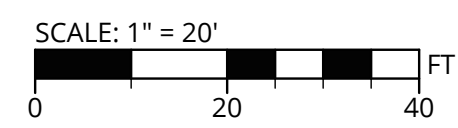
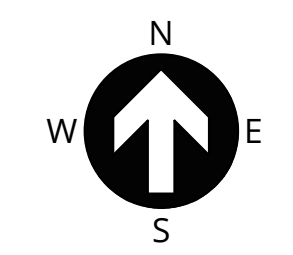


BRISBAND STREET
PLAN VIEW
SCALE: 1" = 20'

Replaced by Exhibit B3



BRISBAND STREET
"B" PROFILE
HORIZ. SCALE: 1" = 20'
VERT. SCALE: 1" = 5'

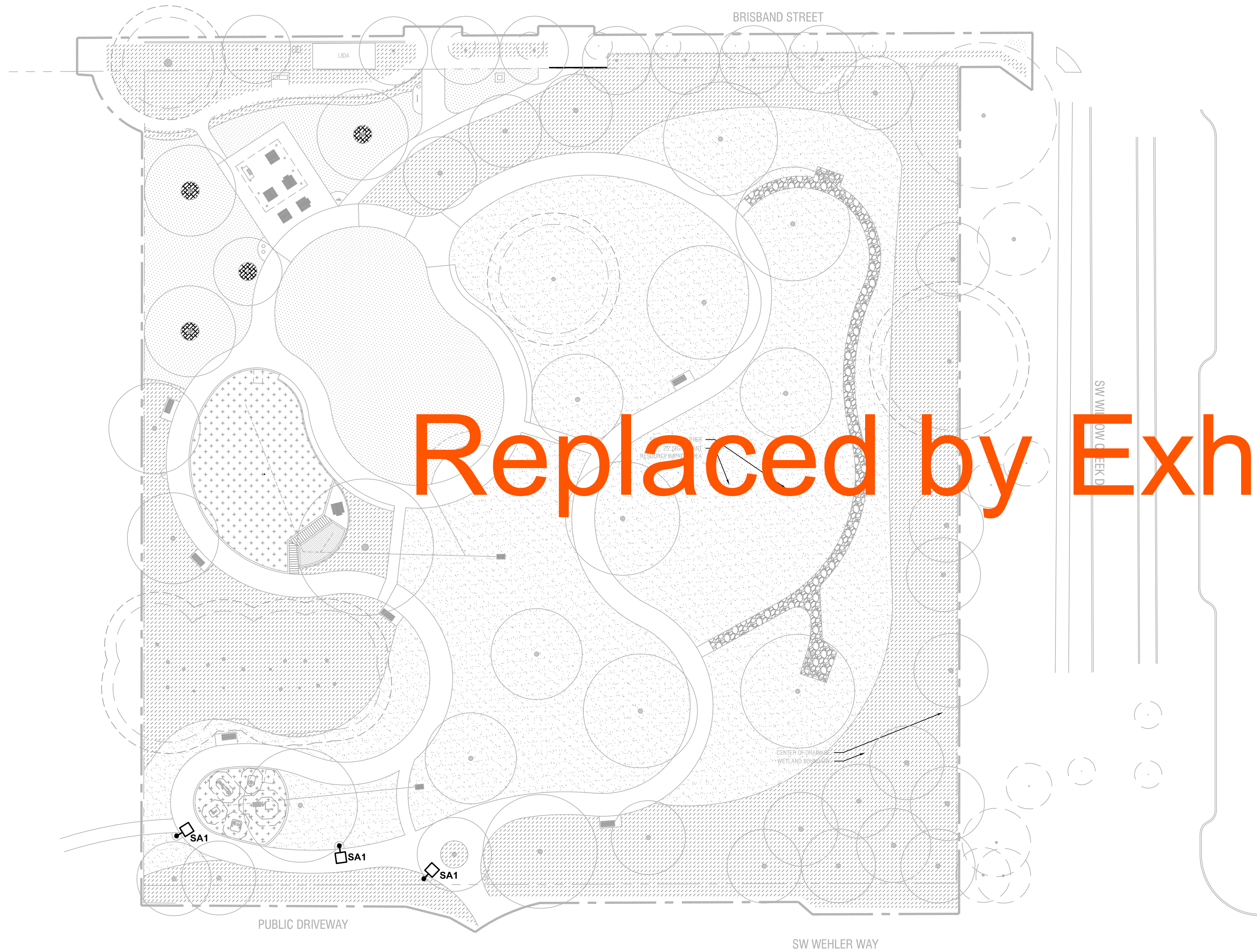




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LUMINAIRE SCHEDULE							
TAG	DESCRIPTION	MANUFACTURER	MODEL	CRI / CCT	LUMENS	WATTAGE	NOTES
SA1	POLE MOUNTED TYPE 2 DIST.	HADCO BY SIGNIFY	CXF14-32-GE-T-'TBD'-2-730-A-'TBD'-N-SP1-N	90 CRI / 3000K	134/W	35W	10' MOUNTING HEIGHT



Replaced by Exhibit B3

SHEET NOTES

- A. NEW PARK LIGHTING SYSTEMS ARE TO BE PROVIDED WITH STAND ALONE POLE MOUNTED SOLAR AND BATTERY SYSTEMS AT EACH FIXTURE. LIGHTING SOLAR POWER SYSTEM TO BE DESIGNED AND PROVIDED BY THE LIGHTING MANUFACTURER - HADCO, AS AN ENGINEERED TO ORDER SYSTEM.
- B. ALL LIGHTING SYSTEM WILL BE HAVE STAND ALONE LIGHTING CONTROLS VIA PHOTOCELL FOR ON/OFF OPERATION.
- C. LIGHTING POLES AND POLE BASES SHALL BE DESIGNED FOR THE ADDITIONAL WIND AND WEIGHT LOADING ASSOCIATED WITH THE POLE MOUNTED SOLAR PANEL, CONTROLLER AND BATTERY SYSTEM BY A REGISTER STRUCTURAL ENGINEER IN COORDINATION WITH THE LIGHTING MANUFACTURER DESIGNING THE SOLAR POWER SYSTEM.

KEYED NOTES

- 1. BASIS OF DESIGN FOR LIGHT POLE - PEDESTAL POLE PER CITY OF WILSONVILLE STANDARD - 'SA1; MODEL NUMBER 'CXF14-32-GE-T-'TBD'-2-730-A-'TBD'-N-SP1-N - QUANTITIES AND LOCATIONS ARE APPROXIMATE. REFER TO SHEET E1.01 PHOTOMETRICS FOR SA1 PROPOSED LOCATIONS.

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Revisions

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Project

FROG POND NEIGHBORHOOD PARK

Sheet Title

LIGHTING PLAN

Sheet No.

E1.00 196



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FROG POND
NEIGHBORHOOD PARK

Sheet Title

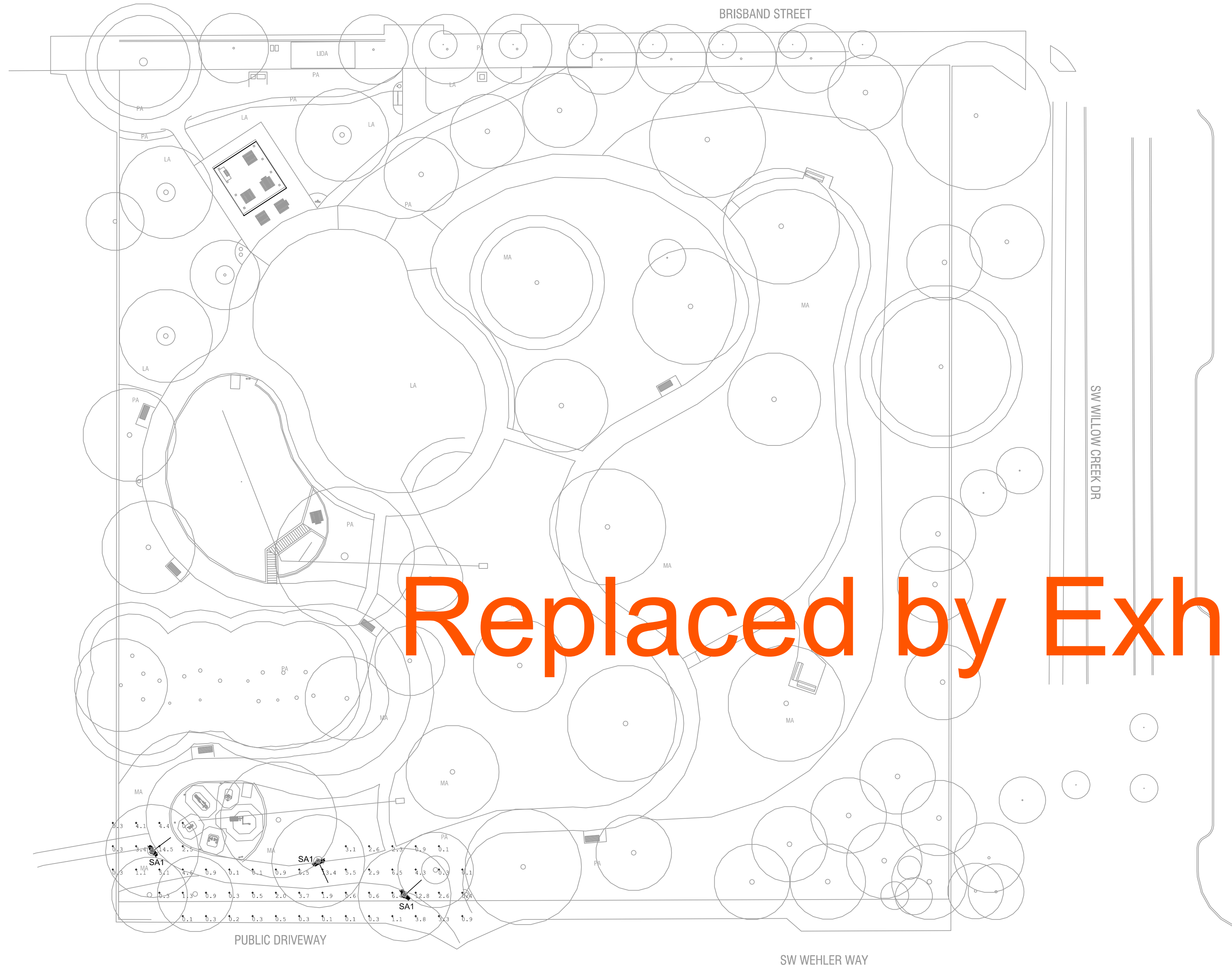
LIGHTING
PHOTOMETRIC PLAN

Sheet No.

E1.01 197

SHEET NOTES

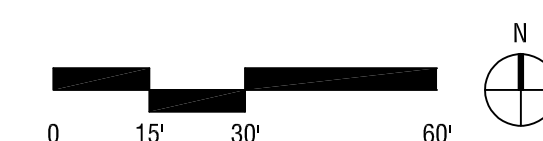
A. PHOTOMETRICS PROVIDED FOR
LANDUSE REVIEW.



Replaced by Exhibit B3

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CalcPts_1	Illuminance	Fc	2.45	14.5	0.1	24.50	145.00

Luminaire Schedule						
Symbol	Qty	Tag	Luminaire Lumens	Luminaire Watts	LLF	Total Watts
⊙	3	SA1	4715	35.2	1.000	105.6





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FROG POND NEIGHBORHOOD PARK

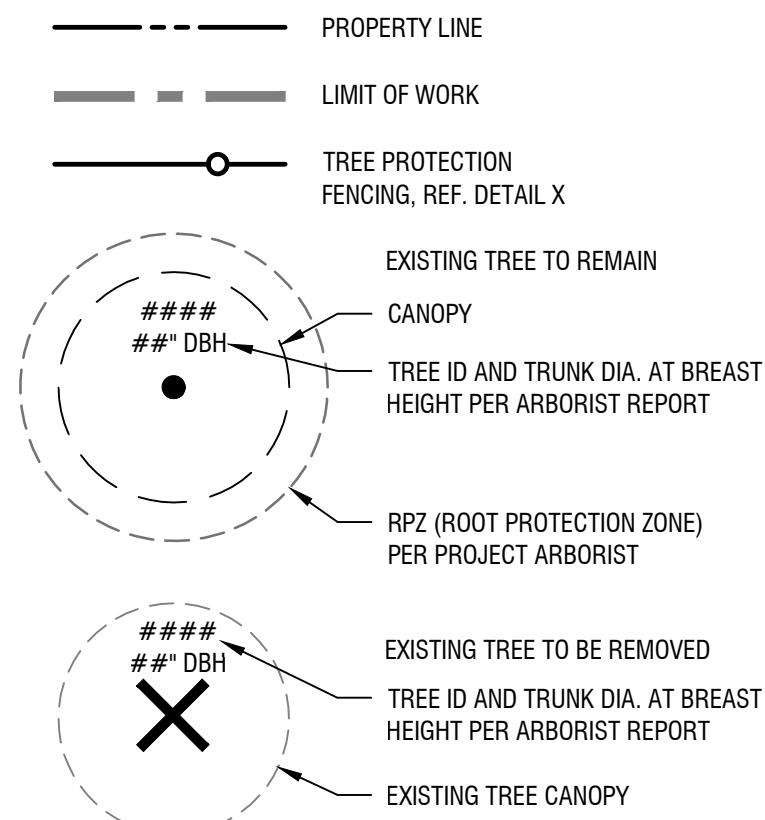
Sheet Title

TREE PROTECTION AND REMOVAL PLAN

Sheet No.

L0.02

TREE PROTECTION AND REMOVAL LEGEND



TREE REMOVAL NOTES

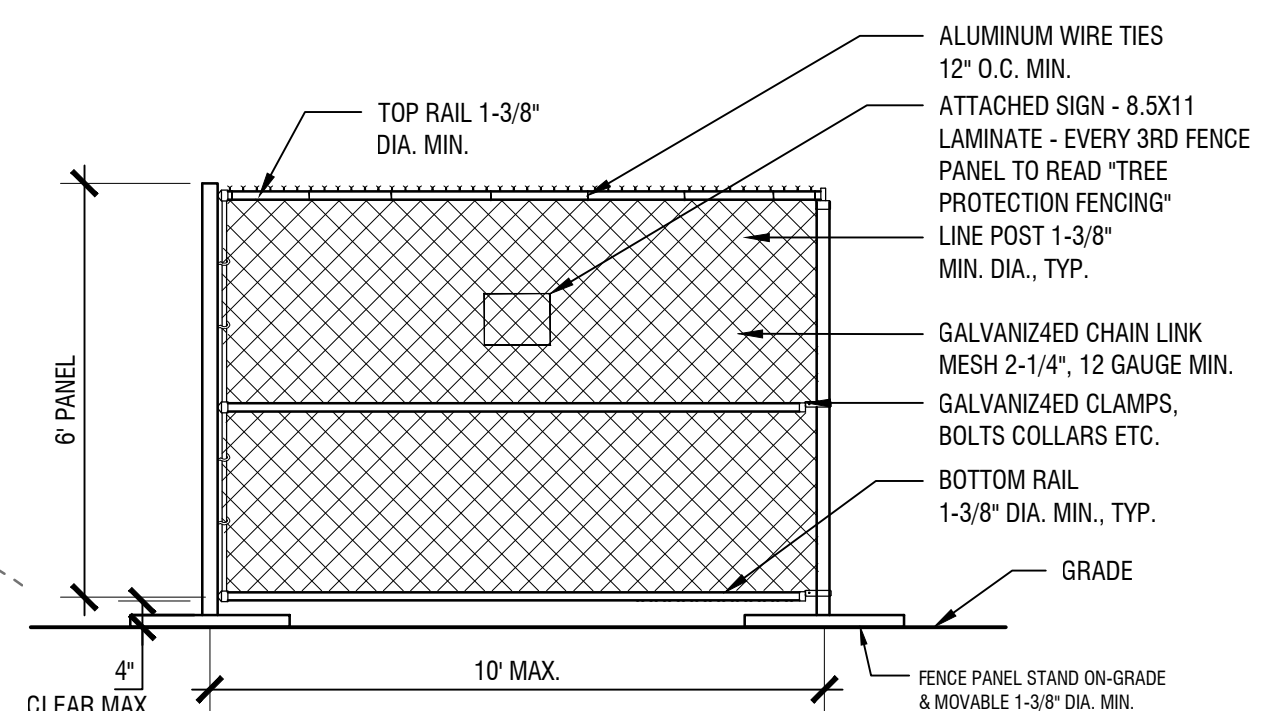
- PROTECT ALL TREES INDICATED TO REMAIN, INCLUDING BARK AND ROOT ZONES. INSTALL PROTECTIVE FENCING WHERE INDICATED ON THE TREE PROTECTION PLAN. PROTECTIVE BARRIERS SHALL BE PLACED BEFORE PHYSICAL DEVELOPMENT STARTS AND SHALL STAY IN PLACE UNTIL AFTER PLANNING OFFICIAL AUTHORIZES THEIR REMOVAL OR A FINAL CERTIFICATE OF OCCUPANCY IS ISSUED, WHICHEVER OCCURS FIRST.
- TREE PROTECTION FENCING SHALL BE CHAIN LINK, MINIMUM OF 6' HEIGHT, SECURED WITH STEEL POSTS, INSTALLED 5' BEYOND THE EDGE OF THE ROOT ZONE OR AS INDICATED ON THE TREE REMOVAL AND PROTECTION PLAN.
- EXCAVATION WITHIN THE TREE PROTECTION ZONE WILL BE PERFORMED USING ONLY NON-MOTORIZED HANDHELD TOOLS AND SHALL BE THE MINIMUM NECESSARY TO ACCOMPLISH THE PURPOSE FOR THE EXCAVATION AND TO ENSURE LONG-TERM SURVIVAL OF THE TREE.
- TREE PROTECTION FENCING SHALL BE FLUSH WITH THE INITIAL UNDISTURBED GRADE.
- APPROVED SIGNS SHALL BE ATTACHED TO PROTECTION FENCING, AND VISIBLY STATING THAT INSIDE THE FENCING IS A TREE PROTECTION ZONE, NOT TO BE DISTURBED UNLESS PRIOR APPROVAL HAS BEEN OBTAINED FROM THE COUNTY MANAGER.
- NO CONSTRUCTION ACTIVITY SHALL OCCUR WITHIN THE TREE PROTECTION ZONE, INCLUDING, BUT NOT LIMITED TO DUMPING OR STORAGE OF MATERIALS SUCH AS BUILDING SUPPLIES, SOIL, WASTE ITEMS, OR PARKED VEHICLES AND EQUIPMENT.
- THE TREE PROTECTION ZONE SHALL REMAIN FREE OF CHEMICALLY INJURIOUS MATERIALS AND LIQUIDS SUCH AS PAINTS, THINNERS, CLEANING SOLUTIONS, PETROLEUM PRODUCTS, AND CONCRETE. CURB WALL EXCESS, CONSTRUCTION DEBRIS, OR RUNOFF.
- NO EXCAVATION, TRENCHING, GRADING, ROOT PRUNING OR OTHER ACTIVITY SHALL OCCUR WITHIN THE TREE PROTECTION ZONE UNLESS DIRECTED BY AN ARBORIST PRESENT ON SITE AND APPROVED BY THE CITY MANAGER.
- NO FILL OR COMPACTION SHALL OCCUR WITHIN THE CRITICAL ROOT ZONES OF ANY OF THE TREES. IF COMPACTION IS UNAVOIDABLE, MEASURES SHALL BE TAKEN AS RECOMMENDED BY A CERTIFIED ARBORIST TO REDUCE OR MITIGATE THE IMPACT OF THE FILL OR COMPACTION.
- CONTRACTOR TO GIVE OWNER 30 DAYS NOTICE PRIOR TO REMOVAL OF PLANTS TO BE RELOCATED.

VEGETATION REMOVAL NOTES

- FOR THE PURPOSES OF THESE NOTES, VEGETATION IS DEFINED AS ALL PLANTS NOT INCLUDING TREES.
- CLEAR AND GRUB ALL SITE VEGETATION, BOUNDARIES:
 - NORTH: BACK OF CURB
 - EAST: END OF MEADOW AREA (W/ W/ OWNER), DO NOT REMOVE NEWLY PLANTED WETLAND PLANTS.
 - SOUTH: FACE OF RETAINING WALL OR PUBLIC DRIVEWAY CURB
 - WEST: PROPERTY LINE

MITIGATION REQUIREMENTS

PER 4.600, (9) TREES OF 6" CALIPER OR GREATER WILL BE REMOVED. A MINIMUM OF (9) MITIGATION TREES OF 2" DBH OR GREATER WILL BE PLANTED.

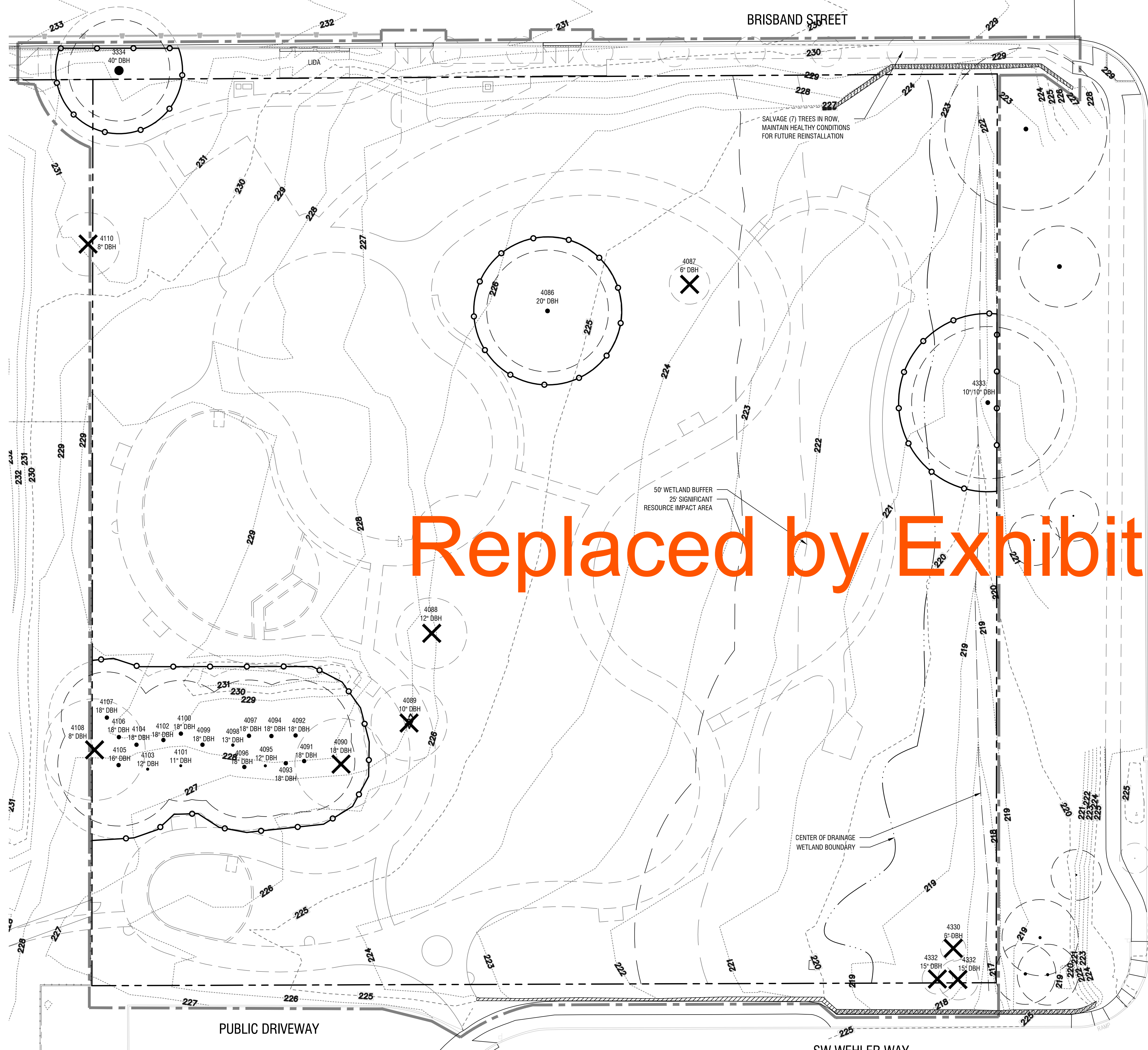


NOTES:

- LOCATE FENCING PER TREE PROTECTION PLAN AND SPECIFICATIONS.
- EXISTING FENCING OR CONSTRUCTION FENCING MAY BE USED IN-LEU OF TREE PROTECTION FENCING WITH APPROVAL FROM OWNER'S REP. TREE PROTECTION FENCING MUST BE IN PLACE THROUGHOUT CONSTRUCTION.

2 TEMPORARY TREE PROTECTION FENCE

SCALE: 3/8" = 1'-0"



1 TREE PROTECTION PLAN

SCALE: 1" = 20'-0"



DETAIL.DWG



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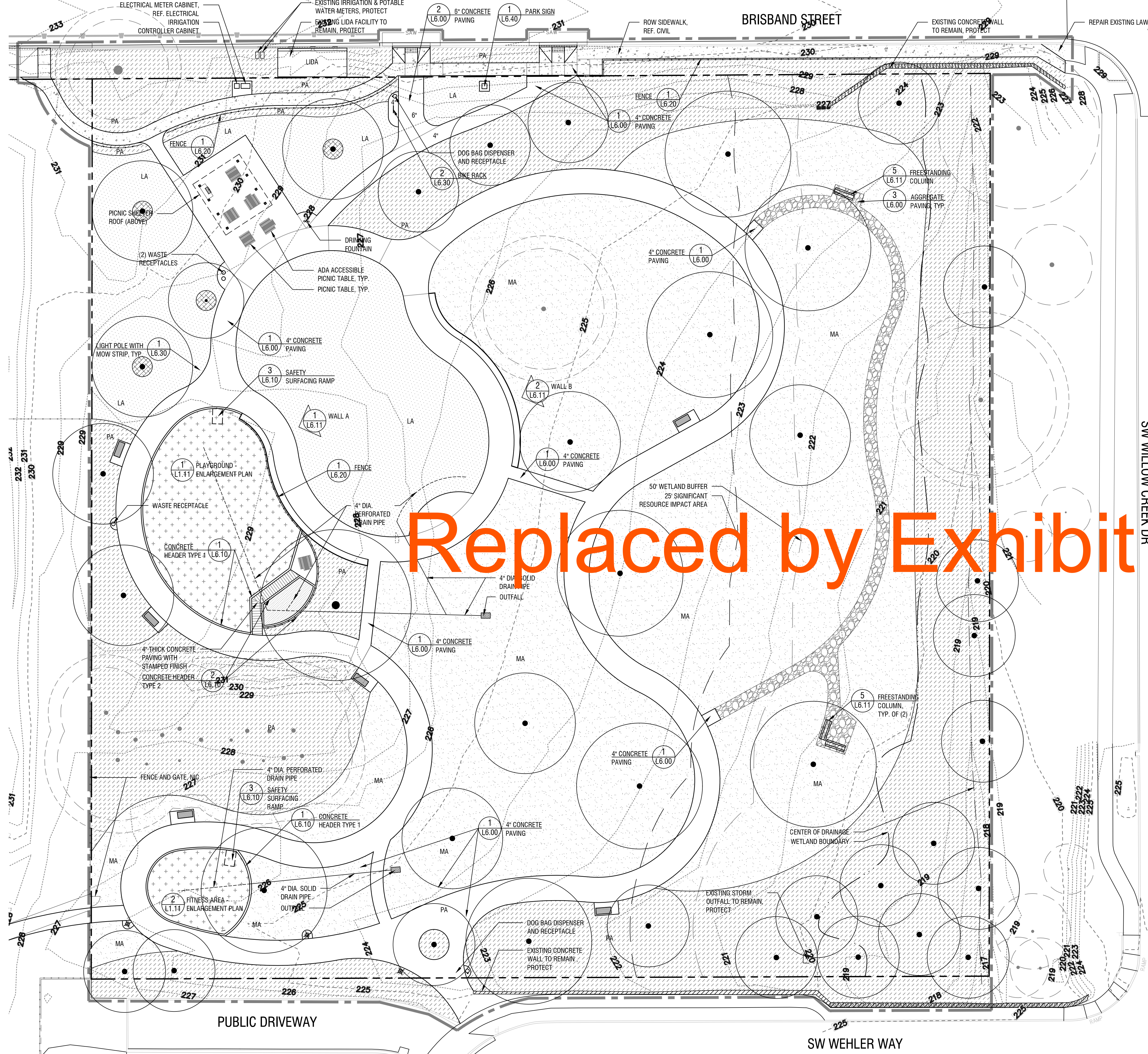
FROG POND
NEIGHBORHOOD PARK

Sheet Title

SITE PLAN

Sheet No.

L1.01



GENERAL LEGEND

- PROPERTY LINE
- LIMIT OF WORK
- ⊕ LIGHT POLE, REF. ELEC.
- FENCE
- EXISTING TREE TO REMAIN, PROTECT
- CANOPY
- ROOT PROTECTION ZONE
- PROPOSED TREE
- ▭ CONCRETE PAVING
- ▭ JOINT
- ▭ AGGREGATE PAVING
- ▭ MULCH
- ▭ SAFETY SURFACING, EWF
- ▭ SAFETY SURFACING, SYNTHETIC TURF
- BIKE RACK
- ▭ BENCH, TYPE 1 UNLESS OTHERWISE NOTED
- ▭ PICNIC TABLE
- ▭ ADA ACCESSIBLE PICNIC TABLE
- ▭ LA LAWN AREA
- ▭ MA MEADOW AREA
- ▭ PA PLANTING AREA

GENERAL NOTES

1. LOCATE ALL UNDERGROUND, SURFACE AND OVERHEAD UTILITIES PRIOR TO ANY WORK.
2. OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THESE RULES ARE SET FORTH IN OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. SO THAT UTILITIES MAY BE ACCURATELY LOCATED, EXCAVATORS MUST NOTIFY ALL PERTINENT COMPANIES AND AGENCIES WITH UNDERGROUND UTILITIES IN THE PROJECT AREA AT LEAST 48 BUSINESS-DAY HOURS BUT NOT MORE THAN 10 BUSINESS DAYS PRIOR TO COMMENCING AN EXCAVATION.
3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ASCERTAIN ALL FACTS CONCERNING CONDITIONS TO BE FOUND AT THE LOCATION OF THE PROJECT INCLUDING PHYSICAL CHARACTERISTICS ABOVE AND BELOW THE SURFACE OF THE GROUND AND TO FULLY EXAMINE THE PLANS AND SPECIFICATIONS. ANY DISCREPANCIES IN DIMENSIONING OR LAYOUT SHALL BE BROUGHT TO THE ATTENTION OF THE AGENCY PRIOR TO THE ALTERATION OF PLANTING.
4. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO EACH PHASE OF CONSTRUCTION, NOTIFY OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING WITH WORK. WHERE CONFLICT IS IDENTIFIED, COST OF PROCEEDING WITHOUT OWNER'S REPRESENTATIVE WRITTEN CLARIFICATION AND AUTHORIZATION TO PROCEED SHALL BE AT THE CONTRACTOR'S EXPENSE.

SURFACING

PAVED AREAS	
CONCRETE:	19,255 SF
AGGREGATE:	1,785 SF
WALLS:	407 SF
SYNTHETIC TURF:	205 SF
EWF:	4,830 SF
TOTAL:	26,482 SF

PLANTED AREAS: 102,628 SF



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FROG POND
NEIGHBORHOOD PARK

Sheet Title

SITE - ENLARGED PLANS

Sheet No.

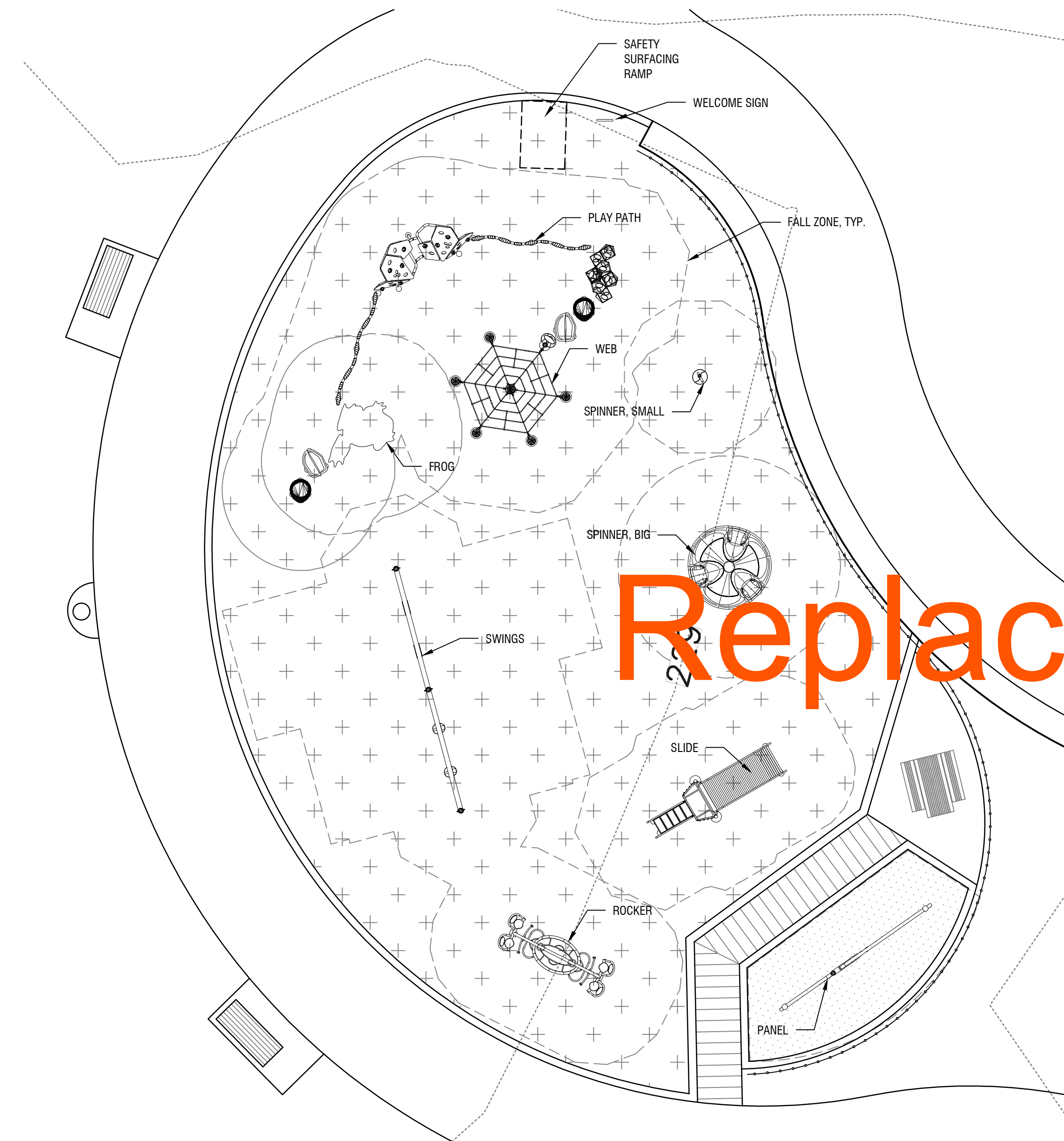
L1.10 200

GENERAL LEGEND

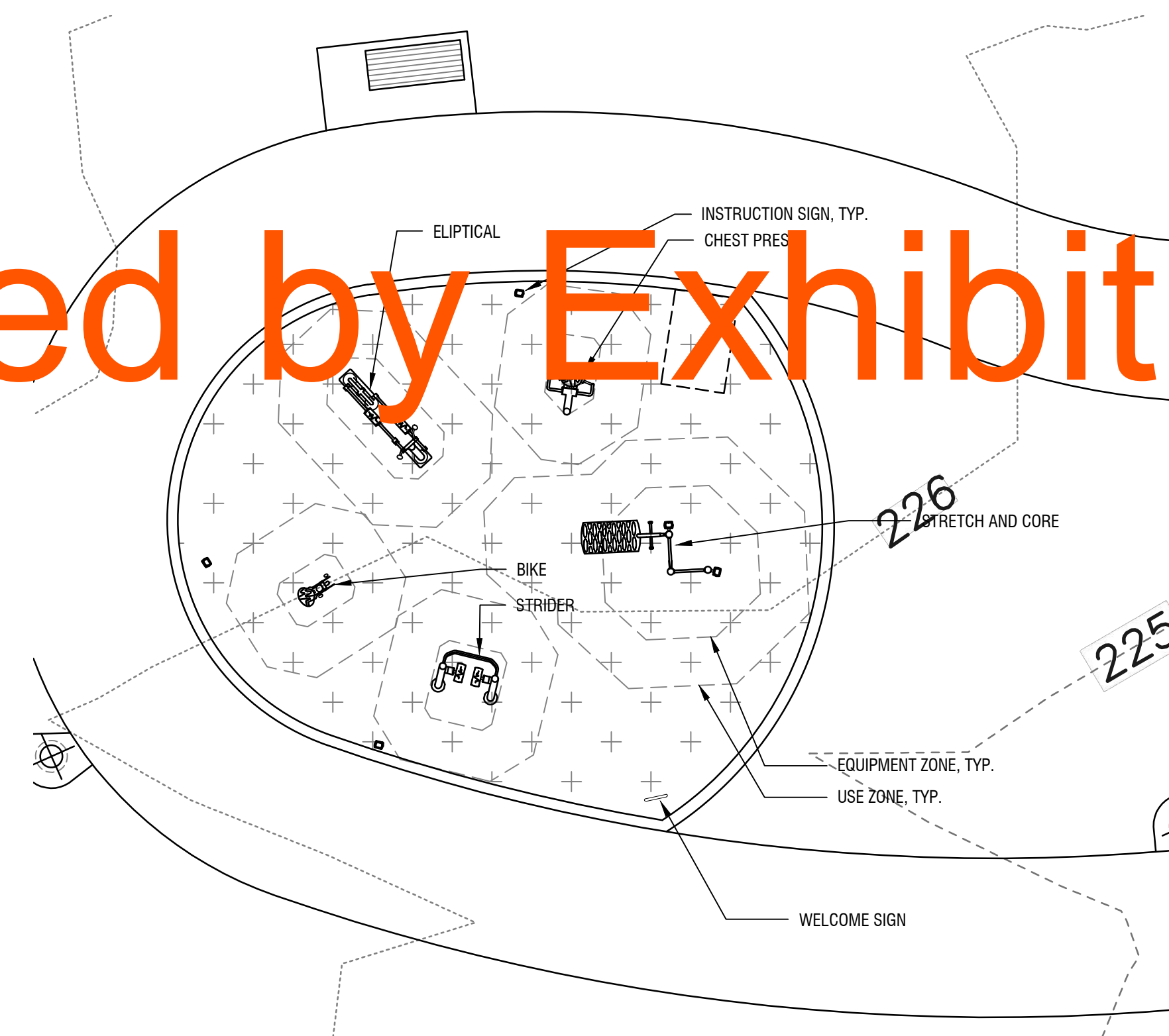
- PROPERTY LINE
- LIMIT OF WORK
- LIGHT POLE, REF. ELEC.
- FENCE
- EXISTING TREE TO REMAIN, PROTECT
- CANOPY
- ROOT PROTECTION ZONE
- CONCRETE PAVING
- JOINT
- AGGREGATE PAVING
- MULCH
- SAFETY SURFACING, EWF
- SAFETY SURFACING, SYNTHETIC TURF
- BIKE RACK
- BENCH, TYPE 1 UNLESS OTHERWISE NOTED
- PICNIC TABLE
- ADA ACCESSIBLE PICNIC TABLE
- LAWN AREA
- MEADOW AREA
- PLANTING AREA

GENERAL NOTES

1. LOCATE ALL UNDERGROUND, SURFACE AND OVERHEAD UTILITIES PRIOR TO ANY WORK.
2. OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. SO THAT UTILITIES MAY BE ACCURATELY LOCATED, EXCAVATORS MUST NOTIFY ALL PERTINENT COMPANIES OR AGENCIES WITH UNDERGROUND UTILITIES IN THE PROJECT AREA AT LEAST 48 BUSINESS-DAY HOURS BUT NOT MORE THAN 10 BUSINESS DAYS PRIOR TO COMMENCING AN EXCAVATION.
3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ASCERTAIN ALL FACTS CONCERNING CONDITIONS TO BE FOUND AT THE LOCATION OF THE PROJECT INCLUDING PHYSICAL CHARACTERISTICS ABOVE AND BELOW THE SURFACE OF THE GROUND AND TO FULLY EXAMINE THE PLANS AND SPECIFICATIONS. ANY DISCREPANCIES IN DIMENSIONING OR LAYOUT SHALL BE BROUGHT TO THE ATTENTION OF THE AGENCY PRIOR TO THE ALTERATION OF PLANTING.
4. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO EACH PHASE OF CONSTRUCTION. NOTIFY OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING WITH WORK. WHERE CONFLICT IS IDENTIFIED, COST OF PROCEEDING WITHOUT OWNER'S REPRESENTATIVE WRITTEN CLARIFICATION AND AUTHORIZATION TO PROCEED SHALL BE AT THE CONTRACTOR'S EXPENSE.



1 SITE - ENLARGED PLAN - PLAYGROUND
SCALE: 1/8" = 1'-0"



2 SITE - ENLARGED PLAN - FITNESS AREA
SCALE: 1/8" = 1'-0"

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FROG POND NEIGHBORHOOD PARK

Sheet Title

GRADING PLAN

Sheet No.

L3.01

GENERAL LEGEND

- PROPERTY LINE
- LIMIT OF WORK
- LIGHT POLE, REF. ELEC.
- FENCE
- EXISTING TREE TO REMAIN, PROTECT
- CANOPY
- ROOT PROTECTION ZONE

GENERAL NOTES

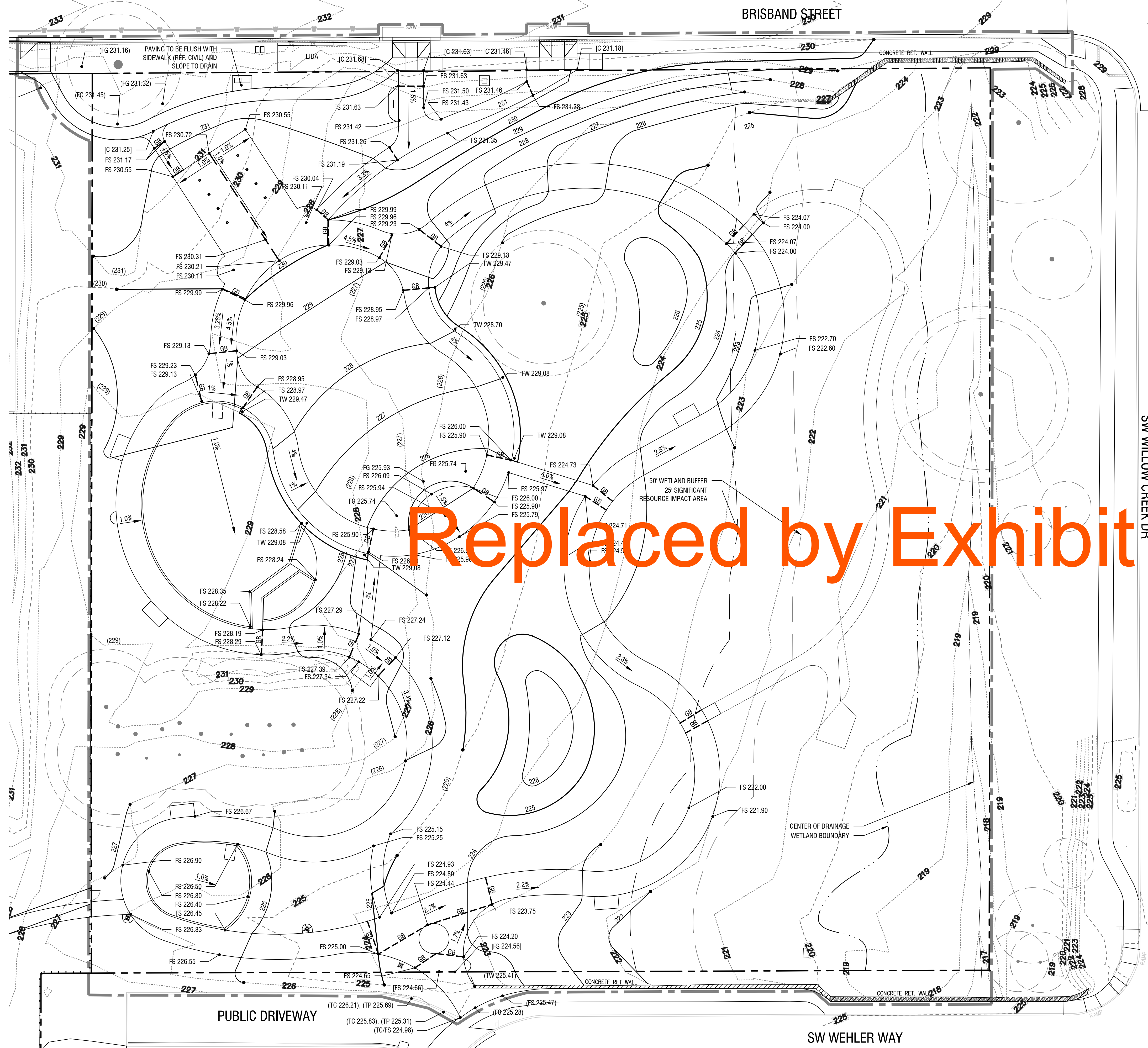
1. LOCATE ALL UNDERGROUND, SURFACE AND OVERHEAD UTILITIES PRIOR TO ANY WORK.
2. OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. SO THAT UTILITIES MAY BE ACCURATELY LOCATED, EXCAVATORS MUST NOTIFY ALL PERTINENT COMPANIES OR AGENCIES WITH UNDERGROUND UTILITIES IN THE PROJECT AREA AT LEAST 48 BUSINESS-DAY HOURS BUT NOT MORE THAN 10 BUSINESS DAYS PRIOR TO COMMENCING AN EXCAVATION.
3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ASCERTAIN ALL FACTS CONCERNING CONDITIONS TO BE FOUND AT THE LOCATION OF THE PROJECT INCLUDING PHYSICAL CHARACTERISTICS ABOVE AND BELOW THE SURFACE OF THE GROUND AND TO FULLY EXAMINE THE PLANS AND SPECIFICATIONS. ANY DISCREPANCIES IN DIMENSIONING OR LAYOUT SHALL BE BROUGHT TO THE ATTENTION OF THE AGENCY PRIOR TO THE ALTERATION OF PLANTING.
4. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO EACH PHASE OF CONSTRUCTION. NOTIFY OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING WITH WORK. WHERE CONFLICT IS IDENTIFIED, COST OF PROCEEDING WITHOUT OWNER'S REPRESENTATIVE WRITTEN CLARIFICATION AND AUTHORIZATION TO PROCEED SHALL BE AT THE CONTRACTOR'S EXPENSE.

GRADING LEGEND

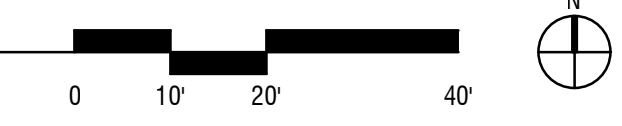
- EXISTING CONTOUR - 1 FT INTERVAL
- PROPOSED MAJOR CONTOUR - 5 FT INTERVAL
- PROPOSED MINOR CONTOUR - 1 FT INTERVAL
- GRADE BREAK
- RIDGELINE OF BERM
- EXISTING SPOT ELEVATION GRADE
- SPOT ELEVATION, REF. CIVIL
- PROPOSED SPOT ELEVATION
- SLOPE GRADIENT, FOR REFERENCE ONLY
- SLOPE RATIO (RUN:RISE), FOR REFERENCE ONLY
- FINISH FLOOR ELEVATION, REF ARCH
- FINISH SURFACE ELEVATION (PAVING)
- FINISH GRADE ELEVATION (SOFTSCAPE)
- FINISH SURFACE ELEVATION - UTILITY VAULT LID
- TOE OF SLOPE
- TOP OF WALL ELEVATION
- TOP OF WALL ELEVATION AT BREAK
- TOP OF CURB ELEVATION
- TOP OF PAVEMENT, REF. CIVIL

GRADING NOTES

1. CROSS SLOPES IN PEDESTRIAN AREAS TO BE 2% MAX. LONGITUDINAL SLOPES ON WALKWAYS TO BE 5% MAX. LONGITUDINAL SLOPES ON PEDESTRIAN RAMPS TO BE 8% MAX. ANY PAVING EXCEEDING THESE SLOPES IS TO BE REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE.
2. SLOPES PROVIDED BY SLOPE ARROW ARE FOR REFERENCE ONLY.
3. ADJUST ALL INCIDENTAL STRUCTURES, MANHOLE LIDS, VALVE BOXES, ETC. TO FINISH GRADE.
4. ALL PLANTED AREAS TO SLOPE AWAY FROM BUILDINGS AT 2% MIN.



Replaced by Exhibit B3



TREES

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	MITIGATION / ROW SIZE	RESTORATION SIZE	NOTES	QTY.
	AM	ACER MACROPHYLLUM	BIG LEAF MAPLE	2" CAL./B&B	-	-	1
	CO	CERCIS OCCIDENTALIS	WESTERN REDBUD	2" CAL./B&B	1/2" CAL./B&B	-	5
	MS	MAGNOLIA x SOULANGEANA	SAUCER MAGNOLIA	2" CAL./B&B	-	SPECIMEN QUALITY	1
	MF	MALUS FUSCA	WESTERN CRABAPPLE	-	1/2" CAL./B&B	SINGLE TRUNK NOT STANDARD OR GRAFTED FORM	5
	PP	PINUS PONDEROSA 'WILLAMETTENSIS'	WILLAMETTE VALLEY PONDEROSA PINE	-	4' - 8' HT/B&B	STRONG CENTRAL LEADER	4
	PE	PRUNUS EMARGINATA	WILD CHERRY	-	1/2" CAL./B&B	SINGLE TRUNK NOT STANDARD OR GRAFTED FORM	7
	QG	QUERCUS GARRYANA	OREGON WHITE OAK	-	1/2" CAL./B&B	SINGLE TRUNK NOT STANDARD OR GRAFTED FORM	8
	SS	SALIX SITCHENSIS	SITKA WILLOW	-	1/2" CAL./B&B	-	8
	SG	SEQUIADENDRON GIGANTEUM	GIANT SEQUOIA	6' - 8' HT/B&B	-	STRONG CENTRAL LEADER	2
	TC	TILIA CORDATA	BIGLEAF LINDEN	2" CAL./B&B	-	-	7

NOTE:
ON PLAN
"S" DESIGNATES SALVAGED TREE
"R" DESIGNATES RESTORATION TREE

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	NOTES
SHRUB AREAS, RESTORATION - DENSE SPACING						
	ACC	ACER CIRCINATUM	VINE MAPLE	AS SHOWN	1 GAL	
	COS	CORNUS SERICEA VAR. SERICEA	RED TWIG DOGWOOD	AS SHOWN	1 GAL	
	ELG	ELYMUS GLAUCUS	BLUE WILD RYE	18" O.C.	1 GAL	
	DEC	DESCHAMPSIA CESPITOSA	TUFTED HAIRGRASS	18" O.C.	1 GAL	
	LOI	LONICERA INVOLUCRATA	BLACK TWINBERRY	AS SHOWN	1 GAL	
	LUR	LUPINUS RIVULARIS	RIVER LUPINE	18" O.C.	1 GAL	
	PHC	PHYSOCARPUS CAPITATUS	PACIFIC NINEBARK	36" O.C.	1 GAL	
	OEC	OEMLERIA CERASIFORMIS	OSOBERRY	AS SHOWN	1 GAL	
	RIS	RIBES SANGUINEUM	RED-FLOWERING CURRANT	AS SHOWN	1 GAL	
	ROP	ROSA PISOCARPA	CLUSTERED ROSE	AS SHOWN	1 GAL	
	SCS	SCHIZACHYRIUM SCOPARIUM	LITTLE BLUESTEM	24" O.C.	1 GAL	
	SPD	SPIRAEA DOUGLASII	DOUGLAS SPIREA	24" O.C.	1 GAL	
	VT	VIBURNUM TRILOBUM	HIGHBUSH CRANBERRY	AS SHOWN	1 GAL	

PLANTING AREAS

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	NOTES
SHRUB AREAS - ORNAMENTAL SPACING						
	ACM	ACHILLEA MILLEFOLIUM	YARROW	18" O.C.	1 GAL	
	ACC	ACER CIRCINATUM	VINE MAPLE	AS SHOWN	10 GAL	3 OR 5 STEMS
	ARU	ARCTOSTAPHYLOS UVA-URSI	BEARBERRY	36" O.C.	1 GAL	
	CET	CEANOTHUS THYRSIFLORUS	BLUE BLOSSOM	36" O.C.	5 GAL	
	COS	CORNUS SERICEA VAR. SERICEA	RED TWIG DOGWOOD	AS SHOWN	5 GAL	
	GAS	GAULTHERIA SHALLON	SALAL	36" O.C.	1 GAL	
	HOD	HOLIDISCUS DISCOLOR	OCEANSPRAY	AS SHOWN	5 GAL	
	IRT	IRIS TENAX	OREGON IRIS	18" O.C.	1 GAL	
	LOC	LONICERA CILIOSA	WESTERN TRUMPET HONEYSUCKLE	36" O.C.	5 GAL	
	LOI	LONICERA INVOLUCRATA	BLACK TWINBERRY	AS SHOWN	5 GAL	
	MAA	MAHONIA AQUIFOLIUM	OREGON GRAPE	36" O.C.	5 GAL	
	MAR	MAHONIA REPENS	CREeping OREGON GRAPE	24" O.C.	1 GAL	
	OEC	OEMLERIA CERASIFORMIS	OSOBERRY	AS SHOWN	5 GAL	
	PHL	PHILADELPHUS LEWISII	MOCK ORANGE	36" O.C.	1 GAL	
	POT	POTENTILLA FRUTICOSA	POTENTILLA	36" O.C.	1 GAL	
	RIS	RIBES SANGUINEUM	RED-FLOWERING CURRANT	36" O.C.	1 GAL	
	RUH	RUDBECKIA HIRTA	BLACK-EYED SUSAN	18" O.C.	1 GAL	
	SAR	SAMBUCUS RACEMOSA	RED ELDERBERRY	AS SHOWN	5 GAL	
	SCS	SCHIZACHYRIUM SCOPARIUM	LITTLE BLUESTEM	24" O.C.	1 GAL	
	SPB	SPIRAEA BETULIFOLIA	SPIRAEA BETULIFOLIA	24" O.C.	1 GAL	
	SYA	SYMPHORICARPOS ALBUS	SNOWBERRY	36" O.C.	1 GAL	
	VAO	VACCINIUM OVATUM	EVERGREEN HUCKLEBERRY	60" O.C.	5 GAL	
	VAP	VACCINIUM PARVIFOLIUM	RED HUCKLEBERRY	AS SHOWN	5 GAL	
	VIT	VIBURNUM TRILOBUM	HIGHBUSH CRANBERRY	AS SHOWN	1 GAL	
SHRUB AREAS, RESTORATION - LOOSE SPACING						
	ACC	ACER CIRCINATUM	VINE MAPLE	6 FT O.C.	3 GAL	25%
	MANE	MAHONIA NERVOSA	LANCE-LEAFED OREGON GRAPE	6 FT O.C.	1 GAL	25%
	POMU	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	6 FT O.C.	1 GAL	25%
LAYOUT IN SPECIES GROUPS OF 5 - 7 PLANTS						
SEED MIXES						
	MEAD	MEADOW MIX				REF. SPECS
	LAWN	SUN/SHADE SEED MIX				REF. SPECS

Replaced by Exhibit B3

PLANTING NOTES

- DO NOT BEGIN PLANTING UNTIL IRRIGATION SYSTEM IS INSTALLED, TESTED AND APPROVED.
- DO NOT BEGIN PLANTING UNTIL SOIL PREPARATION IS COMPLETE AND APPROVED. TOPSOIL DEPTH WITHIN SHRUB AREAS IS XX INCHES DEPTH WITH 2 INCHES MULCH TOP DRESSING. PLANTING SOIL WITHIN LAWN AREAS IS XX INCHES.
- LOCATE PLANTS AS DIMENSIONED ON THE PLANS AND AS SHOWN IN THE PLANT SCHEDULE. PLANT SPACING IS MEASURED CENTER TO CENTER. PLANT LOCATIONS MAY BE ADJUSTED BY THE LANDSCAPE ARCHITECT TO MEET FIELD CONDITIONS.
- VERIFY ALL QUANTITIES AND VARIETIES SHOWN ON THE DRAWINGS PRIOR TO ORDERING. OWNER MUST APPROVE ANY NECESSARY SUBSTITUTIONS DURING SUBMITTALS PROCESS. REVIEW PROCESS TO BE ESTABLISHED AT PRE-CONSTRUCTION MEETING.
- THOROUGHLY WATER IN ALL PLANTS WITHIN 6 HOURS OF PLANTING.
- APPLY SPECIFIED MULCH OVER PLANTING AREAS WITHIN TWO DAYS OF INSTALLING PLANTS, UNLESS OTHERWISE NOTED.
- ALL PLANTS ARE REQUIRED TO MEET AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z60.1-2014.
- TO CALCULATE THE QUANTITY OF PLANTS PER AREA, USE THE FOLLOWING SPACING MULTIPLIERS:

TRIANGULAR SPACING	9"	12"	15"	18"	24"	30"	36"	48"
SQUARE FT MULTIPLIER	2.053	1.155	0.739	0.513	0.289	0.185	0.128	0.072



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www.mayerreed.com

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FROG POND NEIGHBORHOOD PARK

Sheet Title

PLANT SCHEDULE AND NOTES

Sheet No.

L5.00



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Project
FROG POND
NEIGHBORHOOD PARK

Sheet Title
PLANTING PLAN

Sheet No. L5.01 203

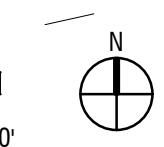
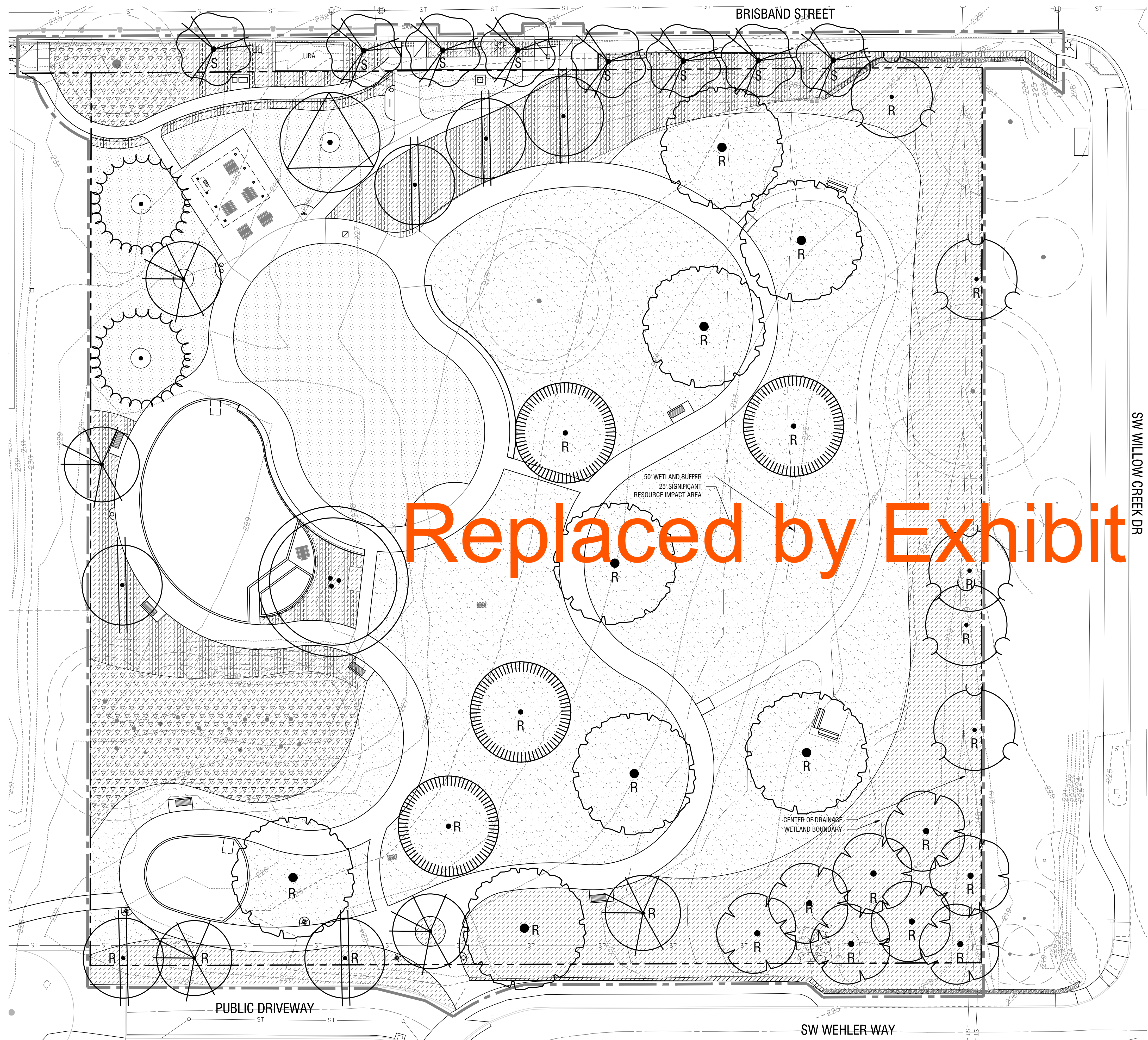
GENERAL LEGEND

- PROPERTY LINE
- LIMIT OF WORK
- LIGHT POLE, REF. ELEC.
- FENCE
- EXISTING TREE TO REMAIN, PROTECT
- CANOPY
- ROOT PROTECTION ZONE
- REF. L1.01 FOR GENERAL NOTES

PLANTING LEGEND

- LAWN
- SHRUB AREAS - ORNAMENTAL SPACING
- SHRUB AREA, RESTORATION - LOOSE SPACING
- SHRUB AREAS, RESTORATION - DENSE SPACING
- MEADOW

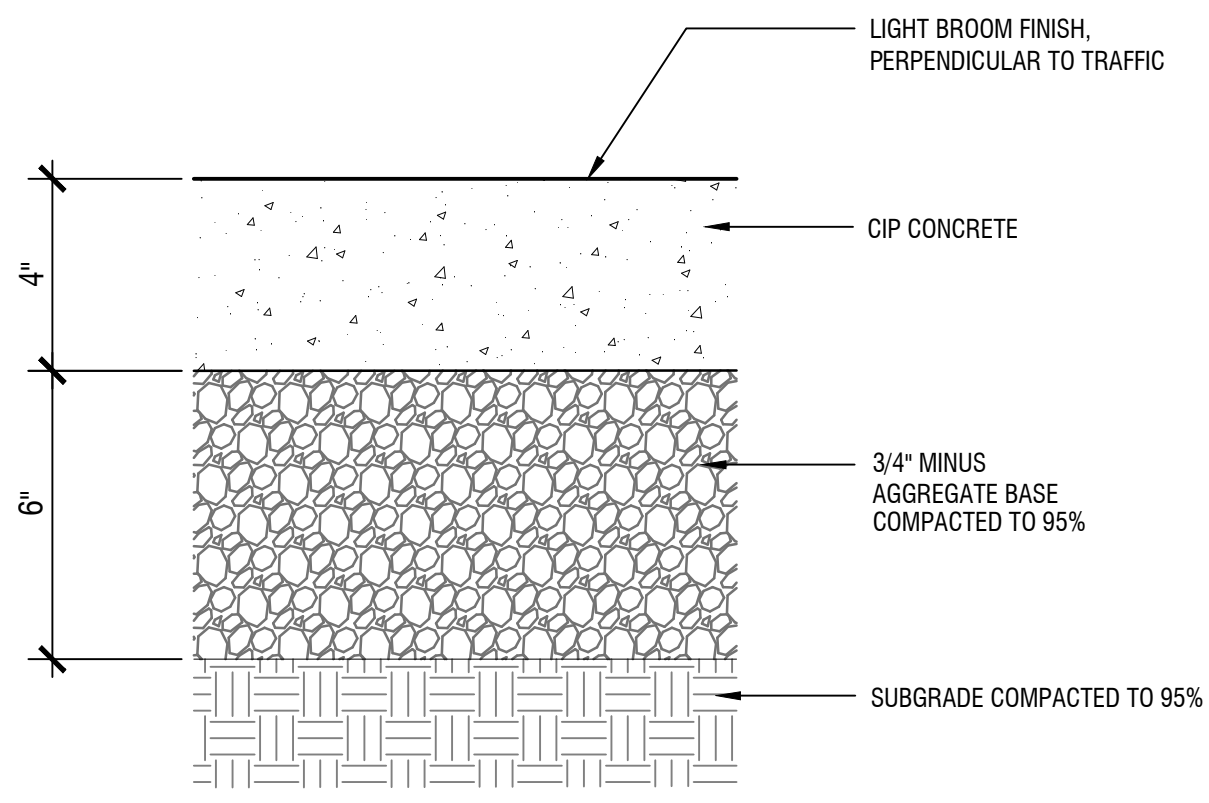
NOTE:
ON PLAN
S DESIGNATES SALVAGED TREE
R DESIGNATES RESTORATION TREE



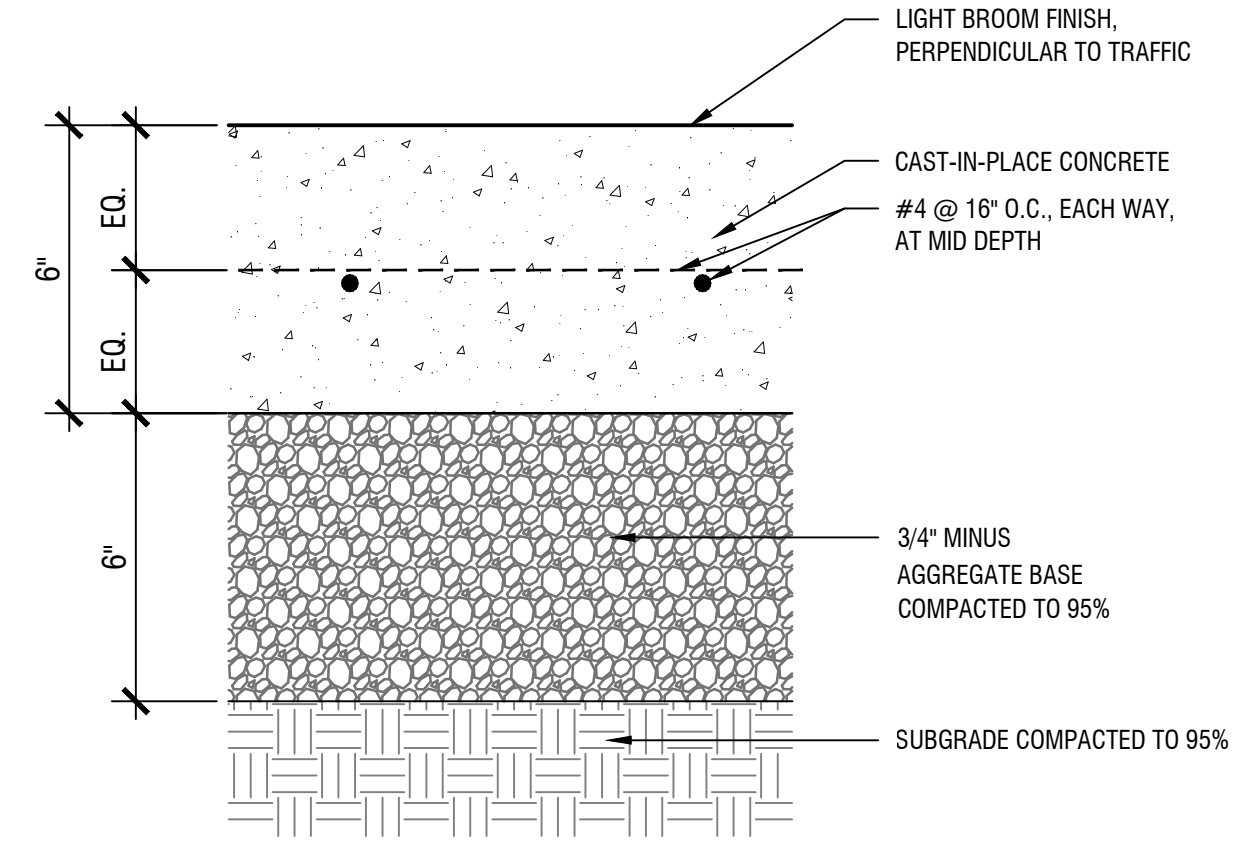


Mayer/Reed

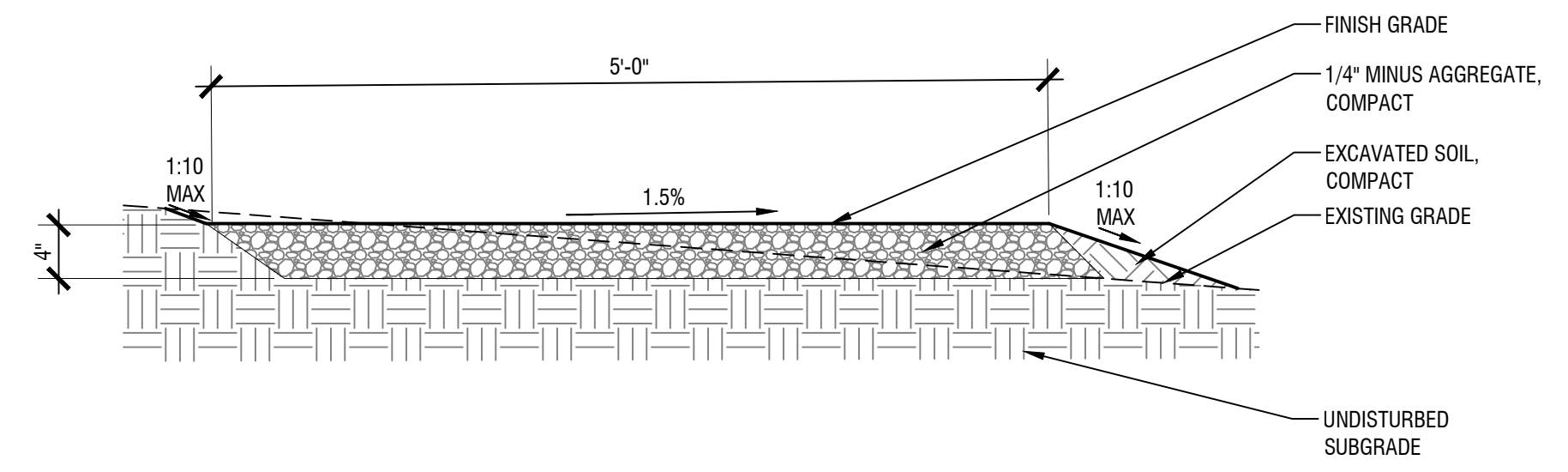
Mayer/Reed, Inc.
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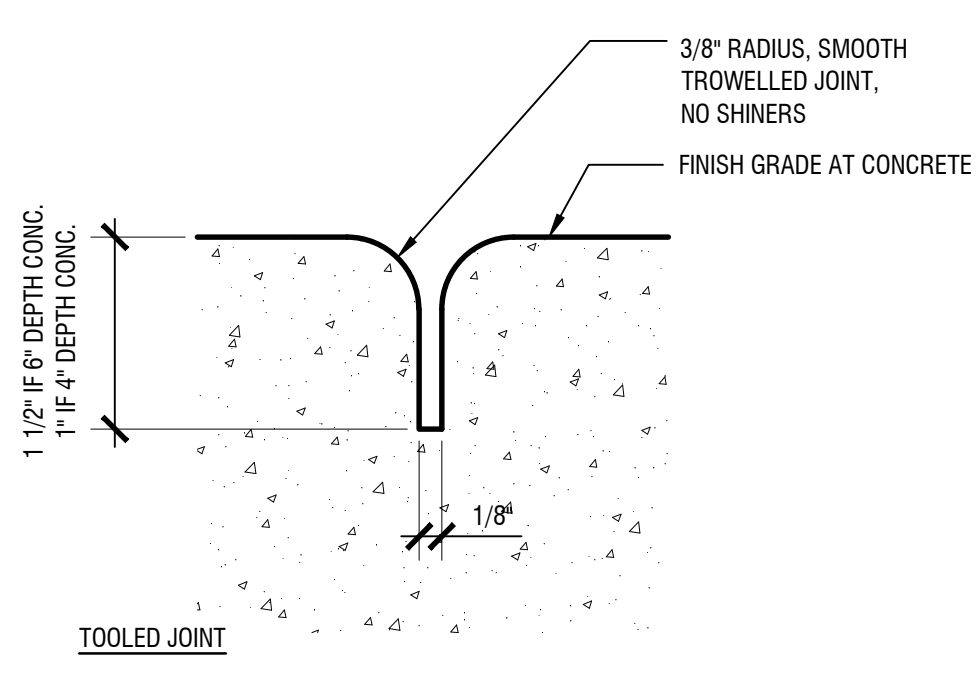
1 4" CONCRETE PAVING - SECTION
SCALE: 3"= 1'-0"



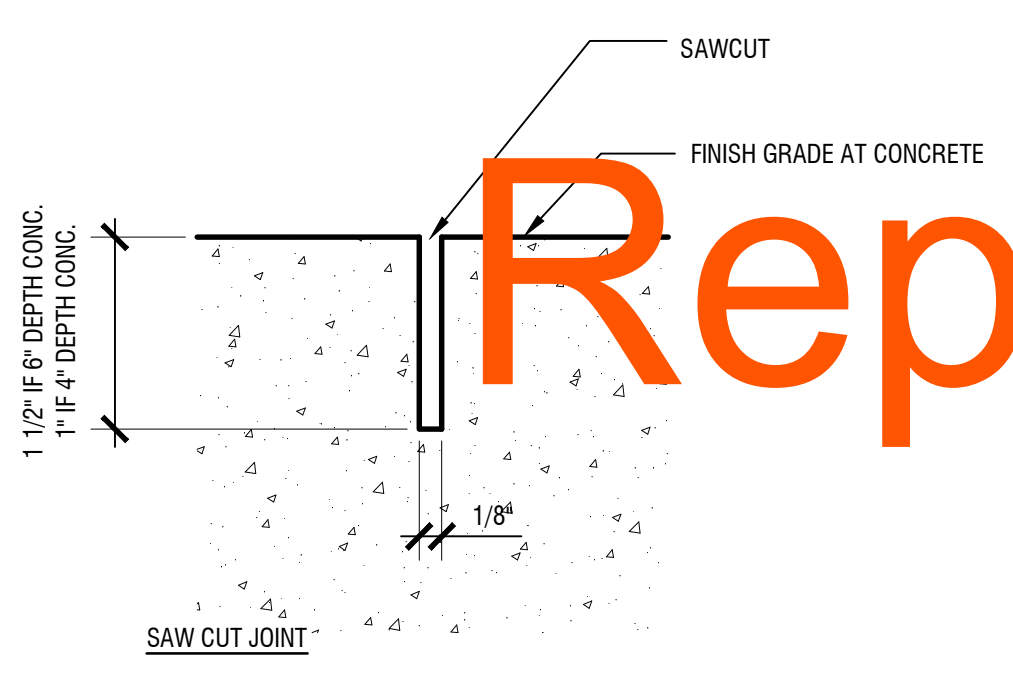
2 6" CONCRETE PAVING - SECTION
SCALE: 3"= 1'-0"



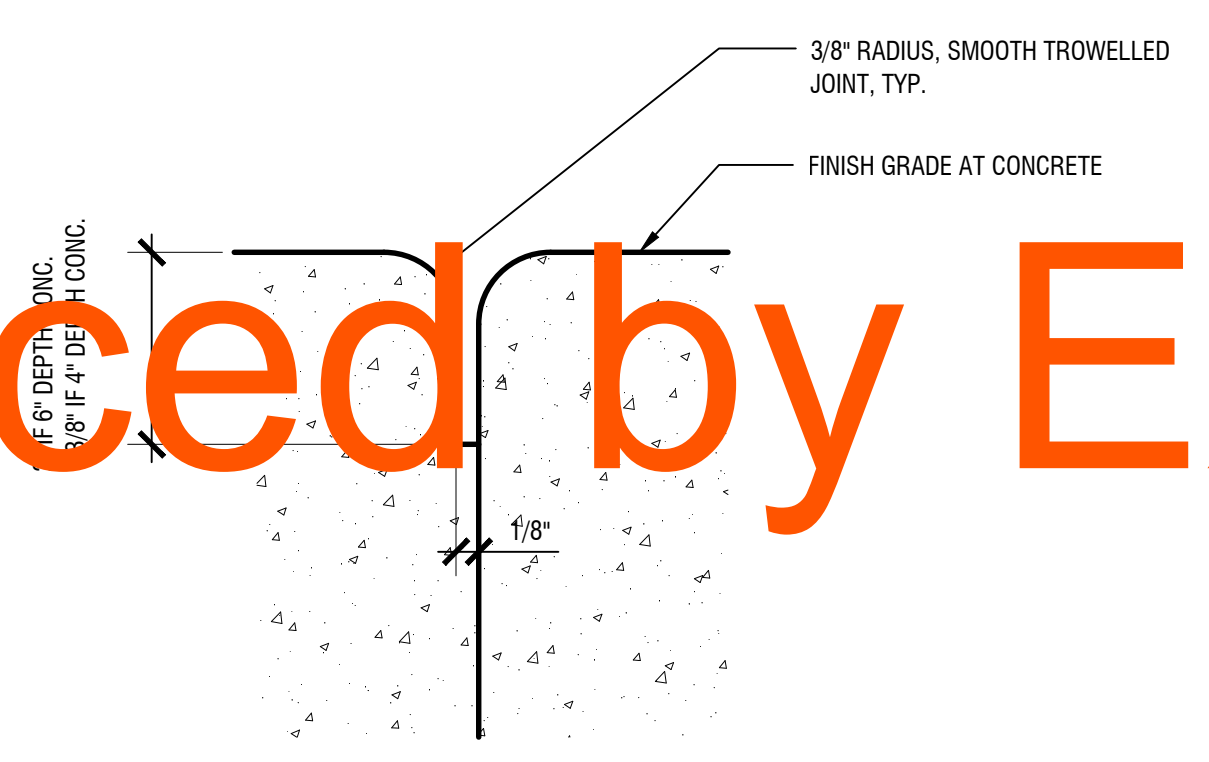
3 COMPACTED AGGREGATE PAVING - SECTION
SCALE: 1"= 1'-0"



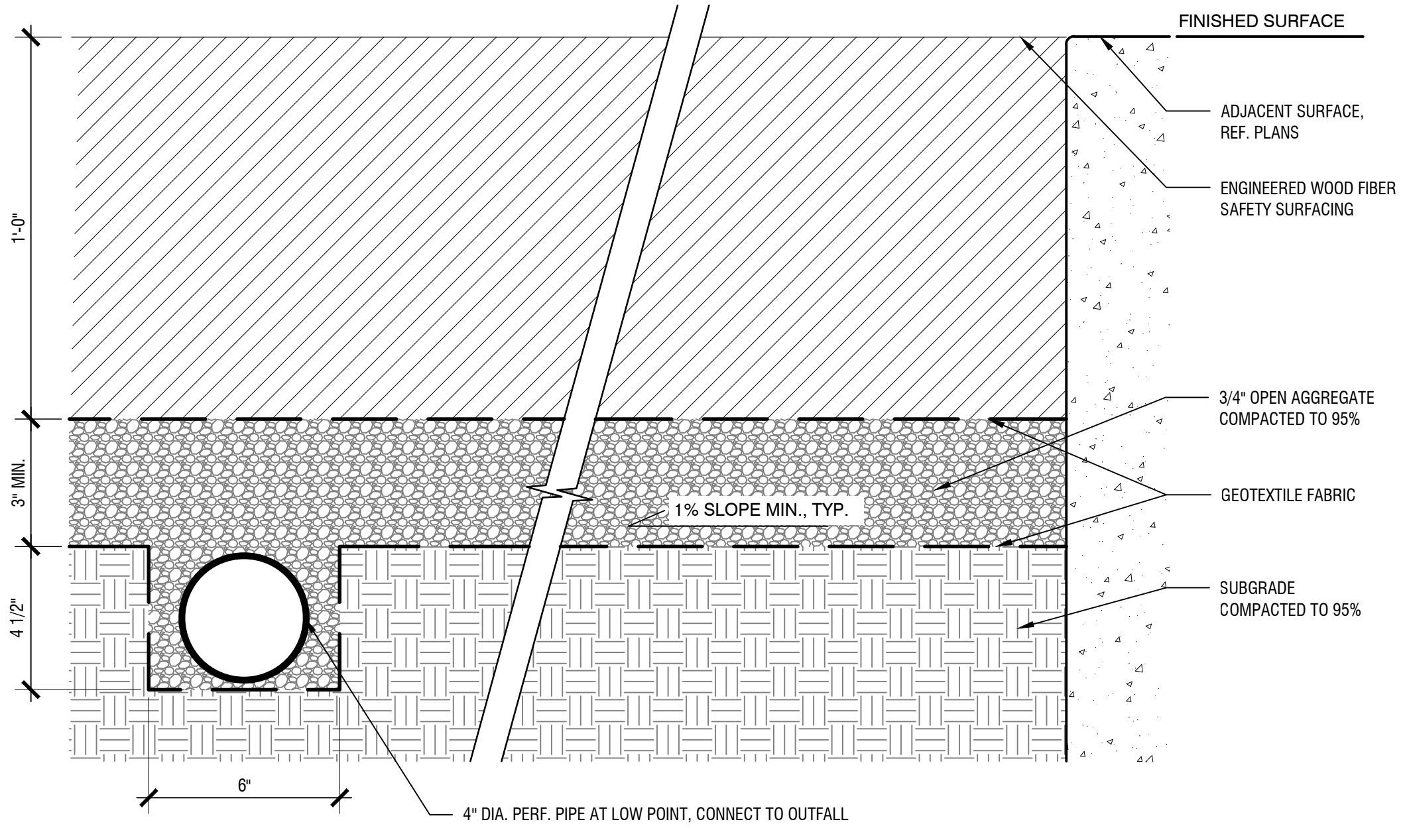
4 CONTROL JOINTS - SECTION
SCALE: 1"= 0'-1"



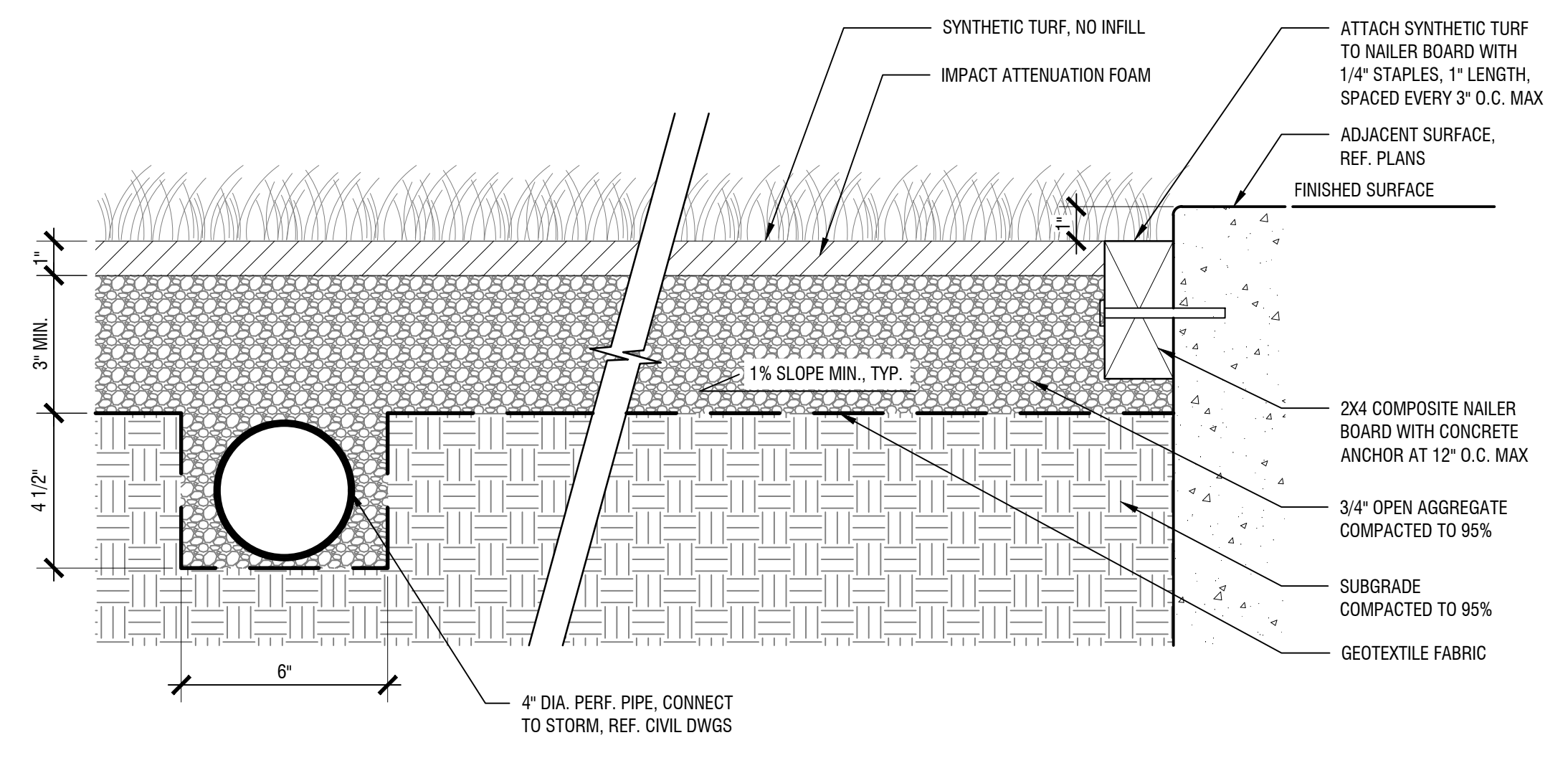
5 STANDARD CONSTRUCTION JOINT - SECTION
SCALE: 1"= 0'-1"



5 ISOLATION JOINT - SECTION
SCALE: 1"= 0'-1"



7 ENGINEERED WOOD FIBER SAFETY SURFACING - SECTION
SCALE: 3"= 1'-0"



8 SYNTHETIC TURF SAFETY SURFACING - SECTION
SCALE: 3"= 1'-0"

Replaced by Exhibit B3

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LAND USE PERMIT
03.28.2024

Project
FROG POND
NEIGHBORHOOD PARK

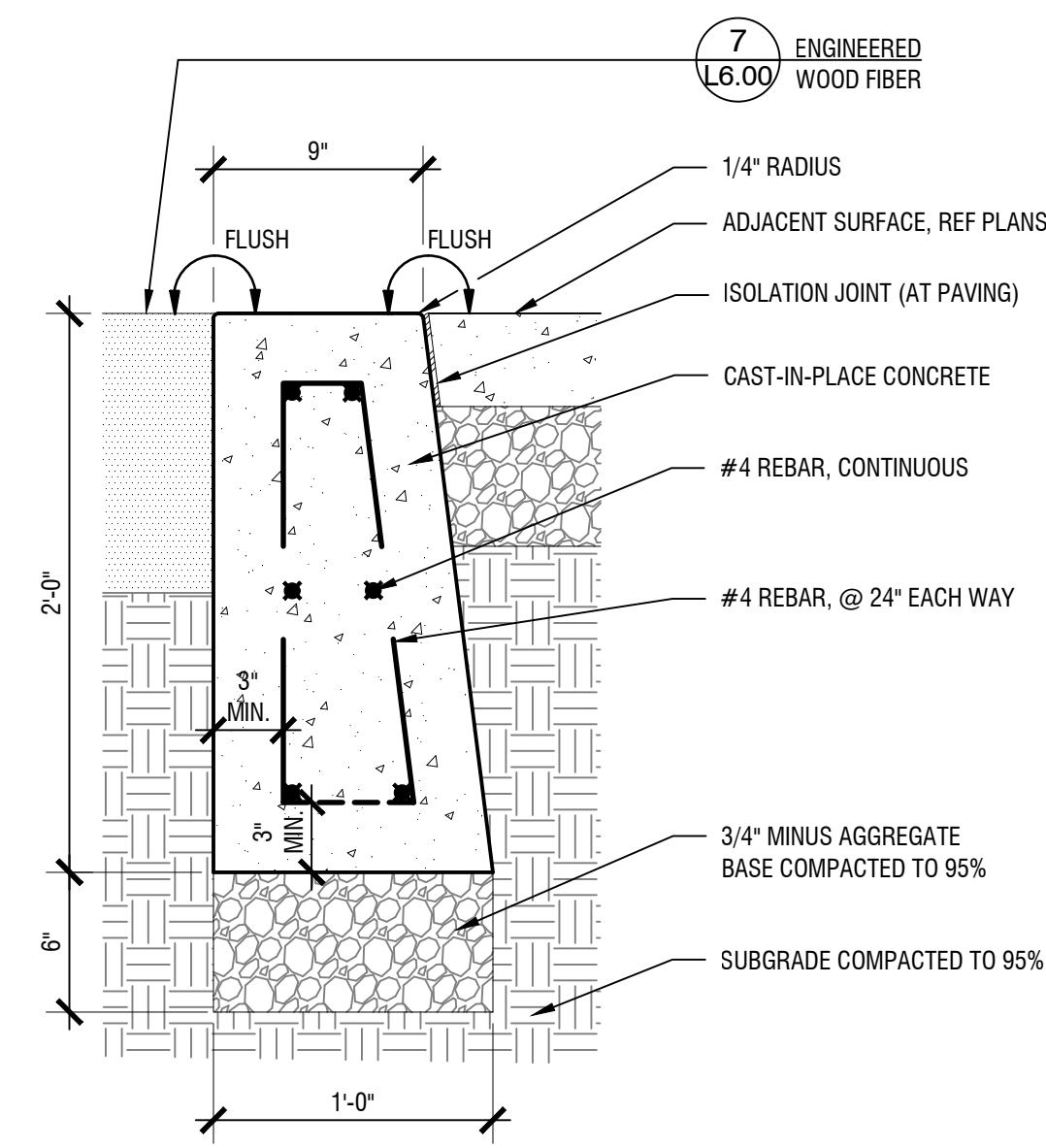
Sheet Title
SITE DETAILS - PAVING

Sheet No.
L6.00 204

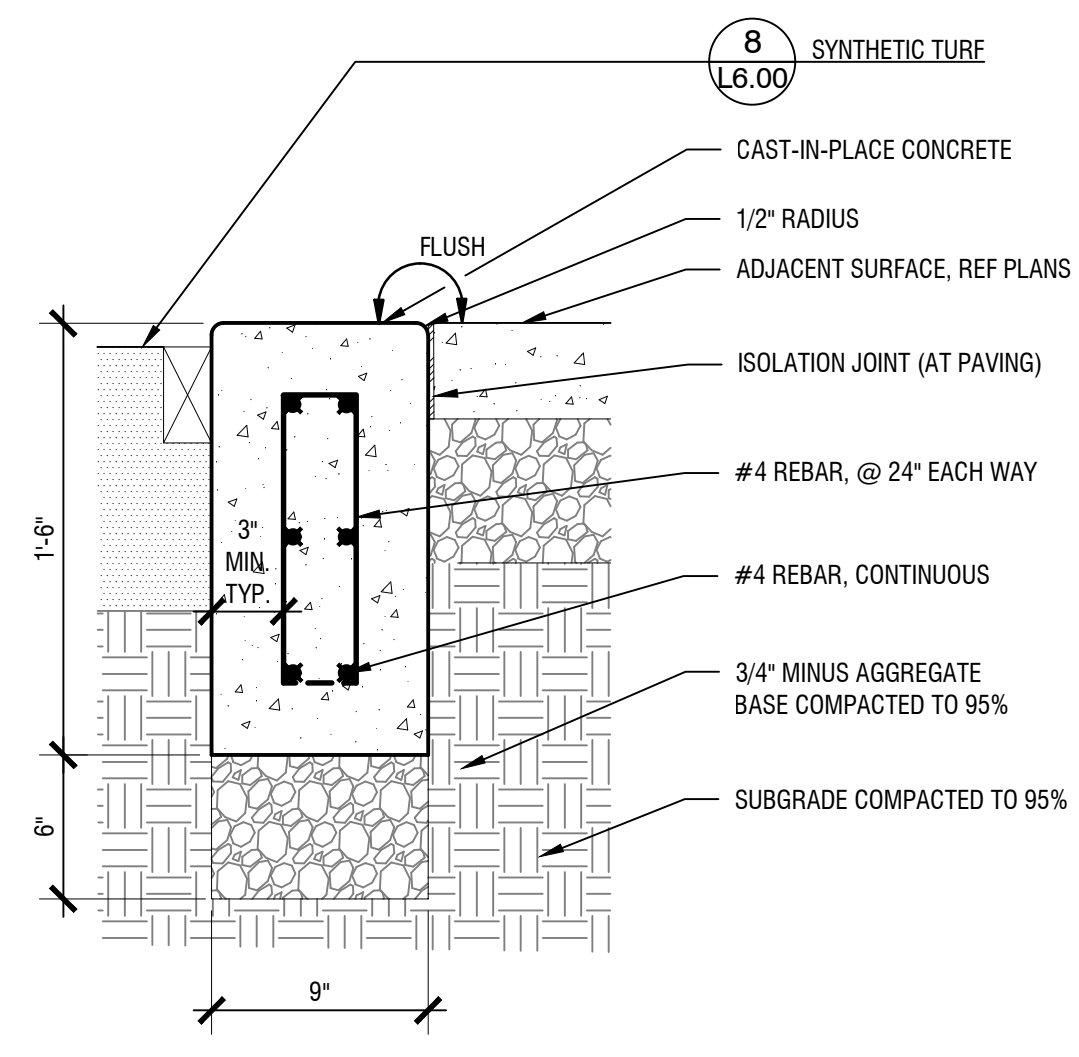


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1 CONCRETE HEADER, TYPE 1 - SECTION
SCALE: 1 1/2" = 1'-0"
PVG-CONC-HEADER.DWG



2 CONCRETE HEADER, TYPE 2 - SECTION
SCALE: 1 1/2" = 1'-0"
PVG-CONC-HEADER.DWG

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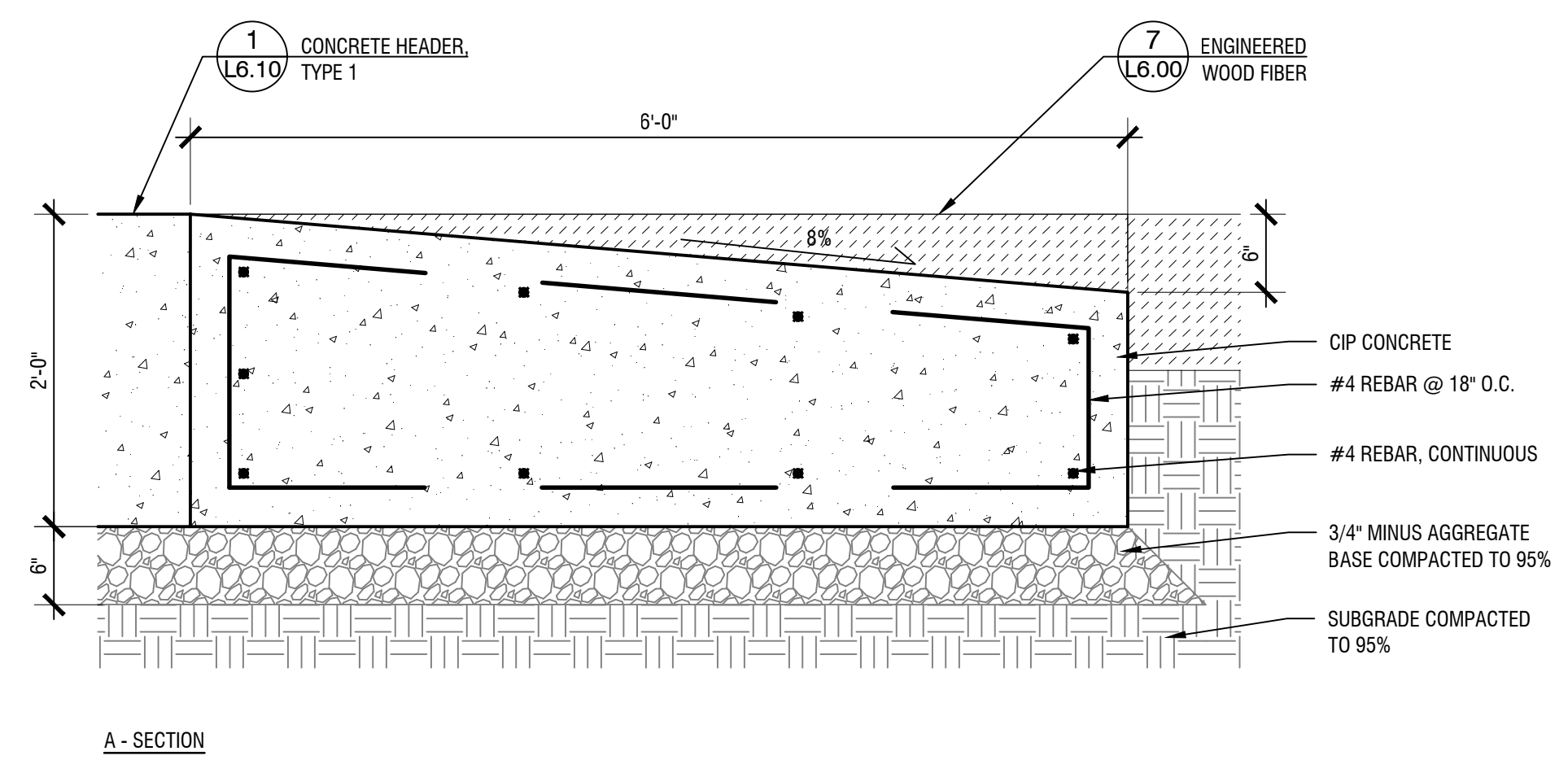
Revisions

Submittal / Date
LAND USE PERMIT
03.28.2024

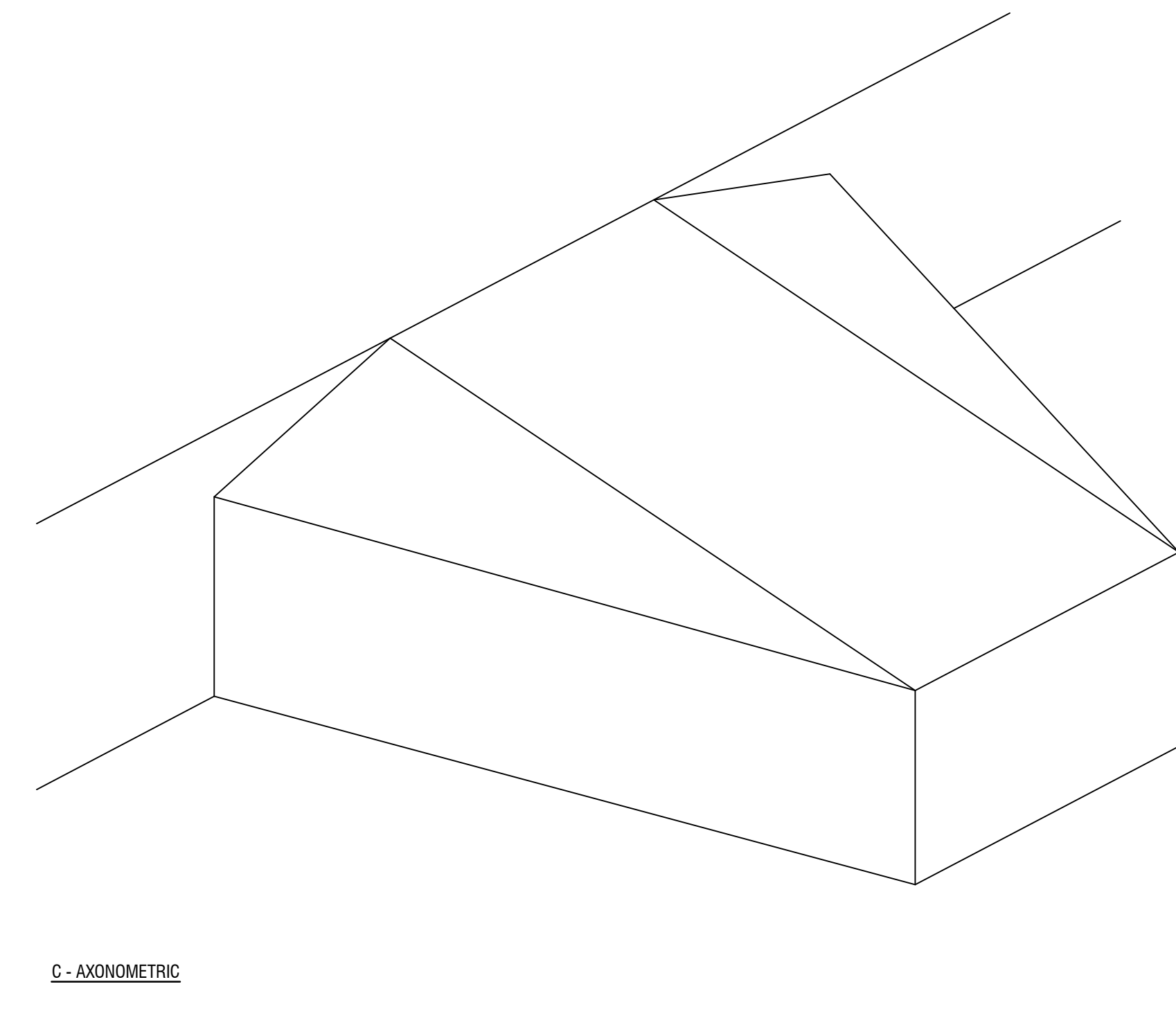
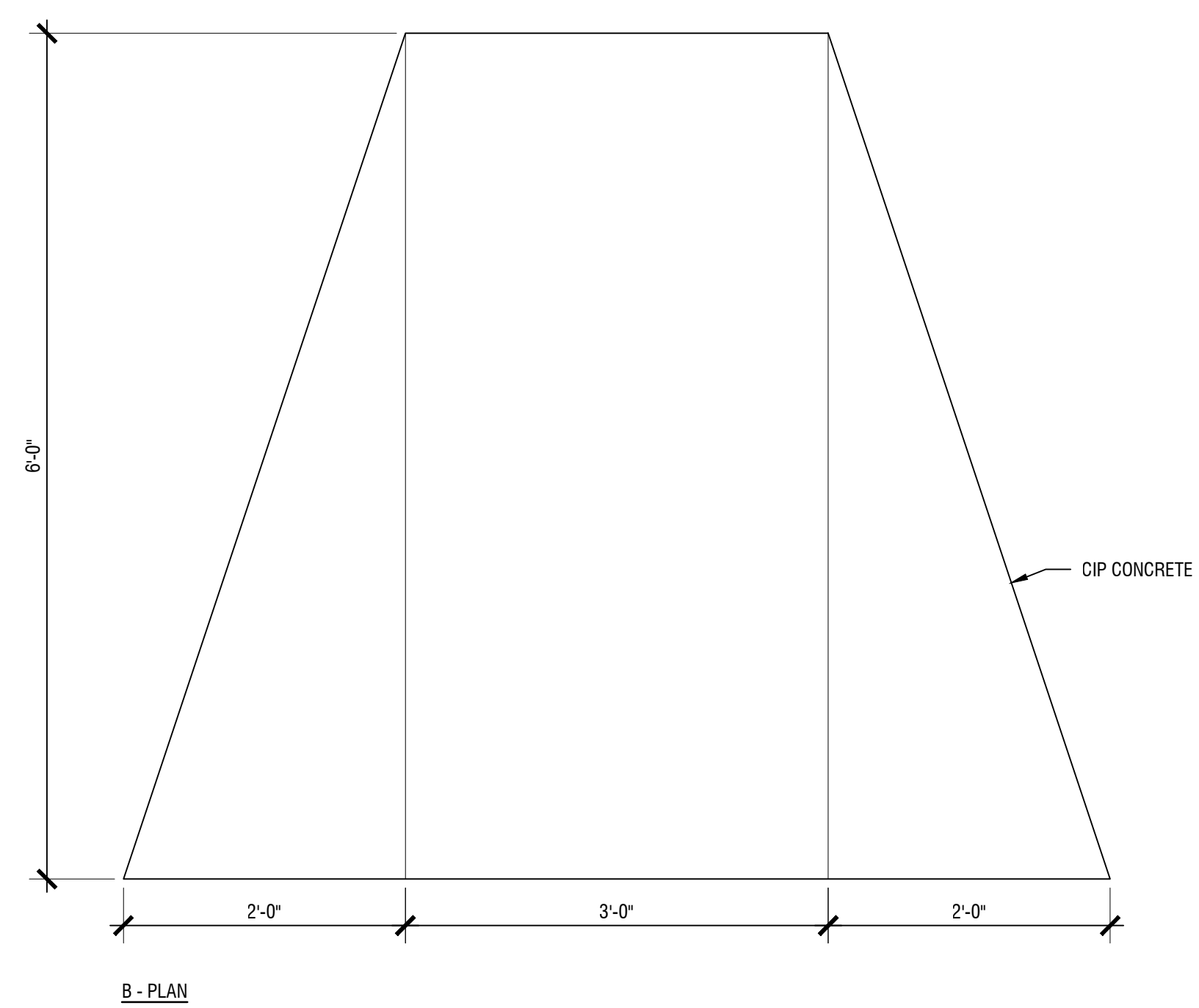
Project
FROG POND
NEIGHBORHOOD PARK

Sheet Title
SITE DETAILS -
WALLS & CURBS

Sheet No. L6.10 205



3 SAFETY SURFACING RAMP
SCALE: 1" = 1'-0"
pvg-safety surfacing ramp.D

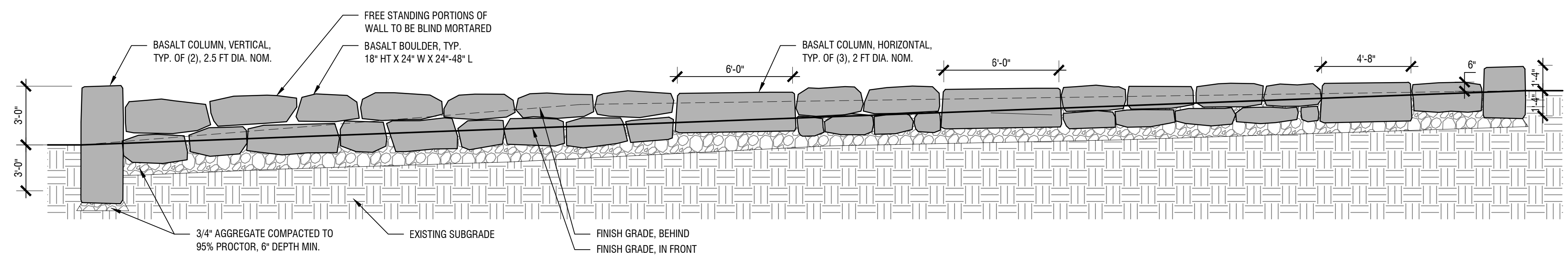


C - AXONOMETRIC

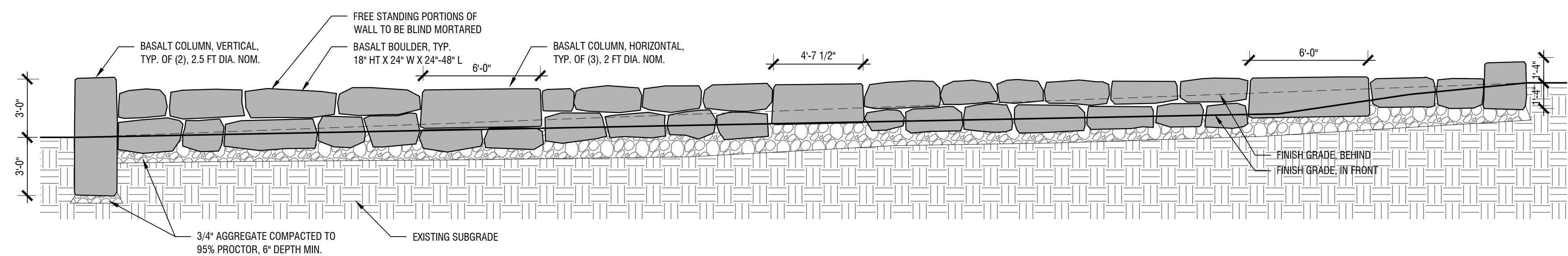


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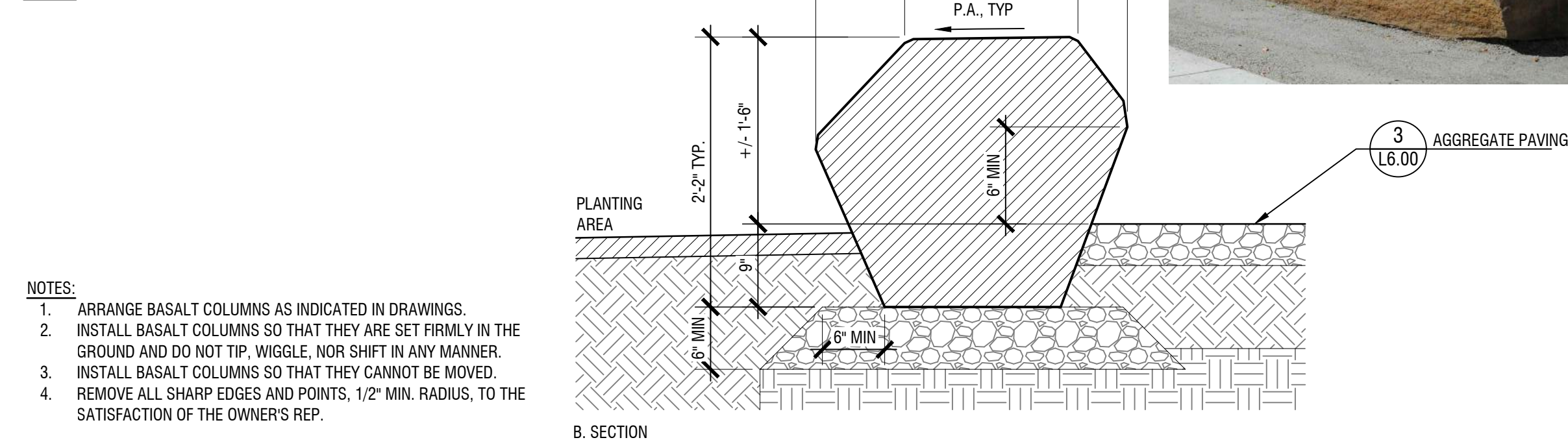
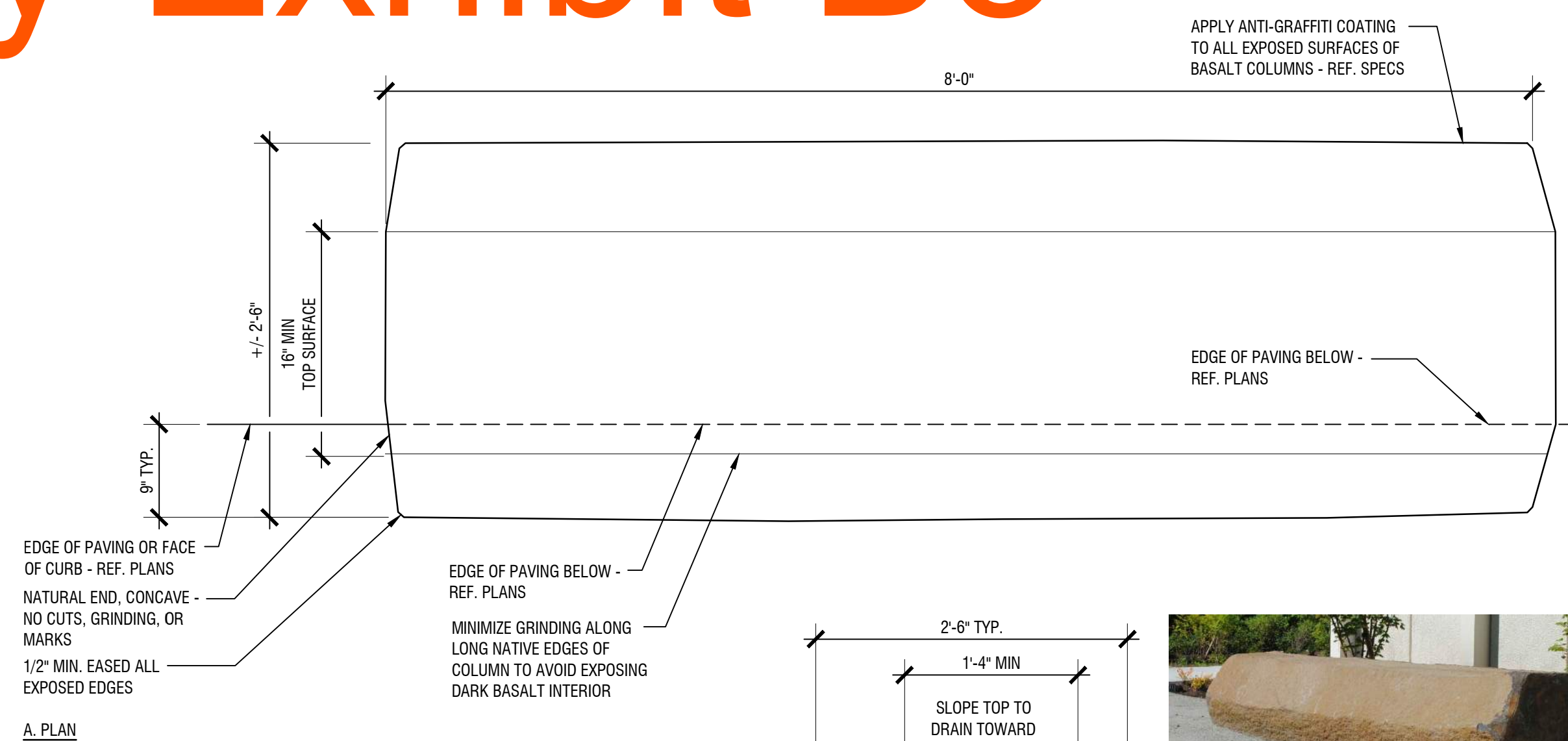


1 WALL A - SECTION
SCALE: 1/4" = 1'-0"

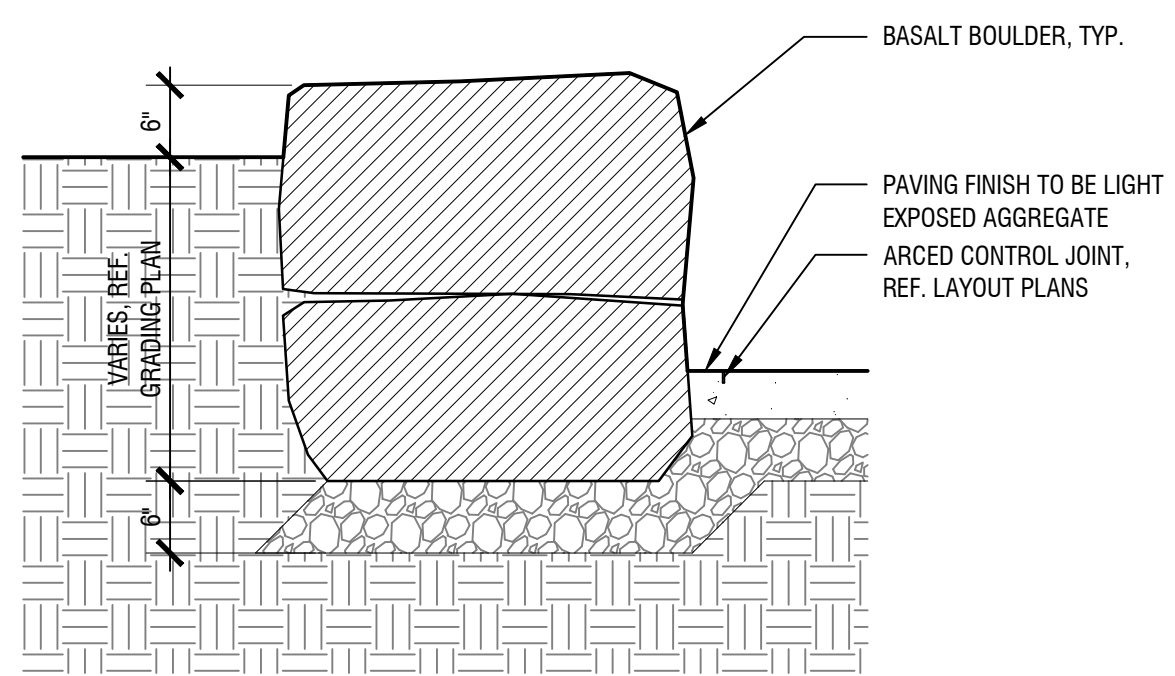


2 WALL B - SECTION
SCALE: 1/4" = 1'-0"

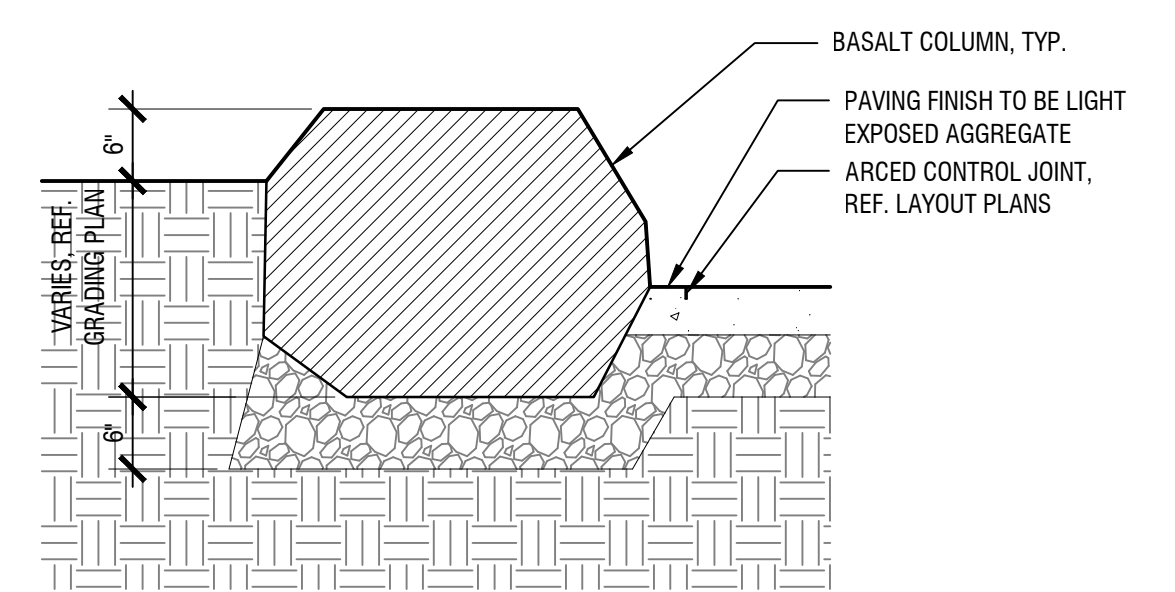
Replaced by Exhibit B3



- NOTES:
1. ARRANGE BASALT COLUMNS AS INDICATED IN DRAWINGS.
2. INSTALL BASALT COLUMNS SO THAT THEY ARE SET FIRMLY IN THE GROUND AND DO NOT TIP, WIGGLE, NOR SHIFT IN ANY MANNER.
3. INSTALL BASALT COLUMNS SO THAT THEY CANNOT BE MOVED.
4. REMOVE ALL SHARP EDGES AND POINTS, 1/2" MIN. RADIUS, TO THE SATISFACTION OF THE OWNER'S REP.



3 WALL, AT BOULDERS - SECTION
SCALE: 3/4" = 1'-0"



4 WALL, AT COLUMNS - SECTION
SCALE: 3/4" = 1'-0"

5 BASALT COLUMN - HORIZONTAL
SCALE: 1" = 1'-0"

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03.28.2024

Project
FROG POND
NEIGHBORHOOD PARK

Sheet Title

SITE DETAILS - WALLS & CURBS

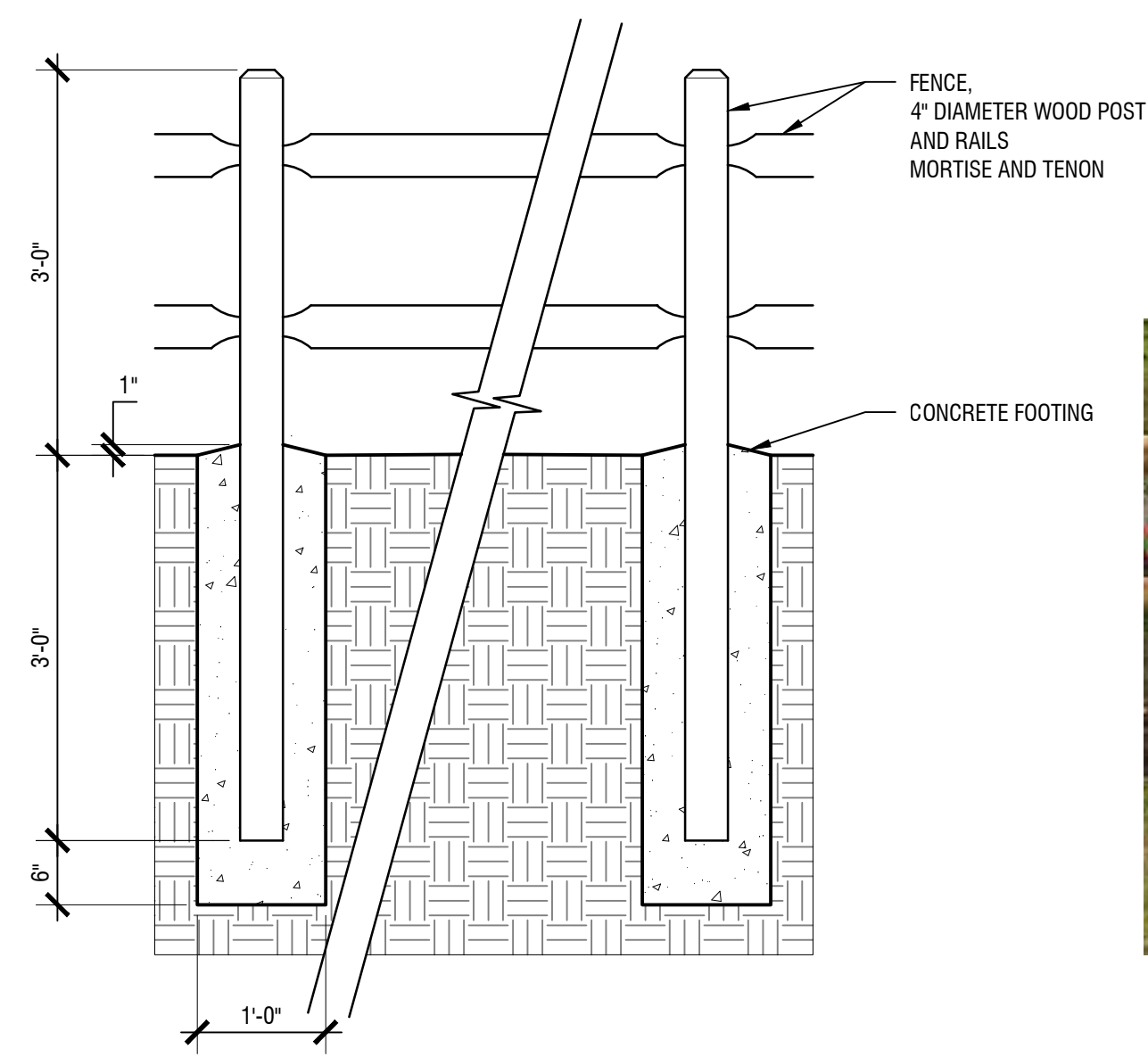
Sheet No.

L6.11



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1 FENCE - SECTION/ELEVATION
SCALE: 3/4" = 1'-0"

2 CONCRETE PAVING - STAMPED
SCALE: NTS

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03.28.2024

Project
FROG POND
NEIGHBORHOOD PARK

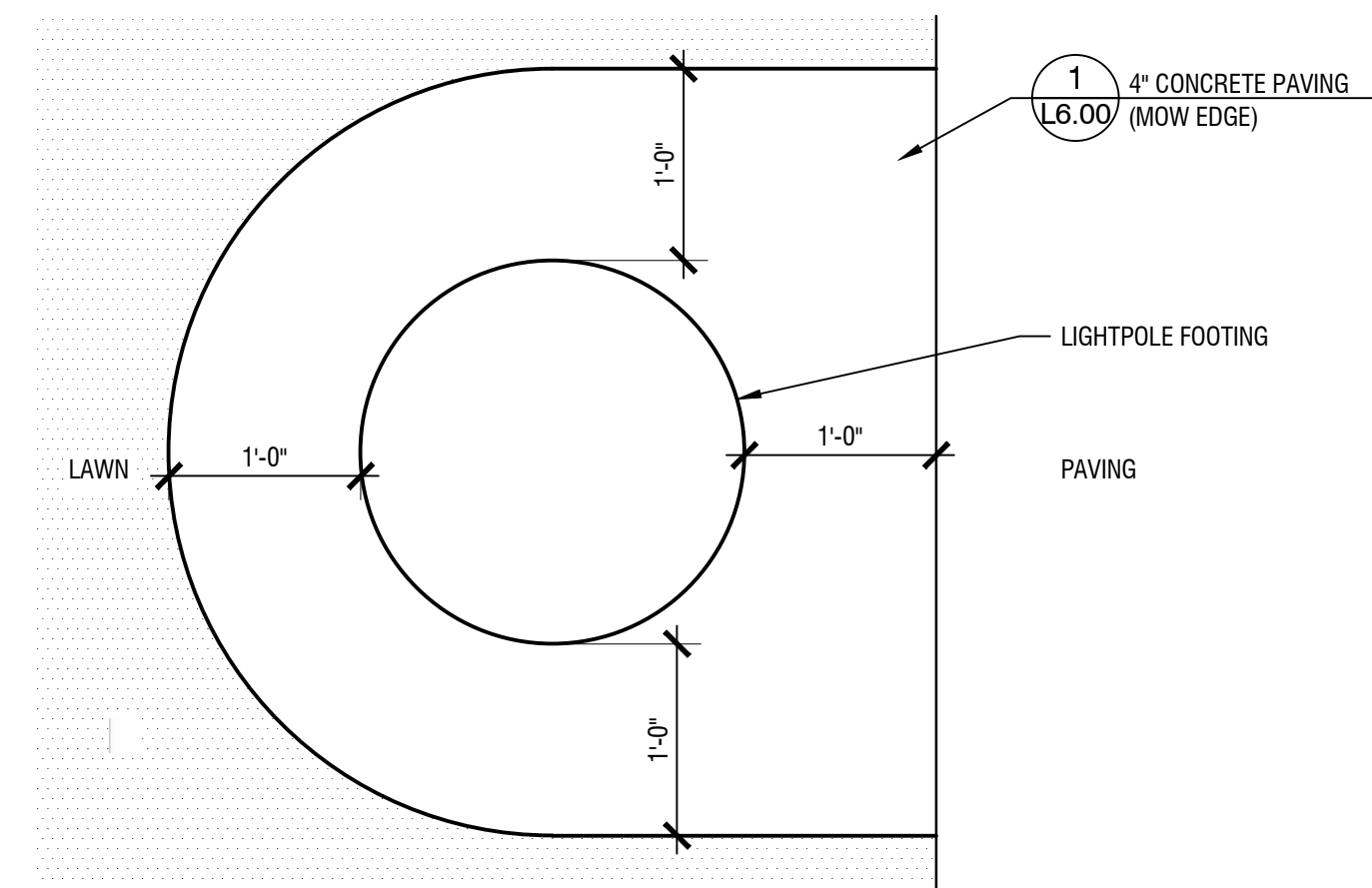
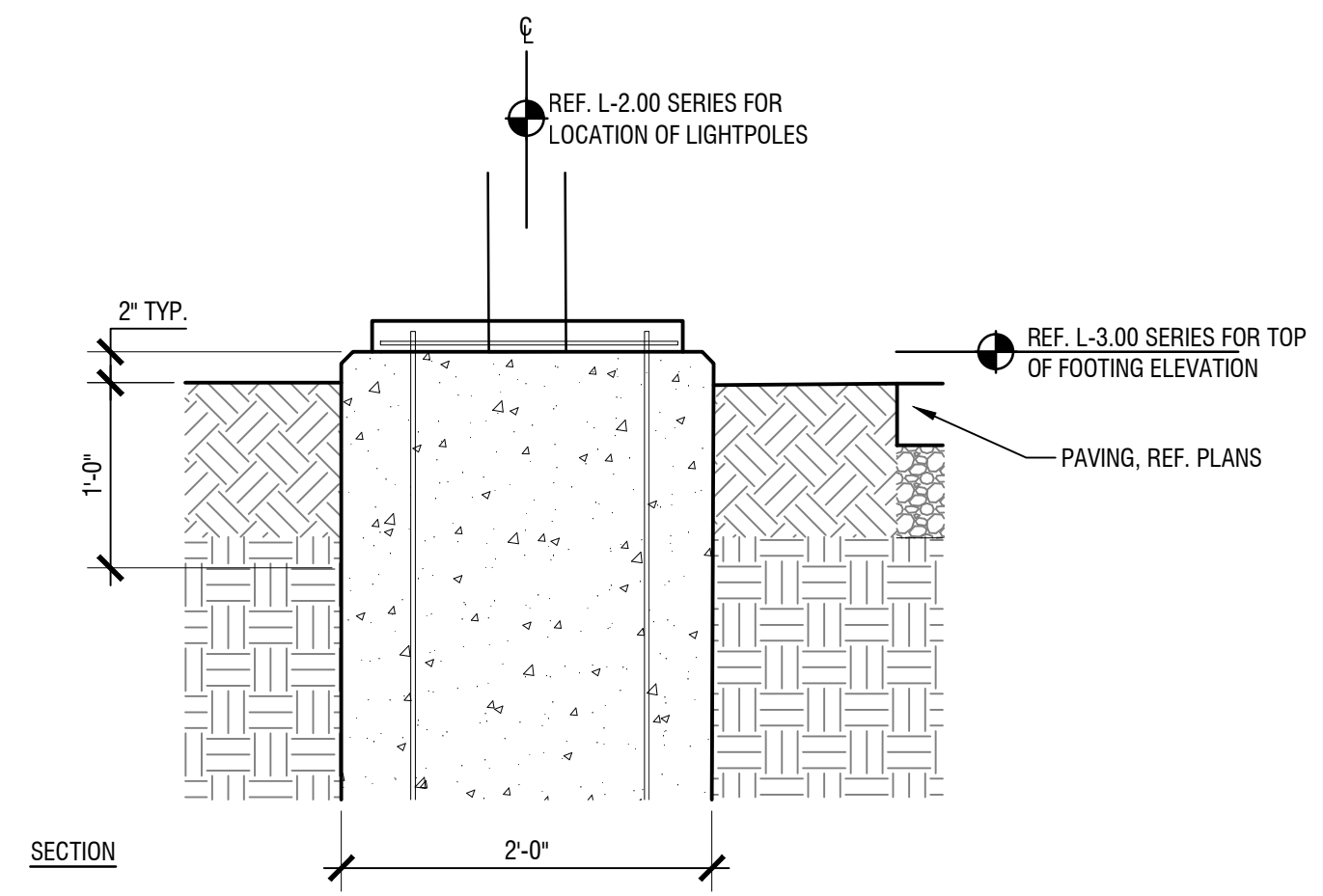
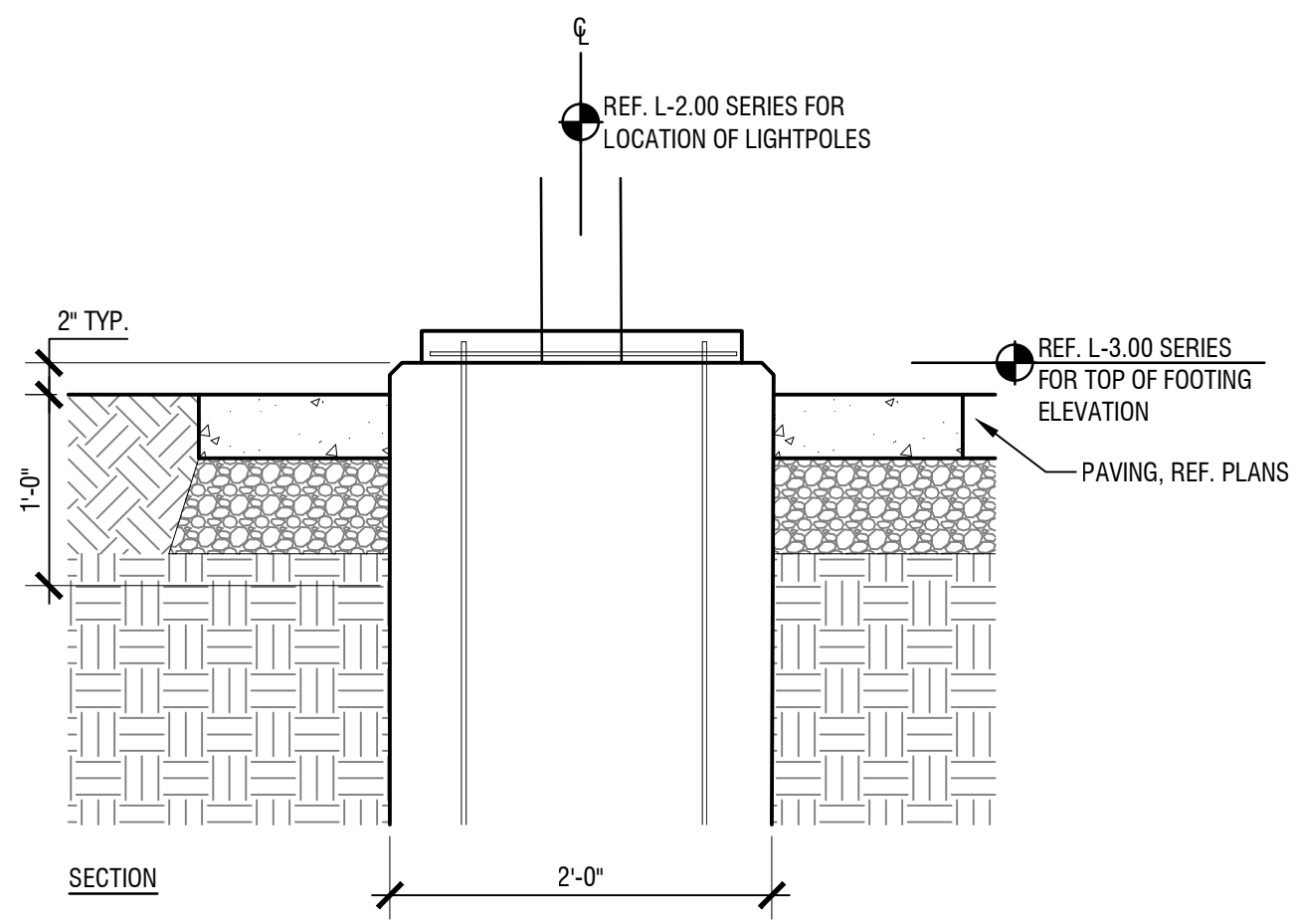
Sheet Title
SITE DETAILS -
FENCING

Sheet No. L6.20 207



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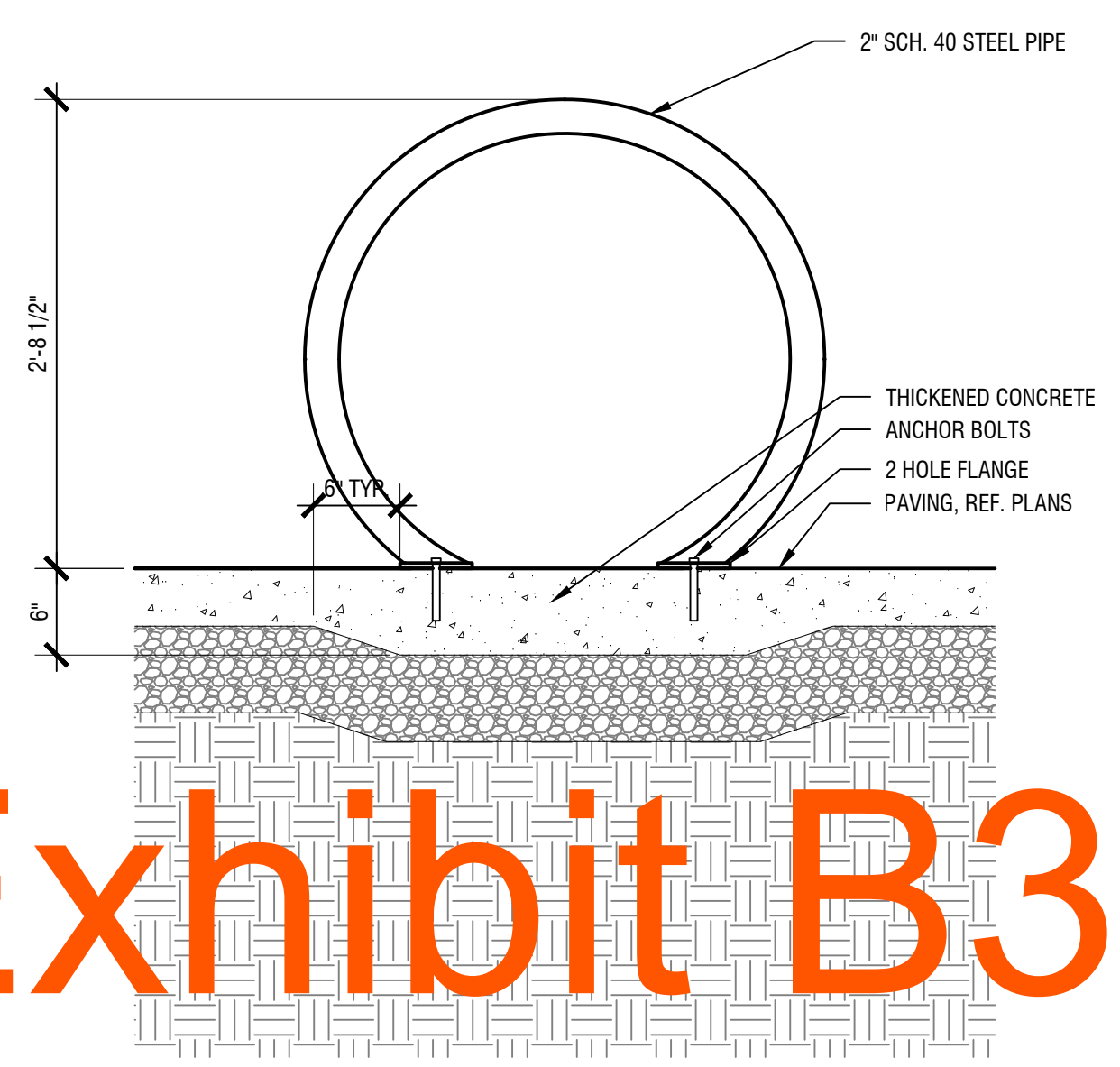
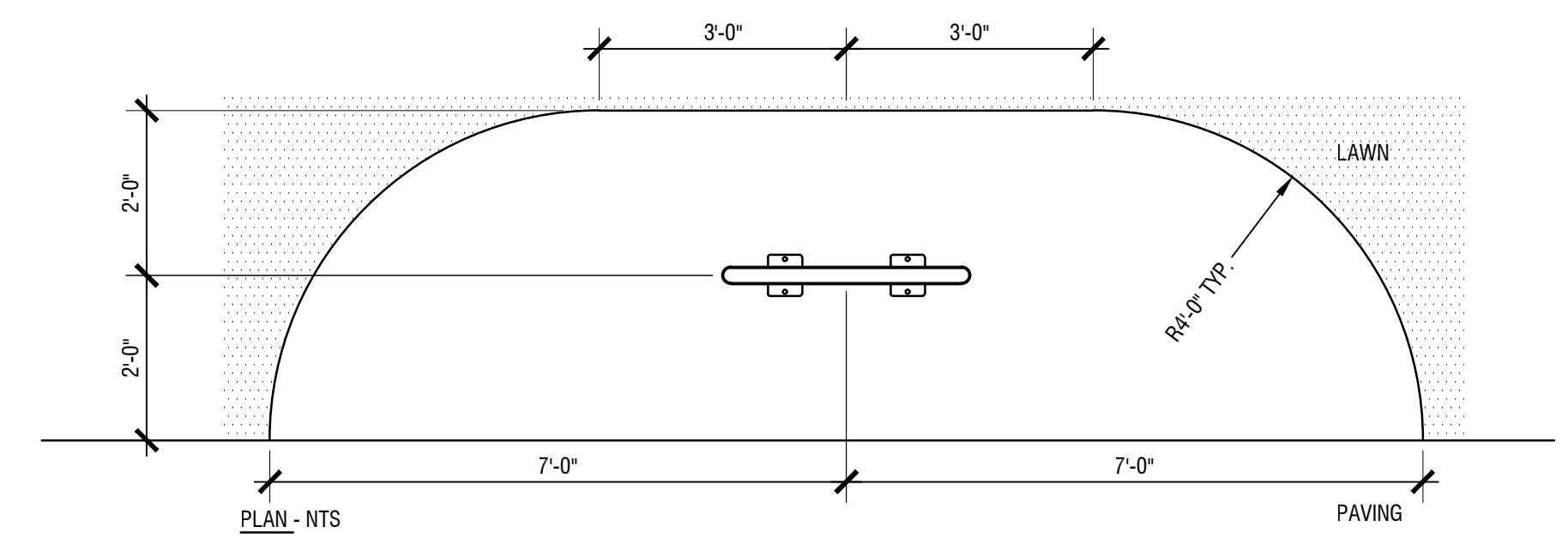


PLAN
A - IN LAWN

NOTES:
1. FOR ELECTRICAL INFORMATION REF. ELECTRICAL.
2. FOR CAST IN PLACE FOOTING DEPTH AND REINFORCING, REF. STRUCTURAL, DELEGATED DESIGN.

1 LIGHT POLE FOOTING - INTERFACE WITH ADJACENT SURFACES
SCALE: 1"= 1'-0"

LIGHTPOLE-FOOTING.DWG



2 BIKE RACK
SCALE: 1"= 1'-0"

SECTION

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Revisions

Submittal / Date
LAND USE PERMIT
03.28.2024

Project
FROG POND
NEIGHBORHOOD PARK

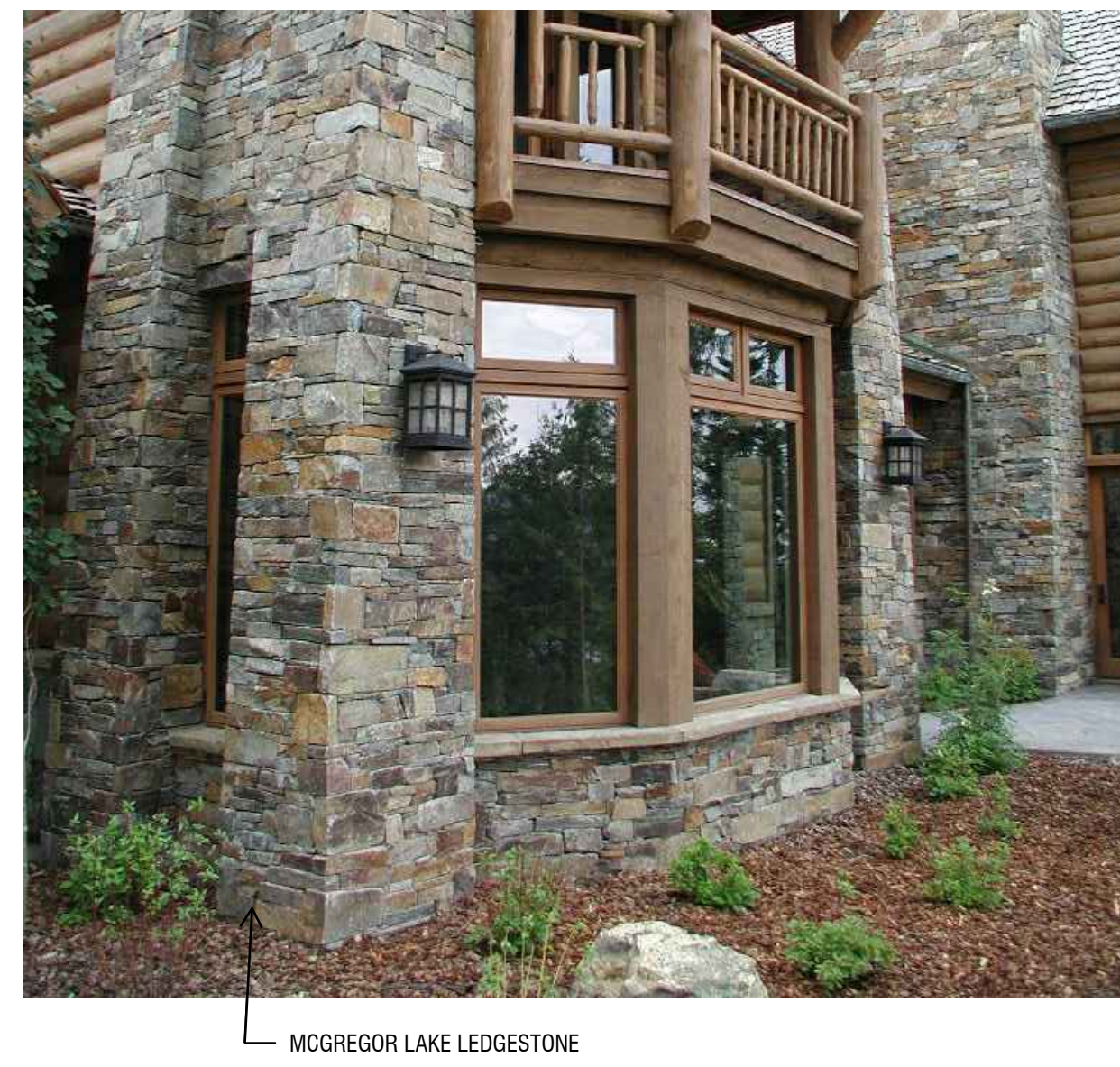
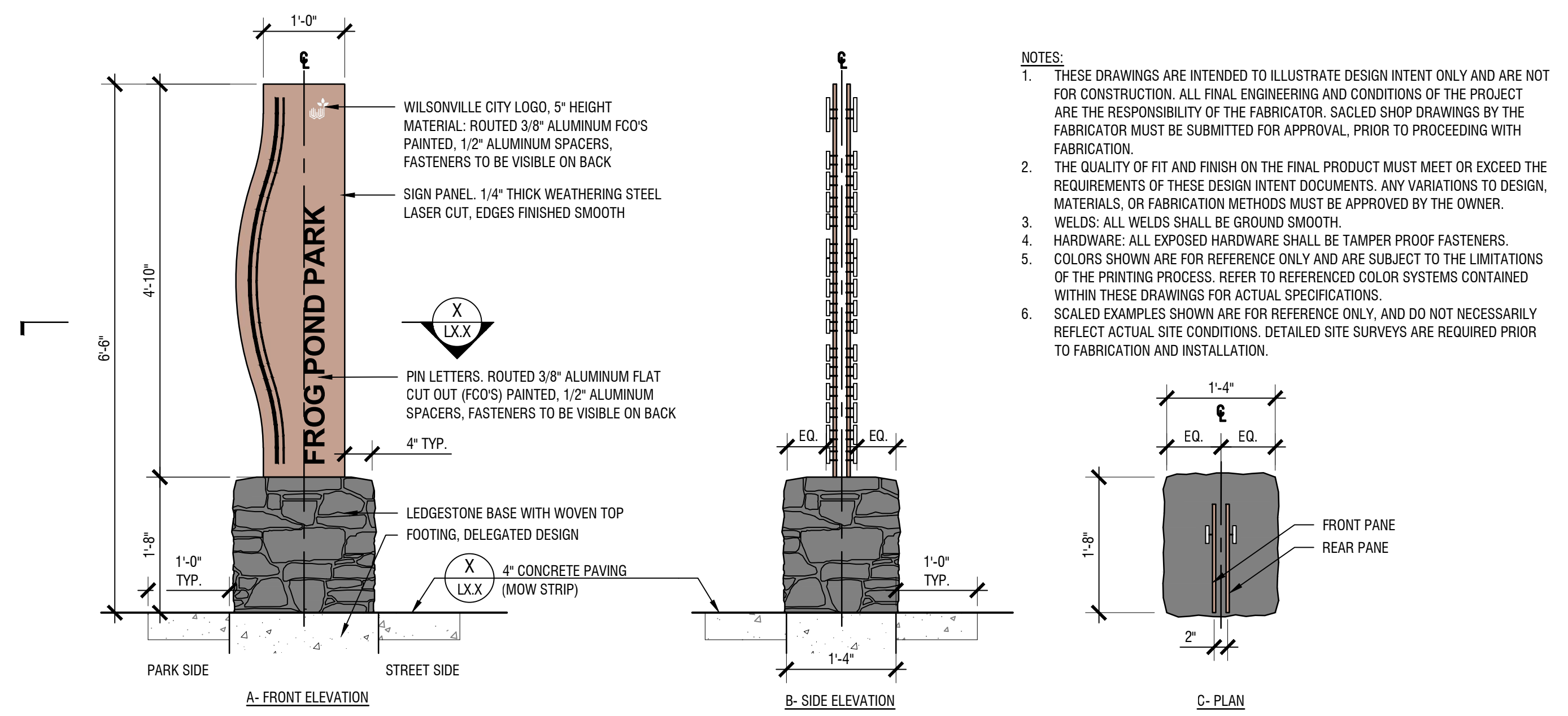
Sheet Title
SITE DETAILS - SITE
FURNISHINGS

Sheet No. L6.30 208



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1 PARK SIGN
SCALE: 3/4" = 1'-0"

SIGN-PARK-SMALL.DWG

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Submittal / Date
LAND USE PERMIT
03.28.2024

Project
FROG POND
NEIGHBORHOOD PARK

Sheet Title
SITE DETAILS -
MISCELLANEOUS

Sheet No. L6.40 209



picnic shelter - Western Wood Structures
treated Douglas fir, powdercoated steel (dark green), standing seam metal roof (dark green)



bench and picnic table - Landscapeforms Gretchen
thermally modified ash, powdercoated steel (black)

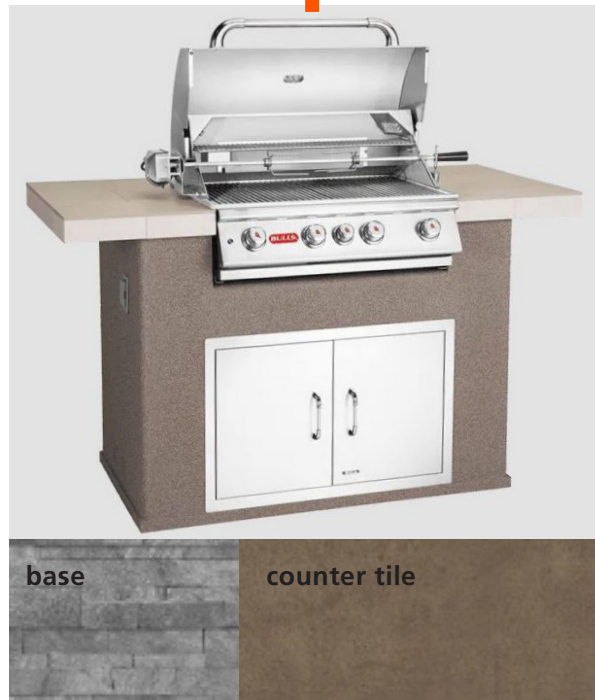


aged thermally modified ash aged thermally modified oak

Replaced by Exhibit B3



bike rack - Huntco Sol
surface mounted, powdercoated (black)



grill - Bull Grills 4 burner with counter
tile counter and ledger stone base
BYO propane tank



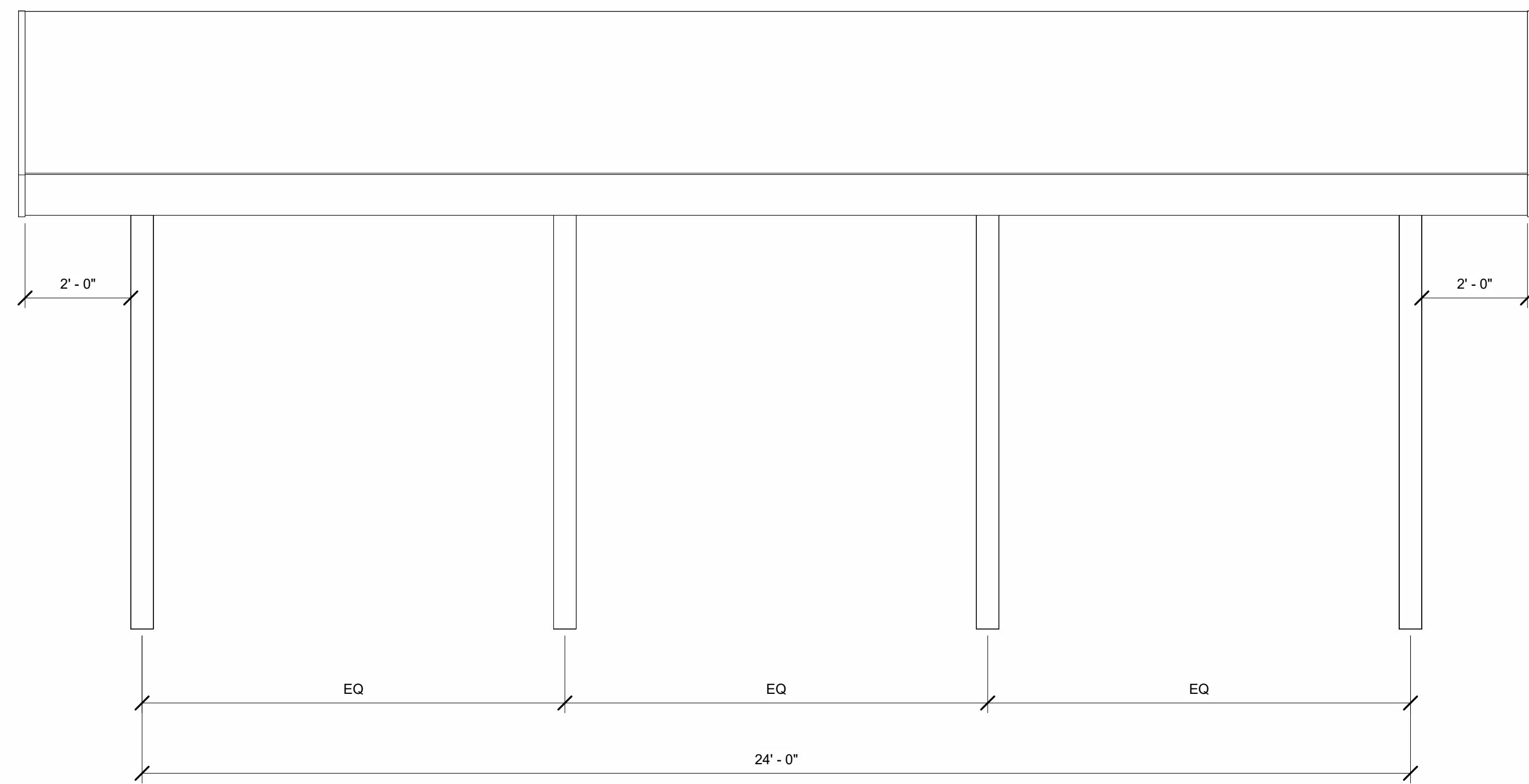
waste receptacle - DuMor 70
thermally modified oak
powdercoated steel (black)



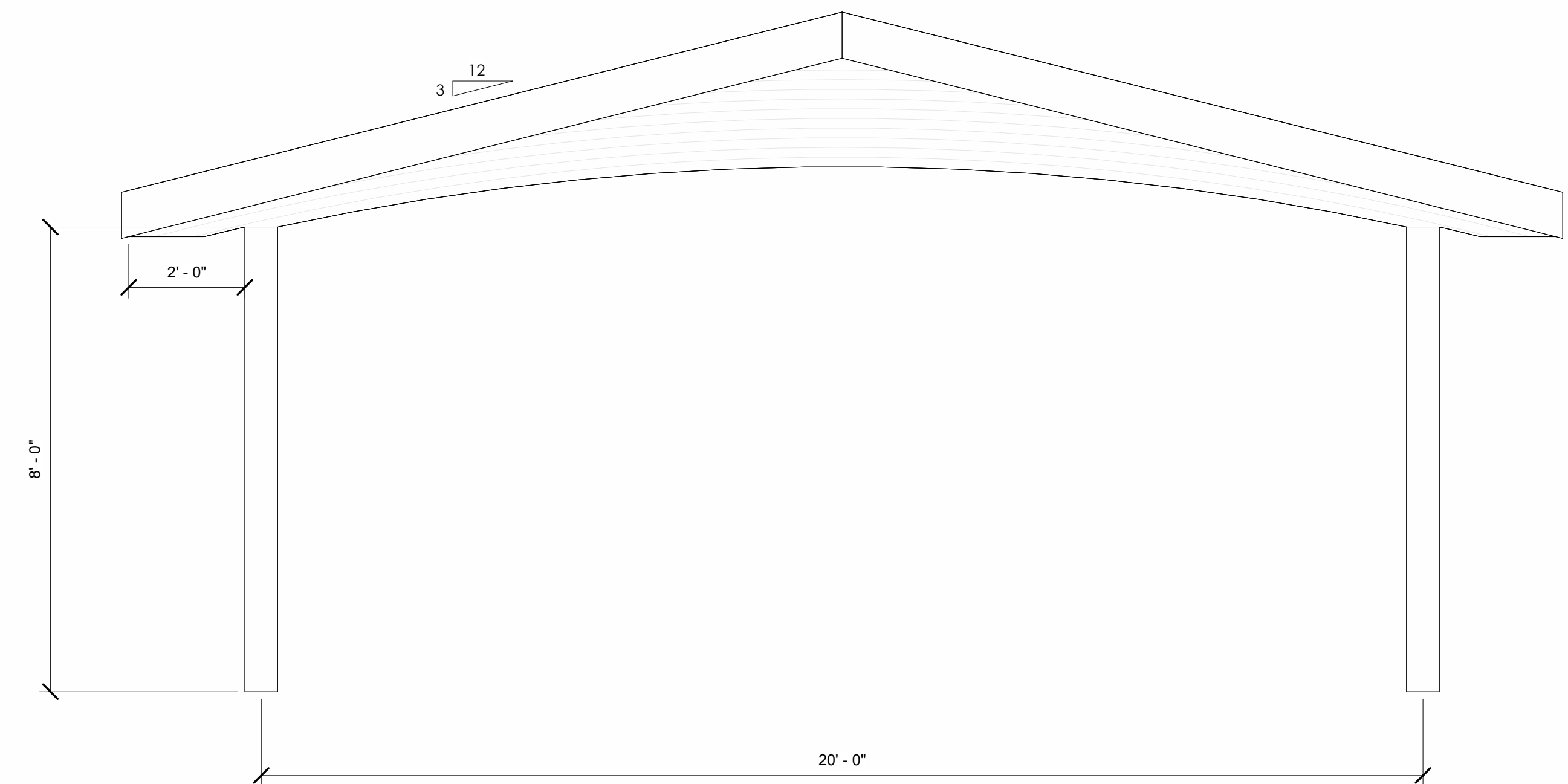
pet station - DOGIPOT
powder coated aluminum (green)



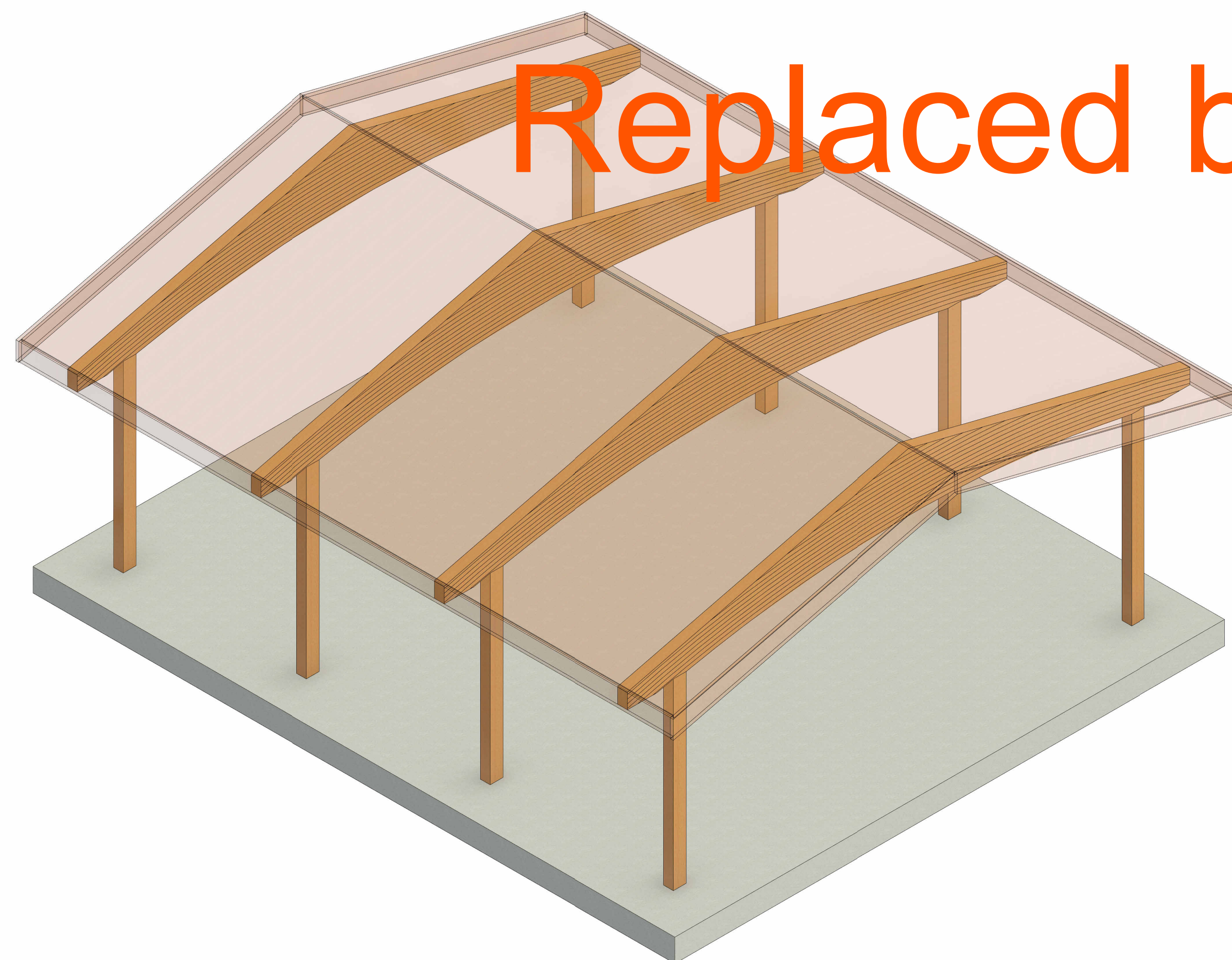
drinking fountain - Most Dependable Fountain 10145SM
powdercoated steel (dark green)



1 SIDE ELEVATION
A101 1/2" = 1'-0"



2 FRONT ELEVATION
A101 1/2" = 1'-0"



3 AXONOMETRIC
A101

Replaced by Exhibit B3

PRE-ENGINEERED SHELTERS

1.0 GENERAL REQUIREMENTS

1.1 Description: This section includes the design, fabrication, and supply of the pre-engineered shelter(s) as shown and described on the detail drawing. The shelter framing members shall be of glulam or sawn fir per construction and the supplier shall furnish all materials, including connecting steel and hardware for a complete installation.

Design Criteria:
Dead Load: _____ psf
Live Load: _____ psf
Snow Load: _____ psf

Wind and seismic loads per local building code.

1.3 Qualifications: The shelter supplier must be a company specializing in the design and fabrication of shelters with a minimum of five (5) years documented experience. Approved manufacturers include:

Western Wood Structures, Inc.
PO Box 130
Tualatin, Oregon 97062-0130
(800) 547-5411

1.4 Submittals:

1.4.1 Submit shop drawings and product data under the provisions of Section 01300. Shop drawings shall include: general framing plan, truss or beam profiles, loads, and fabrication details for all wood members and steel assemblies. Also indicate dimensions, wood grades, drilled holes, fasteners and cambers.

1.4.2 Submit design calculations stamped by a registered engineer, licensed to practice in the state where the shelter is being constructed.

1.4.3 Furnish an AITC or APA-EWS Certificate of Conformance stating that the glulams conform to the specifications.

1.4.4 Furnish a WCLIB or WWPA Certificate of Conformance for all sawn lumber.

1.4.5 Provide a written warranty against defects in material and workmanship for a period of five (5) years.

2.0 PRODUCTS

2.1 Materials:

2.1.1 Glulam shall be Douglas Fir. Stress grades shall be as required by the design. The appearance shall be Premium, S3S. Adhesive shall be 100% waterproof phenolic resin glue.

2.1.2 Columns shall be Douglas Fir, S4S, KD, FOHC. Hand select for appearance, square edge. Stress grade shall be as required by design. Pressure treat for ground contact to a minimum net retention of 0.4 PCF. At the owner's option, the columns may be glulam or steel.

2.1 Materials (continued):

2.1.3 Decking shall be 2"x 6" Douglas Fir Select Dex, S2S, KD, EV1S, Paper Wrap.

2.1.4 Fascia to be Western Red Cedar, KD, S4S. Select for appearance. 2.1.5 Steel and Hardware. Steel to be ASTM A-36 and hardware to be ASTM A-307. Welding by certified welders per AWS specifications D1.1. All steel and hardware to be hot-dipped galvanized.

2.2 Fabrication:

2.2.1 The main structural beams and/or trusses are to be fabricated and assembled to the fullest extent possible in a plant with facilities for performing work specified. Factory drill all holes to the extent possible using steel as templates. For glulam or sawn members of 8" nominal width or greater, drill holes from both sides of members to ensure the true hole alignment.

2.2.2 Concealed connector locations shall be fabricated to within 1/8" of true position. Fabricate length of members to be within 1/8" of required length to achieve tight connections. Make end cuts flat and true to ensure consistent load transfer.

3.0 EXECUTION

3.1 Delivery, Storage and Handling:

3.1.1 The purchaser or installer is responsible for handling and protection of shelter framing materials after arrival at destination. All trusses and/or beams shall be unloaded and handled with a forklift or crane using nylon slings.

3.1.2 If the materials are to be stored at the site, they must be placed on a level surface and stickered to prevent warpage and twisting.

3.1.3 Any damage must be reported immediately to the truss manufacturer's professional engineer.

3.2 Installation:

3.2.1 Install the shelter according to supplier's shop details and installation instructions. Do not field cut, drill, or alter structural members without written approval from the pre-engineered building supplier. Set framing members in locations and to elevations indicated. Make provisions for erection loads and provide temporary bracing to maintain framing members true and plumb, and in true alignment until completion of erection.

3.2.2 Maintain factory-applied wrapping until roof structure is enclosed.

WARNING: Drilling, sawing, sanding or machining wood products can expose you to wood dust, a substance known to the State of California to cause cancer. Avoid inhaling wood dust or use a dust mask or other safeguards for personal protection. For more information go to www.P65Warnings.ca.gov/wood

This drawing is the property of Western Wood Structures, Inc. and has been prepared specifically for the job indicated. It shall not be reproduced or used on any other project without the written consent of Western Wood Structures, Inc.

NO.	DATE	REVISIONS	BY



Western Wood Structures, Inc.
20675 SW 105th Ave
P.O. Box 130
Tualatin, Oregon 97062
503-692-6900
WWSI.com

PROJECT:			
LOCATION:			
ARCHITECT:			
ENGINEER:			
CONTRACTOR:			
DRAWN BY:	BJM	DATE:	3/25/24
CHECKED BY:		DATE:	
DATE PRINTED:		PLOT DATE:	3/25/24
JOB NO.:	23-H-115	SHEET:	1 OF 1



Buell Recreation

7327 Barnes Road #601 | Portland, OR 97725 | 503-922-1650

Proposal 907-180072-1 | 2/8/2024

OUR MISSION IS TO BRING
PLAY THAT MOVES YOU.
TO COMMUNITIES AROUND
THE WORLD

DESIGN SUMMARY

Buell Recreation is very pleased to present this Proposal for consideration for the Frog Pond Park Fitness located in Wilsonville. BCI Burke Company, LLC has been providing recreational playground equipment for over 100 years and has developed the right mix of world-class capabilities to meet the initial and continuing needs of City of Wilsonville. We believe our proposal will meet or exceed your project's requirements and will deliver the greatest value to you.

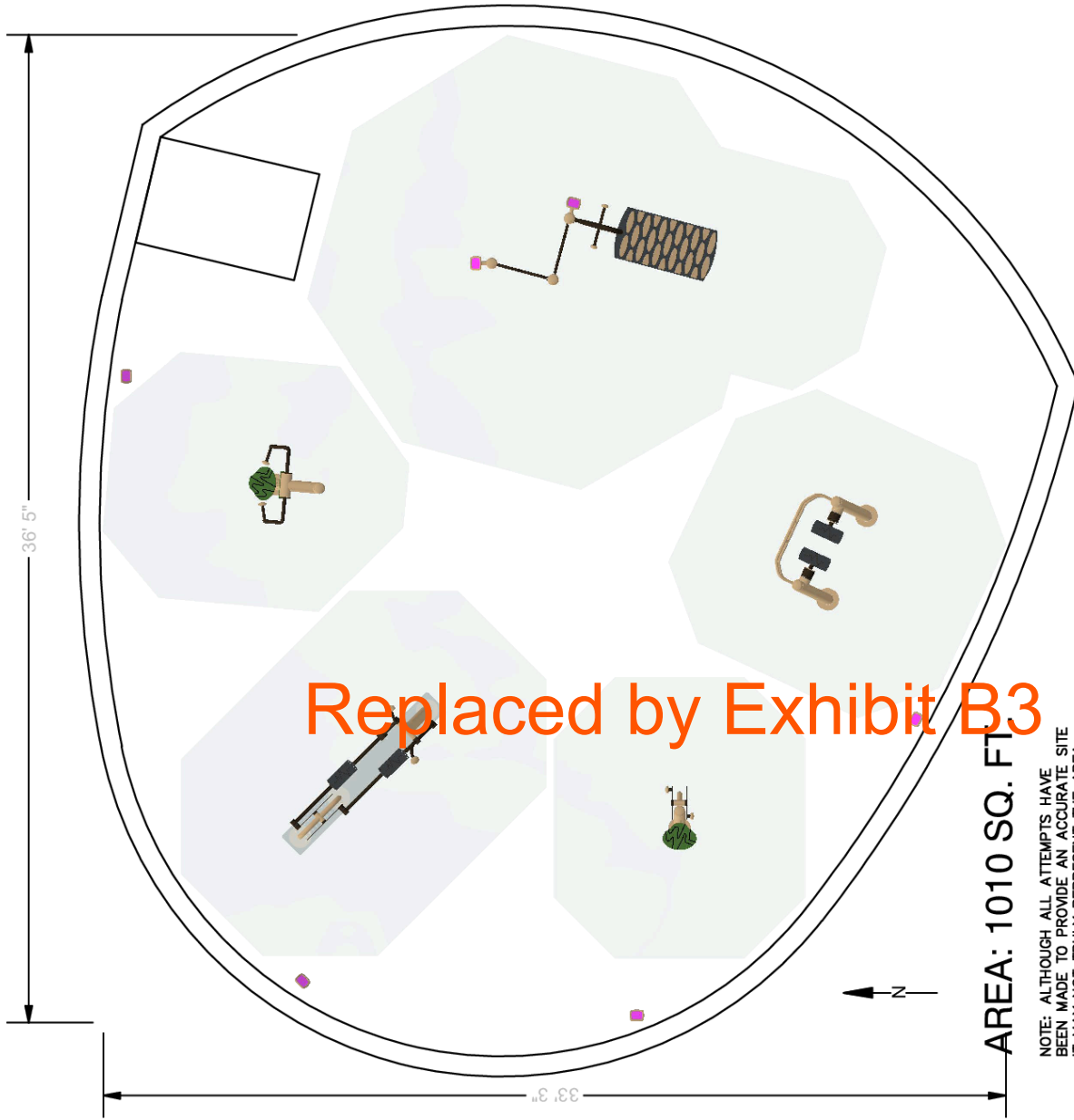
The following is a summary of some of the key elements of our Proposal:

- Project Name: Frog Pond Park Fitness
- Project Number: 907-180072-1
- User Capacity: 8
- Age Groups: 13Plus
- Dimensions: 33' 11"x33' 2"
- Designer Name: Pa Der Vang

Buell Recreation has developed a custom playground configuration based on the requirements as they have been presented for the Frog Pond Park Fitness playground project. Our custom design will provide a safe and affordable playground environment that is aesthetically pleasing, full of fun for all users and uniquely satisfies your specific requirements. In addition, proposal # 907-180072-1 has been designed with a focus on safety, and is fully compliant with ASTM F1487 and CPSC playground safety standards.

We invite you to review this proposal for the Frog Pond Park Fitness playground project and to contact us with any questions that you may have.

Thank you in advance for giving us the opportunity to make this project a success.



The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

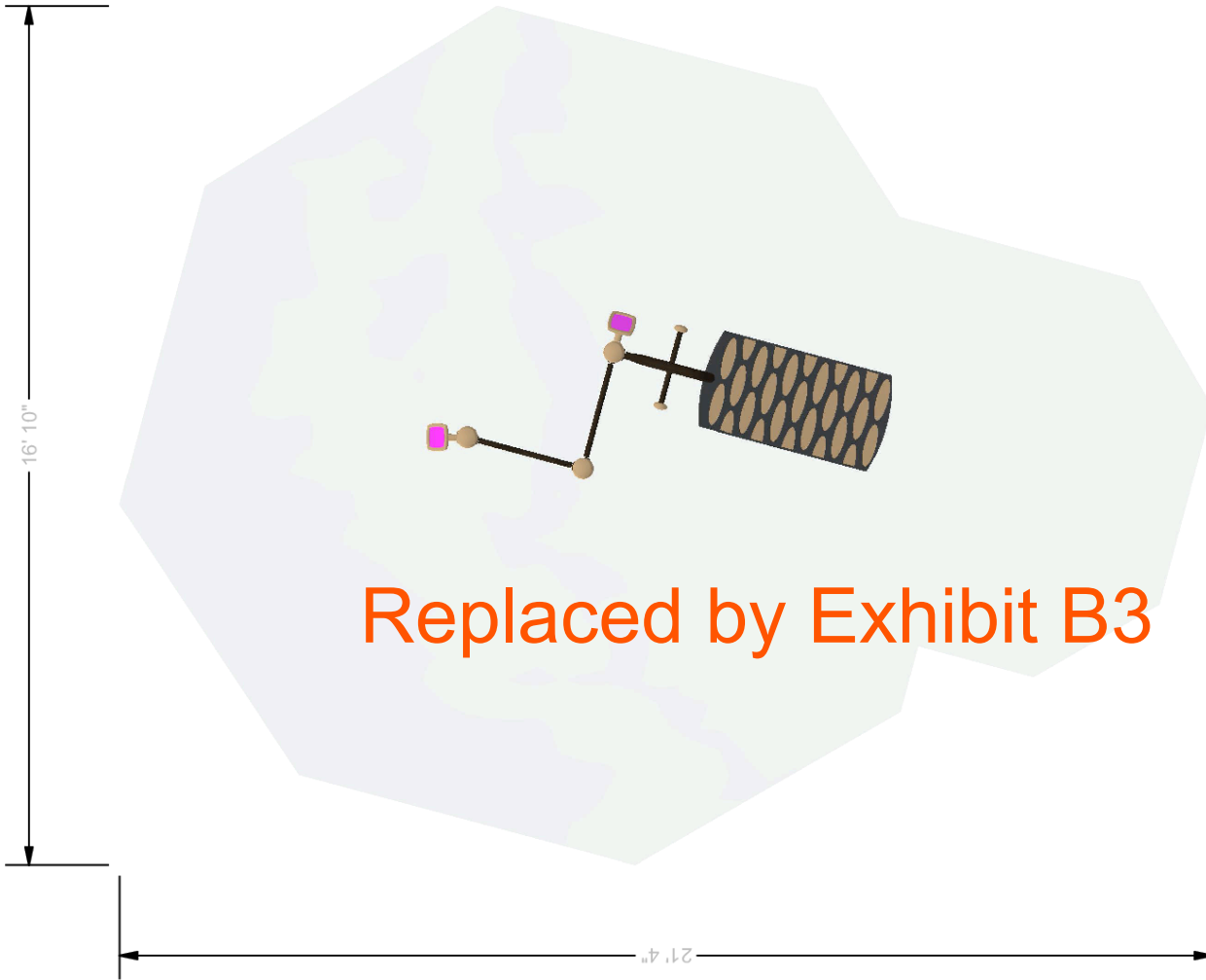
PLAYGROUND ACCESSIBILITY (Provided/Required)			
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE ELEMENTS	RAMP ACCESSIBLE ELEMENTS	TYPES OF GROUND EVENTS
2	0 / 0	0 / 0	2 / 0
			1 / 0

OVERALL BOUNDING OF USE ZONES **The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Area: 1206.8 sq.ft.
Perimeter: 139.1 ft.
STRUCTURE SIZE: 3"x36' 5"
POST SIZE(S):

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Fitness Nucleus	SITE PLAN VIEW
GROUP: FIT-2672 Fitness Stations	Frog Pond Park Fitness Wilsonville, OR 97070
DESIGNED FOR AGES: 13+	Buell Recreation 907-180072-1
Burke PLAY THAT MOVES YOU.	Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM	



Replaced by Exhibit B3

The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

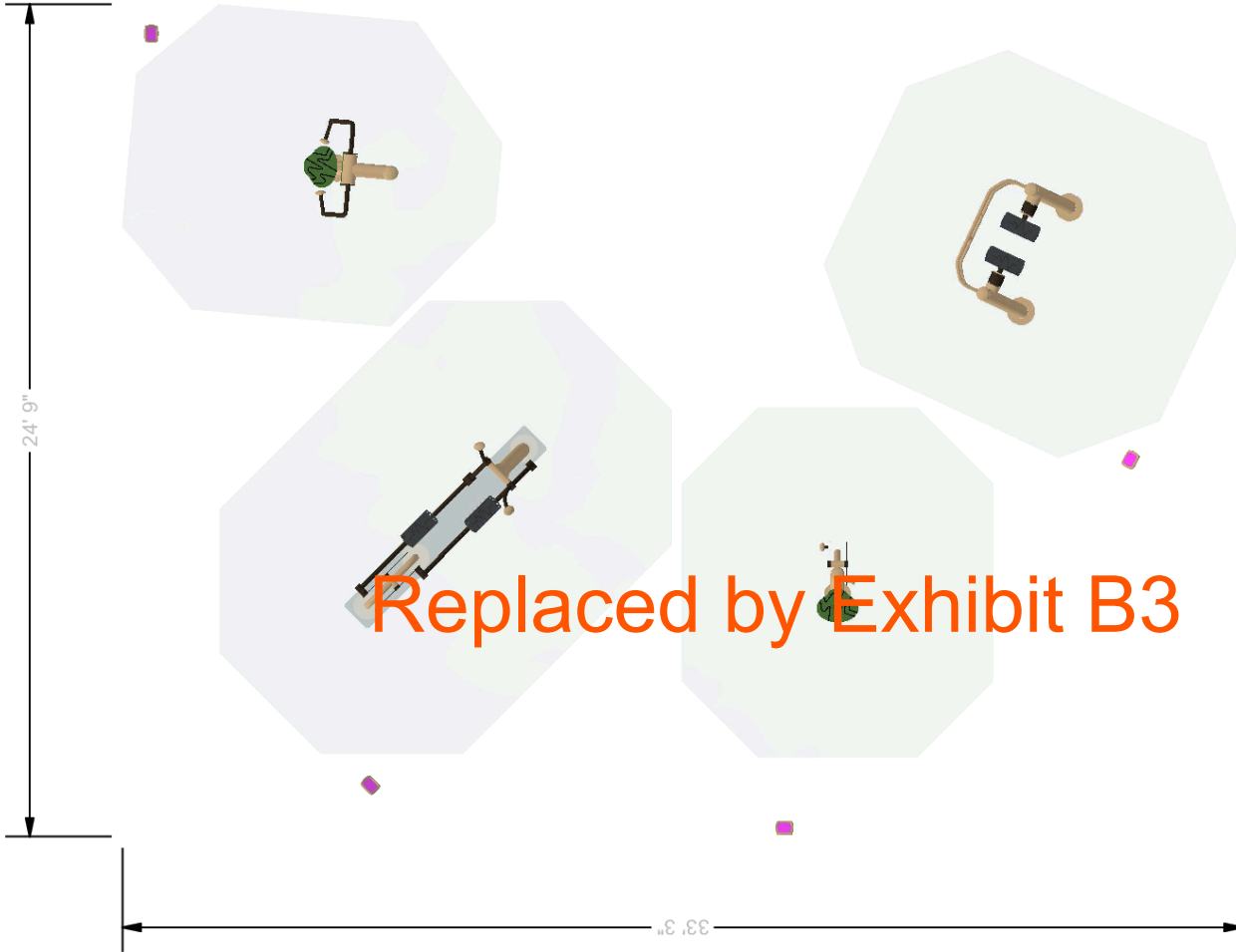
PLAYGROUND ACCESSIBILITY (Provided/Required)			
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE ELEMENTS	RAMP ACCESSIBLE ELEMENTS	TYPES OF GROUND EVENTS
2	0 / 0	0 / 0	2 / 0
			1 / 0

OVERALL BOUNDING OF USE ZONES **The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Area: 1206.8 sq.ft.
 Perimeter: 139.1 ft.
STRUCTURE SIZE: 3'x36' 5"
POST SIZE(S):

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Fitness Nucleus		SITE PLAN VIEW	
GROUP: FIT-2672	Frog Pond Park Fitness Wilsonville, OR 97070	02/08/2024	
DESIGNED FOR AGES: 13+	Burke PLAY THAT MOVES YOU.	Buell Recreation 907-180072-1	
		Designer: Pa Der Vang	
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM			



Replaced by Exhibit B3

The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

PLAYGROUND ACCESSIBILITY (Provided/Required)			
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE EVENTS	RAMP ACCESSIBLE EVENTS	TYPES OF GROUND EVENTS
2	0 / 0	0 / 0	2 / 0
			1 / 0

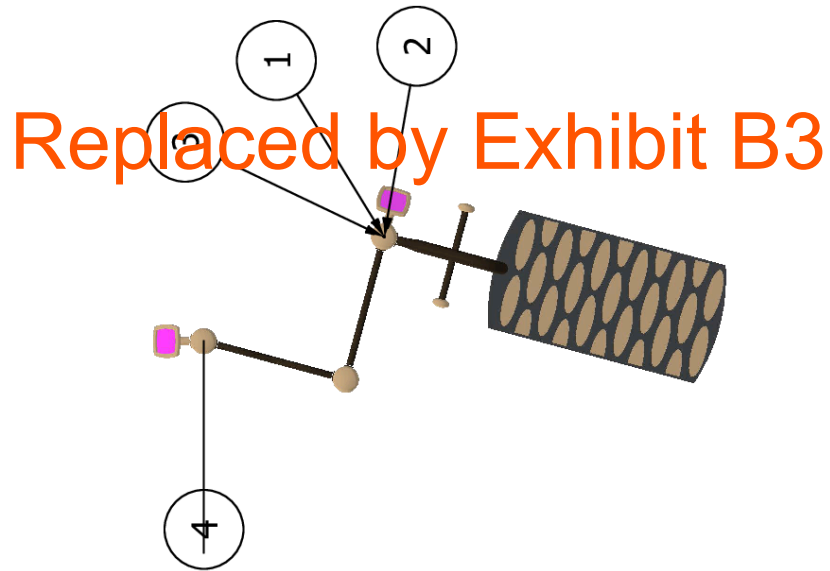
OVERALL BOUNDING OF USE ZONES
 Area: 1206.8 sq.ft.
 Perimeter: 139.1 ft.
STRUCTURE SIZE: 3'x36' 5"
POST SIZE(S):
 **The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Fitness	SITE PLAN VIEW
GROUP: Fitness Stations	Frog Pond Park Fitness Wilsonville, OR 97070
DESIGNED FOR AGES: 13+	Bueller Recreation 907-180072-1 Designer: Pa Der Vang
Burke PLAY THAT MOVES YOU.	
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM	

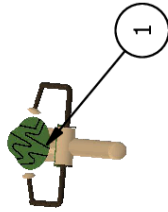
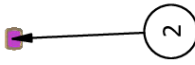
ITEM	COMP.	DESCRIPTION
1	370-1597	STRETCH BEAMS
2	370-1601	CORE STATION
3	570-2659	SIGN, CORE STATION
4	570-2657	SIGN, STRETCH BEAMS

Item 5.

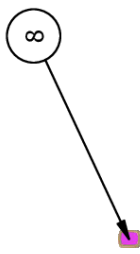
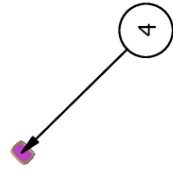
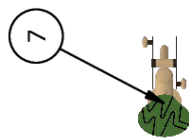
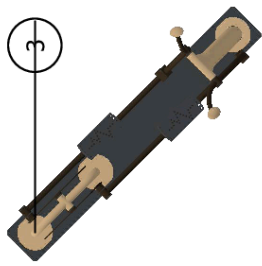
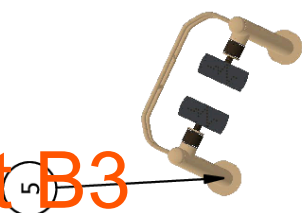


SERIES Fitness Nucleus	COMPONENT VIEW	
GROUP: FIT-2672	Frog Pond Park Fitness Wilsonville, OR 97070	02/08/2024
DESIGNED FOR AGES: 13+	Burke PLAY THAT MOVES YOU	Buell Recreation 907-180072-1
		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		

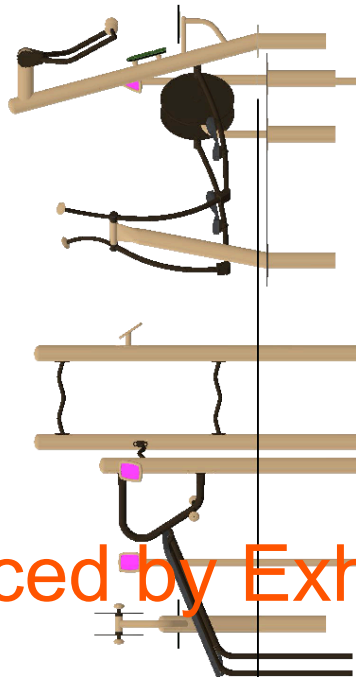
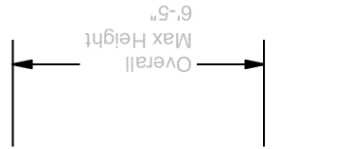
ITEM	COMP.	DESCRIPTION
1	570-2690	INVIGORATE FITNESS CHEST PRESS
2	570-2698	FS SIGN INVIGORATE CHEST PRESS
3	570-2686	INVIGORATE FITNESS ELLIPTICAL
4	570-2700	FS SIGN INVIGORATE ELLIPTICAL
5	570-2691	INVIGORATE FITNESS STRIDER
6	570-2697	FS SIGN INVIGORATE STRIDER
7	570-2730	INVIGORATE HAND CYCLE
8	570-2731	FS SIGN, INVIGORATE HAND CYCLE



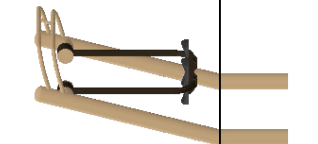
Replaced by Exhibit B3



SERIES Fitness	COMPONENT VIEW
GROUP: Fitness Stations	02/08/2024
DESIGNED FOR AGES: 13+	Buell Recreation 907-180072-1
Frog Pond Park Fitness Wilsonville, OR 97070	Designer: Pa Der Vang
Burke PLAY THAT MOVES YOU	
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM	



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SERIES Fitness | Nucleus **ELEVATION VIEW**

GROUP:
FIT-2672|Fitness Stations

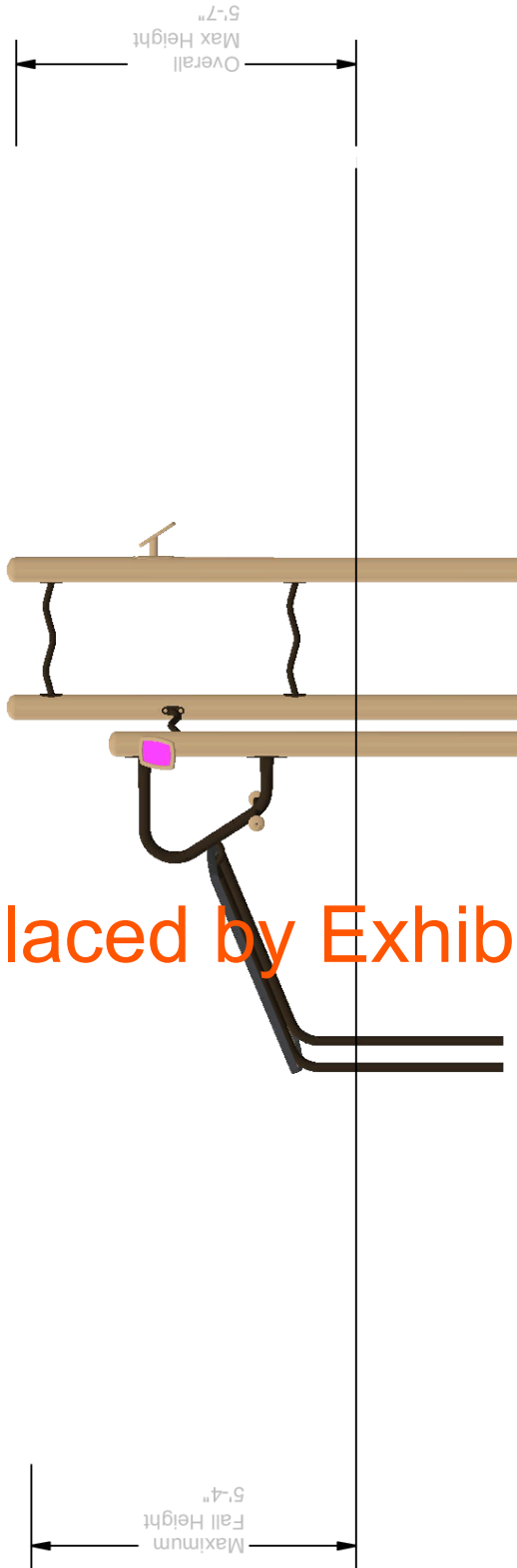
DESIGNED FOR AGES:
13+

Frog Pond Park Fitness
Wilsonville, OR 97070

02/08/2024

Buell Recreation
907-180072-1

Designer: Pa Der Vang



Replaced by Exhibit B3

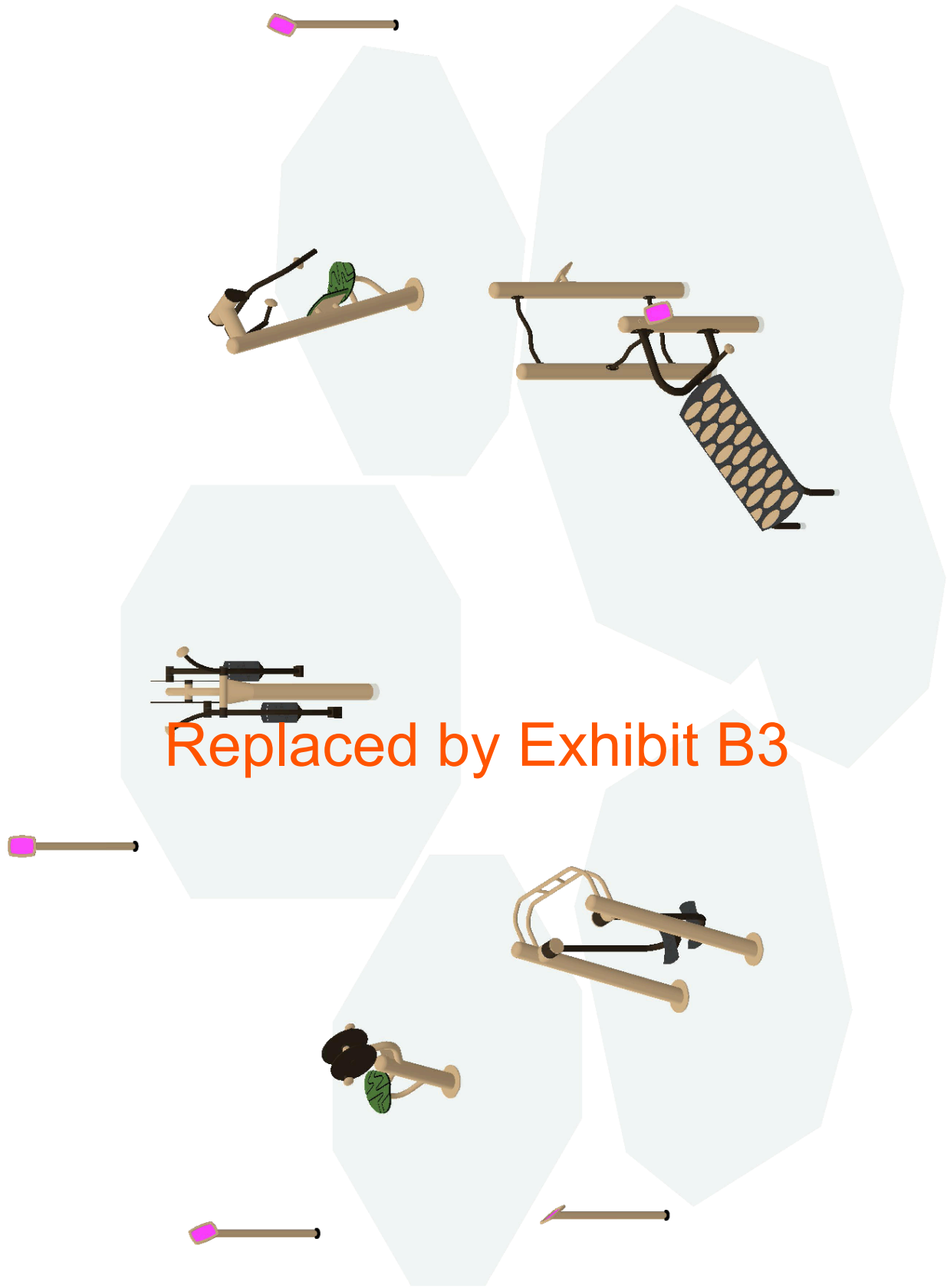


Replaced by Exhibit B3

SERIES Fitness	Frog Pond Park Fitness Wilsonville, OR 97070	ELEVATION VIEW 02/08/2024
GROUP: Fitness Stations	Burke PLAY THAT MOVES YOU	Buell Recreation 907-180072-1
DESIGNED FOR AGES: 13+		Designer: Pa Der Vang

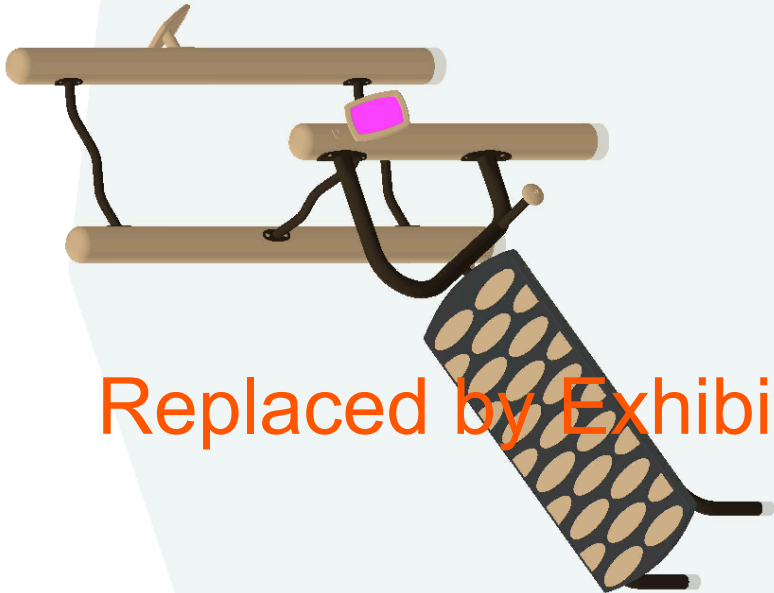
BCI BURKE COMPANY, LLC | PO BOX 549 FOND DU LAC, WI 54936-0549 | 920.921.9220 | BCIBURKE.COM

221



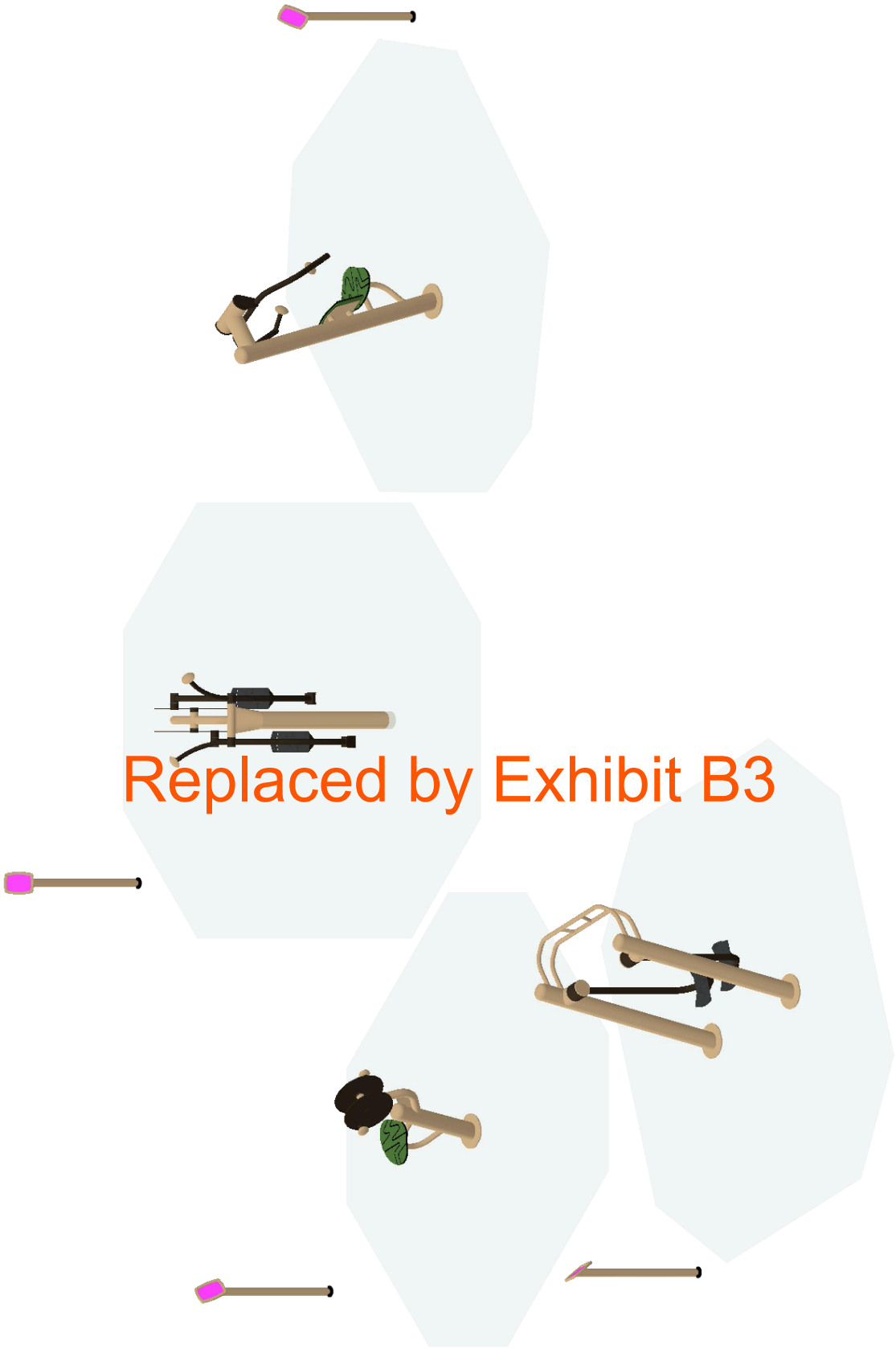
Replaced by Exhibit B3

<p>SERIES Fitness Nucleus</p>	<p>Frog Pond Park Fitness Wilsonville, OR 97070</p>	<p>ISOMETRIC VIEW</p>
<p>GROUP: FIT-2672 Fitness Stations</p>		<p>02/08/2024</p>
<p>DESIGNED FOR AGES: 13+</p>	<p>Burke PLAY THAT MOVES YOU</p>	<p>Buell Recreation 907-180072-1</p>
<p>BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM</p>		<p>Designer: Pa Der Vang</p>



Replaced by Exhibit B3

SERIES Fitness Nucleus	Frog Pond Park Fitness	ISOMETRIC VIEW
GROUP: FIT-2672	Wilsonville, OR 97070	02/08/2024
DESIGNED FOR AGES: 13+	Burke PLAY THAT MOVES YOU	Buell Recreation 907-180072-1 Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		



Replaced by Exhibit B3

<p>SERIES Fitness</p>	<p>Frog Pond Park Fitness Wilsonville, OR 97070</p>	<p>ISOMETRIC VIEW</p>
<p>GROUP: Fitness Stations</p>		<p>02/08/2024</p> <p>Buell Recreation 907-180072-1</p>
<p>DESIGNED FOR AGES: 13+</p>	<p>Burke PLAY THAT MOVES YOU</p>	<p>Designer: Pa Der Vang</p>
<p>BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM</p>		<p>224</p>

Proposal 907-180072-1 | 2/8/2024 | 2024 Pricing

The play components identified in this proposal are IPEMA certified. The use and layout of these components conform to the requirements of ASTM F1487. To verify product certification, visit www.ipema.org.



The space requirements shown in this proposal are to ASTM standards. Requirements for other standards may be different.

Component No.	Description	Qty	User Cap	Ext. User Cap	Weight	Ext. Weight
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FIT-2672

Fitness

370-1597	STRETCH BEAMS	1	2	2	9	9
370-1601	CORE STATION	1	1	1	126	126
570-2657	SIGN, STRETCH BEAMS	1	0	0	9.5	9.5
570-2659	SIGN, CORE STATION	1	0	0	9.5	9.5
600-0104	NPPS SUPERVISION SAFETY KIT	1	0	0	3	3
660-0103	MAINTENANCE KIT, STRUCTURE	1	0	0	7	7
660-0104	INSTALLATION KIT, STRUCTURE	1	0	0	5	5

Replaced by Exhibit B3

Nucleus

072-0500-100C	5" OD X 100" CAPPED POST	2	0	0	53	106
072-0500-80C	5" OD X 80" CAPPED POST	1	0	0	42	42

Fitness Stations

Fitness

570-2686	INVIGORATE FITNESS ELLIPTICAL	1	1	1	297	297
570-2690	INVIGORATE FITNESS CHEST PRESS	1	1	1	154	154
570-2691	INVIGORATE FITNESS STRIDER	1	1	1	200	200
570-2697	FS SIGN INVIGORATE STRIDER	1	0	0	24	24
570-2698	FS SIGN INVIGORATE CHEST PRESS	1	0	0	24	24
570-2700	FS SIGN INVIGORATE ELLIPTICAL	1	0	0	25	25
570-2730	INVIGORATE HAND CYCLE	1	2	2	98	98
570-2731	FS SIGN, INVIGORATE HAND CYCLE	1	0	0	25	25

Special Notes:

Prices do not include freight, unloading, material storage, site excavation/preparation, removal of existing equipment, removal of excess soil from footing holes, site security, safety surfacing, installation, or sales tax (if applicable). Prices are based on standard colors per CURRENT YEAR BCI Burke Catalog. Custom colors, where available, would be an extra charge. **Pricing is valid for 30 days from the date of this proposal.**

COLOR SELECTION LIST | Default Color Option

GROUP 1 (FIT-2672)

Acc: Brown
Post: Tan
Flat: Tan

GROUP 2 (Fitness Stations)

Post: Tan
Panel: Olive-Black-Olive
Acc: Brown
Flat: Tan

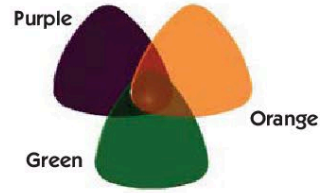
Replaced by Exhibit B3

COLORS THAT MOVE YOU

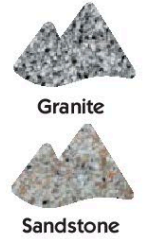
POWDER COAT PAINT



SOLIS HUE TOPPERS



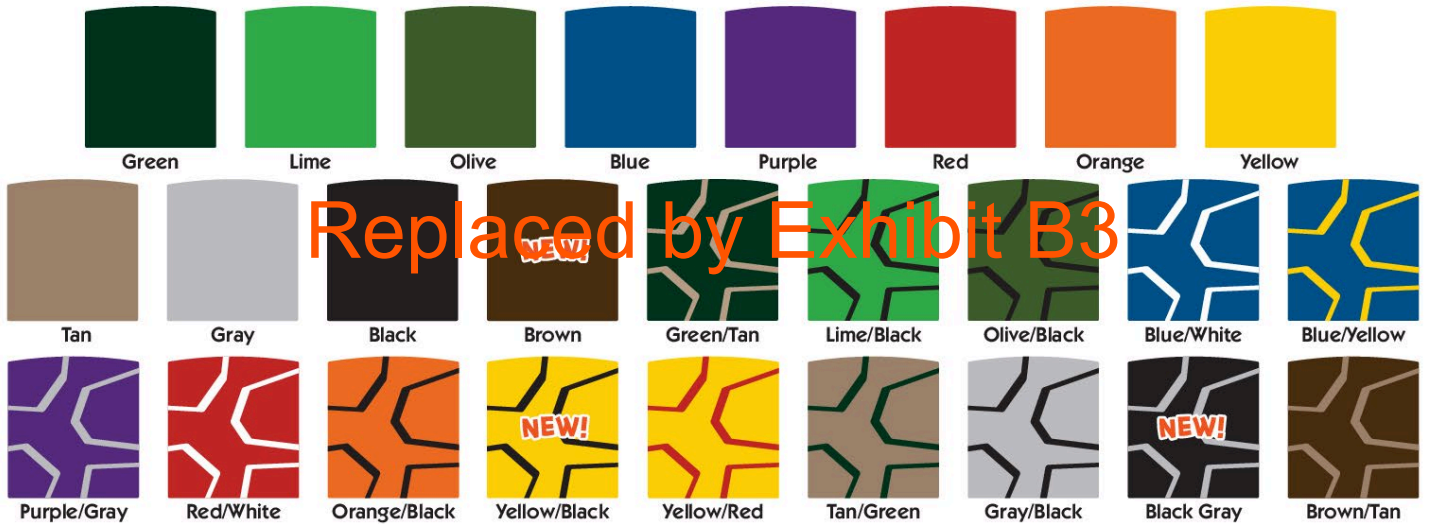
ROCKIT CLIMBERS



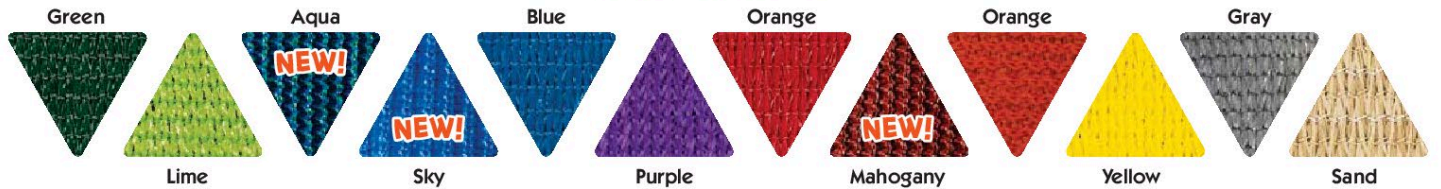
PLATFORMS



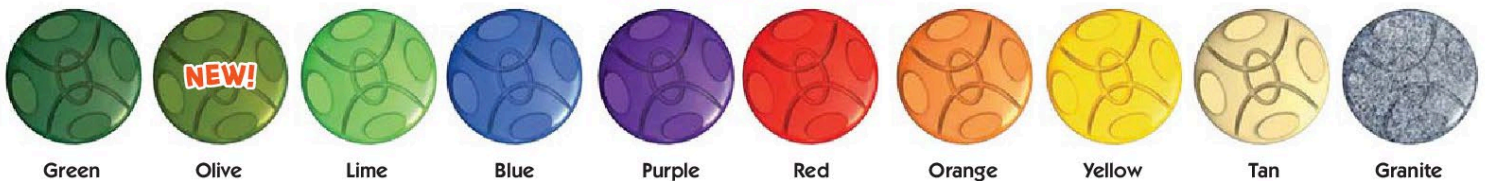
HDPE PLASTIC PANELS



SHADE CANOPIES



ROTOMOLD PLASTIC



VISIT BCIBURKE.COM/COLOR TO CUSTOMIZE YOUR PLAYGROUND COLORS!

BURKE GENERATIONS WARRANTY®

The Longest and Strongest warranty in the industry

BCI Burke Company, LLC ("Burke") warrants that all standard products are warranted to be free from defects in materials and workmanship, under normal use and service, for a period of one (1) year from the date of shipment.

We stand behind our products. In addition, the following products are warranted, under normal use and service from the date of shipment as follows:

- One Hundred (100) Year Limited Warranty on aluminum and steel upright posts (including Intensity®, Synergy™, Nucleus®, Voltage®, Little Buddies®, ELEVATE®, ACTIVATE®, INVIGORATE™) against structural failure due to corrosion, deterioration or workmanship.
- One Hundred (100) Year Limited Warranty on KoreKonnct® clamps against structural failure due to corrosion, deterioration or workmanship.
- One Hundred (100) Year Limited Warranty on Hardware (nuts, bolts, washers)
- One Hundred (100) Year Limited Warranty on bolt-through fastening and clamp systems (Synergy™, Intensity®, Nucleus®, Voltage®, Little Buddies®, ELEVATE®).
- Twenty-Five (25) Year Limited Warranty on spring assemblies and aluminum cast animals.
- Fifteen (15) Year Limited Warranty on structure platforms and decks, metal roofs, table tops, bench tops, railings and barriers against structural failure due to materials or workmanship.
- Fifteen (15) Year Limited Warranty on all plastic components including StoneBorders against structural failure due to materials or workmanship.
- Ten (10) Year Limited Warranty on ShadePlay Canopies fabric, threads, and cables against degradation, cracking or material breakdown resulting from ultra-violet exposure, natural deterioration or manufacturing defects. This warranty is limited to the design loads as stated in the specifications.
- Ten (10) Year Limited Warranty on NaturePlay® Boulders and GFRC products against structural failure due to natural deterioration or workmanship. Natural wear, which may occur with any concrete product with age, is excluded from this warranty
- Ten (10) Year Limited Warranty on Full Color Custom Signage against manufacturing defects that cause delamination or degradation of the sign. Full Color Custom Signs also carry a two (2) year warranty against premature fading of the print and graphics on the signs.
- Five (5) Year Limited Warranty on Intensity® and RopeVenture® cables and LEVEL X® flex bridge against premature wear due to natural deterioration or manufacturing defects. Determination of premature wear will be at the manufacturer's discretion.
- Five (5) Year Limited Warranty on moving parts, including swing components, against structural failure due to materials or workmanship.
- Five (5) Year Limited Warranty on PlayEnsemble® cables and mallets against defects in materials and workmanship.
- Three (3) Year Limited Warranty on electronic panel speakers, sound chips and circuit boards against electronic failure caused by manufacturing defects.

The warranty stated above is valid only if the equipment is erected in conformity with the layout plan and/or installation instructions furnished by BCI Burke Company, LLC using approved parts; have been maintained and inspected in accordance with BCI Burke Company, LLC instructions. Burke's liability and your exclusive remedy hereunder will be limited to repair or replacement of those parts found in Burke's reasonable judgment to be defective. Any claim made within the above stated warranty periods must be made promptly after discovery of the defect. A part is covered only for the original warranty period of the applicable part. Replacement parts carry the applicable warranty from the date of shipment of the replacement from Burke. After the expiration of the warranty period, you must pay for all parts, transportation and service charges.

Burke reserves the right to accept or reject any claim in whole or in part. Burke will not accept the return of any product without its prior written approval. Burke will assume transportation charges for shipment of the returned product if it is returned in strict compliance with Burke's written instructions.

Replaced by Exhibit B3

THE FOREGOING WARRANTIES ARE EXCLUSIVE AND IN LIEU OF ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. IF THE FOREGOING DISCLAIMER OF ADDITIONAL WARRANTIES IS NOT GIVEN FULL FORCE AND EFFECT, ANY RESULTING ADDITIONAL WARRANTY SHALL BE LIMITED IN DURATION TO THE EXPRESS WARRANTIES AND BE OTHERWISE SUBJECT TO AND LIMITED BY THE TERMS OF BURKE'S PRODUCT WARRANTY. SOME STATES DO NOT ALLOW THE EXCLUSION OF CERTAIN IMPLIED WARRANTIES, SO THE ABOVE LIMITATION MAY NOT APPLY TO YOU.

Warranty Exclusions: The above stated warranties do not cover: "cosmetic" defects, such as scratches, dents, marring, or fading; damage due to incorrect installation, vandalism, misuse, accident, wear and tear from normal use, exposure to extreme weather; immersion in salt or chlorine water, unauthorized repair or modification, abnormal use, lack of maintenance, or other cause not within Burke's control; and

Limitation of Remedies: Burke is not liable for consequential or incidental damages, including but not limited to labor costs or lost profits resulting from the use of or inability to use the products or from the products being incorporated in or becoming a component of any other product. If, after a reasonable number of repeated efforts, Burke is unable to repair or replace a defective or nonconforming product, Burke shall have the option to accept return of the product, or part thereof, if such does not substantially impair its value, and return the purchase price as the buyer's entire and exclusive remedy. Without limiting the generality of the foregoing, Burke will not be responsible for labor costs involved in the removal of products or the installation of replacement products. Some states do not allow the exclusion of incidental damages, so the above exclusion may not apply to you.

The environment near a saltwater coast can be extremely corrosive. Some corrosion and/or deterioration is considered "normal wear" in this environment. Product installed within 500 yards of a saltwater shoreline will only be covered for half the period of the standard product warranty, up to a maximum of five years, for defects caused by corrosion. Products installed in direct contact with saltwater or that are subjected to salt spray are not covered by the standard warranty for any defects caused by corrosion.

Contact your local Burke Representative for warranty information regarding Burke Turf® and Burke Tile products.

Terms of Sale

Pricing: Prices published in this catalog are in USD, are approximate and do not include shipping & handling, surfacing, installation nor applicable taxes. All prices are subject to change without notice. Contact your Burke representative for current pricing. Payments are to be made in USD.

Weights: Weights are approximate and may vary with actual orders.

Installation: All equipment is shipped unassembled. For a list of factory-certified installers in your area, please contact your Burke representative.

Specifications: Product specifications in this catalog were correct at the time of publication. However, product improvements are ongoing at Burke, and we reserve the right to change or discontinue specifications without notice.

Loss or Damage in Transit: A signed bill of lading is our receipt from a carrier that our shipment to you was complete and in good condition upon arrival. Before you sign, please check the Bill of Lading carefully when the shipment arrives to make sure nothing is missing and there are no damages. Once the shipment leaves our plant, we are no longer responsible for any damage, loss or shortage.

For more information regarding the warranty, call Customer Service at 920-921-9220 or 1-800-356-2070.

01/2021



Replaced by Exhibit B3

Buell Recreation

7327 Barnes Road #601 | Portland, OR 97725 | 503-922-1650

Proposal 907-175986-6 | 2/15/2024

OUR MISSION IS TO BRING
PLAY THAT MOVES YOU.
TO COMMUNITIES AROUND
THE WORLD

DESIGN SUMMARY

Buell Recreation is very pleased to present this Proposal for consideration for the Frog Pond Park located in Wilsonville. BCI Burke Company, LLC has been providing recreational playground equipment for over 100 years and has developed the right mix of world-class capabilities to meet the initial and continuing needs of City of Wilsonville. We believe our proposal will meet or exceed your project's requirements and will deliver the greatest value to you.

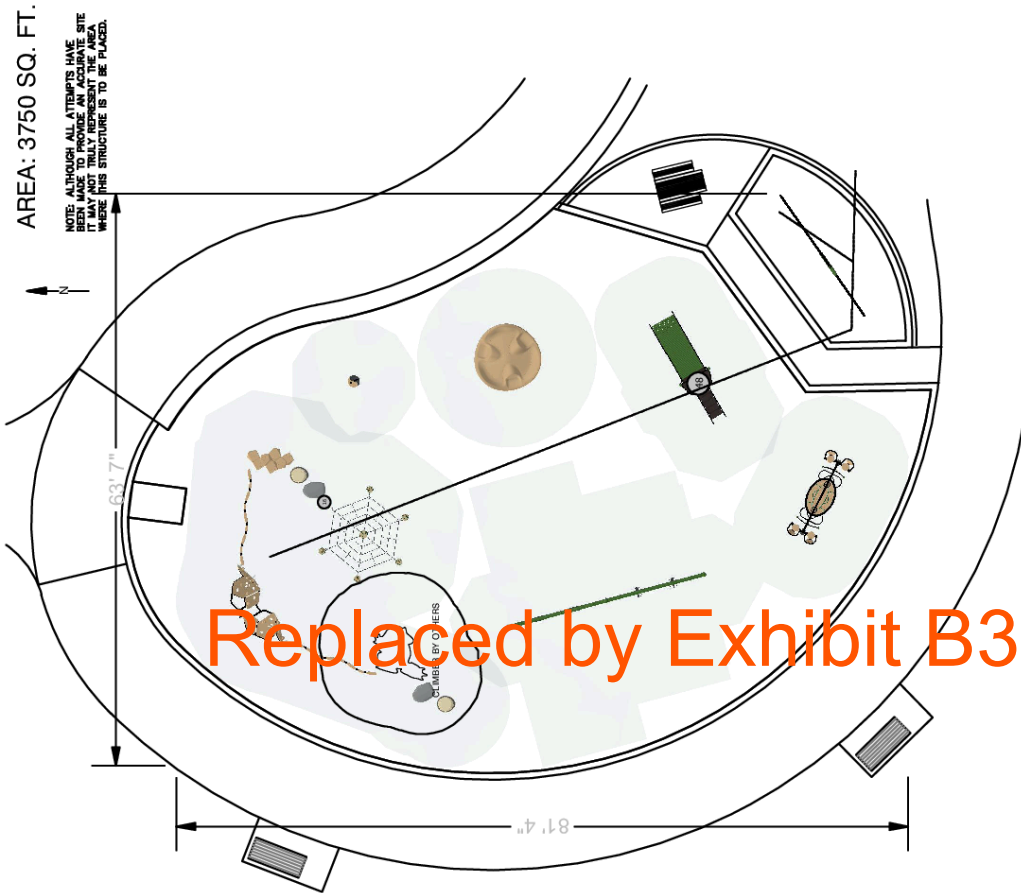
The following is a summary of some of the key elements of our Proposal:

- Project Name: Frog Pond Park
- Project Number: 907-175986-6
- User Capacity: 66
- Age Groups: 2 to 5
- Dimensions: 56' 8"x81' 3"
- Designer Name: Pa Der Vang

Buell Recreation has developed a custom playground configuration based on the requirements as they have been presented for the Frog Pond Park playground project. Our custom design will provide a safe and affordable playground environment that is aesthetically pleasing, full of fun for all users, and uniquely satisfies your specific requirements. In addition, proposal # 907-175986-6 has been designed with a focus on safety, and is fully compliant with ASTM F1487 and CPSC playground safety standards.

We invite you to review this proposal for the Frog Pond Park playground project and to contact us with any questions that you may have.

Thank you in advance for giving us the opportunity to make this project a success.



The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

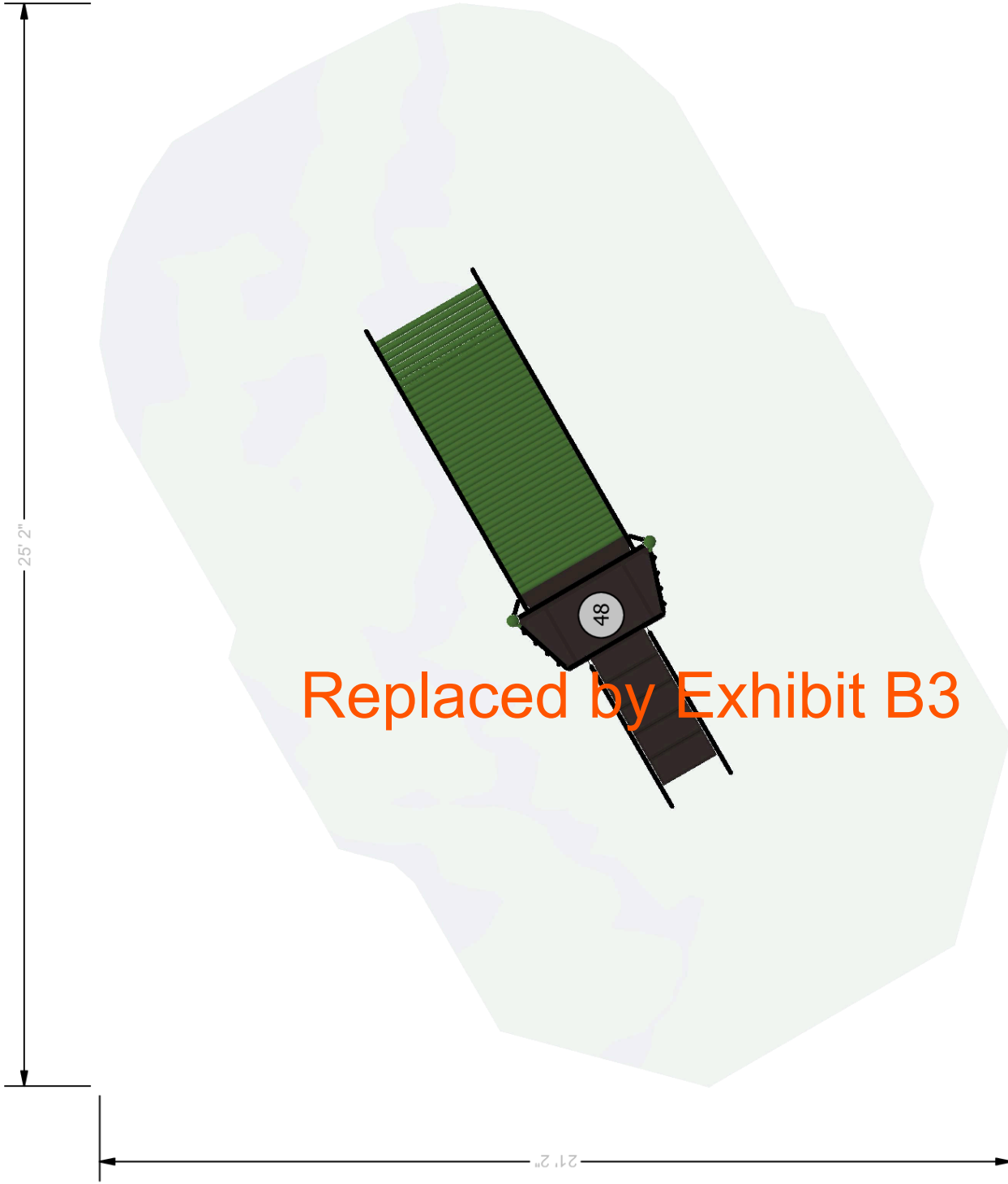
PLAYGROUND ACCESSIBILITY (Provided/Required)			
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE EVENTS	RAMP ACCESSIBLE EVENTS	TYPES OF GROUND EVENTS
17	1 / 1	0 / 0	18 / 0
			8 / 0

OVERALL BOUNDING OF USE ZONES
 Area: 5168.1 sq.ft.
 Perimeter: 289.7 ft.
STRUCTURE SIZE: 4" x 63' 7"
POST SIZE(S): 5, 5"

***The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Synergy Burke Basics Intensity Nucleus		SITE PLAN VIEW	
GROUP: SY-3318 Climbers BB-3292 Freestanding		02/15/2024	
DESIGNED FOR AGES: 2 to 5		Buell Recreation 907-175986-6	
Frog Pond Park Wilsonville, OR 97070		Designer: Pa Der Vang	
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM			



The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

TOTAL ELEVATED EVENTS	PLAYGROUND ACCESSIBILITY (Provided/Required)			TYPES OF GROUND EVENTS
	TRANSFER ACCESSIBLE ELEMENTS	RAMP ACCESSIBLE ELEMENTS	GROUND EVENTS	
17	1 / 1	0 / 0	18 / 0	8 / 0

OVERALL BOUNDING OF USE ZONES ******The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Area: 5168.1 sq.ft.
 Perimeter: 289.7 ft.
STRUCTURE SIZE: 4" x 63' 7"
POST SIZE(S): 5, 5"

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Synergy	Frog Pond Park Wilsonville, OR 97070	SITE PLAN VIEW 02/15/2024
GROUP: SY-3318	Burke PLAY THAT MOVES YOU.	Buell Recreation 907-175986-6
DESIGNED FOR AGES: 2 to 5		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		



The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

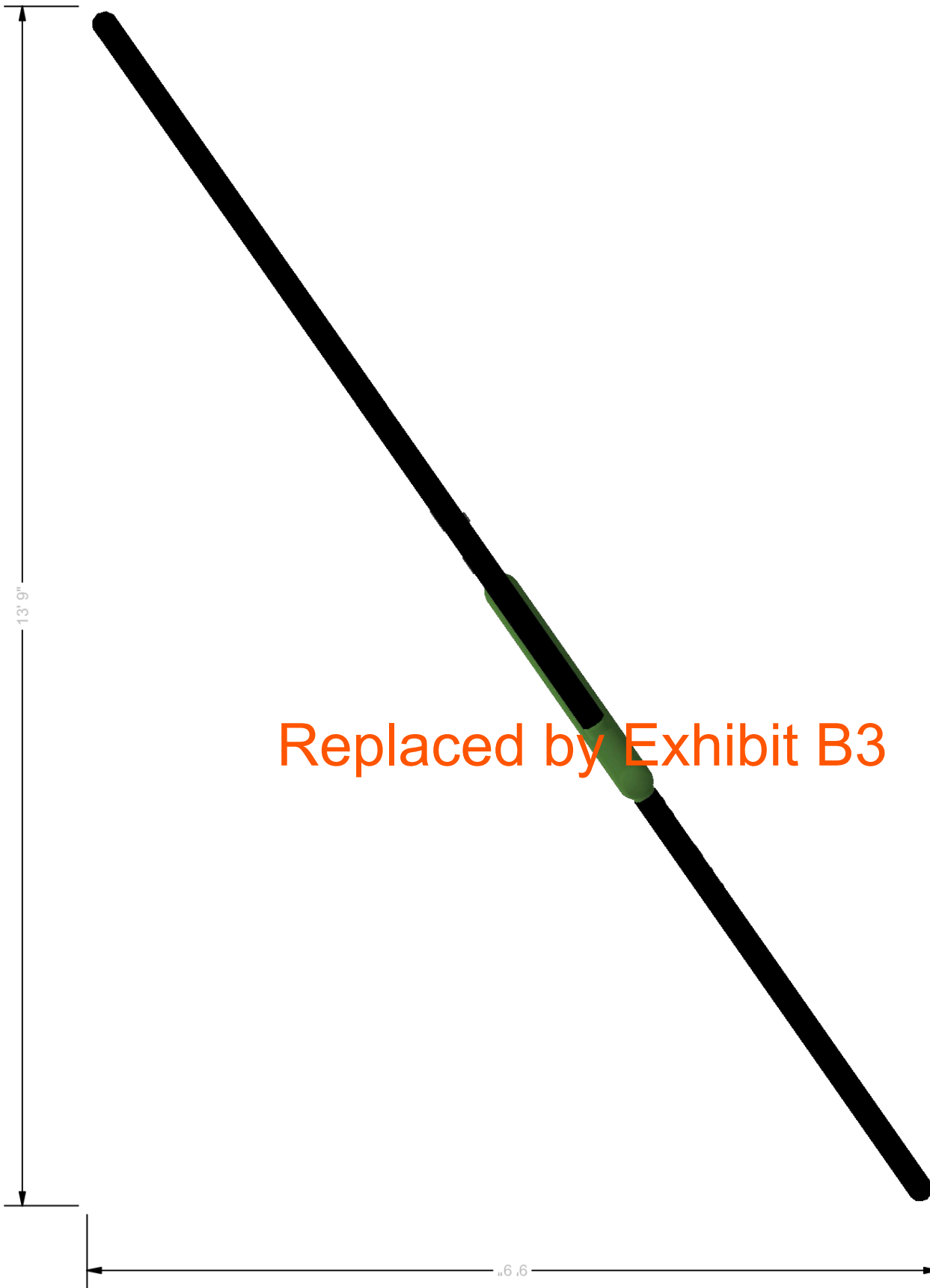
PLAYGROUND ACCESSIBILITY (Provided/Required)				
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE ELEMENTS	RAMP ACCESSIBLE ELEMENTS	GROUND EVENTS	TYPES OF GROUND EVENTS
17	1 / 1	0 / 0	18 / 0	8 / 0

OVERALL BOUNDING OF USE ZONES **The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Area: 5168.1 sq.ft.
 Perimeter: 289.7 ft.
STRUCTURE SIZE: 4" x 63' 7"
POST SIZE(S): 5, 5"

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Burke Basics Intensity Nucleus		SITE PLAN VIEW	
GROUP: Climbers	Frog Pond Park Wilsonville, OR 97070	02/15/2024	
DESIGNED FOR AGES: 2 to 5	Bueller Recreation 907-175986-6	Designer: Pa Der Vang	
Burke PLAY THAT MOVES YOU.			
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCI BURKE.COM			



The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

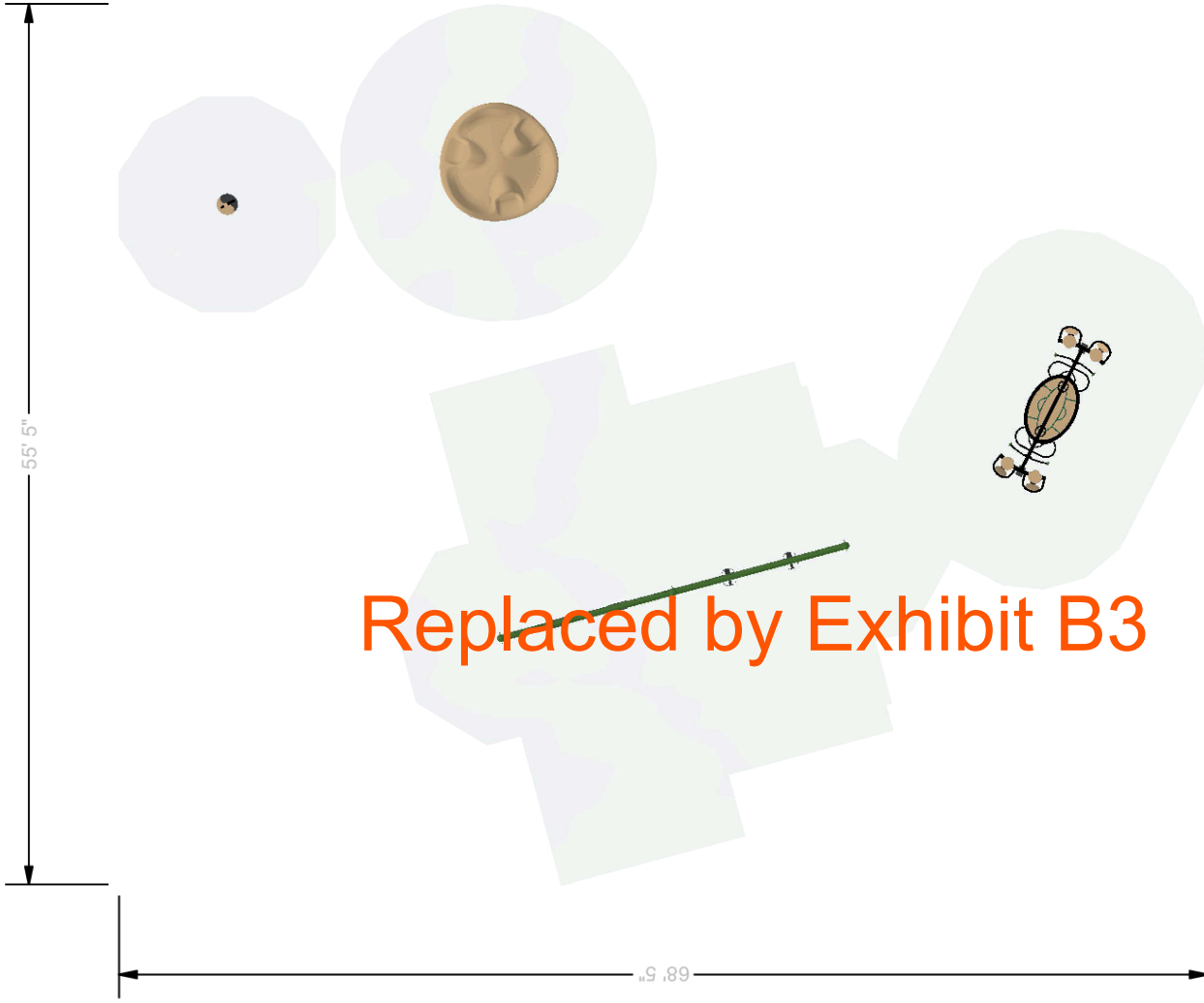
PLAYGROUND ACCESSIBILITY (Provided/Required)			
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE ELEMENTS	RAMP ACCESSIBLE ELEMENTS	TYPES OF GROUND EVENTS
17	1 / 1	0 / 0	18 / 0
			8 / 0

OVERALL BOUNDING OF USE ZONES
 Area: 5168.1 sq.ft.
 Perimeter: 289.7 ft.
STRUCTURE SIZE: 4" x 63' 7"
POST SIZE(S): 5, 5"

**The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Burke Basics	SITE PLAN VIEW
GROUP: BB-3292	Frog Pond Park Wilsonville, OR 97070
DESIGNED FOR AGES: 2 to 5	Buell Recreation 907-175986-6
	Designer: Pa Der Vang



Replaced by Exhibit B3

The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

PLAYGROUND ACCESSIBILITY (Provided/Required)			
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE ELEMENTS	RAMP ACCESSIBLE ELEMENTS	TYPES OF GROUND EVENTS
17	1 / 1	0 / 0	18 / 0
			8 / 0

OVERALL BOUNDING OF USE ZONES
 Area: 5168.1 sq.ft.
 Perimeter: 289.7 ft.
STRUCTURE SIZE: 4" x 63' 7"
POST SIZE(S): 5, 5"

**The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

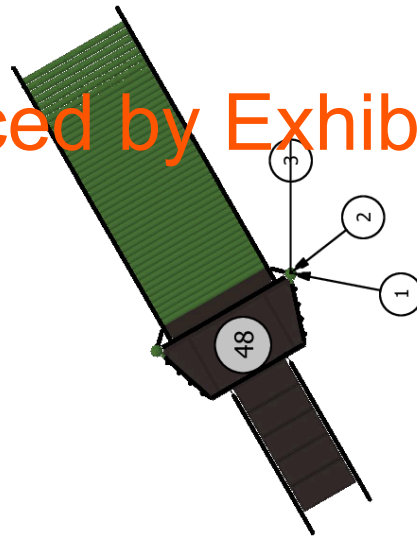
Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Burke Basics	SITE PLAN VIEW
GROUP: Freestanding	02/15/2024
DESIGNED FOR AGES: 2 to 5	Buell Recreation 907-175986-6
Frog Pond Park Wilsonville, OR 97070	Designer: Pa Der Vang
Burke PLAY THAT MOVES YOU.	

ITEM	COMP.	DESCRIPTION
1	230-0216	SLIDE PLATFORM & STAIR 48"
2	490-0140	ROLLER SLIDE 48"-56"
3	490-0138	DOUBLE SLIDE SIT DOWN BAR

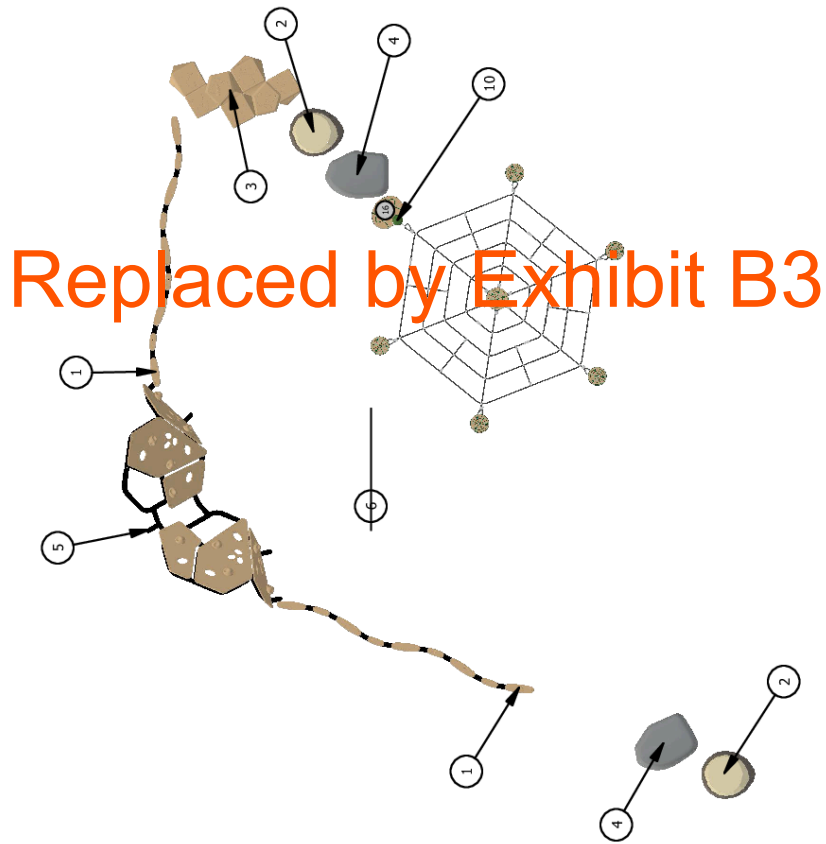
Item 5.

Replaced by Exhibit B3



SERIES Synergy	COMPONENT VIEW	
GROUP: SY-3318	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		
		236

ITEM	COMP.	DESCRIPTION
1	370-1604	BALANCE CHALLENGE
2	560-0553	NATURE PLAY STUMP - SMALL
3	560-2709	EKO BUNDLE
4	560-2614	NATURE PLAY ROCK, SMALL
5	560-0062	FORMIS FREE 2-12
6	370-0814	WOBBLY WEB NET
7	670-0413	WOBBLY WEB POST, SHORT
8	670-0412	WOBBLY WEB POST, MED
9	670-0411	WOBBLY WEB POST, TALL
10	370-1608	OVISTEP LAUNCH PAD

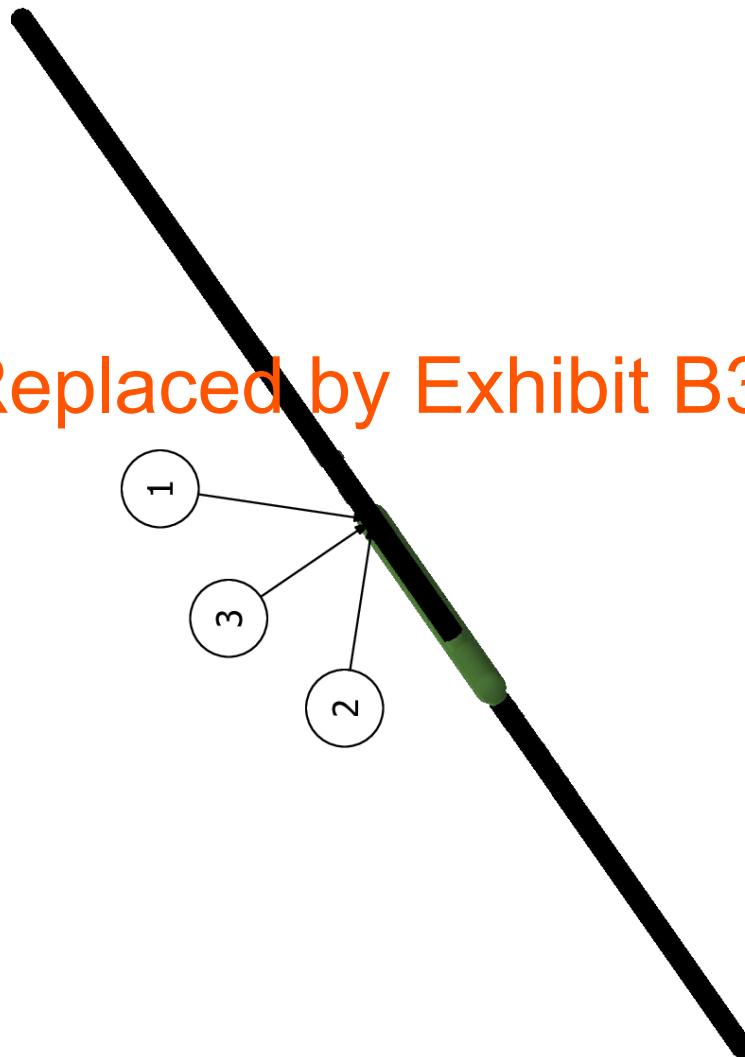


SERIES Burke Basics Intensity Nucleus		COMPONENT VIEW
GROUP: Climbers	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		Designer: Pa Der Vang
		237

ITEM	COMP.	DESCRIPTION
1	560-1703	STEMPLAY SHORT ACTIVITY FRAME
2	560-2688	STEMPLAY CLASSIC GAMES
3	560-2689	STEMPLAY GRAVITY

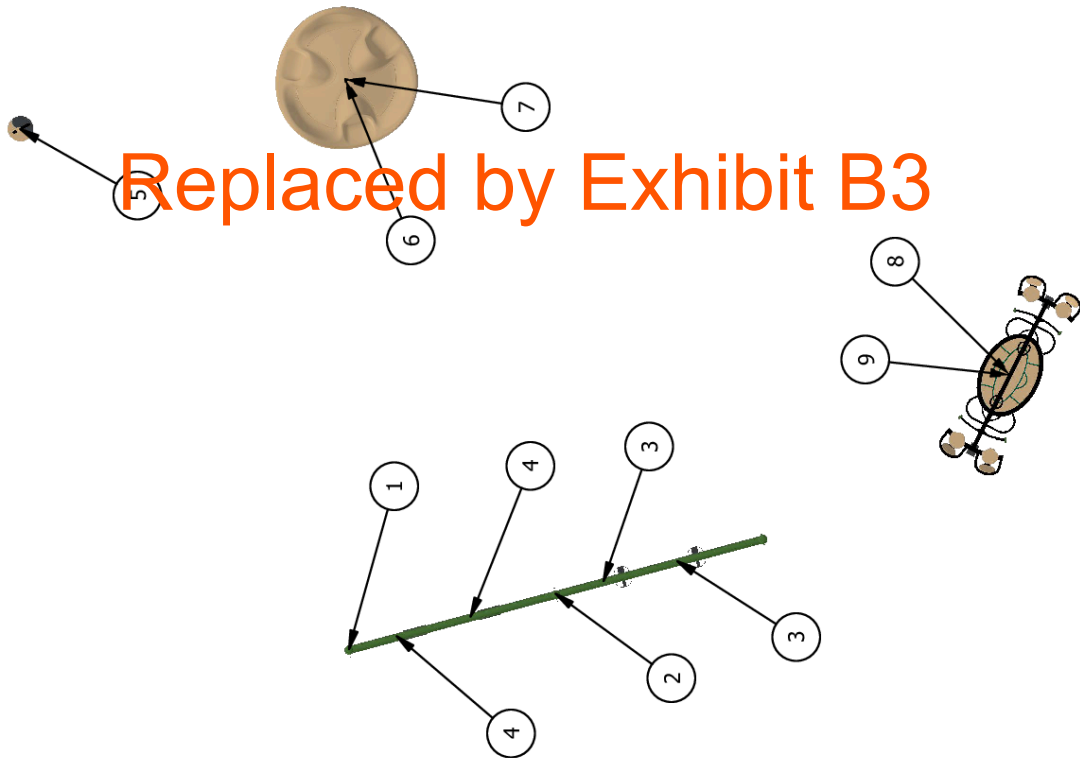
Item 5.

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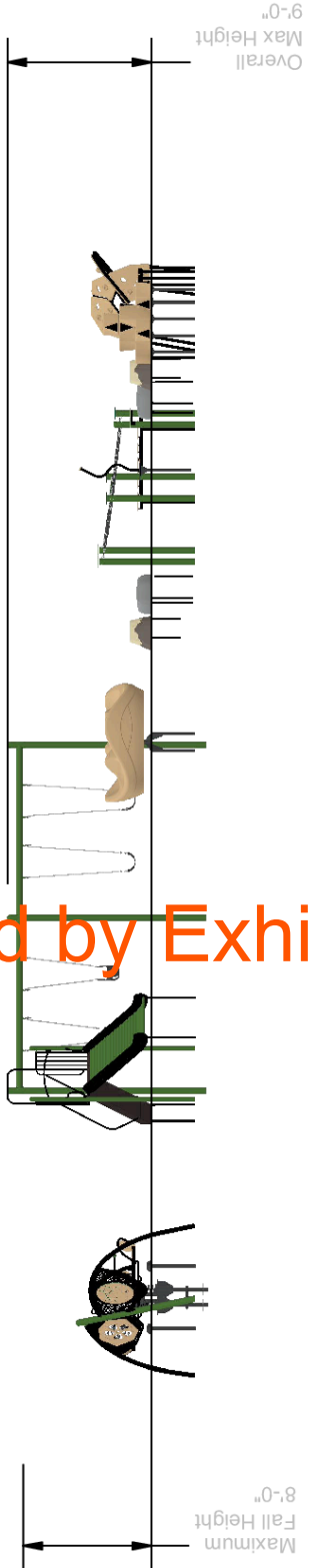


SERIES Burke Basics	COMPONENT VIEW	
GROUP: BB-3292	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		
		238

ITEM	COMP.	DESCRIPTION
1	550-0201	SINGLE POST SWING ASSEMBLY 5" OD
2	550-0202	SINGLE POST SWING ADD-ON 5" OD
3	550-0099	TOT SEAT, 7' & 8' SINGLE, STD CHAIN
4	550-0111	BELT SEAT, 8' SINGLE, STD CHAIN
5	560-0457	SWIFT TWIST SPINNER
6	560-2579	VOLTA INCLUSIVE SPINNER
7	560-2765	VOLTA SPINNER FOOTER
8	570-2745	ORB ROCKER
9	570-2727	ORB ROCKER FOOTER

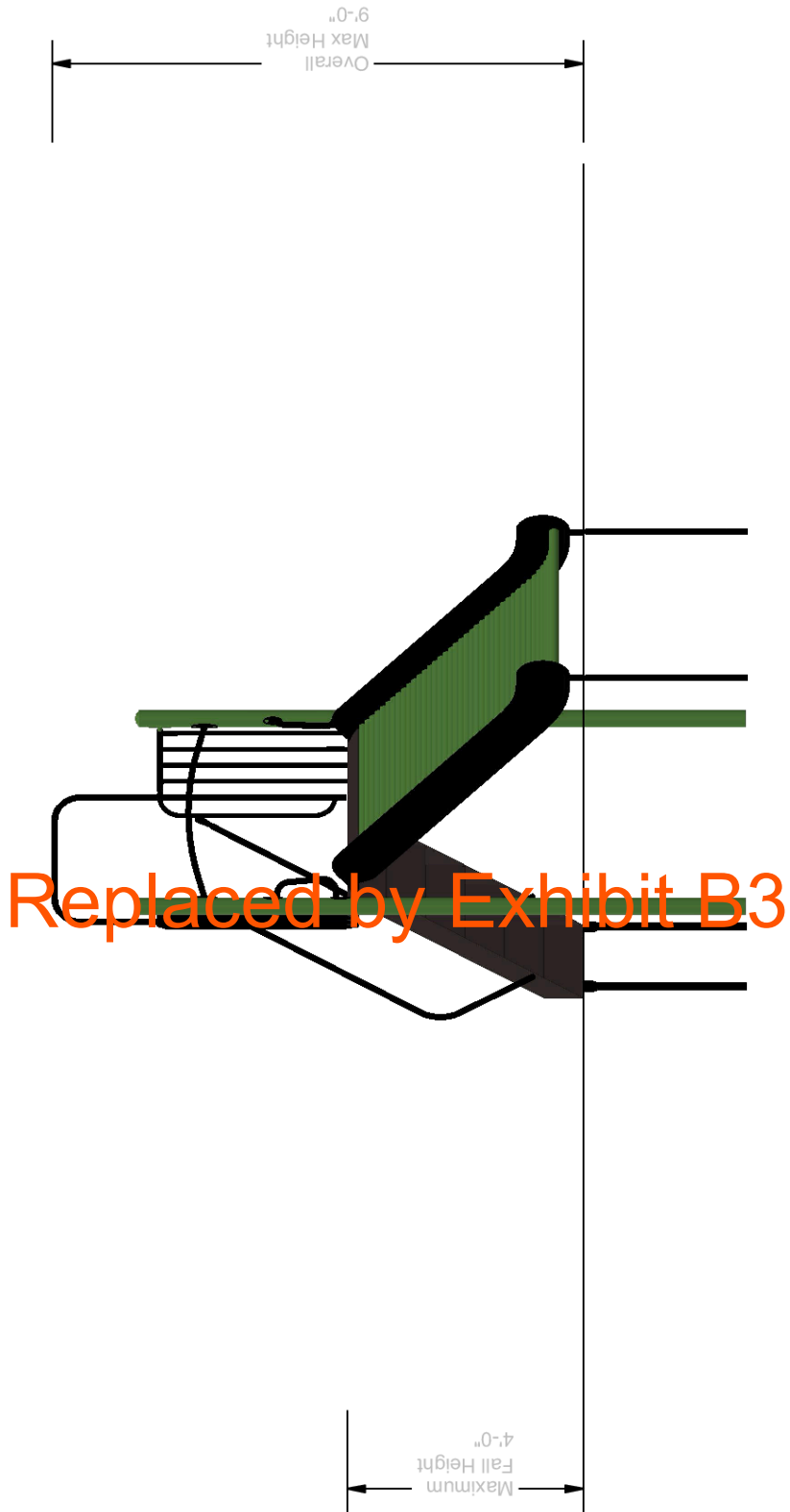


SERIES Burke Basics	COMPONENT VIEW	
GROUP: Freestanding	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		
		239

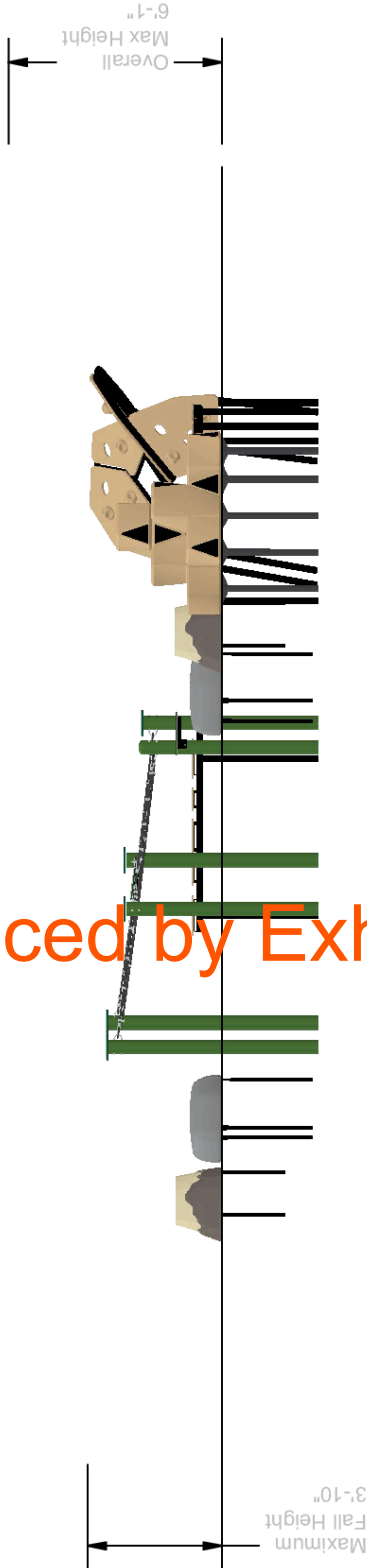


Replaced by Exhibit B3

SERIES Synergy Burke Basics Intensity Nucleus		ELEVATION VIEW
GROUP: SY-3318 Climbers BB-3292 Freestanding	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		Designer: Pa Der Vang

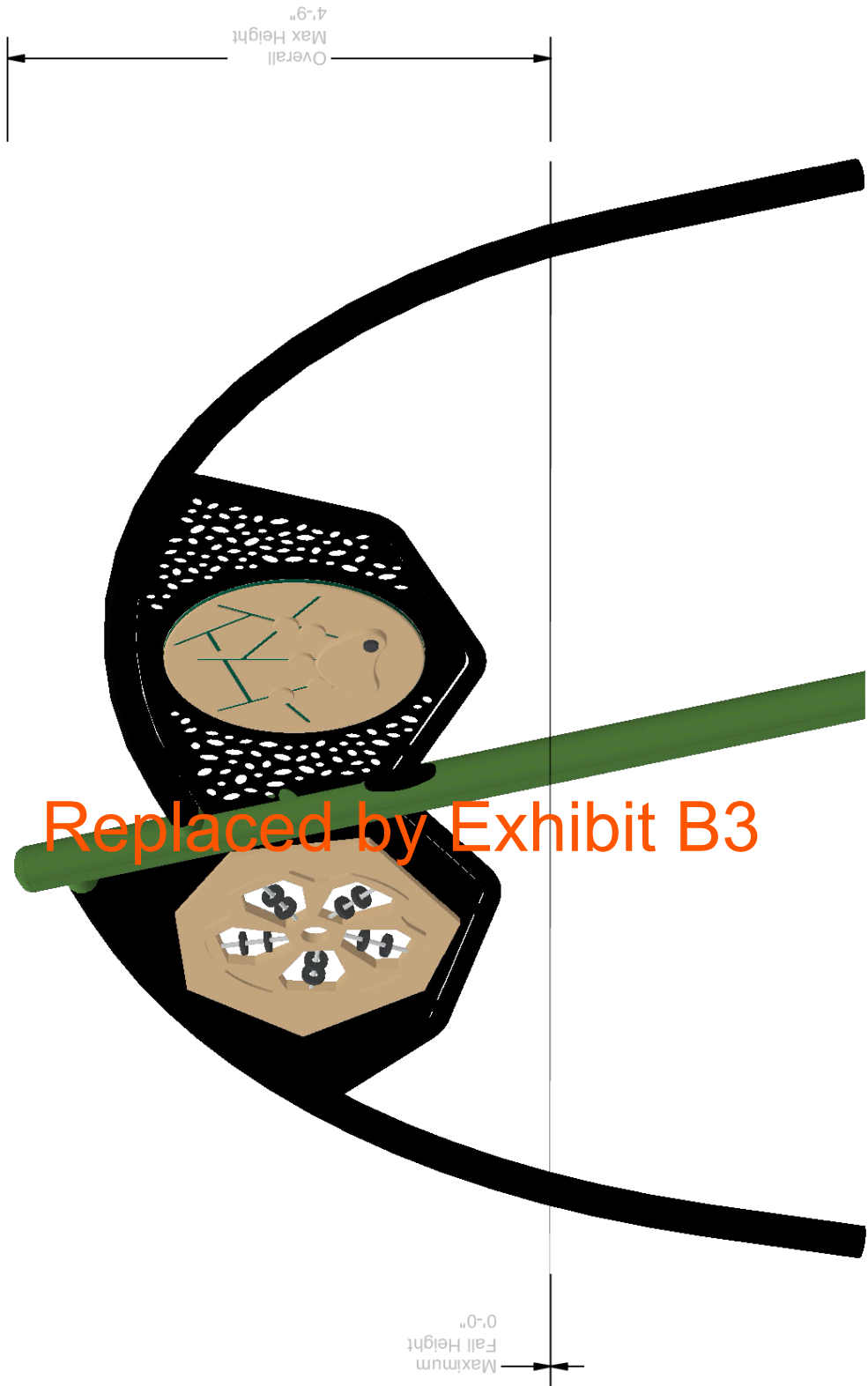


SERIES Synergy	ELEVATION VIEW
GROUP: SY-3318	02/15/2024
DESIGNED FOR AGES: 2 to 5	Buell Recreation 907-175986-6
Frog Pond Park Wilsonville, OR 97070	Designer: Pa Der Vang
Burke PLAY THAT MOVES YOU	
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM	
241	

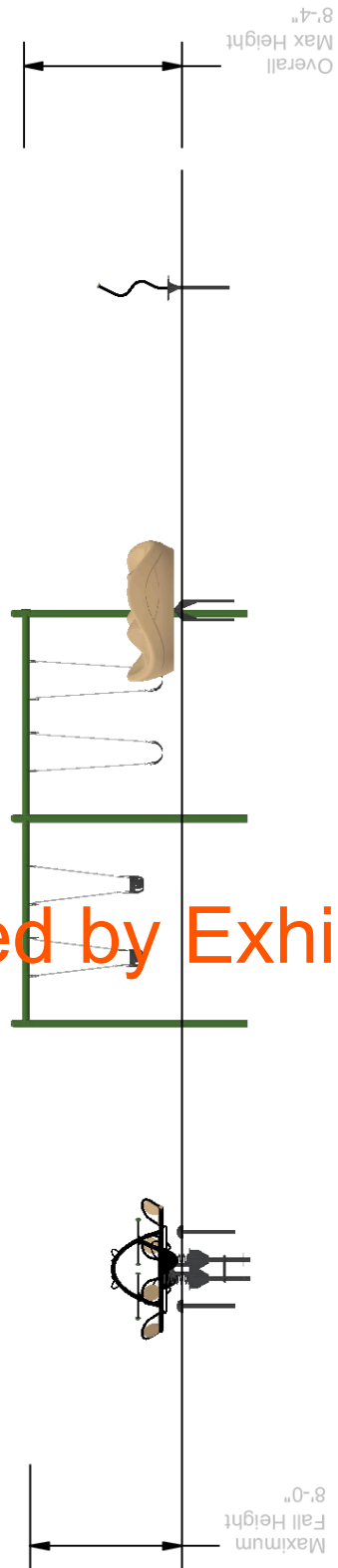


Replaced by Exhibit B3

SERIES	Burke Basics Intensity Nucleus	ELEVATION VIEW
GROUP: Climbers	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		242

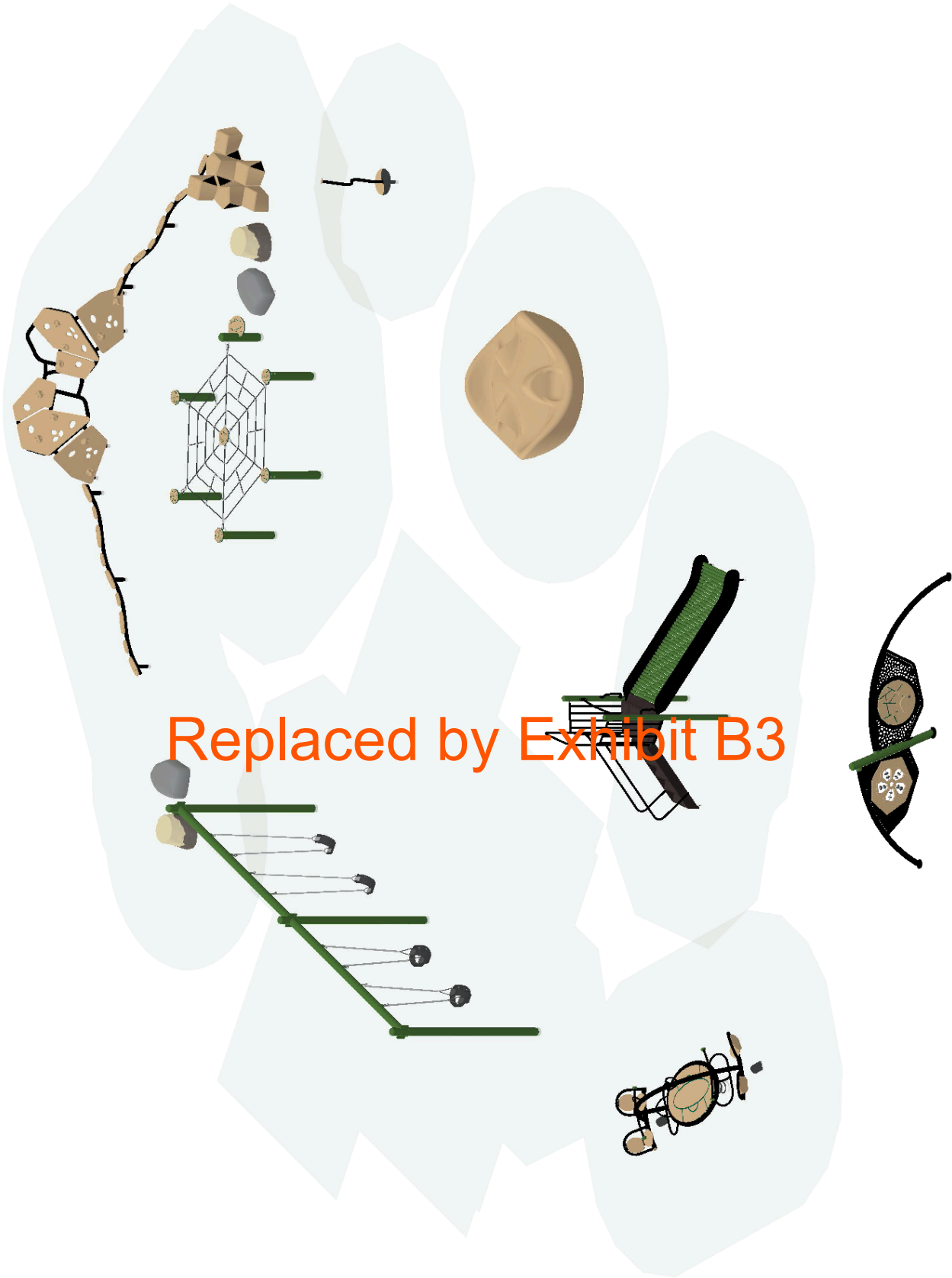


SERIES	Burke Basics	ELEVATION VIEW
GROUP: BB-3292	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5		Buell Recreation 907-175986-6 Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		



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SERIES Burke Basics	Frog Pond Park Wilsonville, OR 97070 	ELEVATION VIEW
GROUP: Freestanding DESIGNED FOR AGES: 2 to 5		02/15/2024 Buell Recreation 907-175986-6
Designer: Pa Der Vang		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		



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SERIES Synergy Burke Basics Intensity Nucleus		ISOMETRIC VIEW
GROUP: SY-3318 Climbers BB-3292 Freestanding	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		Designer: Pa Der Vang
		245



SERIES Synergy		ISOMETRIC VIEW
GROUP: SY-3318	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		
		246

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SERIES Burke Basics | Intensity | Nucleus

GROUP:
Climbers

DESIGNED FOR AGES:
2 to 5

Frog Pond Park
Wilsonville, OR 97070



ISOMETRIC VIEW

02/15/2024

Buell Recreation
907-175986-6

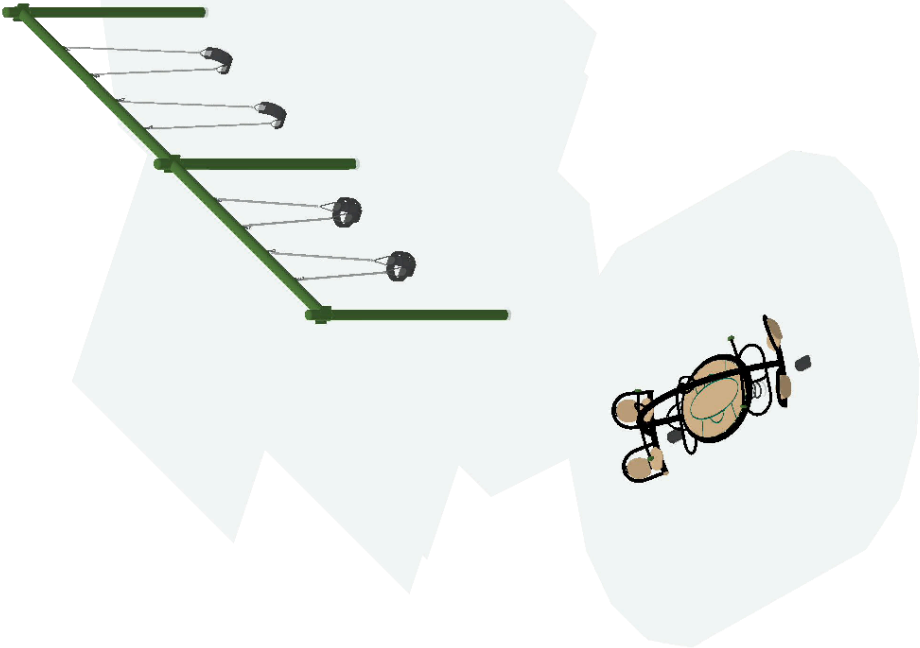
Designer: Pa Der Vang

Replaced by Exhibit B3



SERIES	Burke Basics	ISOMETRIC VIEW
GROUP: BB-3292	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6 Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		

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<p>SERIES Burke Basics</p>	<p>ISOMETRIC VIEW</p>
<p>GROUP: Freestanding</p>	<p>Frog Pond Park Wilsonville, OR 97070</p>
<p>DESIGNED FOR AGES: 2 to 5</p>	<p>02/15/2024 Buell Recreation 907-175986-6 Designer: Pa Der Vang</p>
<p>BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM</p>	

The play components identified in this proposal are IPEMA certified. The use and layout of these components conform to the requirements of ASTM F1487. To verify product certification, visit www.ipema.org.



The space requirements shown in this proposal are to ASTM standards. Requirements for other standards may be different.

Component No.	Description	Qty	User Cap	Ext. User Cap	Weight	Ext. Weight
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SY-3318

Synergy

072-0300-123C	3 1/2" OD X 123" CAPPED POST	2	0	0	45	90
230-0216	SLIDE PLATFORM & STAIR 48"	1	6	6	221	221
490-0138	DOUBLE SLIDE SIT DOWN BAR	1	0	0	6	6
490-0140	ROLLER SLIDE 48"-56"	1	4	4	704	704
600-0104	NPPS SUPERVISION SAFETY KIT	1	0	0	3	3
660-0103	MAINTENANCE KIT, STRUCTURE	1	0	0	7	7
660-0104	INSTALLATION KIT, STRUCTURE	1	0	0	5	5

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BB-3292

Burke Basics

560-1703	STEMPLAY SHORT ACTIVITY FRAME	1	0	0	176	176
560-2688	STEMPLAY CLASSIC GAMES	1	2	2	70	70
560-2689	STEMPLAY GRAVITY	1	2	2	63	63
660-0101	INSTALL KIT, BURKE BASICS - P...	1	0	0	2	2

Freestanding

Burke Basics

550-0099	TOT SEAT, 7' & 8' SINGLE, STD...	2	1	2	12	24
550-0111	BELT SEAT, 8' SINGLE, STD CHAIN	2	1	2	10	20
550-0201	SINGLE POST SWING ASSEMBLY 5" OD	1	0	0	220	220
550-0202	SINGLE POST SWING ADD-ON 5" OD	1	0	0	145	145
560-0457	SWIFT TWIST SPINNER	1	1	1	52	52
560-2579	VOLTA INCLUSIVE SPINNER	1	9	9	475	475
560-2765	VOLTA SPINNER FOOTER	1	0	0	69	69
570-2727	ORB ROCKER FOOTER	1	0	0	93	93
570-2745	ORB ROCKER	1	8	8	540.9	540.9
660-0101	INSTALL KIT, BURKE BASICS - P...	1	0	0	2	2

Climbers

Burke Basics

370-1604	BALANCE CHALLENGE	2	2	4	76	152
560-0062	FORMIS FREE 2-12	1	5	5	313	313
560-0553	NATURE PLAY STUMP - SMALL	2	1	2	66	132
560-2614	NATURE PLAY ROCK, SMALL	2	1	2	95	190
560-2709	EKO BUNDLE	1	6	6	148	148

Climbers

Intensity

370-0814	WOBBLY WEB NET	1	10	10	36	36
370-1608	OVISTEP LAUNCH PAD	1	1	1	10	10
670-0411	WOBBLY WEB POST, TALL	2	0	0	59	118
670-0412	WOBBLY WEB POST, MED	2	0	0	55	110
670-0413	WOBBLY WEB POST, SHORT	1	0	0	50	50

Climbers

Nucleus

072-0500-60C	5" OD X 60" CAPPED POST	1	0	0	32	32
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Replaced by Exhibit B3

Special Notes:

Prices do not include freight, unloading, material storage, site excavation/preparation, removal of existing equipment, removal of excess soil from footing holes, site security, safety surfacing, installation, or sales tax (if applicable). Prices are based on standard colors per CURRENT YEAR BCI Burke Catalog. Custom colors, where available, would be an extra charge. **Pricing is valid for 30 days from the date of this proposal.**

COLOR SELECTION LIST | Default Color Option

GROUP 1 (SY-3318)

Acc: Black
Post: Olive
Deck: Brown

GROUP 2 (Climbers)

Flat: Tan
Acc: Black
Plastic: Tan
Panel: Tan-Green-Tan
Post: Olive

GROUP 3 (Freestanding)

Post: Olive
Flat: Tan
Acc: Black
Plastic: Tan
Panel: Tan-Green-Tan

Replaced by Exhibit B3

GROUP 4 (BB-3292)

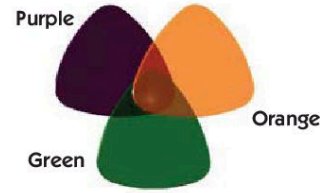
Post: Olive
Acc: Black
Flat: Tan
Panel: Tan-Green-Tan

COLORS THAT MOVE YOU

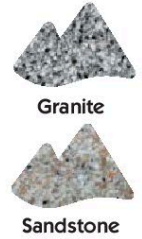
POWDER COAT PAINT



SOLIS HUE TOPPERS



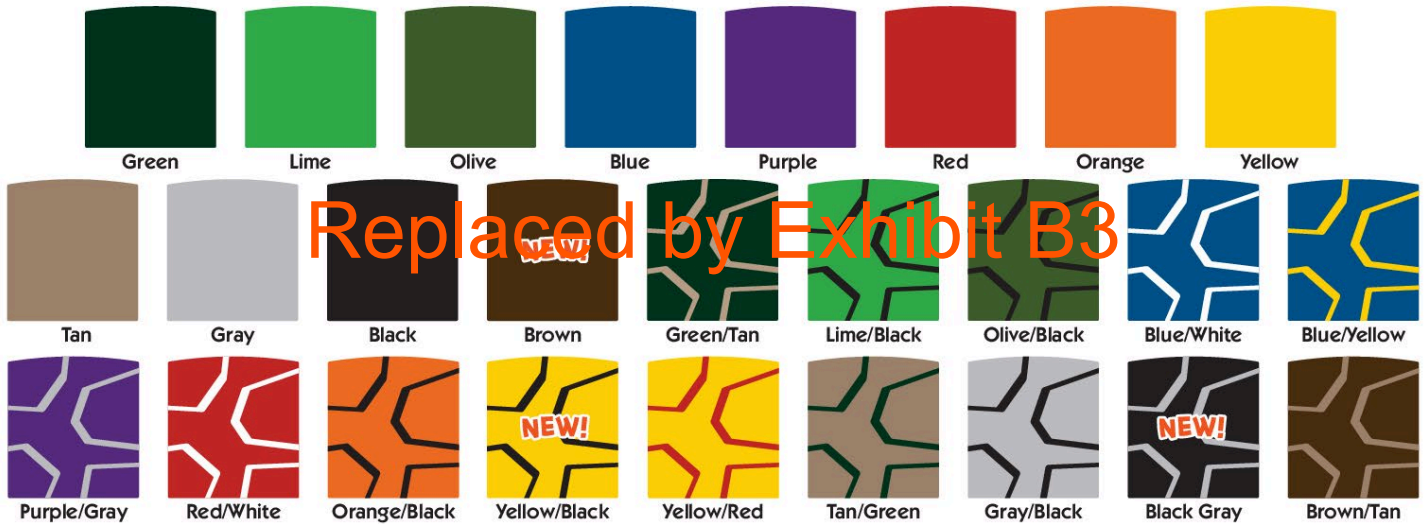
ROCKIT CLIMBERS



PLATFORMS

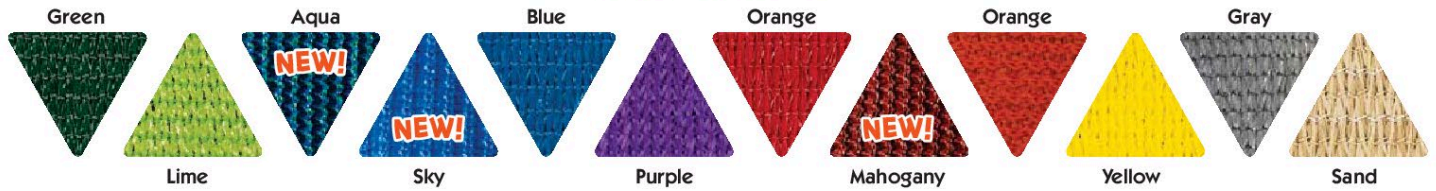


HDPE PLASTIC PANELS

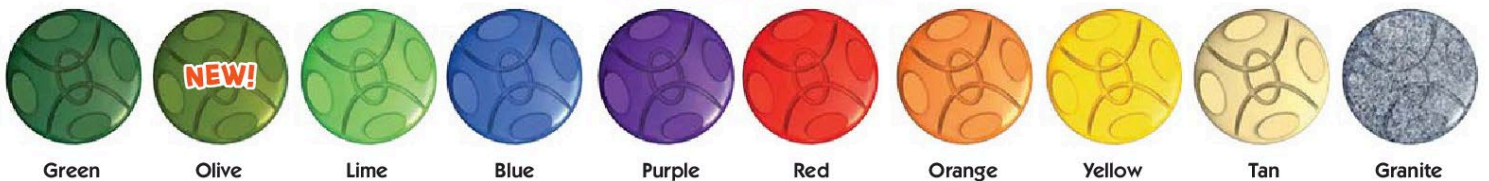


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SHADE CANOPIES



ROTOMOLD PLASTIC



VISIT BCIBURKE.COM/COLOR TO CUSTOMIZE YOUR PLAYGROUND COLORS!

BURKE GENERATIONS WARRANTY®

The Longest and Strongest warranty in the industry

BCI Burke Company, LLC ("Burke") warrants that all standard products are warranted to be free from defects in materials and workmanship, under normal use and service, for a period of one (1) year from the date of shipment.

We stand behind our products. In addition, the following products are warranted, under normal use and service from the date of shipment as follows:

- One Hundred (100) Year Limited Warranty on aluminum and steel upright posts (including Intensity®, Synergy™, Nucleus®, Voltage®, Little Buddies®, ELEVATE®, ACTIVATE®, INVIGORATE™) against structural failure due to corrosion, deterioration or workmanship.
- One Hundred (100) Year Limited Warranty on KoreKonnct® clamps against structural failure due to corrosion, deterioration or workmanship.
- One Hundred (100) Year Limited Warranty on Hardware (nuts, bolts, washers)
- One Hundred (100) Year Limited Warranty on bolt-through fastening and clamp systems (Synergy™, Intensity®, Nucleus®, Voltage®, Little Buddies®, ELEVATE®).
- Twenty-Five (25) Year Limited Warranty on spring assemblies and aluminum cast animals.
- Fifteen (15) Year Limited Warranty on structure platforms and decks, metal roofs, table tops, bench tops, railings and barriers against structural failure due to materials or workmanship.
- Fifteen (15) Year Limited Warranty on all plastic components including StoneBorders against structural failure due to materials or workmanship.
- Ten (10) Year Limited Warranty on ShadePlay Canopies fabric, threads, and cables against degradation, cracking or material breakdown resulting from ultra-violet exposure, natural deterioration or manufacturing defects. This warranty is limited to the design loads as stated in the specifications.
- Ten (10) Year Limited Warranty on NaturePlay® Boulders and GFRC products against structural failure due to natural deterioration or workmanship. Natural wear, which may occur with any concrete product with age, is excluded from this warranty
- Ten (10) Year Limited Warranty on Full Color Custom Signage against manufacturing defects that cause delamination or degradation of the sign. Full Color Custom Signs also carry a two (2) year warranty against premature fading of the print and graphics on the signs.
- Five (5) Year Limited Warranty on Intensity® and RopeVenture® cables and LEVEL X® flex bridge against premature wear due to natural deterioration or manufacturing defects. Determination of premature wear will be at the manufacturer's discretion.
- Five (5) Year Limited Warranty on moving parts, including swing components, against structural failure due to materials or workmanship.
- Five (5) Year Limited Warranty on PlayEnsemble® cables and mallets against defects in materials and workmanship.
- Three (3) Year Limited Warranty on electronic panel speakers, sound chips and circuit boards against electronic failure caused by manufacturing defects.

The warranty stated above is valid only if the equipment is erected in conformity with the layout plan and/or installation instructions furnished by BCI Burke Company, LLC using approved parts; have been maintained and inspected in accordance with BCI Burke Company, LLC instructions. Burke's liability and your exclusive remedy hereunder will be limited to repair or replacement of those parts found in Burke's reasonable judgment to be defective. Any claim made within the above stated warranty periods must be made promptly after discovery of the defect. A part is covered only for the original warranty period of the applicable part. Replacement parts carry the applicable warranty from the date of shipment of the replacement from Burke. After the expiration of the warranty period, you must pay for all parts, transportation and service charges.

Burke reserves the right to accept or reject any claim in whole or in part. Burke will not accept the return of any product without its prior written approval. Burke will assume transportation charges for shipment of the returned product if it is returned in strict compliance with Burke's written instructions.

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THE FOREGOING WARRANTIES ARE EXCLUSIVE AND IN LIEU OF ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. IF THE FOREGOING DISCLAIMER OF ADDITIONAL WARRANTIES IS NOT GIVEN FULL FORCE AND EFFECT, ANY RESULTING ADDITIONAL WARRANTY SHALL BE LIMITED IN DURATION TO THE EXPRESS WARRANTIES AND BE OTHERWISE SUBJECT TO AND LIMITED BY THE TERMS OF BURKE'S PRODUCT WARRANTY. SOME STATES DO NOT ALLOW THE EXCLUSION OF CERTAIN IMPLIED WARRANTIES, SO THE ABOVE LIMITATION MAY NOT APPLY TO YOU.

Warranty Exclusions: The above stated warranties do not cover: "cosmetic" defects, such as scratches, dents, marring, or fading; damage due to incorrect installation, vandalism, misuse, accident, wear and tear from normal use, exposure to extreme weather; immersion in salt or chlorine water, unauthorized repair or modification, abnormal use, lack of maintenance, or other cause not within Burke's control; and

Limitation of Remedies: Burke is not liable for consequential or incidental damages, including but not limited to labor costs or lost profits resulting from the use of or inability to use the products or from the products being incorporated in or becoming a component of any other product. If, after a reasonable number of repeated efforts, Burke is unable to repair or replace a defective or nonconforming product, Burke shall have the option to accept return of the product, or part thereof, if such does not substantially impair its value, and return the purchase price as the buyer's entire and exclusive remedy. Without limiting the generality of the foregoing, Burke will not be responsible for labor costs involved in the removal of products or the installation of replacement products. Some states do not allow the exclusion of incidental damages, so the above exclusion may not apply to you.

The environment near a saltwater coast can be extremely corrosive. Some corrosion and/or deterioration is considered "normal wear" in this environment. Product installed within 500 yards of a saltwater shoreline will only be covered for half the period of the standard product warranty, up to a maximum of five years, for defects caused by corrosion. Products installed in direct contact with saltwater or that are subjected to salt spray are not covered by the standard warranty for any defects caused by corrosion.

Contact your local Burke Representative for warranty information regarding Burke Turf® and Burke Tile products.

Terms of Sale

Pricing: Prices published in this catalog are in USD, are approximate and do not include shipping & handling, surfacing, installation nor applicable taxes. All prices are subject to change without notice. Contact your Burke representative for current pricing. Payments are to be made in USD.

Weights: Weights are approximate and may vary with actual orders.

Installation: All equipment is shipped unassembled. For a list of factory-certified installers in your area, please contact your Burke representative.

Specifications: Product specifications in this catalog were correct at the time of publication. However, product improvements are ongoing at Burke, and we reserve the right to change or discontinue specifications without notice.

Loss or Damage in Transit: A signed bill of lading is our receipt from a carrier that our shipment to you was complete and in good condition upon arrival. Before you sign, please check the Bill of Lading carefully when the shipment arrives to make sure nothing is missing and there are no damages. Once the shipment leaves our plant, we are no longer responsible for any damage, loss or shortage.

For more information regarding the warranty, call Customer Service at 920-921-9220 or 1-800-356-2070.

01/2021

June 17, 2024

Cindy Luxhoj, AICP
Associate Planner
City of Wilsonville
29799 SW Town Center Loop East
Wilsonville, OR 97070

Frog Pond Neighborhood Park
Wilsonville, Oregon

Dear Cindy,

On behalf of the Applicant team, 3J Consulting would like to provide the City with revised land use plans for the proposed Frog Pond Neighborhood Park (DB24-0004, SDR24-0002, TPLN24-0002, SIGN24-0007, SROZZ24-0001, SRIR24-0001). The intent of this letter is to describe the minor revisions made to the proposed park plans prior to the scheduled Development Review Board hearing on June 24, 2024. A revised "Appendix D – Land Use Plans and Materials Sheets" has been provided to the City with this letter.

The following changes have been made to the land use plans:

- At the Playground area the boardwalk paving has been revised to use a thickened edge in lieu of flush curbs. This change has been made for ease of constructability and allows board stamping to extend to edges of the boardwalk.
- At the southeast seating area in the aggregate paving area the layout has been revised to work better with the grades. The updated plans show the aggregate paving extended slightly further and a bench and freestanding column provided for seating instead of two freestanding columns.
- At the south entry to the park the paving layout has been revised to better accommodate the majority of pedestrian flow between the right-of-way and school on the adjacent property to the west.
- In the fitness area, a "Push N' Pull – FIT-2671" will be provided in lieu of the "Invigorate Strider – FIT-2925". This will better accommodate a wider range of physical abilities.
- Salvaged street trees along Brisband Street were incorrectly identified as "Tilia Cordata" on the Plant Schedule and Notes (Sheet L5.00) of the plans set. Sheet L5.00 has been revised to state the salvaged street trees botanical name is "Tilia Americana".
- Throughout the entire park, the following changes to the plans have been made:
 - All bench locations have flares added to the concrete to widen the area where the bench is placed. This will protect planting areas from being damaged or degraded over time.
 - All path intersections have additional radii to protect planting areas from being damaged or degraded over time.
 - Concrete paving areas are revised to show the intent of concrete scoring and construction joint placement.
 - Boulders are more accurately drawn at retaining wall locations in lieu of representing walls with edges only.

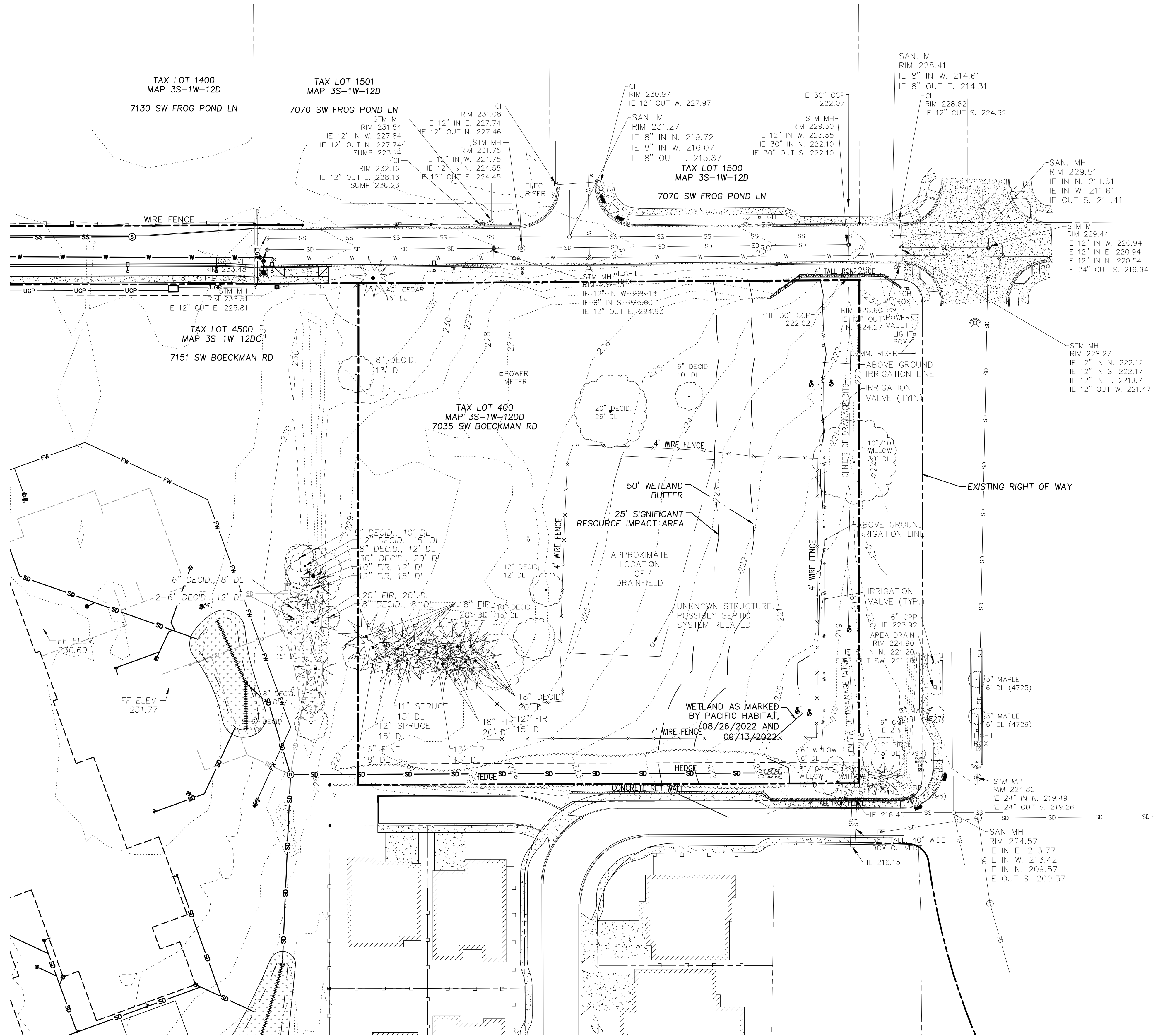


The Applicant team trusts that these revisions to "Appendix D" will assist in the Development Review Board's favorable evaluation of the application. Please feel free to contact me directly if you have any questions or need any additional clarification about these minor revisions.

Sincerely,



Sam Huck
Planner
3J Consulting, Inc.
sam.huck@3j-consulting.com



EXISTING LEGEND

---	PROPERTY LINE	⊙	STORM MANHOLE
- - - - -	EASEMENT LINE	□	CATCH BASIN
---	SD STORM LINE	○	CLEANOUT/ROOF DRAIN
---	SS SEWER LINE	○	SEWER MANHOLE
---	W WATER LINE	⊗	FIRE HYDRANT
---	G GAS LINE	⊕	WATER METER
---	UGP UNDERGROUND POWER LINE	⊗	WATER VALVE
---	OHP OVERHEAD POWER LINE	⊕	GAS METER
---	T COMMUNICATIONS LINE	⊕	GAS VALVE
---	FENCE	□	ELECTRICAL VAULT/BOX
- - - - -	MAJOR CONTOUR	⊙	LIGHT POLE
⋯⋯⋯	MINOR CONTOUR	○	UTILITY POLE
- - - - -	EDGE OF BRUSH	→	UTILITY POLE ANCHOR
---	CURB	⊕	SIGN
---	EXTG BUILDING	⊕	MAILBOX
---	BUILDING EAVE	⊕	CONIFEROUS TREE
---	WALL	⊕	DECIDUOUS TREE
---	ASPHALT	⊕	SEPTIC TANK
---	CONCRETE		
---	GRAVEL PATH		

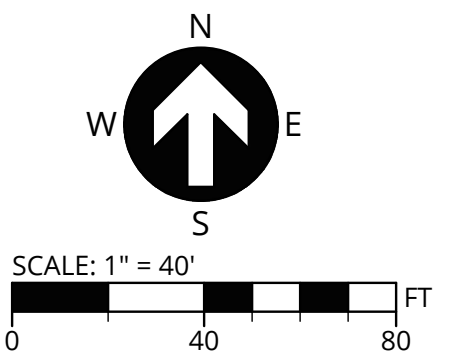
EXISTING CONDITIONS PLAN

THIS PLAN HAS BEEN PREPARED FOR ILLUSTRATIVE PURPOSES ONLY. SITE BACKGROUND INFORMATION AND FEATURES HAVE BEEN GENERATED FROM A COMBINATION OF PUBLIC GIS DATA SOURCES, AERIAL PHOTOS, TAX ASSESSOR MAPS, PHYSICAL SITE OBSERVATIONS AND A TOPOGRAPHIC MAP PROVIDED BY COMPASS LAND SURVEYORS. PROPOSED SITE FEATURES ARE PRELIMINARY IN NATURE AND SUBJECT TO CHANGE. NO WARRANTY OR GUARANTEE IS EXPRESSED OR IMPLIED.

SURVEYORS NOTES

1. VERTICAL DATUM: NAVD '88, OREGON REAL TIME GNSS NETWORK (ORGN).
2. HORIZONTAL DATUM: OREGON COORDINATE REFERENCE SYSTEM, PORTLAND ZONE, BASED UPON OBSERVATIONS TIED TO THE OREGON REAL TIME GNSS NETWORK, (ORGN) NAD '88 (2011) EPOCH 2010.00.
3. UTILITY INFORMATION SHOWN ON THIS MAP IS BASED UPON OBSERVED FEATURES AND UTILITY LOCATES. NO WARRANTIES ARE MADE REGARDING THE ACCURACY OR COMPLETENESS OF THE UTILITY INFORMATION SHOWN. ADDITIONAL UTILITIES MAY EXIST. INTERESTED PARTIES ARE HEREBY ADVISED THAT UTILITY LOCATIONS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION OF ANY CRITICAL ITEMS.
4. CONTOUR INTERVAL IS ONE FOOT.
5. TOPOGRAPHIC FEATURES SHOWN ON THIS MAP WERE LOCATED USING STANDARD PRECISION TOPOGRAPHIC MAPPING PROCEDURES. THIRD PARTY USERS OF DATA FROM THIS MAP PROVIDED VIA AUTOCAD DRAWING FILES OR DATA EXCHANGE FILES SHOULD NOT RELY ON ANY AUTOCAD GENERATED INFORMATION WHICH IS BEYOND THE LIMITS OF PRECISION OF THIS MAP. THIRD PARTIES USING DATA FROM THIS MAP IN AN AUTOCAD FORMAT SHOULD VERIFY ANY ELEMENTS REQUIRING PRECISE LOCATIONS PRIOR TO COMMENCEMENT OF ANY CRITICAL DESIGN OR CONSTRUCTION. CONTACT COMPASS LAND SURVEYORS FOR FURTHER INFORMATION. FURTHERMORE, COMPASS LAND SURVEYORS WILL NOT BE RESPONSIBLE NOR HELD LIABLE FOR ANY DESIGN OR CONSTRUCTION RELATED PROBLEMS THAT ARISE OUT OF THIRD PARTY USAGE OF THIS MAP (IN AUTOCAD OR OTHER FORMAT) FOR ANY PURPOSE OTHER THAN SPECIFICALLY STATED HEREIN. THIS STATEMENT IS AN OFFICIAL PART OF THIS MAP.
6. PUBLIC UTILITIES NOTIFIED BY OREGON UTILITY NOTIFICATION CENTER TICKET NUMBER 20041523:

CLACKAMAS COUNTY D.O.T.	503-722-6301
CLACKAMAS COUNTY D.O.T.-CBX	503-722-6663
COMCAST	800-778-9140
FRONTIER	800-778-9140
NW NATURAL	503-220-2415
PORTLAND GENERAL ELECTRIC	503-255-4634
CENTURYLINK	800-778-9140
360 NETWORKS USA	888-267-1063



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Revisions

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Project
FROG POND
NEIGHBORHOOD PARK

Sheet Title
EXISTING CONDITIONS
PLAN

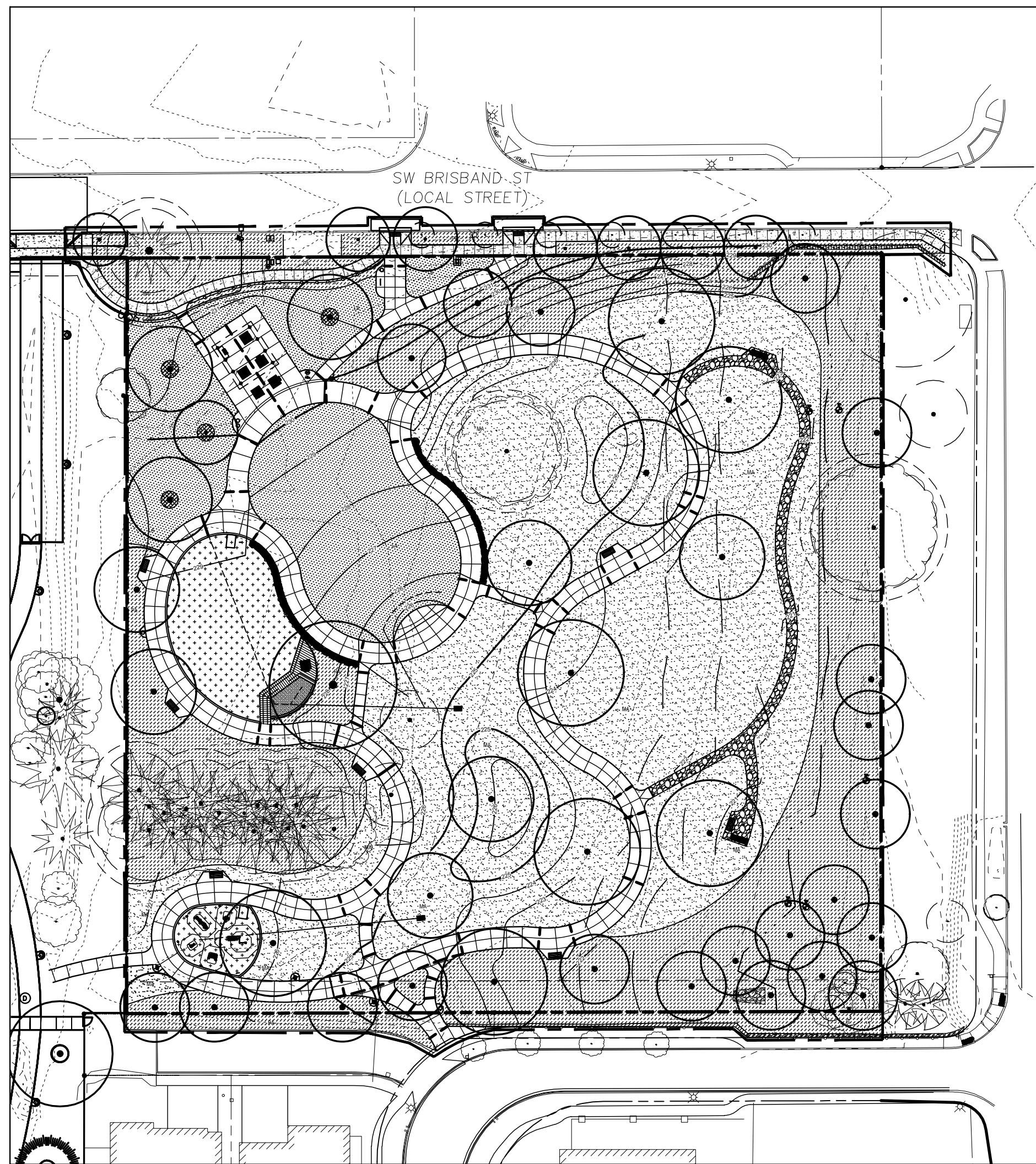
Sheet No. **GO.01**

STANDARD EROSION CONTROL NOTES

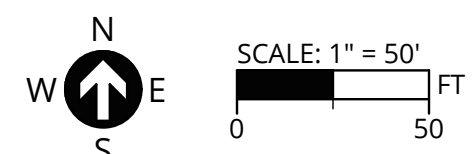
- 1. ONCE KNOWN, INCLUDE A LIST OF ALL CONTRACTOR(S) THAT WILL ENGAGE IN CONSTRUCTION ACTIVITIES. REVISE THE LIST AS APPROPRIATE UNTIL THE PERMIT COVERAGE IS TERMINATED (SECTION 4.4.c.i). IN ADDITION, INCLUDE A LIST OF PERSONNEL (BY NAME AND POSITION) THAT ARE RESPONSIBLE FOR THE DESIGN, INSTALLATION AND MAINTENANCE OF STORMWATER CONTROL MEASURES (E.G. ESCP DEVELOPER, BMP INSTALLER (SECTION 4.10), AS WELL AS THEIR INDIVIDUAL RESPONSIBILITIES (SECTION 4.4.c.ii).

CONSTRUCTION DOCUMENTS FOR FROG POND NEIGHBORHOOD PARK

PREPARED FOR WILSONVILLE PARKS AND RECREATION



SITE MAP



EROSION AND SEDIMENT CONTROL PLANS SHEET INDEX

Table with 2 columns: Sheet Number and Sheet Title. Lists sheets C1.20 through C1.70 with their respective titles like 'EROSION AND SEDIMENT CONTROL PLAN COVER' and 'FINAL STABILIZATION ESCP'.

WORK HOURS

Table showing work hours for each day of the week: Monday 7AM-8PM, Tuesday 7AM-8PM, Wednesday 7AM-8PM, Thursday 7AM-8PM, Friday 7AM-8PM, Saturday 7AM-8PM, Sunday -NO WORK.

PROJECT SCHEDULE

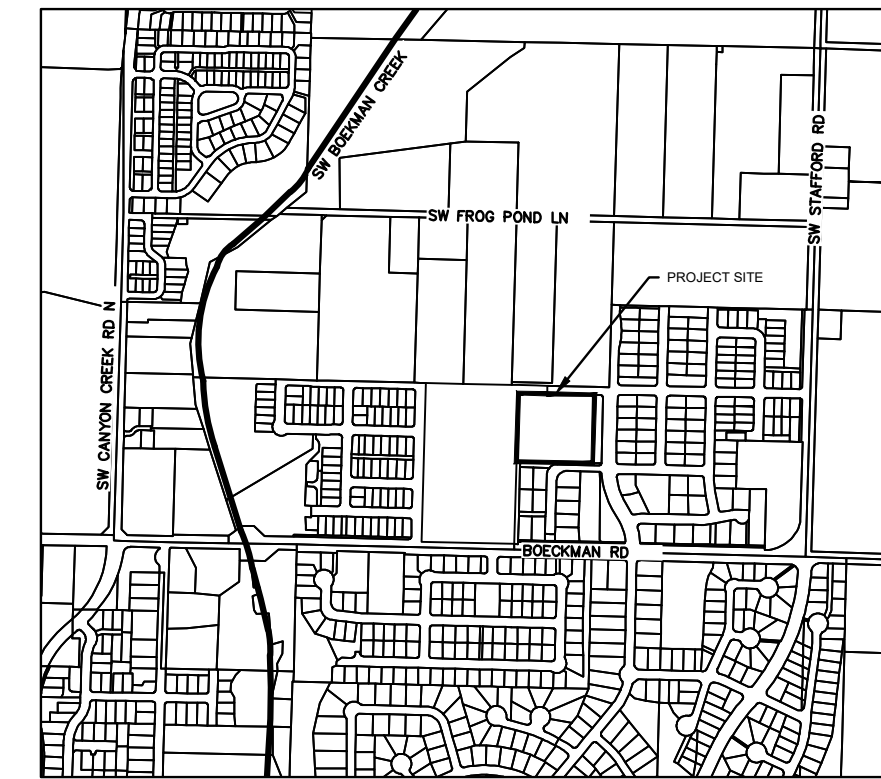
Table showing project schedule: Utility Construction (March 2025), Mass Grading (January 2025 - March 2025), Final Stabilization (May 2025 - June 2025), and Removal of Temporary Facilities and Pollutant Generating Activities (August 2025).

POLLUTANT GENERATING ACTIVITIES:

- VEHICLE/CONSTRUCTION EQUIPMENT OPERATION. POLLUTANTS MAY INCLUDE: FUEL, OIL, HYDRAULIC FLUID.
PETROLEUM PRODUCT STORAGE/DISPENSING. POLLUTANTS MAY INCLUDE: PETROLEUM, SOLVENTS.
EXCAVATION AND TUNNELING. POLLUTANTS MAY INCLUDE: SEDIMENT, CONTAMINATED SUBSTRATES, DEWATERING SPOILS WASTE.
CONCRETE AND GROUT POLLUTANTS MAY INCLUDE: PROCESS WATER, SLURRY.

CEMENT AMENDED SOILS:

CEMENT AMENDED SOILS WILL NOT BE UTILIZED OR AUTHORIZED ON THIS PROJECT.



VICINITY MAP N.T.S.

SITE INFORMATION

- 1. TYPE OF CONSTRUCTION: NEW PARKS FACILITY
2. CONSTRUCTION ACTIVITY WILL CONSIST OF: A. UTILITY CONNECTIONS, B. CONCRETE PATH PAVING, C. UNDERDRAIN TILE, STORM CONVEYANCE, AND OUTFALL, D. PARK FURNISHINGS (PLAYGROUND, BENCHES, FOUNTAINS), E. PLANTING AND IRRIGATION.
3. PROJECT TIMELINE: - BEGINNING DATE: JANUARY 2025, - END DATE: SEPTEMBER 2025.
4. PROJECT SITE AREAS: - TOTAL PERMIT COVERAGE AREA: 2.93 ACRES, - DISTURBED AREA: 2.35 ACRES, - PERCENT OF SITE DISTURBED: 80.4%.
5. OFFSITE PUBLIC IMPROVEMENT AREA: - TOTAL PERMIT COVERAGE AREA: 0.13 ACRES.
6. ONSITE SOIL TYPES: A. ALOHA SILT LOAM, B. CONCORD SILT LOAM.
7. CUT AND FILL DATA: - REWORK IN-PLACE MATERIAL: 390 CY, - IMPORT MATERIAL: 1,820 CY.
8. WATER BODIES WITHIN 1 MILE OF COVERAGE AREA: - MERIDIAN CREEK, - BOECKMAN CREEK, - NEWLAND CREEK.
9. RECEIVING WATER BODY / STORM SYSTEM: - BOECKMAN CREEK (NOT 303D LISTED FOR TURBIDITY).
10. RAIN GAUGE LOCATION: https://forecast.weather.gov/MapClick.php?lat=45.305&lon=-122.75, 94#ZEqVIs7MKUk

PROJECT TEAM

Table listing project team members: Owner / Applicant (Wilsonville Parks and Recreation), Landscape Architect (Mayer/Reed Inc.), Land Surveyor (Compass Land Surveyors), Civil Engineer (3J Consulting Inc.), and Contractor (Name: TBD).

BMP MATRIX FOR CONSTRUCTION PHASE

Matrix table showing BMP implementation for various construction phases: Erosion Prevention, Sediment Control, Run Off Control, and Pollution Prevention. Columns include Year, Phase/BMP, Clearing, Mass Grading, Utility Construction, Vertical Construction, and Final Stabilization.

AUTHORIZED NON-STORMWATER DISCHARGES EXPECTED

- WATER AND ASSOCIATED DISCHARGES FROM EMERGENCY FIREFIGHTING ACTIVITIES;
FIRE HYDRANT FLUSHING;
PROPERLY MANAGED LANDSCAPE IRRIGATION;
WATER USED TO WASH EQUIPMENT VEHICLES (EXCLUDING THE ENGINE, UNDERCARRIAGE, AND WHEELS/TIRES) PROVIDED THERE IS NO DISCHARGE OF SOAPS, SOLVENTS, OR DETERGENTS USED;
WATER USED TO CONTROL DUST;
POTABLE WATER INCLUDING UNCONTAMINATED WATER LINE FLUSHINGS;
EXTERNAL BUILDING WASHDOWN, PROVIDED SOAPS, SOLVENTS, AND DETERGENTS ARE NOT USED, AND EXTERNAL SURFACES DO NOT CONTAIN HAZARDOUS SUBSTANCES;
PAVEMENT WASH WATERS, PROVIDED SPILLS OR LEAKS OF TOXIC OR HAZARDOUS SUBSTANCES HAVE NOT OCCURRED (UNLESS ALL SPILL MATERIAL HAS BEEN REMOVED) AND WHERE SOAPS, SOLVENTS, AND DETERGENTS ARE NOT USED. DIRECTING PAVEMENT WASH WATERS INTO ANY SURFACE WATER, STORM DRAIN INLET, OR STORMWATER CONVEYANCE IS PROHIBITED, UNLESS THE CONVEYANCE IS CONNECTED TO A SEDIMENT BASIN, SEDIMENT TRAP, OR SIMILARLY EFFECTIVE CONTROL FOR THE POLLUTANTS PRESENT. PER 2.2.19.B, HOISING OF ACCUMULATED SEDIMENTS ON PAVEMENT INTO ANY STORMWATER CONVEYANCE IS PROHIBITED;
UNCONTAMINATED AIR CONDITIONING OR COMPRESSOR CONDENSATE;
UNCONTAMINATED, NON-TURBID DISCHARGES OF GROUNDWATER OR SPRING WATER;
FOUNDATION OR FOOTING DRAINS WHERE FLOWS ARE NOT CONTAMINATED WITH PROTECTIVE MATERIALS SUCH AS SOLVENTS OR CONTAMINATED GROUNDWATER; AND
CONSTRUCTION DEWATERING ACTIVITIES (INCLUDING GROUNDWATER DEWATERING AND WELL DRILLING DISCHARGE ASSOCIATED WITH THE REGISTERED CONSTRUCTION ACTIVITY), PROVIDED THAT:
- THE WATER IS LAND APPLIED IN A WAY THAT RESULTS IN COMPLETE INFILTRATION WITH NO POTENTIAL TO DISCHARGE TO A SURFACE WATER OF THE STATE, OR THE USE OF A SANITARY OR COMBINED SEWER DISCHARGE IS AUTHORIZED WITH LOCAL SEWER DISTRICT APPROVAL; OR
- BEST MANAGEMENT PRACTICES AND A TREATMENT SYSTEM APPROVED BY DEQ OR AGENT (SEE SECTION 1.2.9) ARE USED TO ENSURE COMPLIANCE WITH DISCHARGE AND WATER QUALITY REQUIREMENTS IN SECTION 2.4.

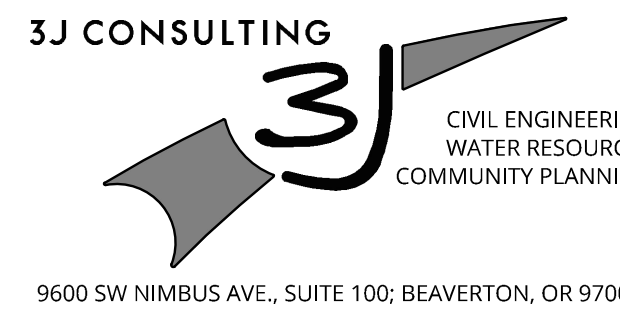
REQUIRED INSPECTION FREQUENCY

Table with 2 columns: Site Condition and Minimum Frequency. Details inspection requirements for active periods, inactive periods, and during construction activities.



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Revisions

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Project FROG POND NEIGHBORHOOD PARK

Sheet Title EROSION AND SEDIMENT CONTROL PLAN COVER

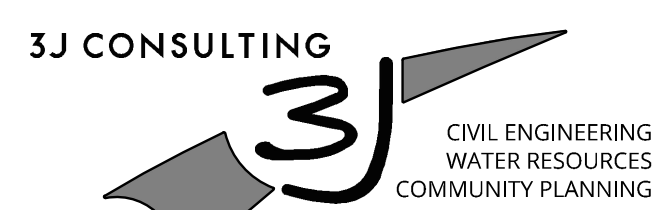
Sheet No. C1.20





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CONSTRUCTION KEY NOTES

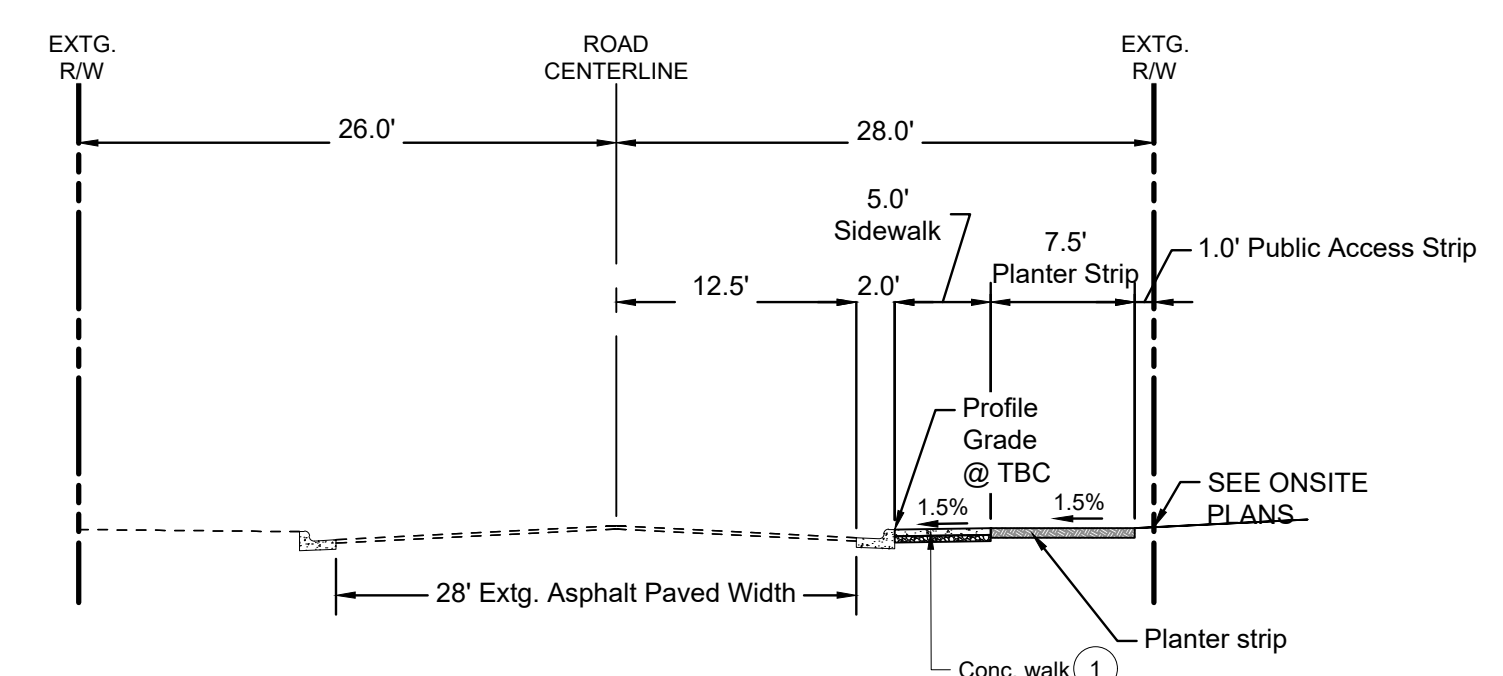
- 1 CONSTRUCT SIDEWALK PER CITY OF WILSONVILLE STD. DWG. RD-1075 ON SHEET C9.01.
2 CONNECT TO EXISTING SIDEWALK.
3 CONSTRUCT PERPENDICULAR SIDEWALK RAMP PER CITY OF WILSONVILLE STD. DWGS. RD-1115 ON SHEET C9.01 USING REINFORCED CONCRETE RATED FOR VEHICLE TRAFFIC.
4 INSTALL CONTINENTAL CROSSWALK PAVEMENT MARKING PER CITY OF WILSONVILLE STD. DWG. RD-1280, 140 LF, ON SEE SHEET C9.01.
5 ARBORIST TO SUPERVISE AND DOCUMENT ROOT PRUNING OUTSIDE OF 25' RADIUS TREE PROTECTION ZONE. SEE SHEET L0.02.
6 ADA RAMP GRADING DETAILS. SEE SHEET C7.30.

WATER SYSTEM KEY NOTES

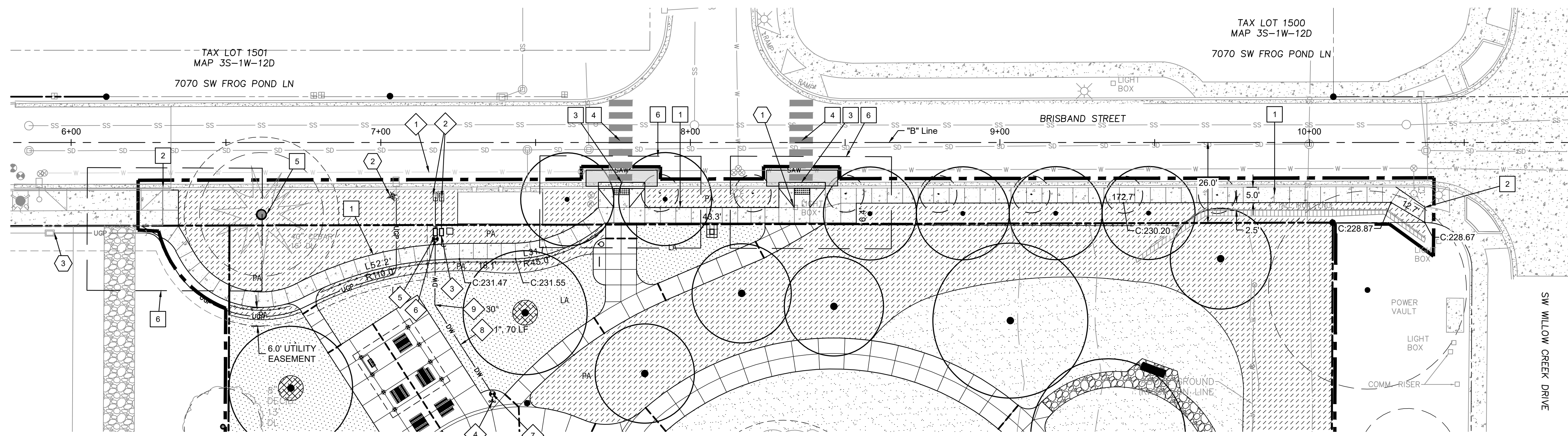
- 1 EXISTING WATER LINE. SHOWN FOR REFERENCE ONLY.
2 EXISTING METER BOX AND LID. SHOWN FOR REFERENCE ONLY.
3 INSTALL 1" IRRIGATION DOUBLE CHECK VALVE ASSEMBLY PER CITY OF WILSONVILLE STD. DWG B-4000 ON SHEET C9.01.
4 INSTALL MDF DRINKING FOUNTAIN MODEL 1014SSM WITH PET FOUNTAIN WITH SUMP FOR DRAIN PIPE. SEE LANDSCAPING PLANS FOR DETAIL.
5 INSTALL PLUMBING-CODE APPROVED SINGLE CHECK BACKFLOW ASSEMBLY WITH ACCESSIBLE BOX ENCLOSURE AT LOCATION SHOWN.
6 INSTALL PLUMBING-CODE APPROVED SHUT OFF VALVE.
7 INSTALL PLUMBING-CODE APPROVED DRAIN VALVE FOR WINTERIZATION.
8 INSTALL AWWA C901 (DR7) HDPE WATER PIPE AT DIAMETER, LENGTH, AND ALIGNMENT SHOWN. PROVIDE CLASS 'B' BACKFILL PER DETAIL 1 ON SHEET C9.01.
9 INSTALL AWWA C901 (DR7) HDPE BEND [M.] TO ANGLE AND SIZE SHOWN.

FRANCHISE UTILITIES

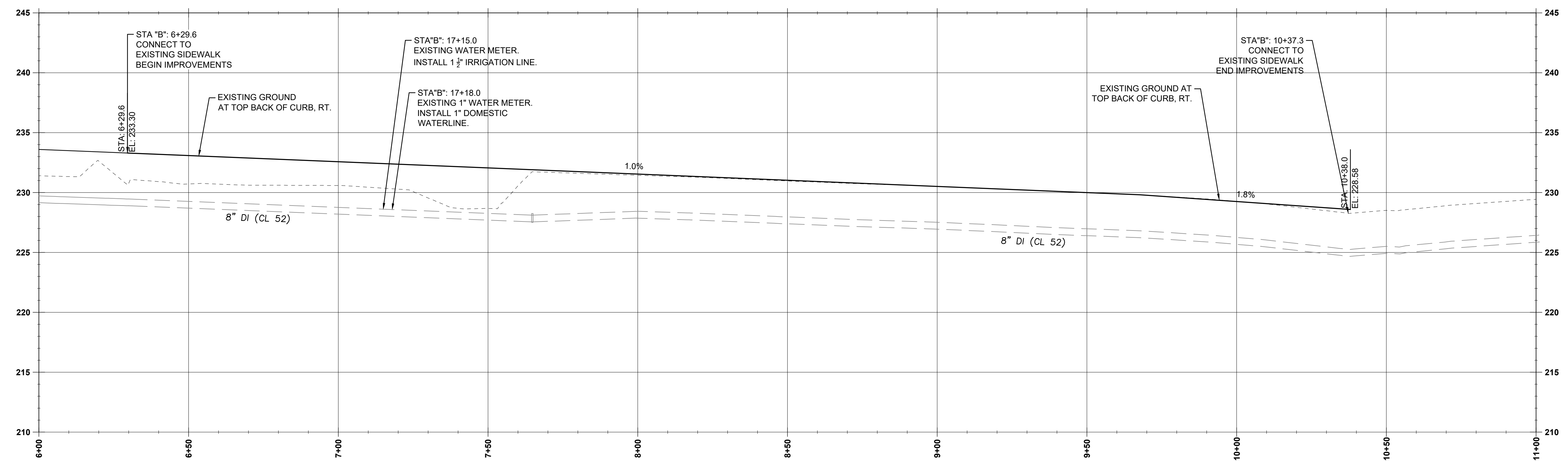
- 1 RELOCATE EXISTING LIGHT BOX
2 INSTALL CONDUIT AND WIRING FOR PUBLIC STREET LIGHT (150 LF).
3 CONNECT WIRING FOR STREET LIGHT INTO EXISTING JUNCTION BOX.



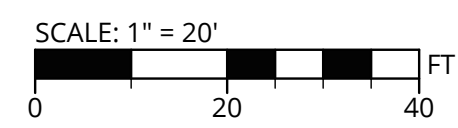
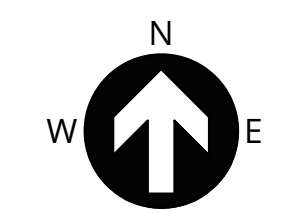
SW BRISBAND STREET - STA: 7+60.0 - 10+50.0
CLASSIFICATION: LOCAL STREET



BRISBAND STREET
PLAN VIEW
SCALE: 1" = 20'



BRISBAND STREET
'B' PROFILE
HORIZ. SCALE: 1" = 20'
VERT. SCALE: 1" = 5'



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Project
FROG POND
NEIGHBORHOOD PARK

Sheet Title
BRISBAND PLAN AND
PROFILE

Sheet No.
C7.20



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LUMINAIRE SCHEDULE							
TAG	DESCRIPTION	MANUFACTURER	MODEL	CRI / CCT	LUMENS	WATTAGE	NOTES
SA1	POLE MOUNTED TYPE 2 DIST.	HADCO BY SIGNIFY	CXF14-32-GE-T-'TBD'-2-730-A-'TBD'-N-SP1-N	90 CRI / 3000K	134/W	35W	10' MOUNTING HEIGHT

SHEET NOTES

A. NEW PARK LIGHTING SYSTEMS ARE TO BE PROVIDED WITH STAND ALONE POLE MOUNTED SOLAR AND BATTERY SYSTEMS AT EACH FIXTURE. LIGHTING SOLAR POWER SYSTEM TO BE DESIGNED AND PROVIDED BY THE LIGHTING MANUFACTURER - HADCO, AS AN ENGINEERED TO ORDER SYSTEM.

B. ALL LIGHTING SYSTEM WILL BE HAVE STAND ALONE LIGHTING CONTROLS VIA PHOTOCELL FOR ON/OFF OPERATION.

C. LIGHTING POLES AND POLE BASES SHALL BE DESIGNED FOR THE ADDITIONAL WIND AND WEIGHT LOADING ASSOCIATED WITH THE POLE MOUNTED SOLAR PANEL, CONTROLLER AND BATTERY SYSTEM BY A REGISTER STRUCTURAL ENGINEER IN COORDINATION WITH THE LIGHTING MANUFACTURER DESIGNING THE SOLAR POWER SYSTEM.

KEYED NOTES

1. BASIS OF DESIGN FOR LIGHT POLE - PEDESTRIAN POLE PER CITY OF WILSONVILLE STANDARD - 'SA1; MODEL NUMBER 'CXF14-32-GE-T-'TBD'-2-730-A-'TBD'-N-SP1-N - QUANTITIES AND LOCATIONS ARE APPROXIMATE. REFER TO SHEET E1.01 PHOTOMETRICS FOR SA1 PROPOSED LOCATIONS.

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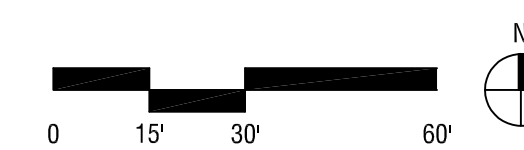
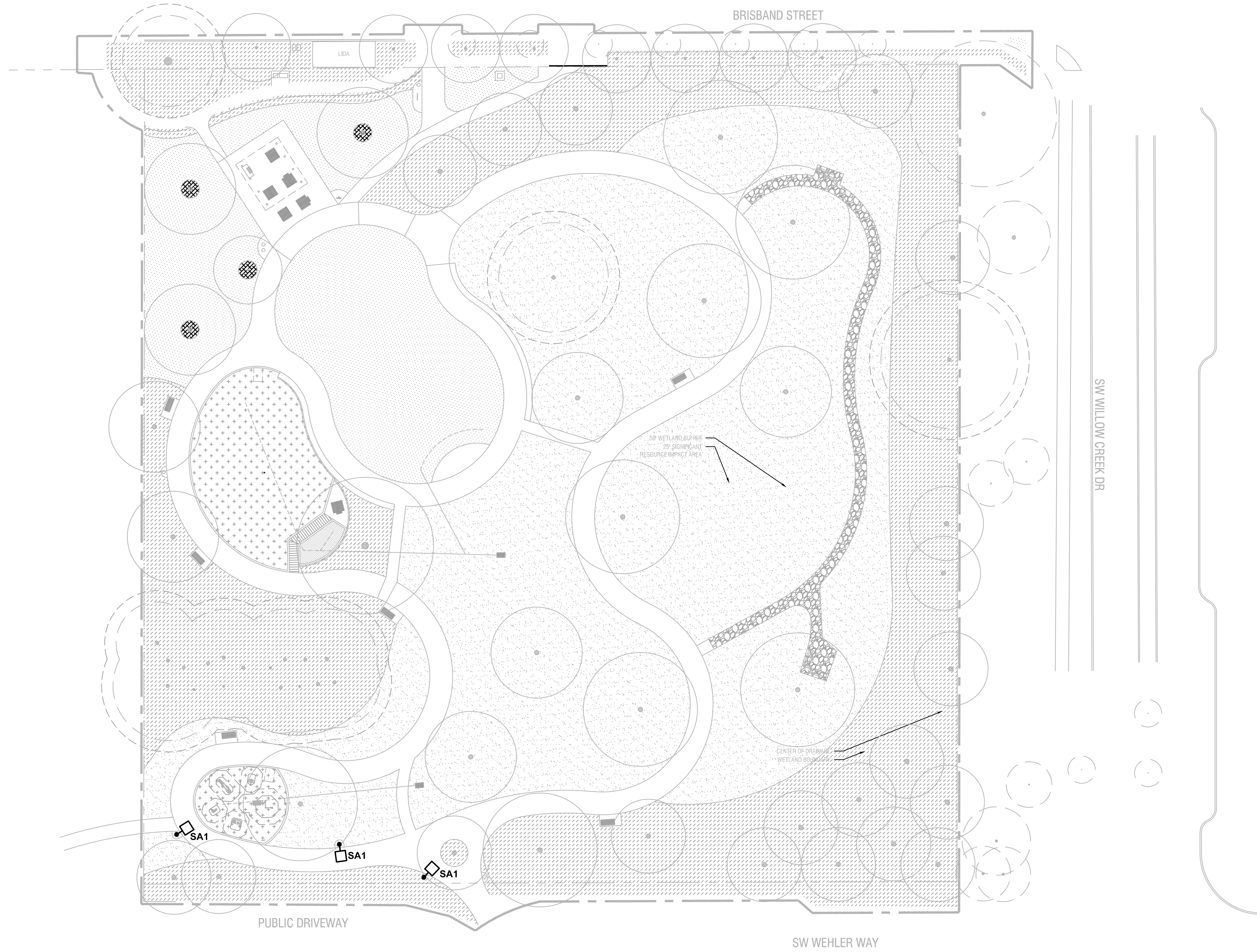
FROG POND
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Sheet Title

LIGHTING PLAN

Sheet No.

E1.00





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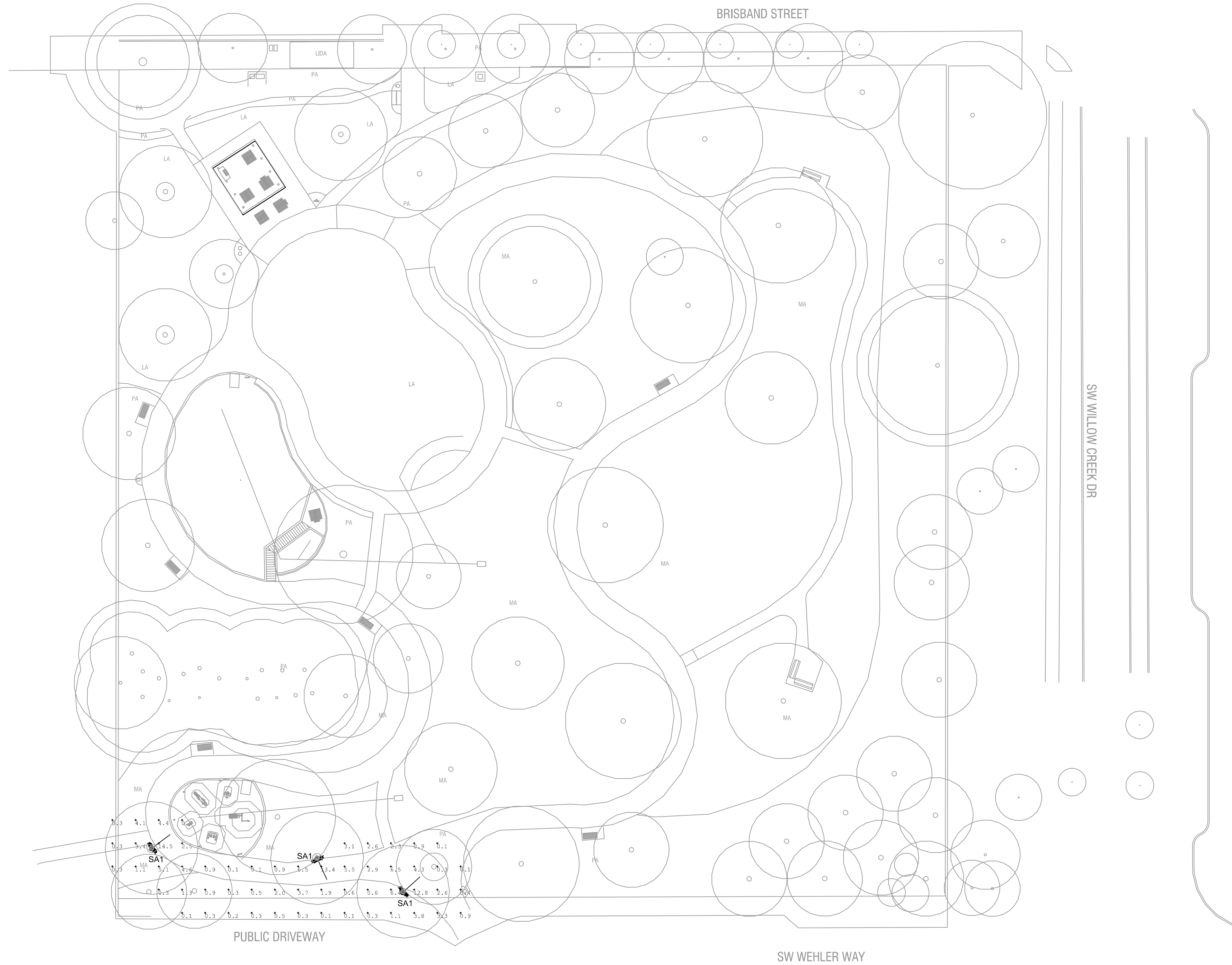
FROG POND
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Sheet Title

LIGHTING
PHOTOMETRIC PLAN

Sheet No.

E1.01

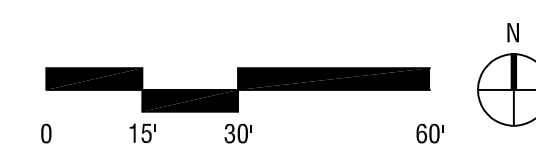


SHEET NOTES

A. PHOTOMETRICS PROVIDED FOR
LANDUSE REVIEW.

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CalcPts_1	Illuminance	Fc	2.45	14.5	0.1	24.50	145.00

Luminaire Schedule						
Symbol	Qty	Tag	Luminaire Lumens	Luminaire Watts	LLF	Total Watts
⊙	3	SA1	4715	35.2	1.000	105.6





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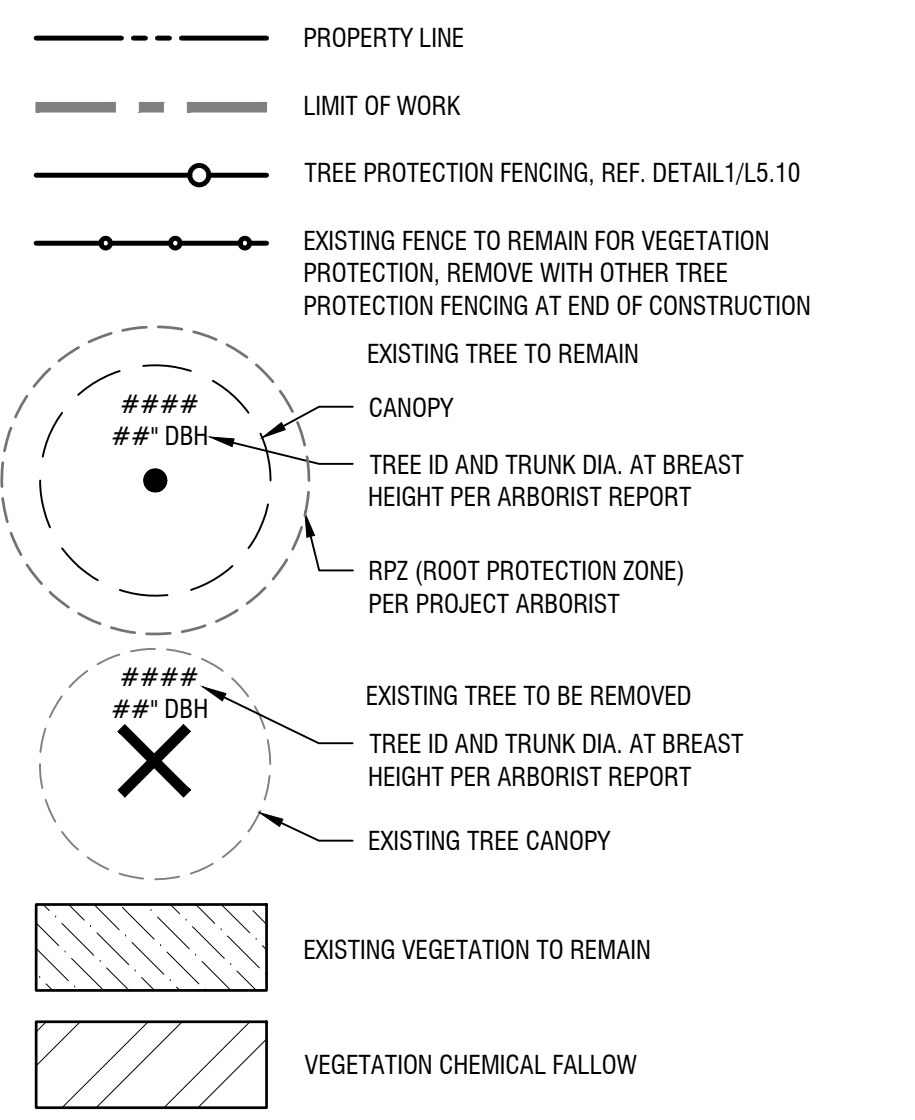
Sheet Title

TREE PROTECTION AND
REMOVAL PLAN

Sheet No.

L0.02

TREE PROTECTION AND REMOVAL LEGEND



TREE REMOVAL AND PROTECTION NOTES

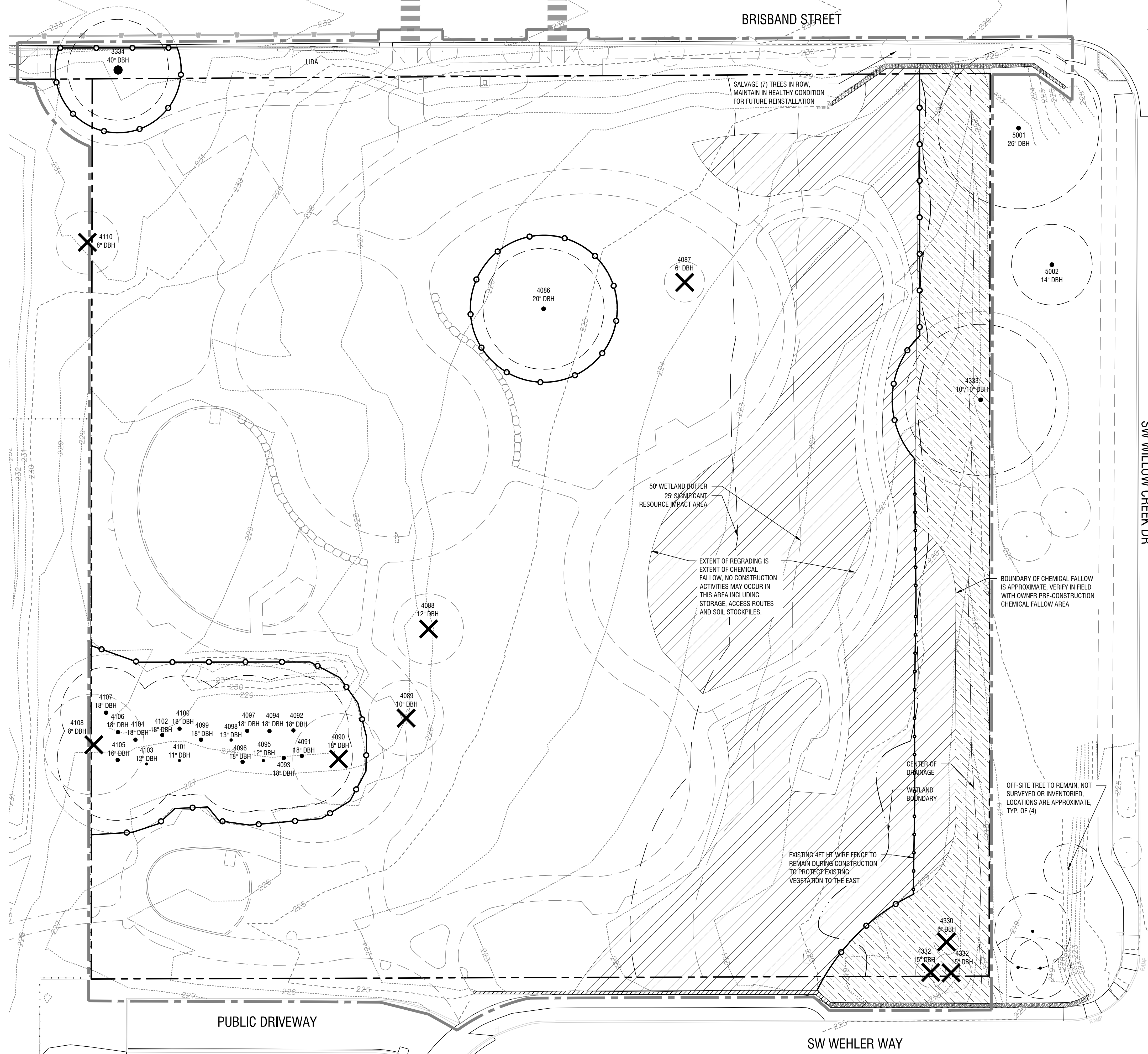
- PRECONSTRUCTION CONFERENCE. PRIOR TO THE START OF CONSTRUCTION ACTIVITY, THE CONTRACTOR SHALL COORDINATE WITH THE PROJECT ARBORIST IN A TIMELY MANNER TO REVIEW THE TREE PROTECTION PLAN, VERIFY THAT TREES TO BE RETAINED ARE IDENTIFIED WITH NUMBERED TAGS, CONFIRM THAT TREES TO BE REMOVED ARE CLEARLY MARKED, AND TO INSPECT AND VERIFY THE INSTALLATION OF TREE PROTECTION MEASURES.
- FENCING. TREES TO REMAIN ON SITE SHALL BE PROTECTED BY INSTALLATION OF TREE PROTECTION FENCING AS DEPICTED ON SITE PLANS IN ORDER TO PREVENT INJURY TO TREE TRUNKS OR ROOTS, OR SOIL COMPACTION, WITHIN THE ROOT PROTECTION AREA, UNLESS OTHERWISE APPROVED BY THE CITY. FENCES SHALL BE A MINIMUM 6-FOOT HIGH 2-INCH CHAIN LINK MESH SECURED TO METAL POSTS DRIVEN INTO THE GROUND. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH THE PROJECT ARBORIST IN A TIMELY MANNER PRIOR TO OPENING, ADJUSTING OR REMOVING TREE PROTECTION FENCING.
- TREE PROTECTION ZONE. WITHOUT AUTHORIZATION FROM THE PROJECT ARBORIST, NONE OF THE FOLLOWING SHALL OCCUR BENEATH THE DRIPLINE OF ANY PROTECTED TREE:
 - GRADE CHANGE OR CUT AND FILL;
 - NEW IMPERVIOUS SURFACES;
 - UTILITY OR DRAINAGE FIELD PLACEMENT;
 - STAGING OR STORAGE OF MATERIALS AND EQUIPMENT; OR
 - VEHICLE MANEUVERING.
 ROOT PROTECTION ZONES MAY BE ENTERED FOR TASKS LIKE SURVEYING, MEASURING AND SAMPLING. FENCES MUST BE CLOSED UPON COMPLETION OF THESE TASKS.
- TREE AND STUMP REMOVAL. TREES APPROVED FOR REMOVAL SHALL BE CLEARLY MARKED WITH TREE MARKING PAINT. PROTECTION FENCING MAY BE TEMPORARILY OPENED TO REMOVE TREES #4090 AND #4108; DIRECTIONALLY FELL TREES WITH CAUTION TO AVOID DAMAGE TO PROTECTED TREES. THE STUMPS OF TREES #4090 AND #4108 SHALL BE REMOVED BY GRINDING THE STUMP FACE UP TO 6-INCHES BELOW GROUND LEVEL; DO NOT PHYSICALLY EXTRACT THESE TWO STUMPS FROM THE GROUND.
- CROWN PRUNING. WITHIN THE STAND OF EVERGREEN TREES NEAR THE SOUTHWEST CORNER OF THE SITE, PRUNE TO RAISE CROWNS UP TO 8-FEET ABOVE GROUND LEVEL AND TO REMOVE DEAD AND DEFECTIVE BRANCHES FOR SAFETY. PRUNING SHALL BE PERFORMED BY A QUALIFIED TREE SERVICE.
- SIDEWALK CONSTRUCTION - TREE #3334. THE PROPOSED SIDEWALK MEANDERING SOUTH OF TREE #3334 SHALL BE BUILT UP FROM NATIVE GRADE. REMOVE ONLY THE UPPERMOST ORGANIC MATTER AND COORDINATE WITH THE PROJECT ARBORIST TO SUPERVISE AND DOCUMENT ROOT PRUNING THAT MAY BE NEEDED OUTSIDE THE 25-FOOT RADIUS TREE PROTECTION ZONE.
- LANDSCAPING. REMOVE BLACKBERRIES AND WEEDS FROM TREE PROTECTION ZONES BY HAND AND WITH HAND TOOLS ONLY. INSTALL 3- TO 4-INCHES OF WOOD-BASED MULCH TO THE GROUND SURFACE; DO NOT PILE MULCH AGAINST TREE TRUNKS. IF NEW PLANTS ARE INSTALLED, FIELD-FIT PLANTING LOCATIONS TO AVOID TREE ROOT IMPACTS. IF IRRIGATION IS NEEDED, USE DRIP IRRIGATION INSTALLED AT-GRADE AND DIRECTED TO WATER NEW PLANTINGS ONLY; NO TRENCHING OF IRRIGATION AND NO SPRAY HEADS ARE ALLOWED WITHIN TREE PROTECTION ZONES.
- CONTRACTOR TO GIVE OWNER 30 DAYS NOTICE PRIOR TO REMOVAL OF PLANTS TO BE RELOCATED.

MITIGATION REQUIREMENTS

PER 4.600, (9) TREES OF 6" CALIPER OR GREATER WILL BE REMOVED. A MINIMUM OF (9) MITIGATION TREES OF 2" DBH OR GREATER WILL BE PLANTED.

VEGETATION REMOVAL NOTES

- FOR THE PURPOSES OF THESE NOTES, VEGETATION IS DEFINED AS ALL PLANTS NOT INCLUDING TREES.
- VEGETATION CLEAR AND GRUB (ALL UNHATCHED AREAS):
 - BOUNDARIES:
 - NORTH: BACK OF CURB
 - EAST: EDGE OF CHEMICAL FALLOW AREAS
 - SOUTH: PUBLIC DRIVEWAY CURB, EXISTING RETAINING WALL
 - WEST: PROPERTY LINE
 - CLEARING AND GRUBBING WITHIN TREE PROTECTION FENCING TO BE DONE BY HAND.
- VEGETATION CHEMICAL FALLOW (HATCHED PER LEGEND): APPLY HERBICIDE IN AREAS SHOWN UNTIL SOIL IS SEDED; APRIL, JULY, SEPTEMBER. REFER TO OWNER'S APPROVED LIST OF HERBICIDES FOR ALLOWABLE PRODUCTS, INCLUDING IN WETLAND AREAS.



1 TREE PROTECTION PLAN

SCALE: 1" = 20'-0"





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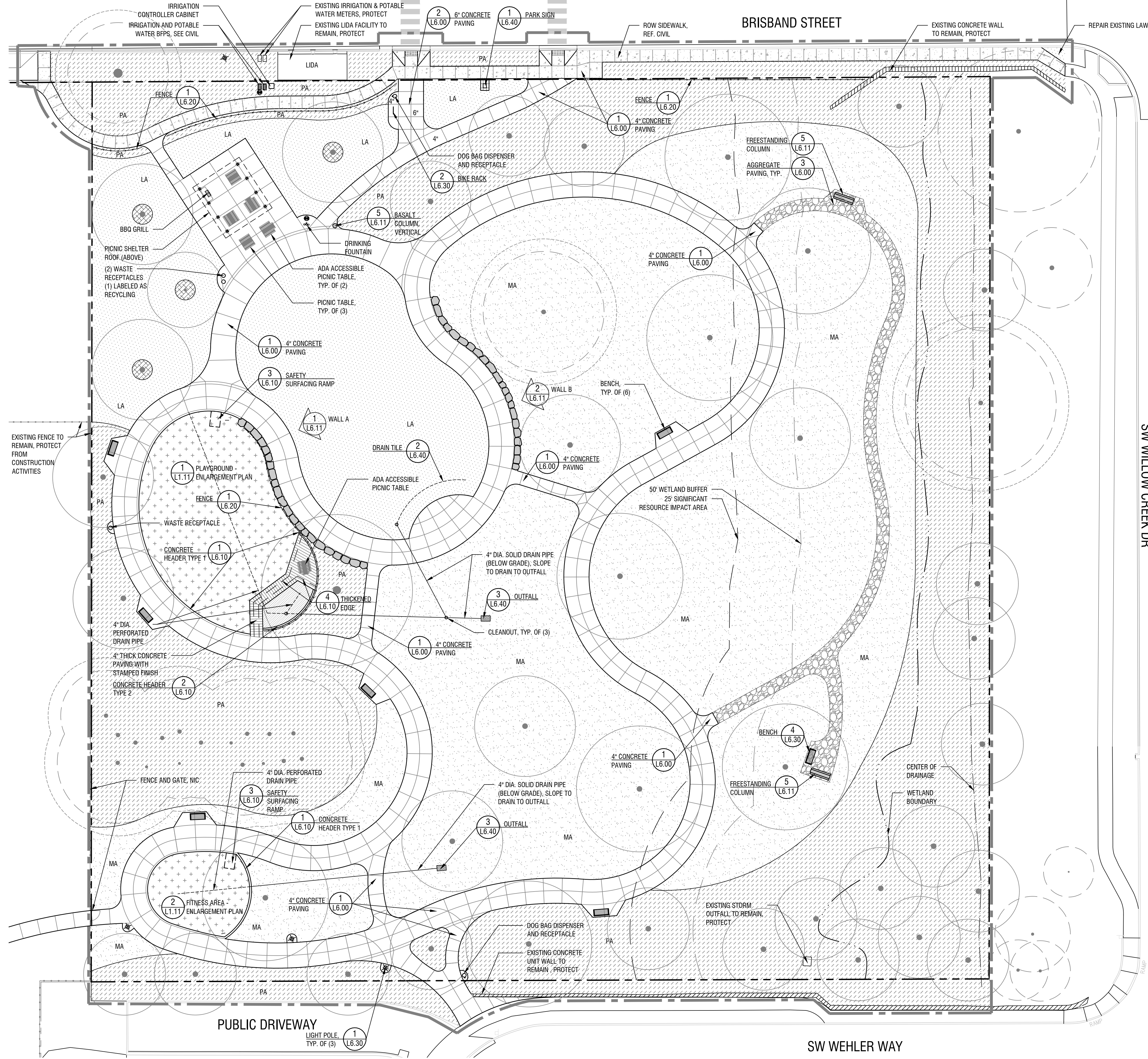
Project
FROG POND
NEIGHBORHOOD PARK

Sheet Title

SITE PLAN

Sheet No.

L1.01



GENERAL LEGEND

- PROPERTY LINE
- - - LIMIT OF WORK
- + LIGHT POLE, REF. ELEC.
- - - FENCE
- EXISTING TREE TO REMAIN, PROTECT
- CANOPY
- ROOT PROTECTION ZONE
- LA LAWN AREA
- MA MEADOW AREA
- PA PLANTING AREA
- ++ SAFETY SURFACING
- ▨ MULCH
- ▨ AGGREGATE PAVING
- ▨ CONCRETE PAVING
- JOINT
- BIKE RACK
- ▭ BENCH
- ▭ PICNIC TABLE
- ▭ ADA ACCESSIBLE PICNIC TABLE

GENERAL NOTES

1. LOCATE ALL UNDERGROUND, SURFACE AND OVERHEAD UTILITIES PRIOR TO ANY WORK.
2. OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. SO THAT UTILITIES MAY BE ACCURATELY LOCATED, EXCAVATORS MUST NOTIFY ALL PERTINENT COMPANIES OR AGENCIES WITH UNDERGROUND UTILITIES IN THE PROJECT AREA AT LEAST 48 BUSINESS-DAY HOURS BUT NOT MORE THAN 10 BUSINESS DAYS PRIOR TO COMMENCING AN EXCAVATION.
3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ASCERTAIN ALL FACTS CONCERNING CONDITIONS TO BE FOUND AT THE LOCATION OF THE PROJECT INCLUDING PHYSICAL CHARACTERISTICS ABOVE AND BELOW THE SURFACE OF THE GROUND AND TO FULLY EXAMINE THE PLANS AND SPECIFICATIONS. ANY DISCREPANCIES IN DIMENSIONING OR LAYOUT SHALL BE BROUGHT TO THE ATTENTION OF THE AGENCY PRIOR TO THE ALTERATION OF PLANTING.
4. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO EACH PHASE OF CONSTRUCTION. NOTIFY OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING WITH WORK. WHERE CONFLICT IS IDENTIFIED, COST OF PROCEEDING WITHOUT OWNER'S REPRESENTATIVE WRITTEN CLARIFICATION AND AUTHORIZATION TO PROCEED SHALL BE AT THE CONTRACTOR'S EXPENSE.

SURFACING

NON-PLANTED AREAS	
CONCRETE:	19,255 SF
AGGREGATE:	1,785 SF
WALLS:	407 SF
SYNTHETIC TURF:	205 SF
EW:	4,830 SF
TOTAL:	26,482 SF

PLANTED AREAS: 102,628 SF (60.4% OF SITE)

1 SITE PLAN

SCALE: 1" = 20'-0"



SW WEHLER WAY

SW WILLOW CREEK DR

BRISBAND STREET

PUBLIC DRIVEWAY



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Revisions

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Project
FROG POND
NEIGHBORHOOD PARK

Sheet Title
SITE - ENLARGED PLANS

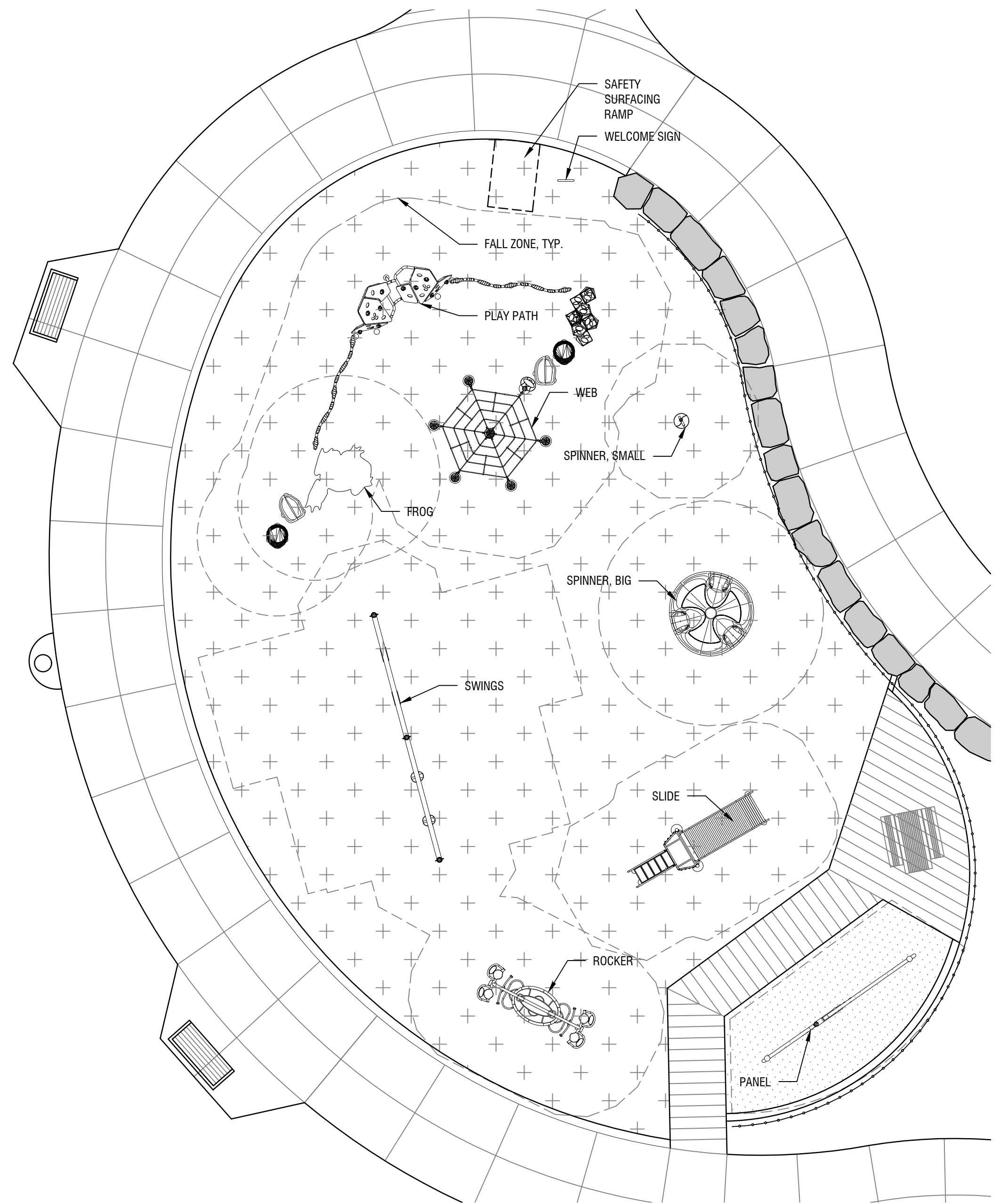
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GENERAL LEGEND

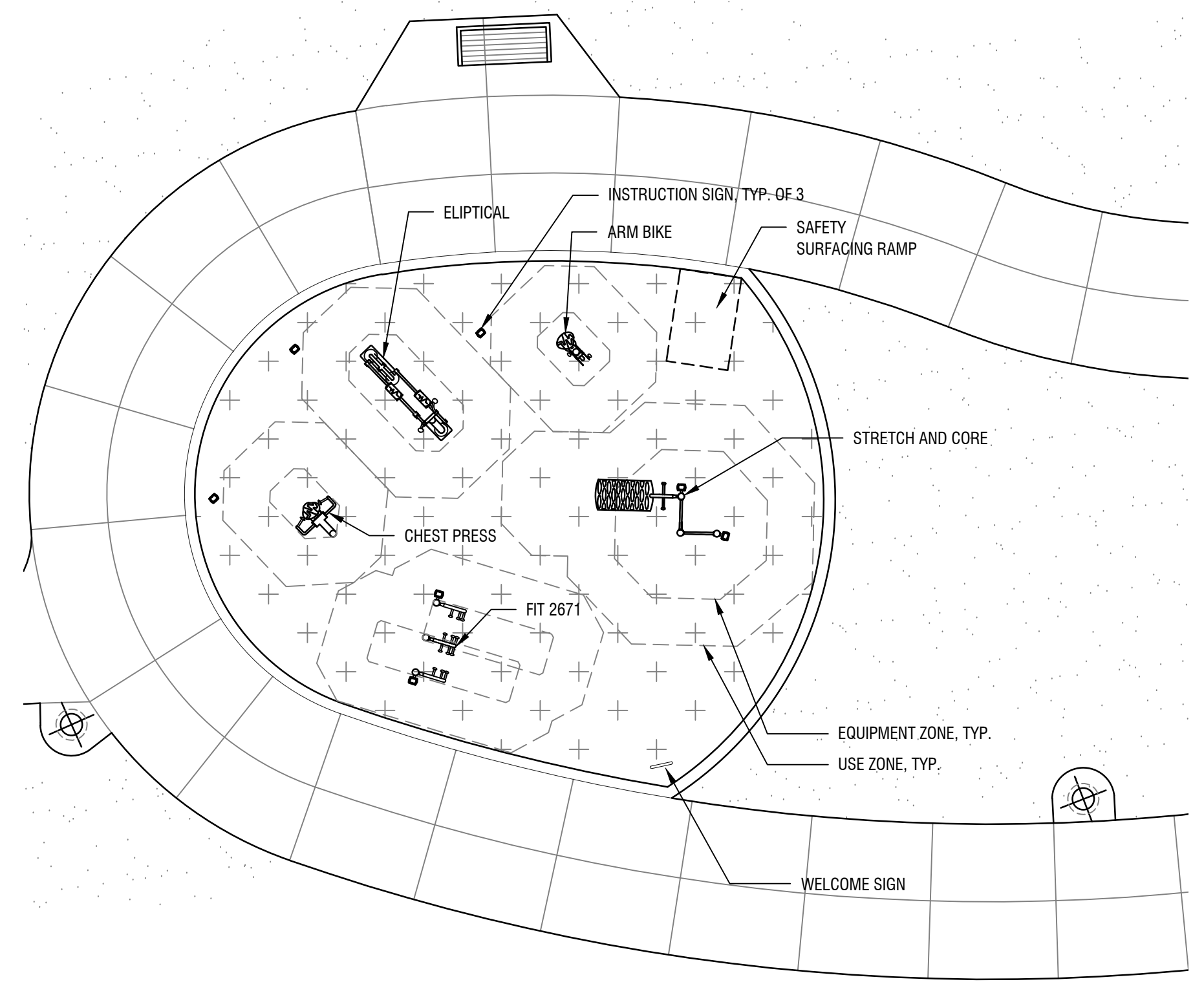
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1 SITE - ENLARGED PLAN - PLAYGROUND
SCALE: 1/8" = 1'-0"
0 4 8 16'



2 SITE - ENLARGED PLAN - FITNESS AREA
SCALE: 1/8" = 1'-0"
0 4 8 16'



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FROG POND
NEIGHBORHOOD PARK

Sheet Title
GRADING PLAN

Sheet No. **L3.01**

GENERAL LEGEND

- PROPERTY LINE
- - - LIMIT OF WORK
- + LIGHT POLE, REF. ELEC.
- FENCE
- EXISTING TREE TO REMAIN, PROTECT
- CANOPY
- ROOT PROTECTION ZONE

GENERAL NOTES

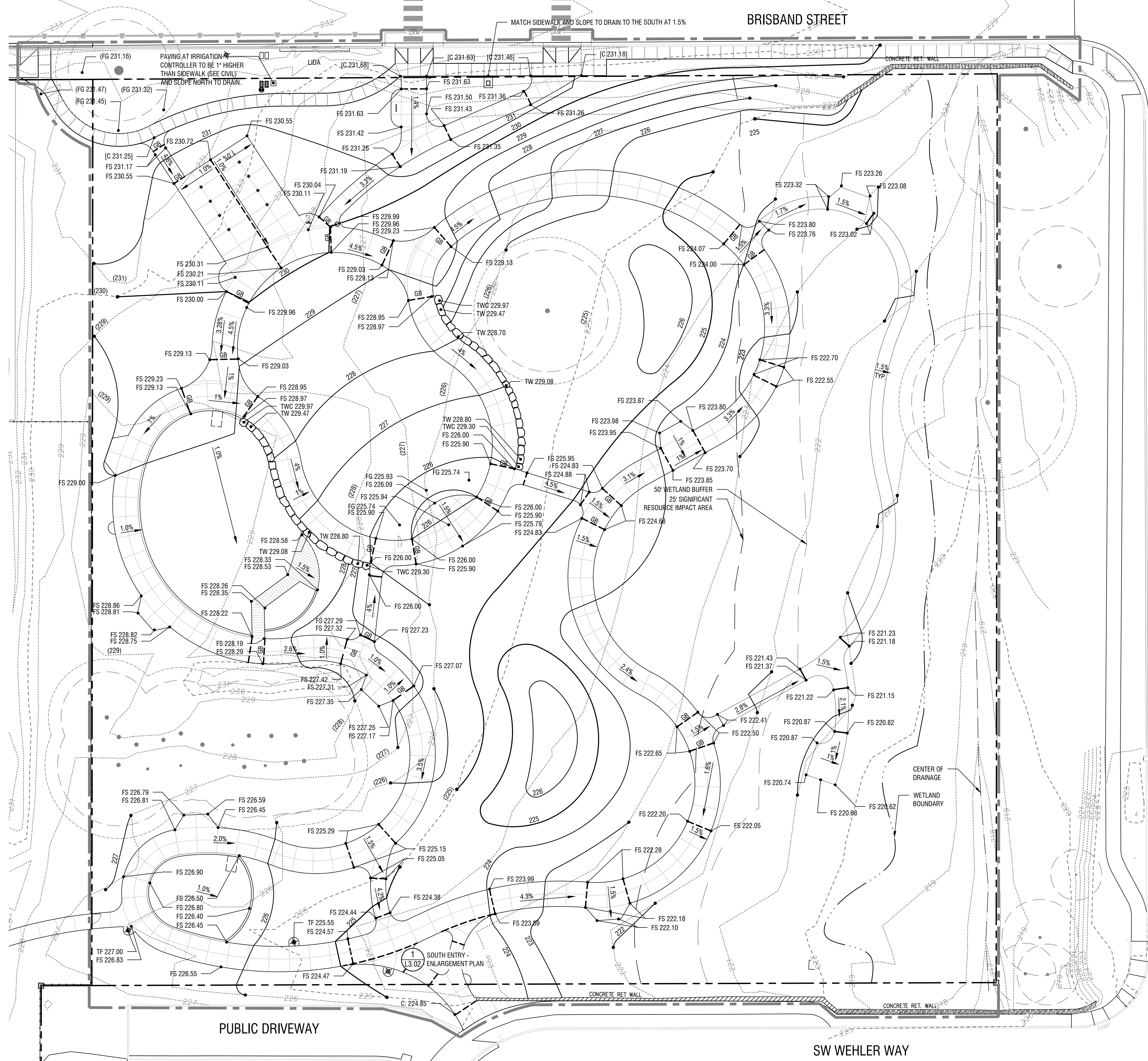
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GRADING LEGEND

- - -157- - - EXISTING CONTOUR - 1 FT INTERVAL
- 100 PROPOSED MAJOR CONTOUR - 5 FT INTERVAL
- 99 PROPOSED MINOR CONTOUR - 1 FT INTERVAL
- GB GRADE BREAK
- RIDGELINE OF BERM
- (FS XXX.XX) EXISTING SPOT ELEVATION GRADE
- (C XXX.XX) SPOT ELEVATION, REF. CIVIL
- FS XXX.XX PROPOSED SPOT ELEVATION
- XX% SLOPE GRADIENT, FOR REFERENCE ONLY
- 3:1 SLOPE RATIO (RUN:RISE), FOR REFERENCE ONLY
- FFE FINISH FLOOR ELEVATION, REF ARCH
- FS FINISH SURFACE ELEVATION (PAVING)
- FG FINISH GRADE ELEVATION (SOFTSCAPE)
- FS.V FINISH SURFACE ELEVATION - UTILITY VAULT LID
- TOE TOE OF SLOPE
- TW TOP OF WALL ELEVATION
- TWB TOP OF WALL ELEVATION AT BREAK
- TWC TOP OF WALL AT END COLUMNAR BASALT
- TC TOP OF CURB ELEVATION
- (TP) TOP OF PAVEMENT, REF. CIVIL

GRADING NOTES

- CROSS SLOPES IN PEDESTRIAN AREAS TO BE 2% MAX. LONGITUDINAL SLOPES ON WALKWAYS TO BE 5% MAX. LONGITUDINAL SLOPES ON PEDESTRIAN RAMPS TO BE 8% MAX. ANY PAVING EXCEEDING THESE SLOPES IS TO BE REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE.
- SLOPES PROVIDED BY SLOPE ARROW ARE FOR REFERENCE ONLY.
- ADJUST ALL INCIDENTAL STRUCTURES, MANHOLE LIDS, VALVE BOXES, ETC. TO FINISH GRADE.
- ALL PLANTED AREAS TO SLOPE AWAY FROM BUILDINGS AT 2% MIN.



1 GRADING PLAN
SCALE: 1" = 20'-0"





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PLANT SCHEDULE							
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	PLANT SIZE		QTY	REMARKS
TREES NOTE: ON PLAN, "S" DESIGNATES SALVAGED TREE, "R" DESIGNATES RESTORATION TREE							
	AM	ACER MACROPHYLLUM	BIG LEAF MAPLE	2" CAL.		2	
	CO-R	CERCIS OCCIDENTALIS	WESTERN REDBUD	0.75" CAL.		2	
	CO	CERCIS OCCIDENTALIS	WESTERN REDBUD	2" CAL.		3	
	MS	MAGNOLIA X SOULANGEANA	SAUCER MAGNOLIA	2" CAL.		1	SPECIMEN QUALITY BRANCHING 2-4' FROM GROUND
	MF-R	MALUS FUSCA	WESTERN CRABAPPLE	0.75" CAL.		5	
	PP-R	PINUS PONDEROSA WILLAMETTENSIS	WILLAMETTE VALLEY PONDEROSA PINE	5' HT.		4	STRONG CENTRAL LEADER
	PE-R	PRUNUS EMARGINATA	BITTER CHERRY	0.75" CAL.		2	SINGLE TRUNK
	PE	PRUNUS EMARGINATA	BITTER CHERRY	2" CAL.		4	
	QG-R	QUERCUS GARRYANA	OREGON WHITE OAK	0.75" CAL.		8	
	SS-R	SALIX SITCHENSIS	SITKA WILLOW	0.75" CAL.		8	
	SG-R	SEQUIADENDRON GIGANTEUM	GIANT SEQUOIA	5' HT.		2	
	TC-S	TILIA AMERICANA	BASSWOOD	2" CAL.		6	SALVAGED STREET TREES. INSTALL BEST QUALITY ONES. RETURN EXTRA TREE TO OWNER.
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	SPACING	REMARKS
SHRUBS							
	ACC	ACER CIRCINATUM	VINE MAPLE	6'-8' HT	B&B	AS SHOWN	MULTI-STEMMED, 3-5
	ACC-R2	ACER CIRCINATUM	VINE MAPLE	1 GAL	POT	36" o.c.	MULTI-STEMMED, 3-5
	ACC-R1	ACER CIRCINATUM	VINE MAPLE	5 GAL	POT	AS SHOWN	MULTI-STEMMED, 3-5
	CEG	CEANOTHUS GLORIOSUS	POINT REYES CEANOTHUS	1 GAL	POT	36" o.c.	
	CET	CEANOTHUS THYRSIFLORUS	BLUEBLOSSOM	5 GAL	POT	60" o.c.	
	COS	CORNUS SERICEA	RED TWIG DOGWOOD	5 GAL	POT	48" o.c.	1 GAL IN MIX AREAS
	GAS	GAULTHERIA SHALLON	SALAL	1 GAL	POT	36" o.c.	
	HOD	HOLIDISCUS DISCOLOR	OCEANSPRAY	5 GAL	POT	48" o.c.	1 GAL IN MIX AREAS
	LOI	LONICERA INVOLUCRATA	TWINBERRY	1 GAL	POT	48" o.c.	
	MAA	MAHONIA AQUIFOLIUM	OREGON GRAPE	1 GAL	POT	36" o.c.	
	OEC	OEMLERIA CERASIFORMIS	OSOBERRY	1 GAL	POT	48" o.c.	
	PHL	PHILADELPHUS LEWISII	WILD MOCK ORANGE	5 GAL	POT	48" o.c.	1 GAL IN MIX AREAS
	POF	POTENTILLA FRUTICOSA	BUSH CINQUEFOIL	3 GAL	POT	36" o.c.	1 GAL IN MIX AREAS
	RIS	RIBES SANGUINEUM	RED FLOWERING CURRANT	1 GAL	POT	36" o.c.	
	ROP	ROSA PISOCARPA	CLUSTERED WILD ROSE	1 GAL	POT	36" o.c.	
	SPB	SPIRAEA BETULIFOLIA	BIRCHLEAF SPIREA	1 GAL	POT	24" o.c.	
	SPD	SPIRAEA DOUGLASII	WESTERN SPIREA	1 GAL	POT	24" o.c.	
	SYA	SYMPHORICARPOS ALBUS	COMMON WHITE SNOWBERRY	1 GAL	POT	36" o.c.	
	VIT	VIBURNUM TRILOBUM	AMERICAN CRANBERRYBUSH	1 GAL	POT	36" o.c.	

PLANT SCHEDULE							
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	PLANT SIZE		QTY	REMARKS
PERENNIALS							
	ACMI	ACHILLEA MILLEFOLIUM	COMMON YARROW	1 GAL	POT	9" o.c.	EACH SYMBOL IS A GROUP OF 3 PLANTS
	IRTE	IRIS TENAX	OREGON IRIS	1 GAL	POT	9" o.c.	EACH SYMBOL IS A GROUP OF 3 PLANTS
	JUEF	JUNCUS EFFUSUS	SOFT RUSH	PLUGS		36" o.c.	
	LOCI	LONICERA CILIOSA	ORANGE HONEYSUCKLE	1 GAL	POT	9" o.c.	EACH SYMBOL IS A GROUP OF 3 PLANTS
	RUHI	RUDBECKIA HIRTA	BLACK-EYED SUSAN	1 GAL	POT	9" o.c.	EACH SYMBOL IS A GROUP OF 3 PLANTS
	SCMI	SCIRPUS MICROCARPUS	SMALL-FRUITED BULRUSH	PLUGS		36" o.c.	
GROUND COVER							
	MANE	MAHONIA NERVOSA	OREGON GRAPE	1 GAL	POT	30" o.c.	
	MARE	MAHONIA REPENS	CREeping MAHONIA	1 GAL	POT	24" o.c.	
	POMU	POLYSTICHUM MUNIUM	WESTERN SWORD FERN	1 GAL	POT	36" o.c.	
GROUND COVERS							
	ARUV	ARCTOSTAPHYLOS UVA-URSI	KINNIKINICK	1 GAL	POT	24" o.c.	

PLANTING LEGEND

	ROOT BARRIER
	EXISTING PLANTING TO REMAIN, PROTECT PER L0.02
	LAWN (LA), REF. SPECS
	MEADOW MIX (MA), REF. SPECS
	MULCH
	MIX 1 - 36" O.C. SPB SPIREA BETULIFOLIA 50% SYA SYMPHORICARPOS ALBUS 50%
	MIX 2 - 24" O.C. GAS GAULTHERIA SHALLON 30% MARE MAHONIA REPENS 70%
	MIX 3 - 24" O.C. POF POTENTILLA FRUTICOSA 50% SPB SPIREA BETULIFOLIA 50%
	MIX 4 - 36" O.C. CET CEANOTHUS THYRSIFLORUS 20% HOD HOLODISCUS DISCOLOR 20% PHL PHILADELPHUS LEWISII 20% RIS RIBES SANGUINEUM 40%
	MIX 5 - 36" O.C. ACC-R2 ACER CIRCINATUM 20% HOD HOLODISCUS DISCOLOR 20% MAA MAHONIA AQUIFOLIUM 20% SPD SPIREA DOUGLASII 10% SYA SYMPHORICARPOS ALBUS 10% VIT VIBURNUM TRILOBUM 20%
	MIX 6 - 36" O.C. ACC-R2 ACER CIRCINATUM 10% COS CORNUS SERICEA 10% JUEF JUNCUS EFFUSUS 10% LOI LONICERA INVOLUCRATA 10% MAA MAHONIA AQUIFOLIUM 10% OEC OEMLERIA CERASIFORMIS 10% ROP ROSA PISOCARPA 10% SCMI SCIRPUS MICROCARPUS 10% SPD SPIREA DOUGLASII 10% SYA SYMPHORICARPOS ALBUS 10%

RESTORATION AREAS
AREAS OF MIX 4, 5 AND 6 TO BE HAND SEEDED WITH
AREA 4: UPLAND MIX
AREA 6: WETLAND MIX

PLANTING NOTES

- DO NOT BEGIN PLANTING UNTIL IRRIGATION SYSTEM IS INSTALLED, TESTED AND APPROVED.
- DO NOT BEGIN PLANTING UNTIL SOIL PREPARATION IS COMPLETE AND APPROVED. SEE SOIL SPECIFICATION FOR SOIL AND MULCH DEPTHS.
- LOCATE PLANTS AS DIMENSIONED ON THE PLANS AND AS SHOWN IN THE PLANT SCHEDULE. PLANT SPACING IS MEASURED CENTER TO CENTER. PLANT LOCATIONS MAY BE ADJUSTED BY THE LANDSCAPE ARCHITECT TO MEET FIELD CONDITIONS.
- VERIFY ALL QUANTITIES AND VARIETIES SHOWN ON THE DRAWINGS PRIOR TO ORDERING. OWNER MUST APPROVE ANY NECESSARY SUBSTITUTIONS DURING SUBMITTALS PROCESS. REVIEW PROCESS TO BE ESTABLISHED AT PRE-CONSTRUCTION MEETING.
- THOROUGHLY WATER IN ALL PLANTS WITHIN 6 HOURS OF PLANTING.
- APPLY SPECIFIED MULCH OVER PLANTING AREAS WITHIN TWO DAYS OF INSTALLING PLANTS, UNLESS OTHERWISE NOTED.
- ALL PLANTS ARE REQUIRED TO MEET AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z60.1-2014.
- TO CALCULATE THE QUANTITY OF PLANTS PER AREA, USE THE FOLLOWING SPACING MULTIPLIERS:

TRIANGULAR SPACING	9"	12"	15"	18"	24"	30"	36"	48"
SQUARE FT MULTIPLIER	2.053	1.155	0.739	0.513	0.289	0.185	0.128	0.072

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Revisions

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NEIGHBORHOOD PARK

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PLANT SCHEDULE
AND NOTES

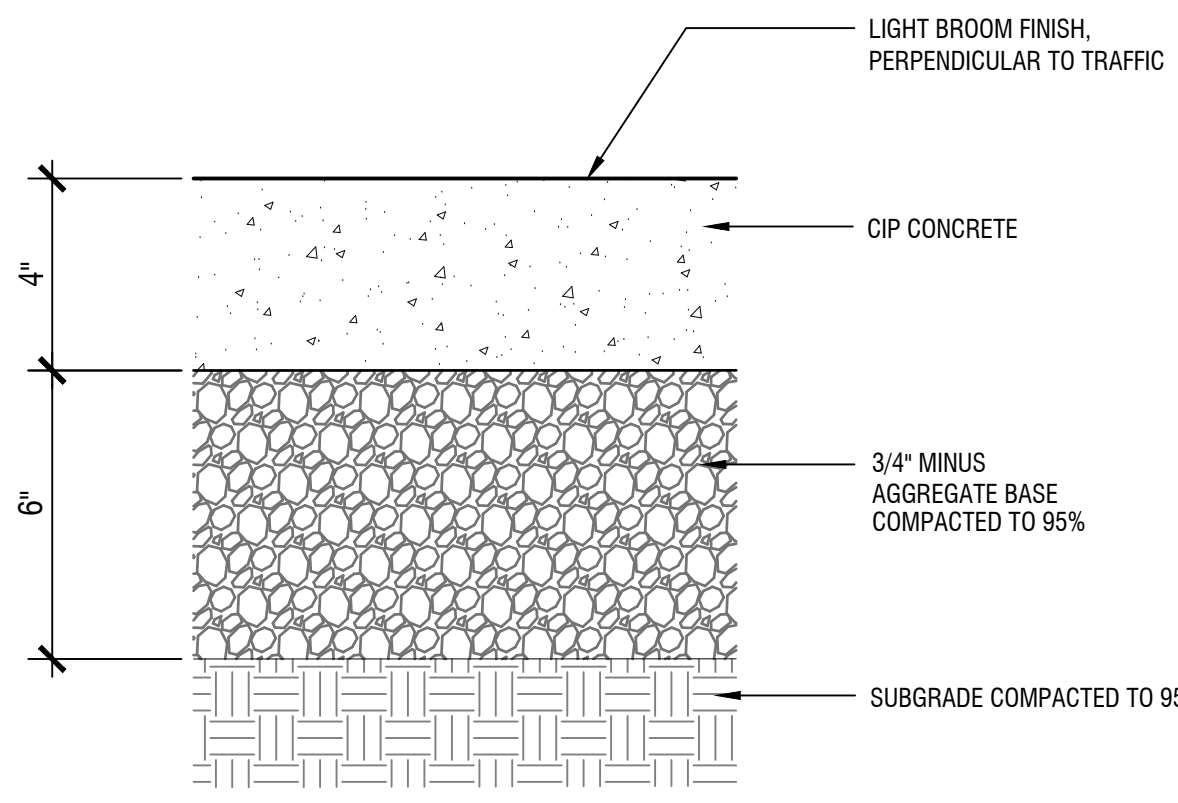
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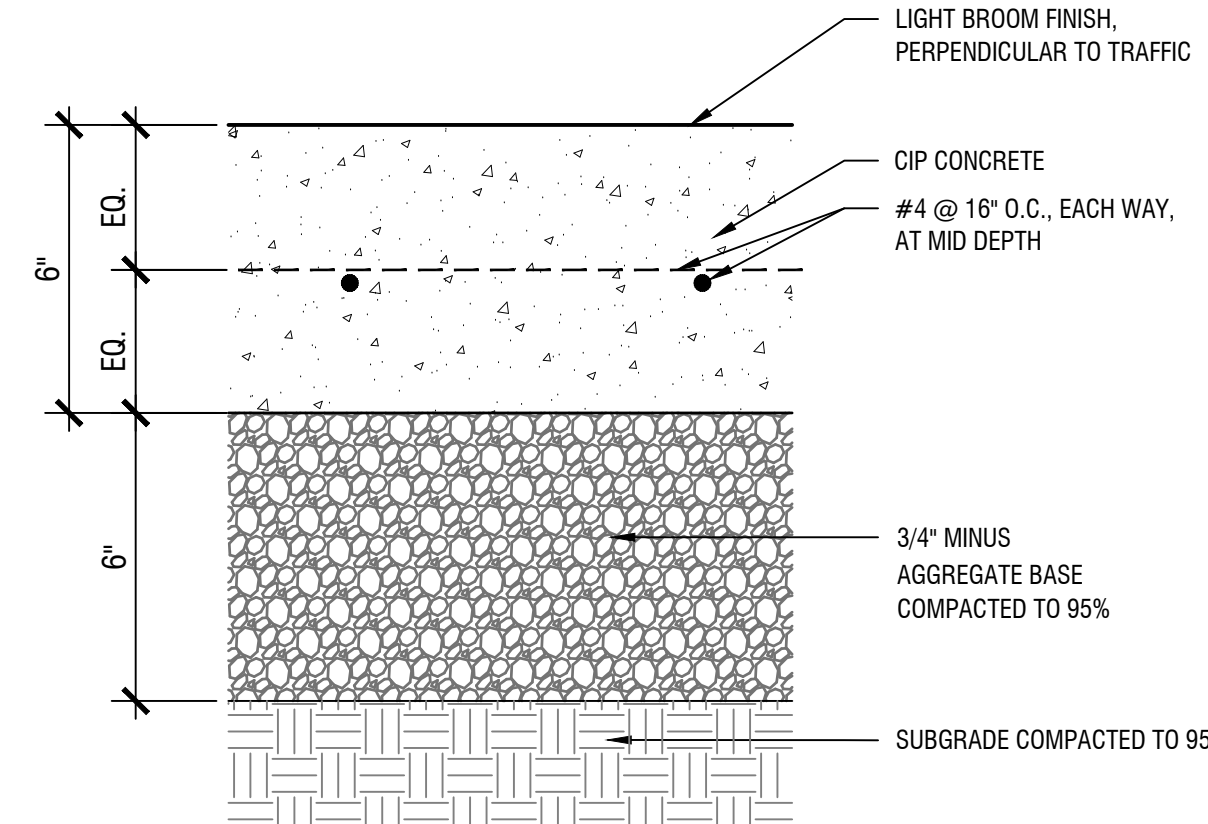


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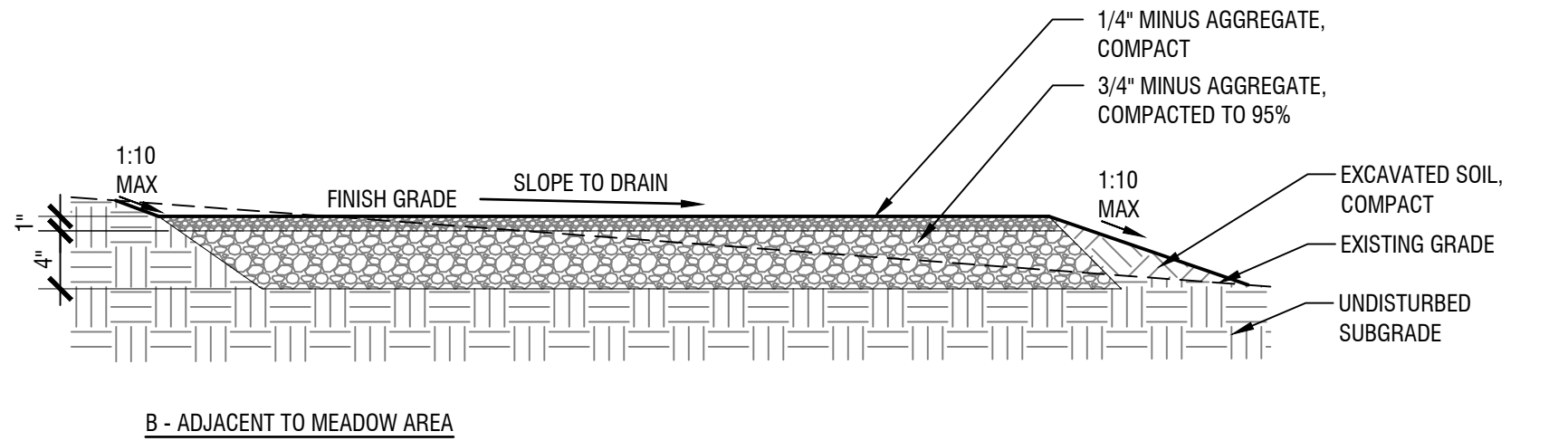
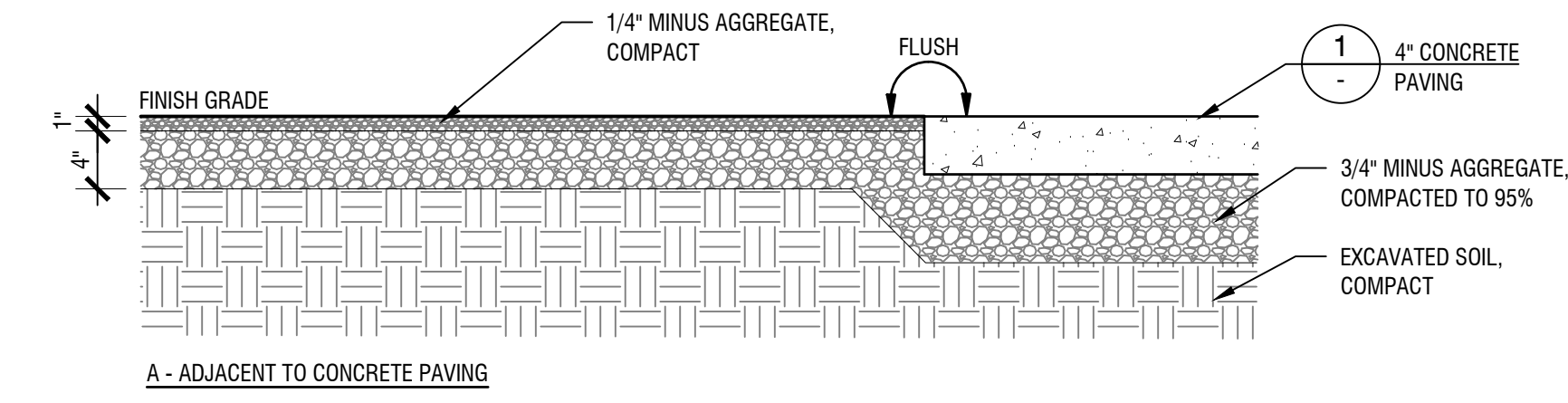
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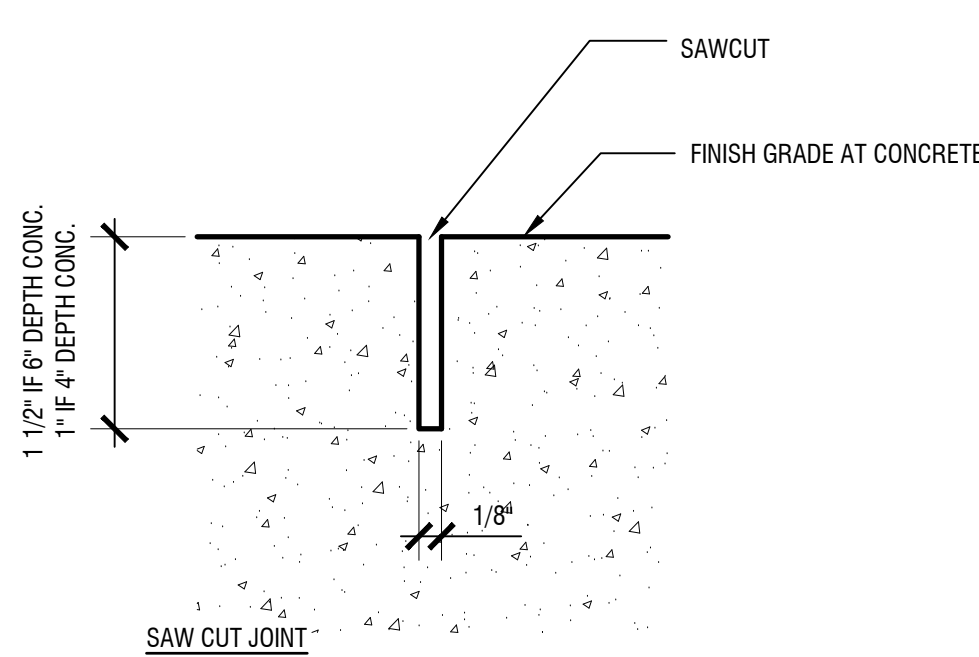
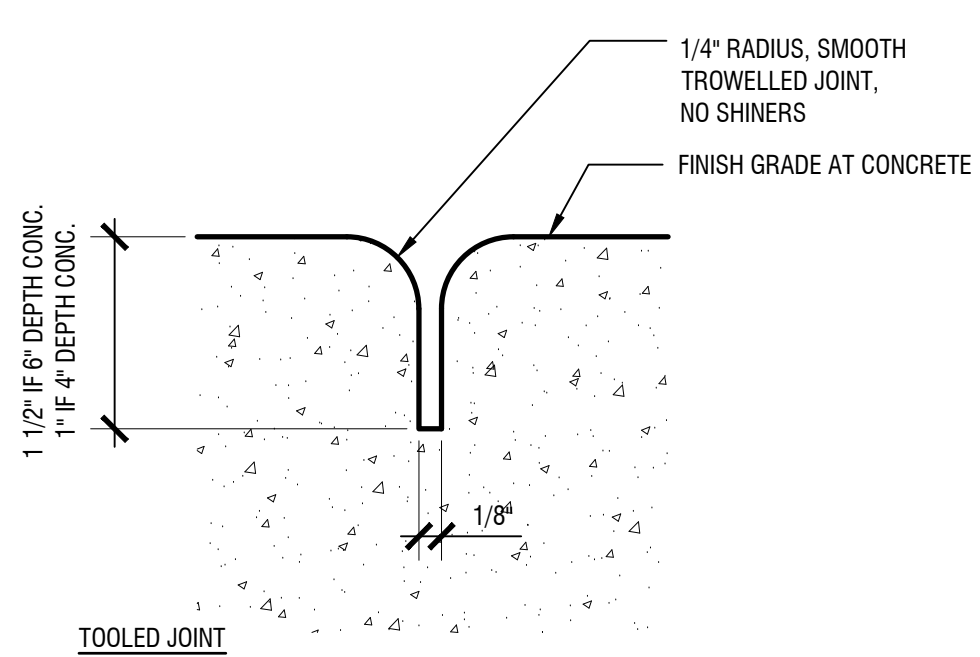
1 4" CONCRETE PAVING - SECTION
SCALE: 3"= 1'-0"



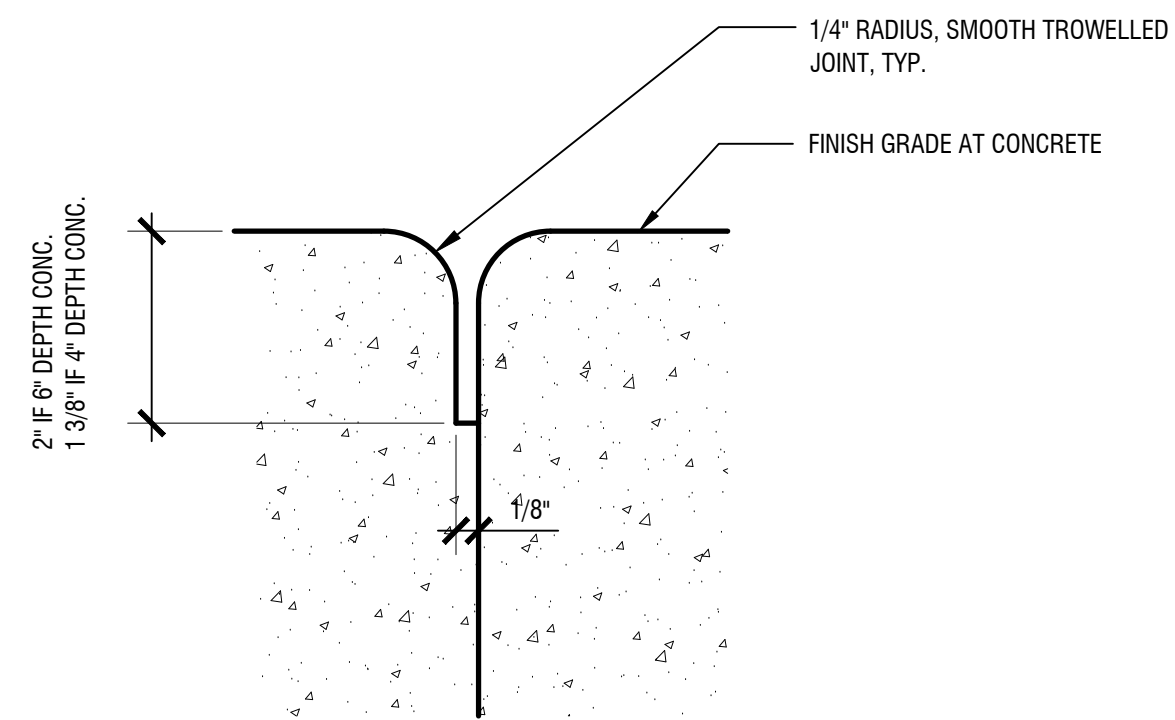
2 6" CONCRETE PAVING - SECTION
SCALE: 3"= 1'-0"



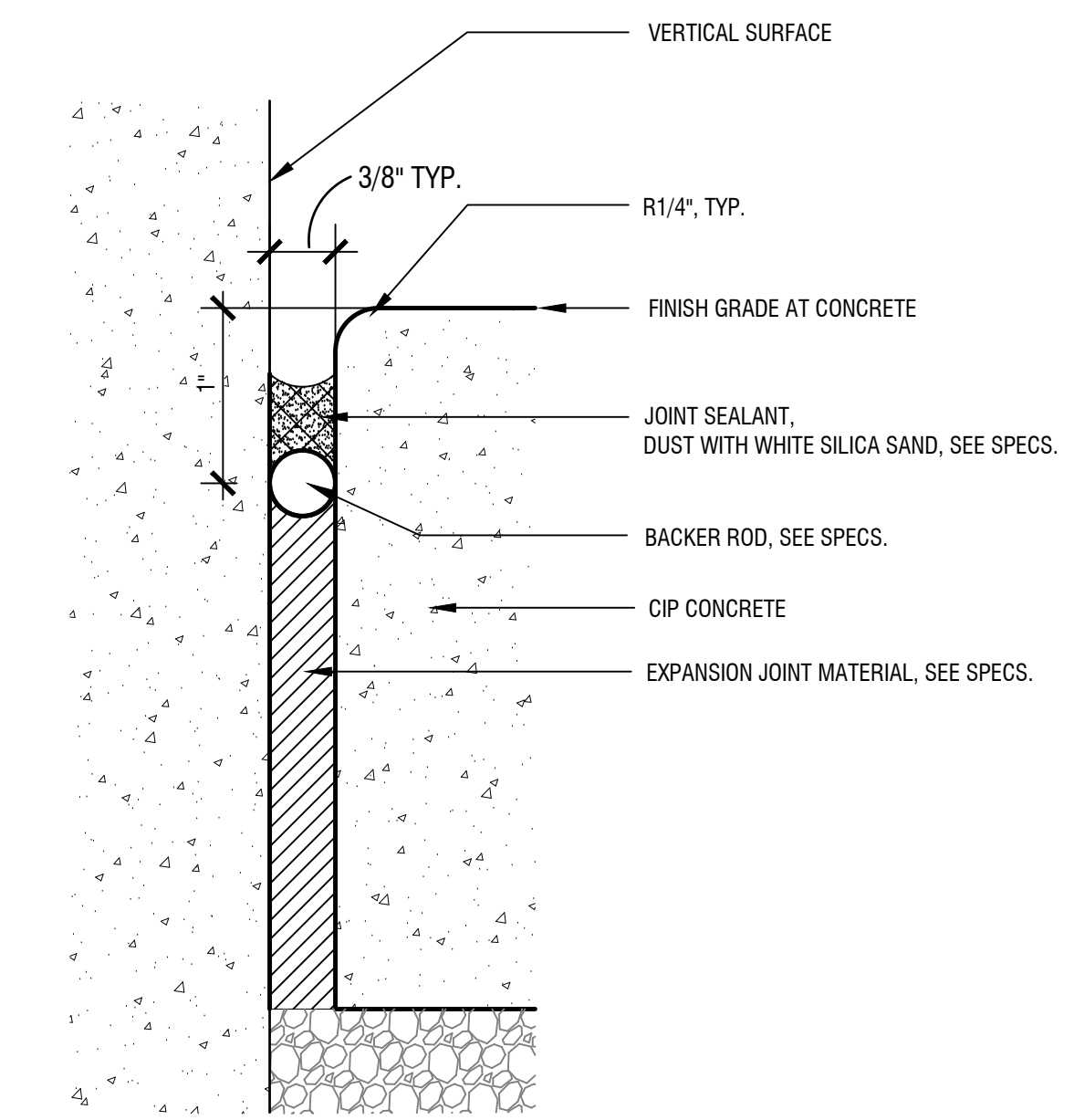
3 COMPACTED AGGREGATE PAVING - SECTION
SCALE: 1"= 1'-0"



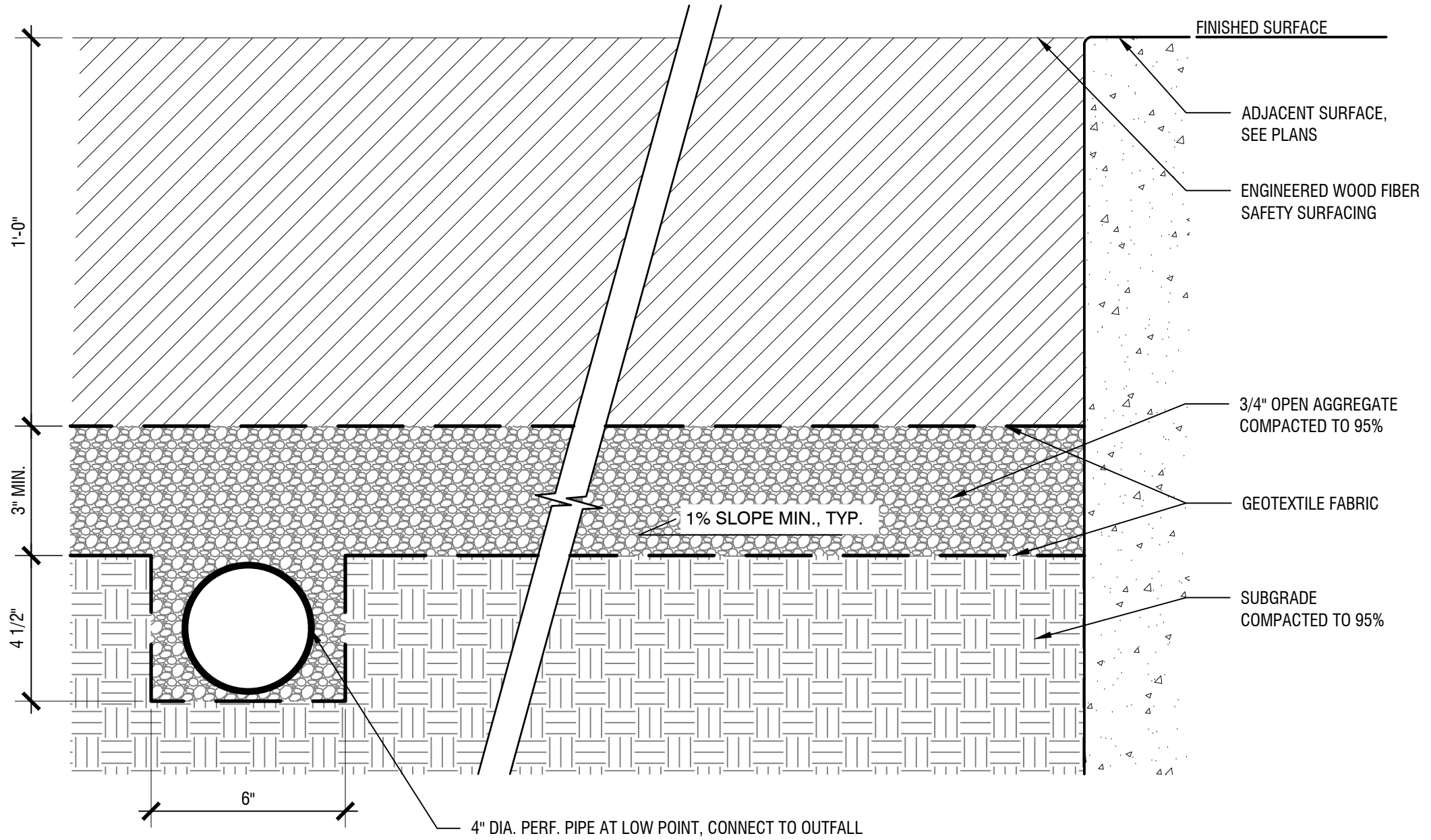
4 CONTROL JOINTS - SECTION
SCALE: 1"= 0'-1"



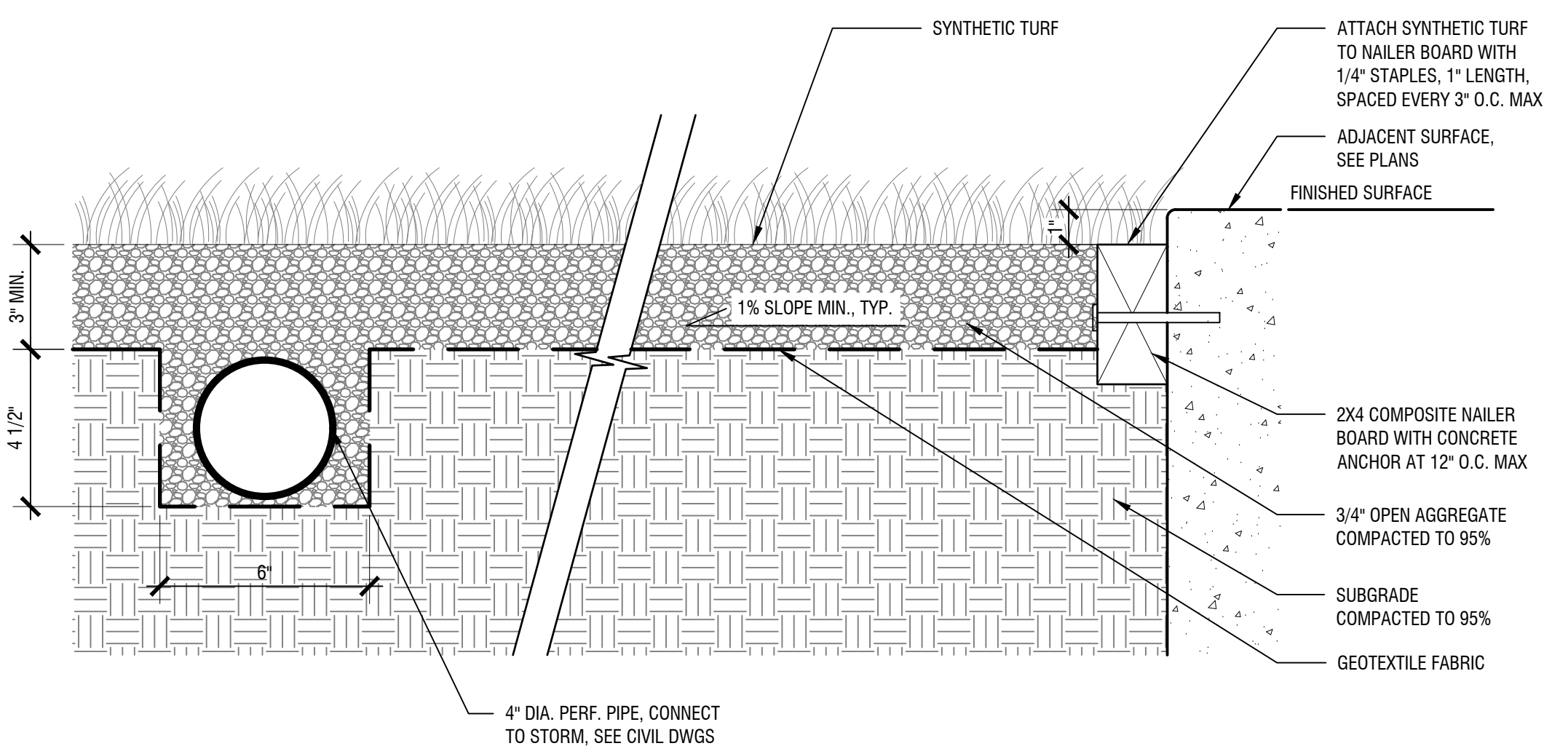
5 CONSTRUCTION JOINT - SECTION
SCALE: 1"= 0'-1"



5 ISOLATION JOINT - SECTION
SCALE: 1"= 0'-1"



7 ENGINEERED WOOD FIBER SAFETY SURFACING - SECTION
SCALE: 3"= 1'-0"



8 SYNTHETIC TURF SAFETY SURFACING - SECTION
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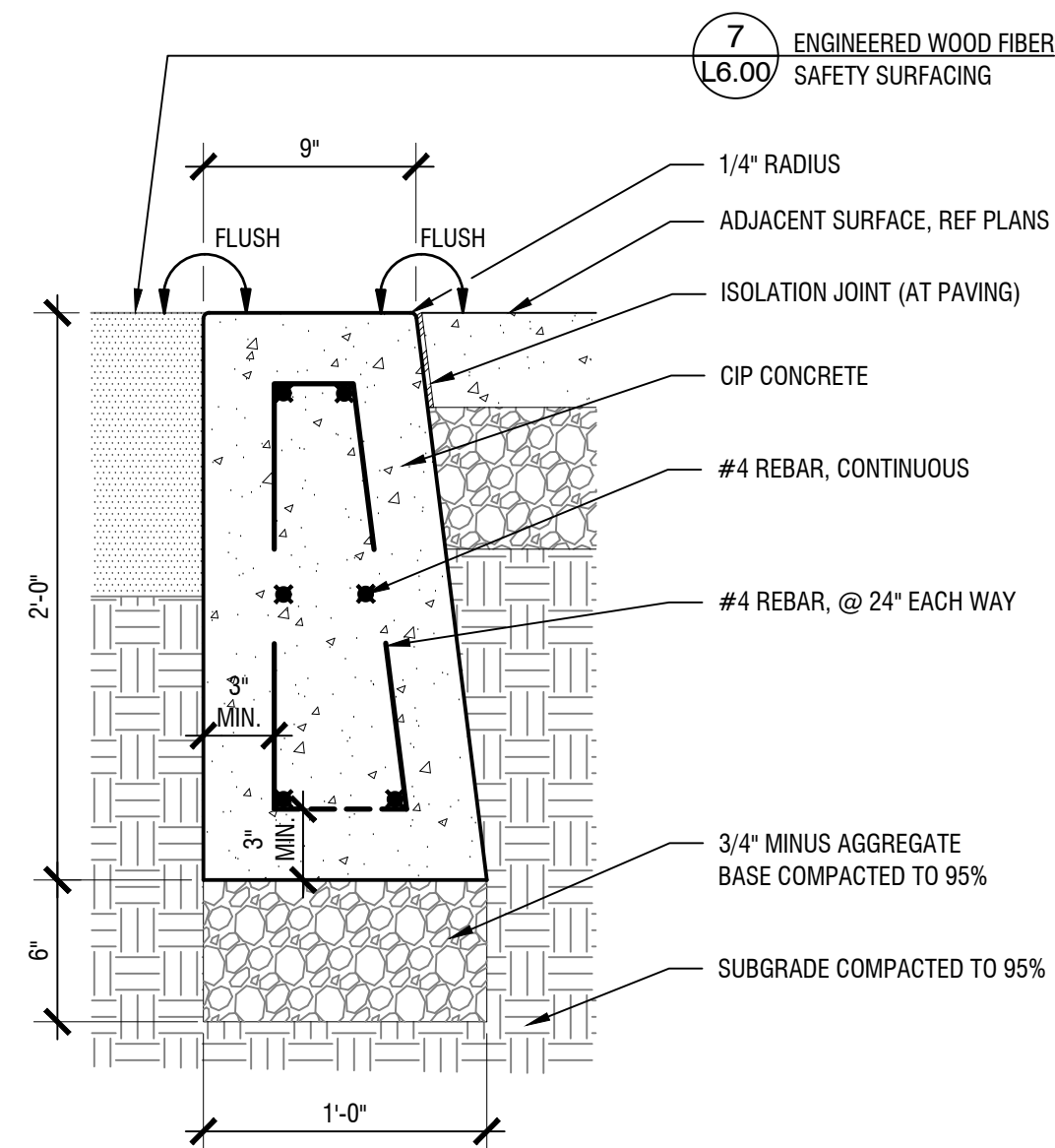
Sheet Title
SITE DETAILS - PAVING

Sheet No. L6.00 268



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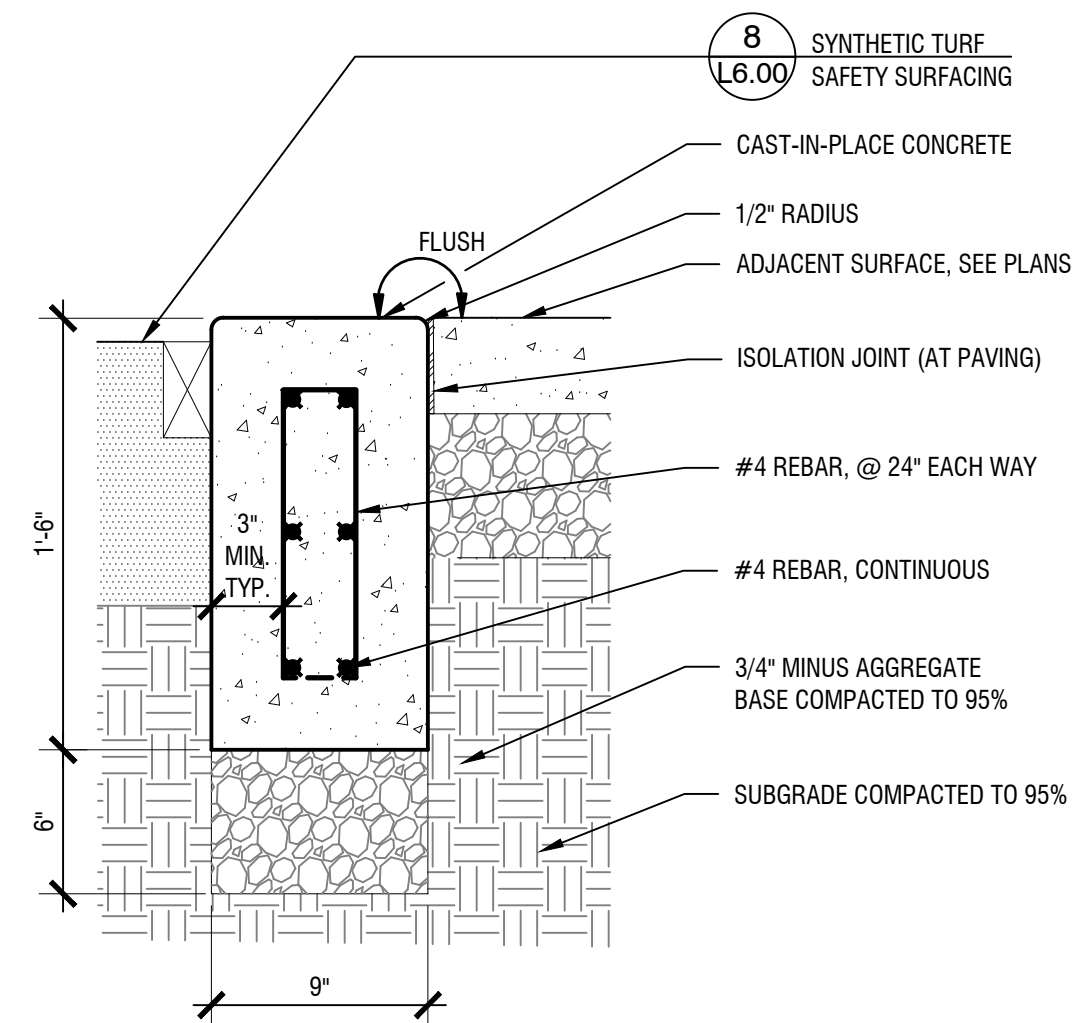
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1 CONCRETE HEADER, TYPE 1 - SECTION

SCALE: 1 1/2" = 1'-0"

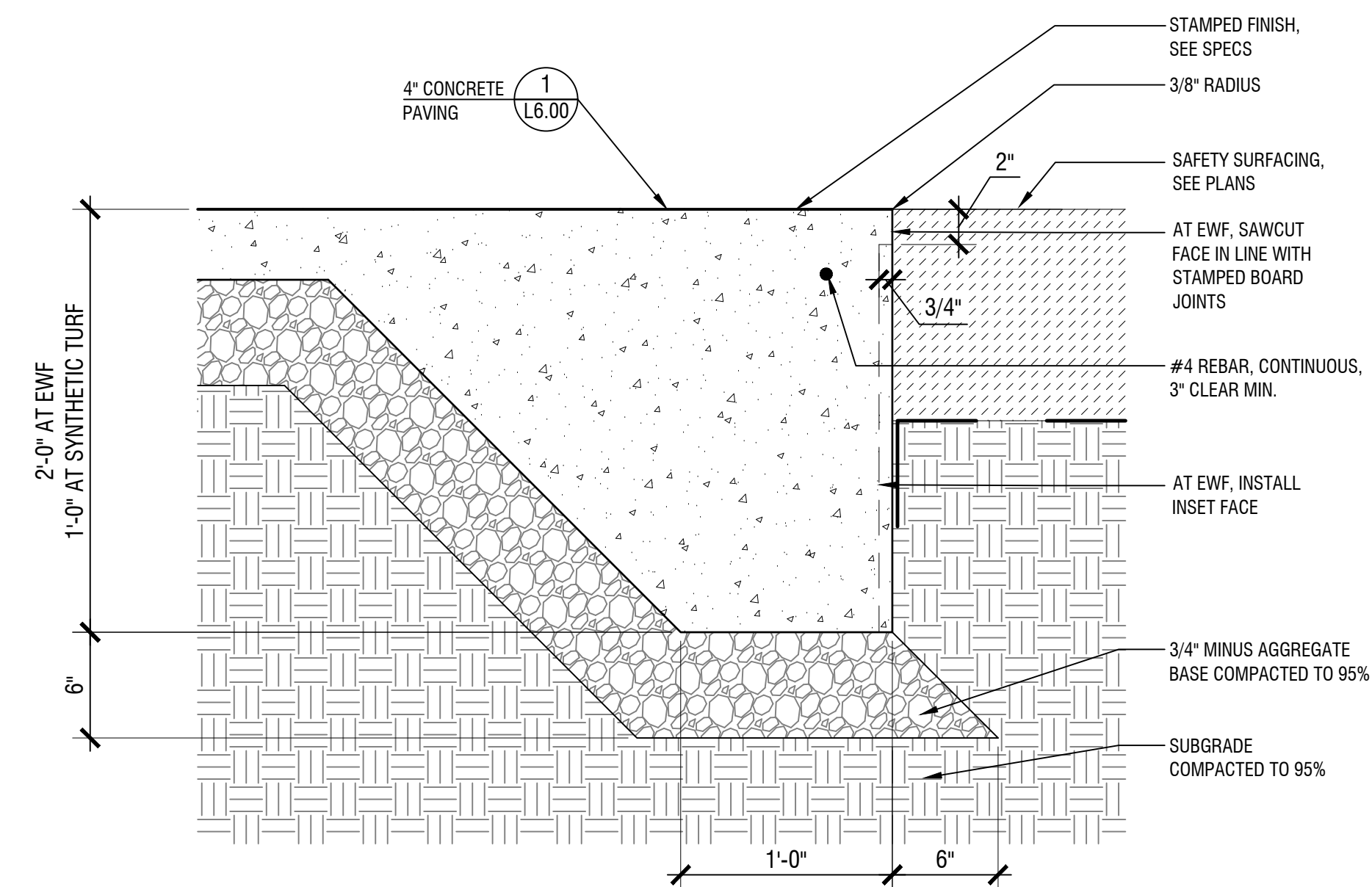
PVG-CONC-HEADER.DWG



2 CONCRETE HEADER, TYPE 2 - SECTION

SCALE: 1 1/2" = 1'-0"

PVG-CONC-HEADER.DWG



4 CONCRETE THICKENED EDGE - SECTION

SCALE: 1 1/2" = 1'-0"

Pvg-conc-thickened edge.DWG

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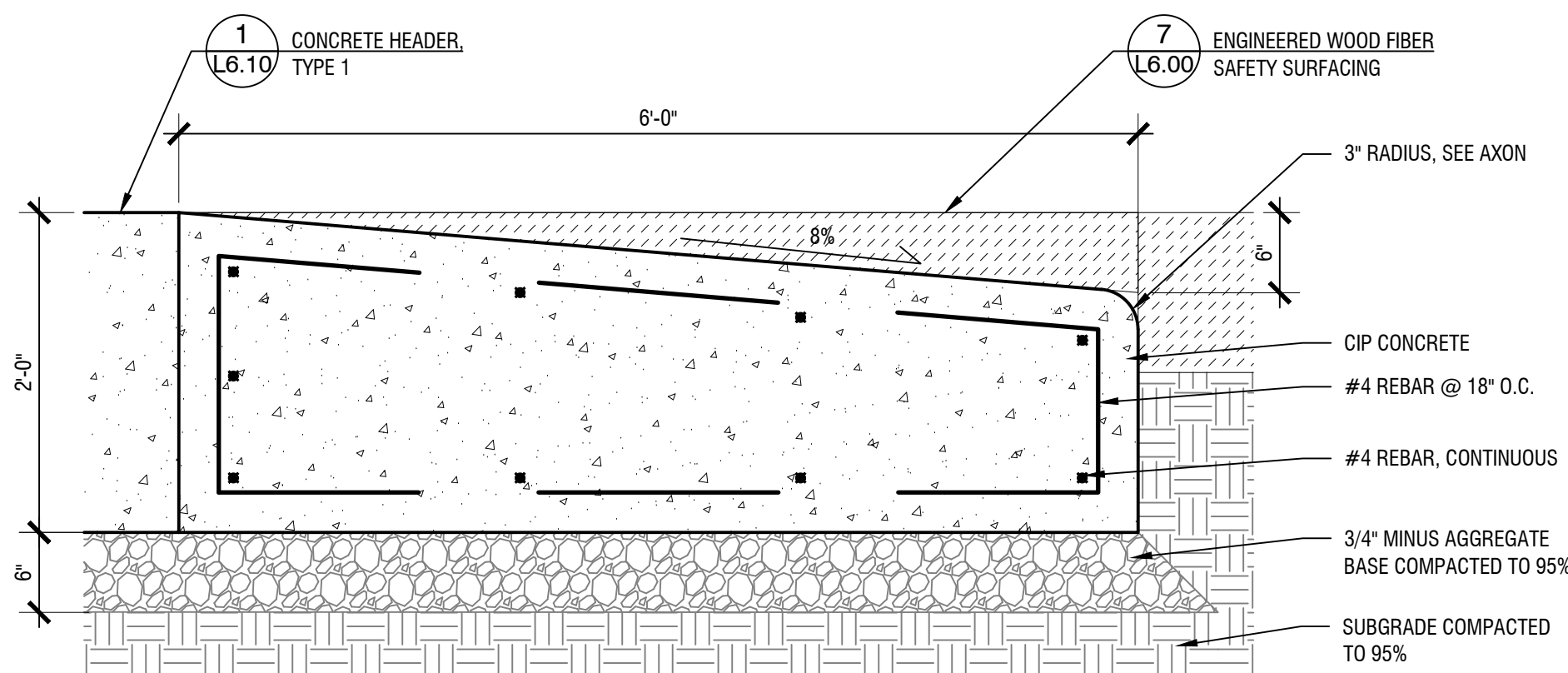
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Sheet Title

SITE DETAILS -
WALLS & CURBS

Sheet No.

L6.10

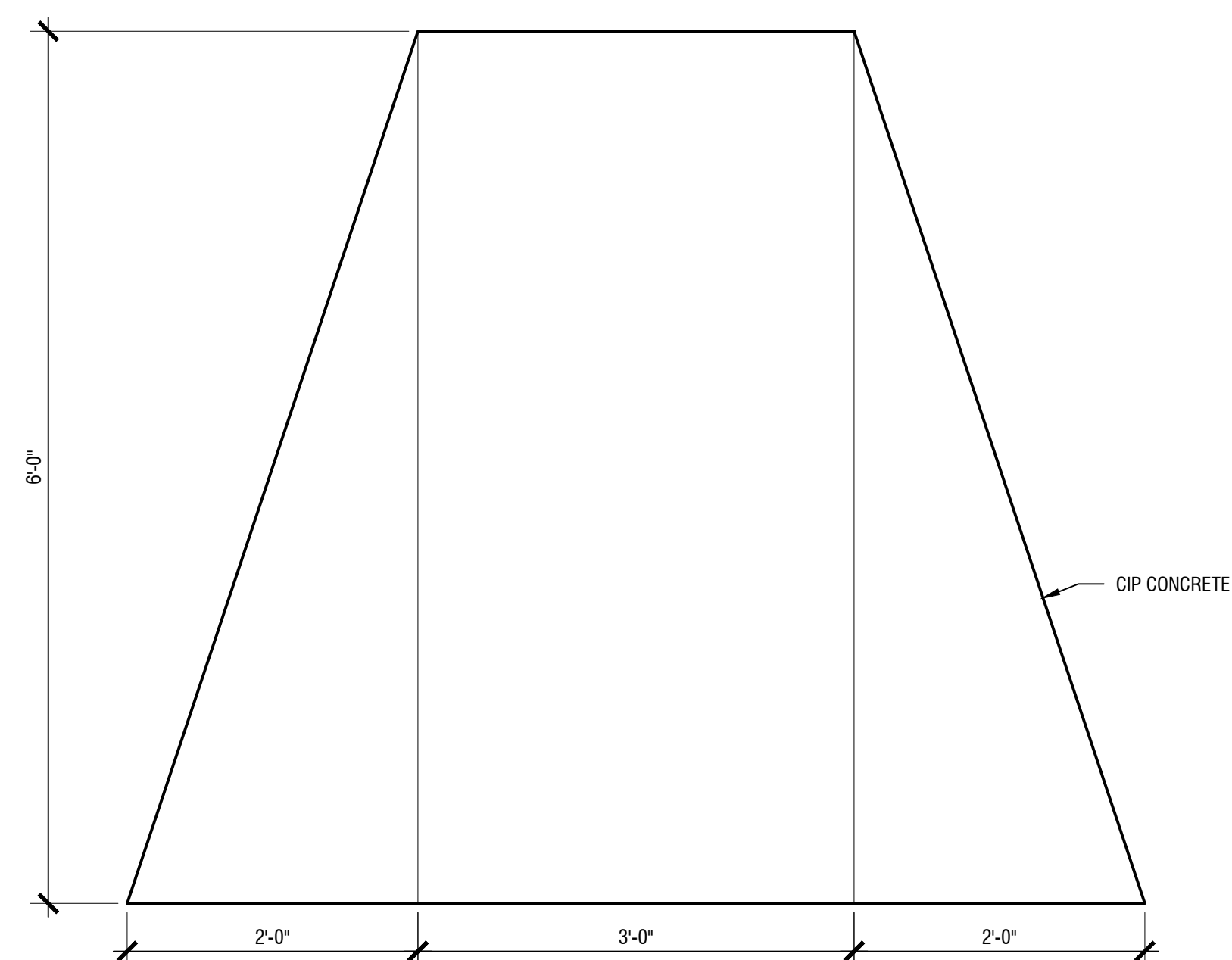


A - SECTION

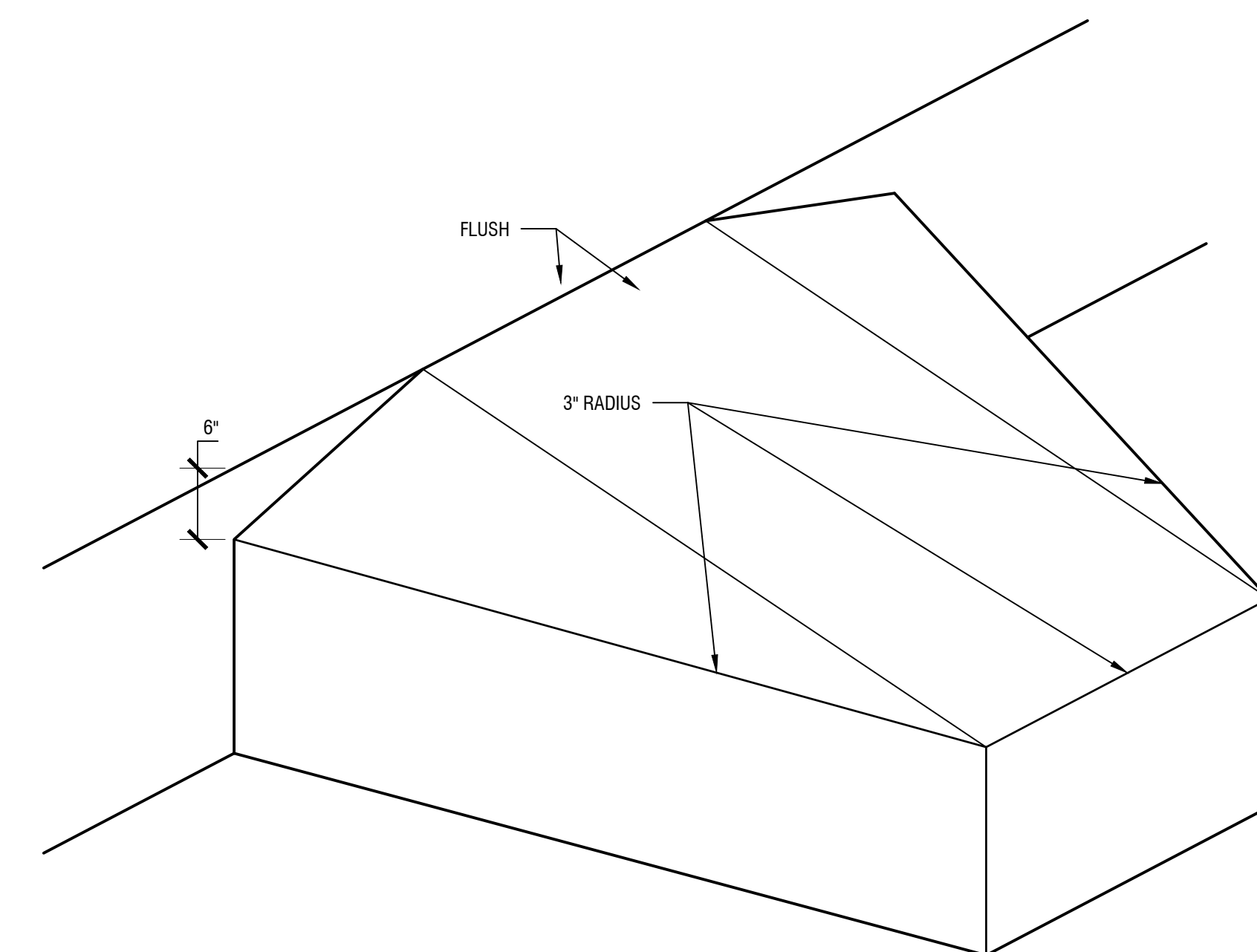
3 SAFETY SURFACING RAMP

SCALE: 1" = 1'-0"

Pvg-safety surfacing ramp.D



B - PLAN

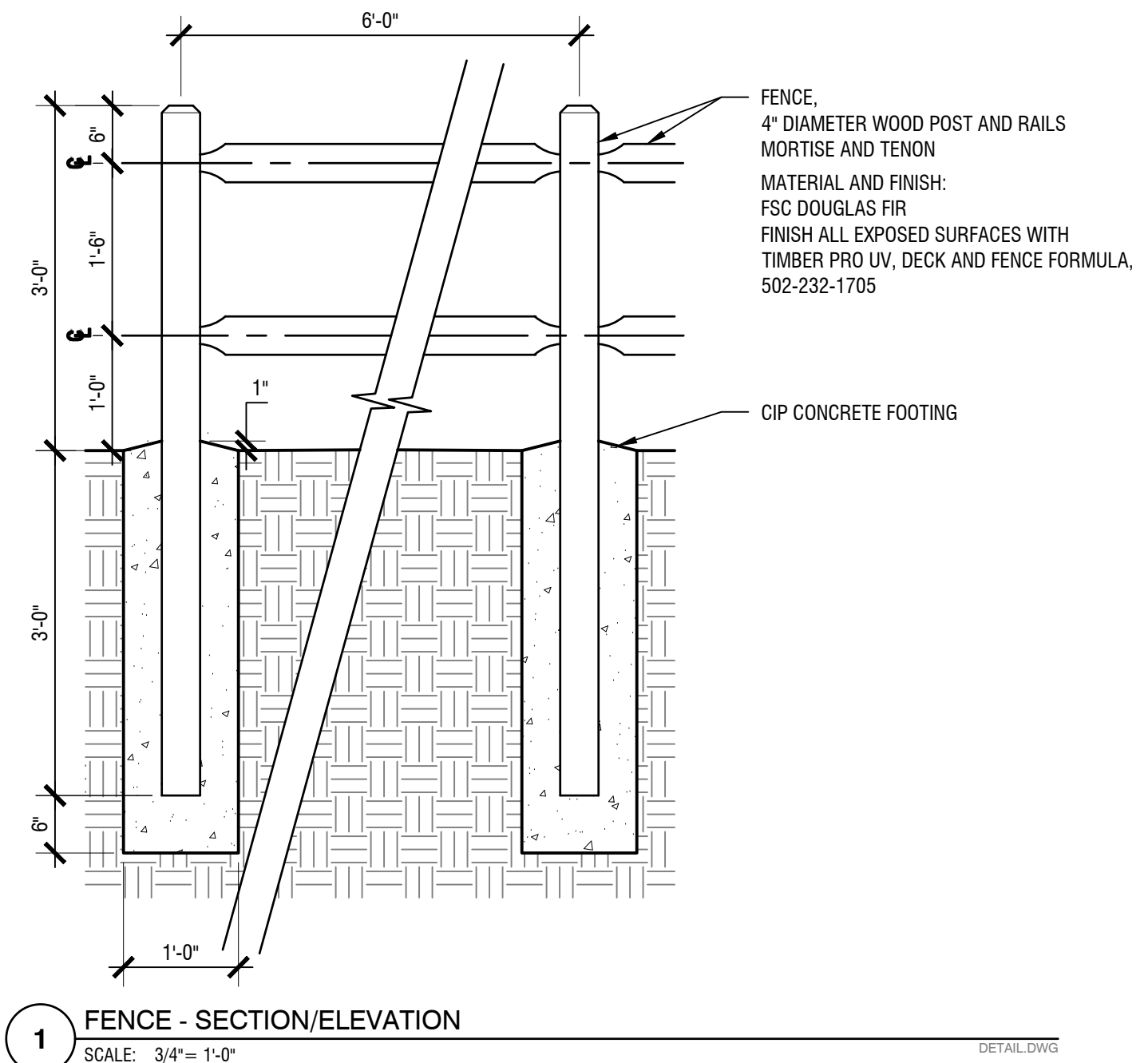


C - AXONOMETRIC



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Sheet Title

SITE DETAILS -
FENCING

Sheet No.

L6.20 271



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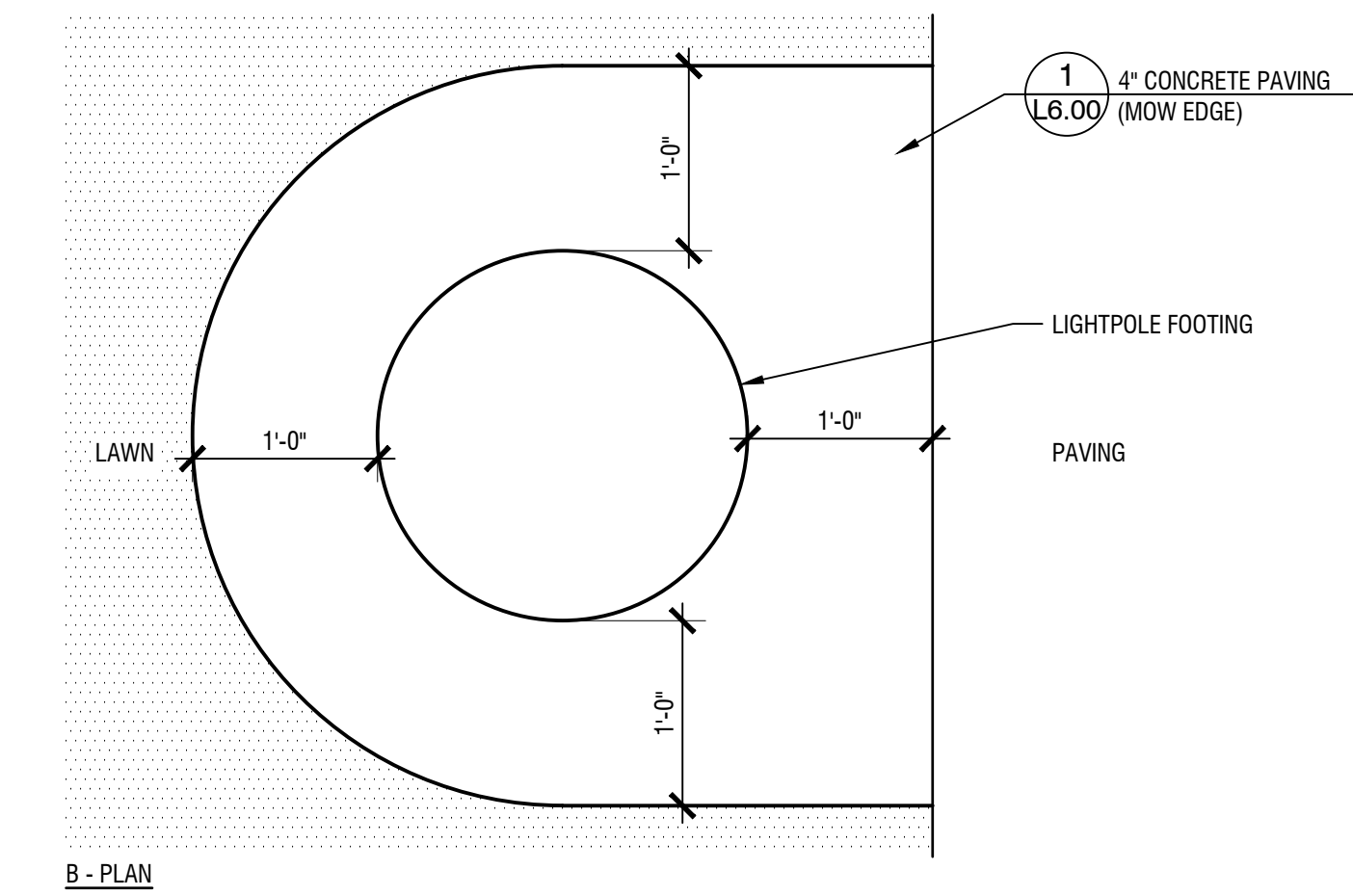
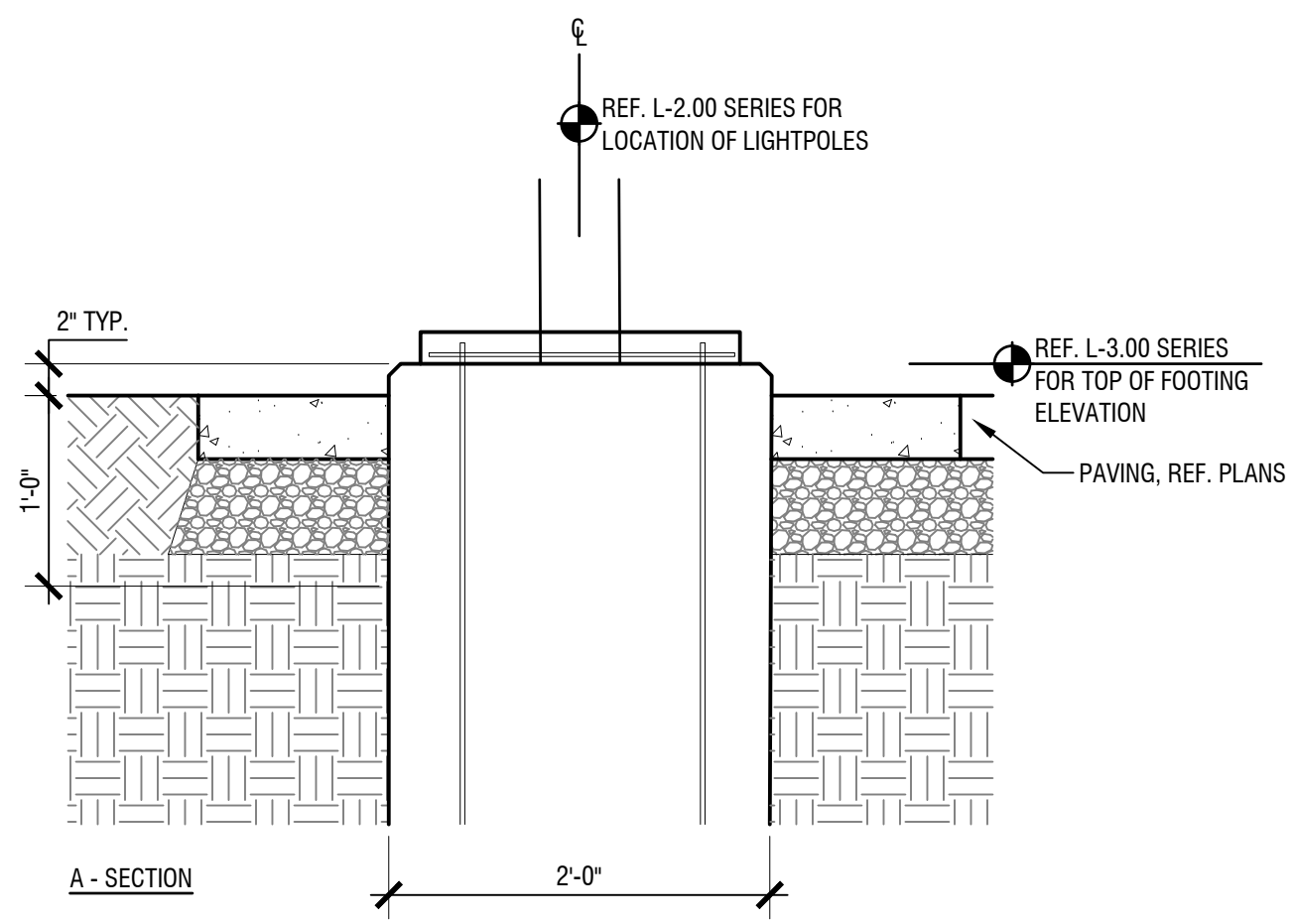
Revisions

Submittal / Date
LAND USE PERMIT
REVISED
06.13.2024

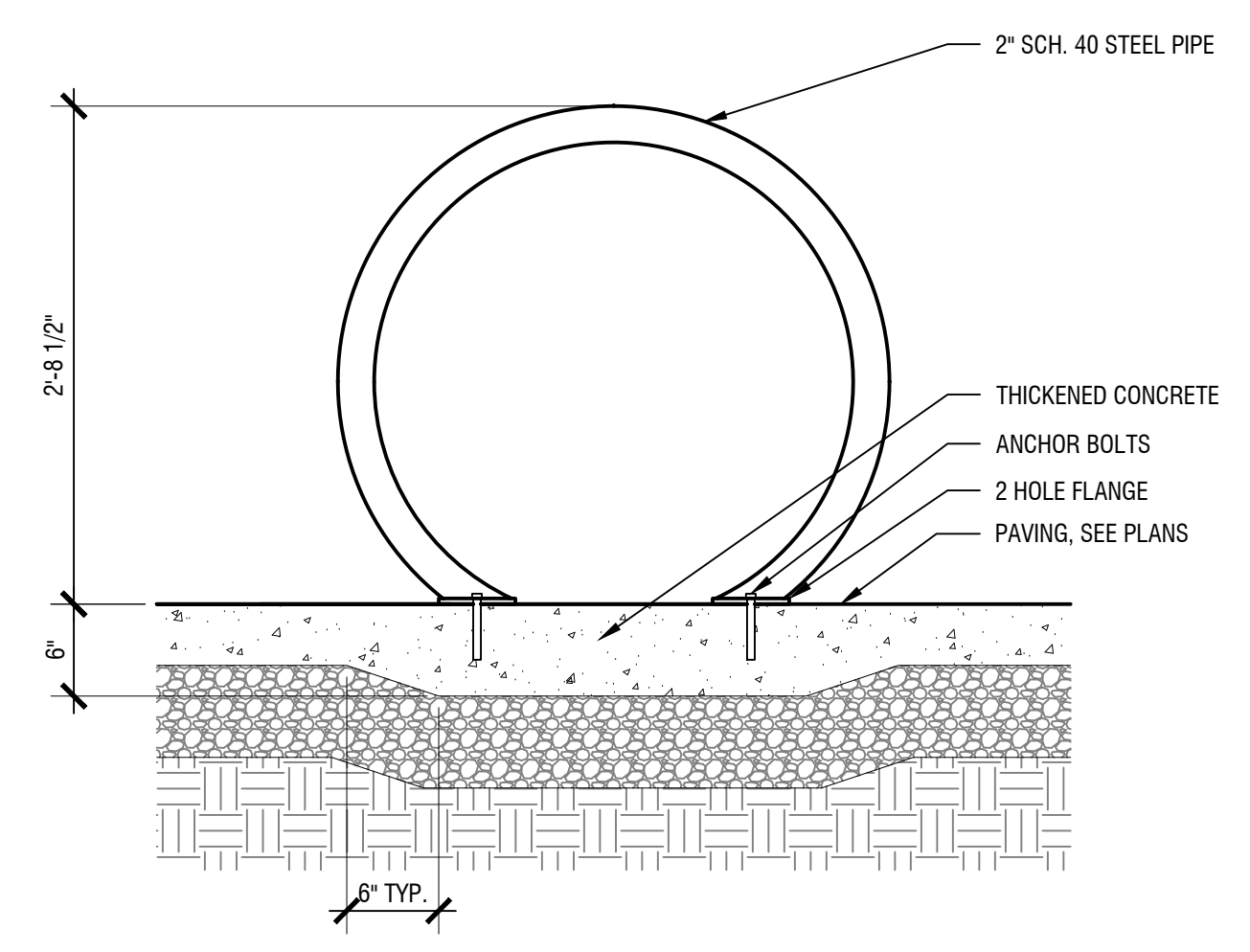
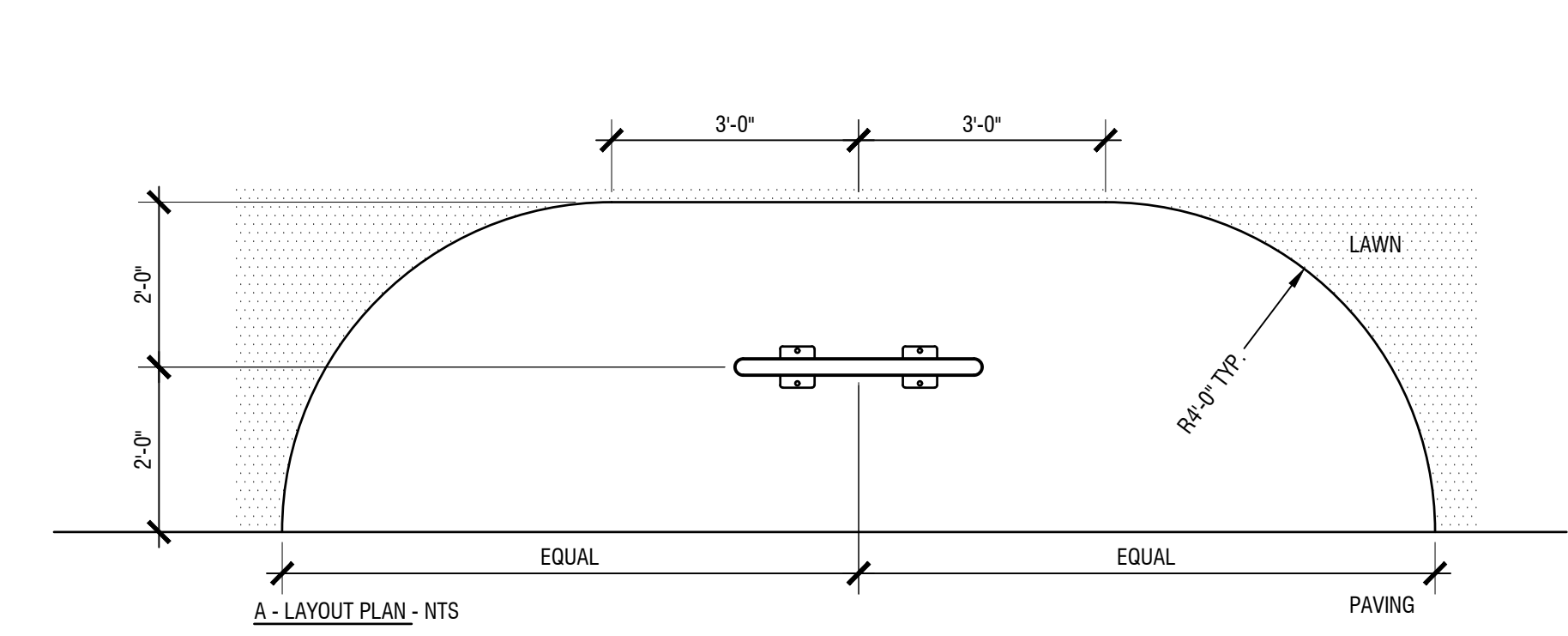
Project
FROG POND
NEIGHBORHOOD PARK

Sheet Title
SITE DETAILS - SITE
FURNISHINGS

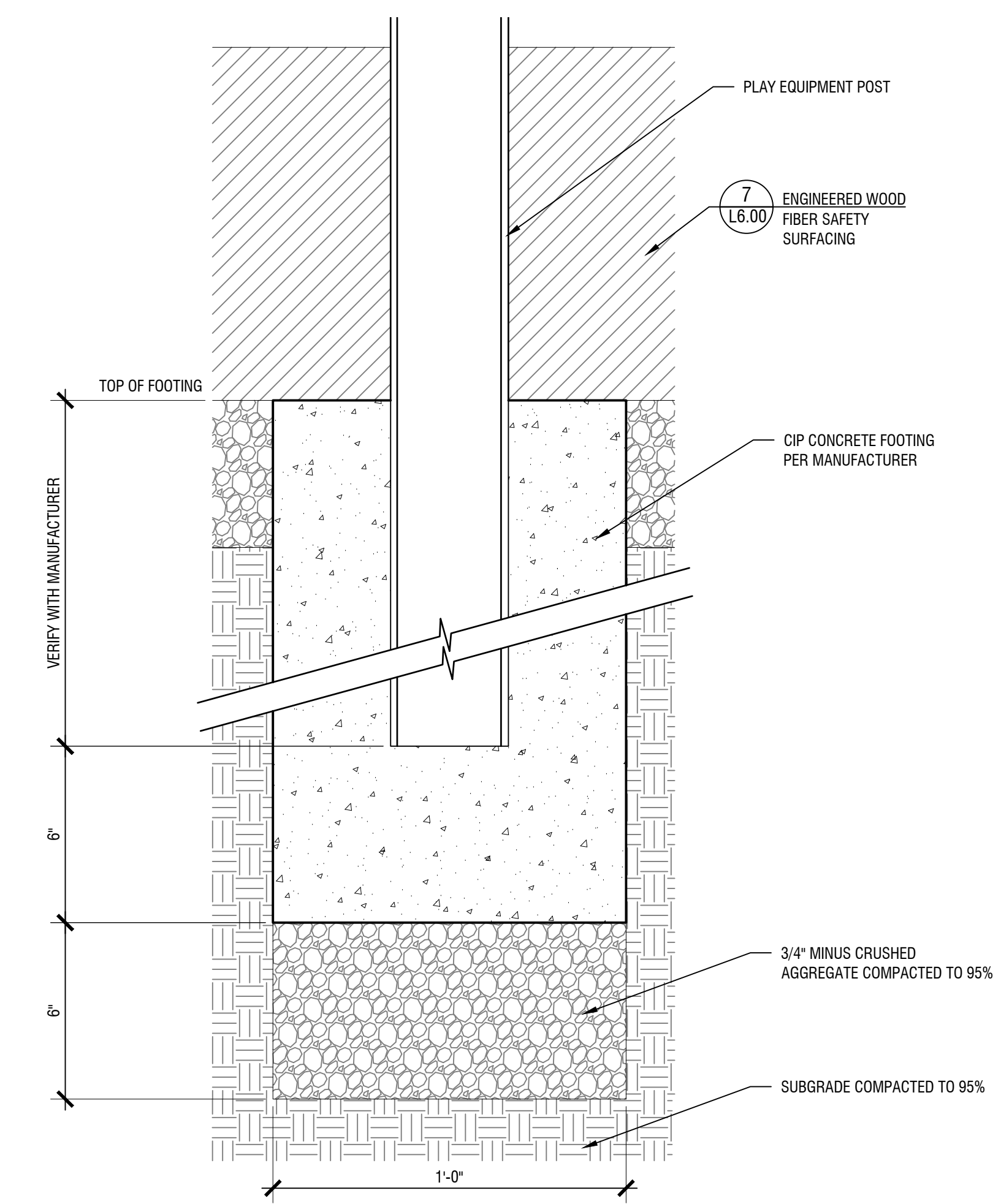
Sheet No. L6.30 272



NOTES:
1. FOR ELECTRICAL INFORMATION SEE ELECTRICAL.
2. FOOTING DEPTH AND REINFORCING IS DELEGATED DESIGN.



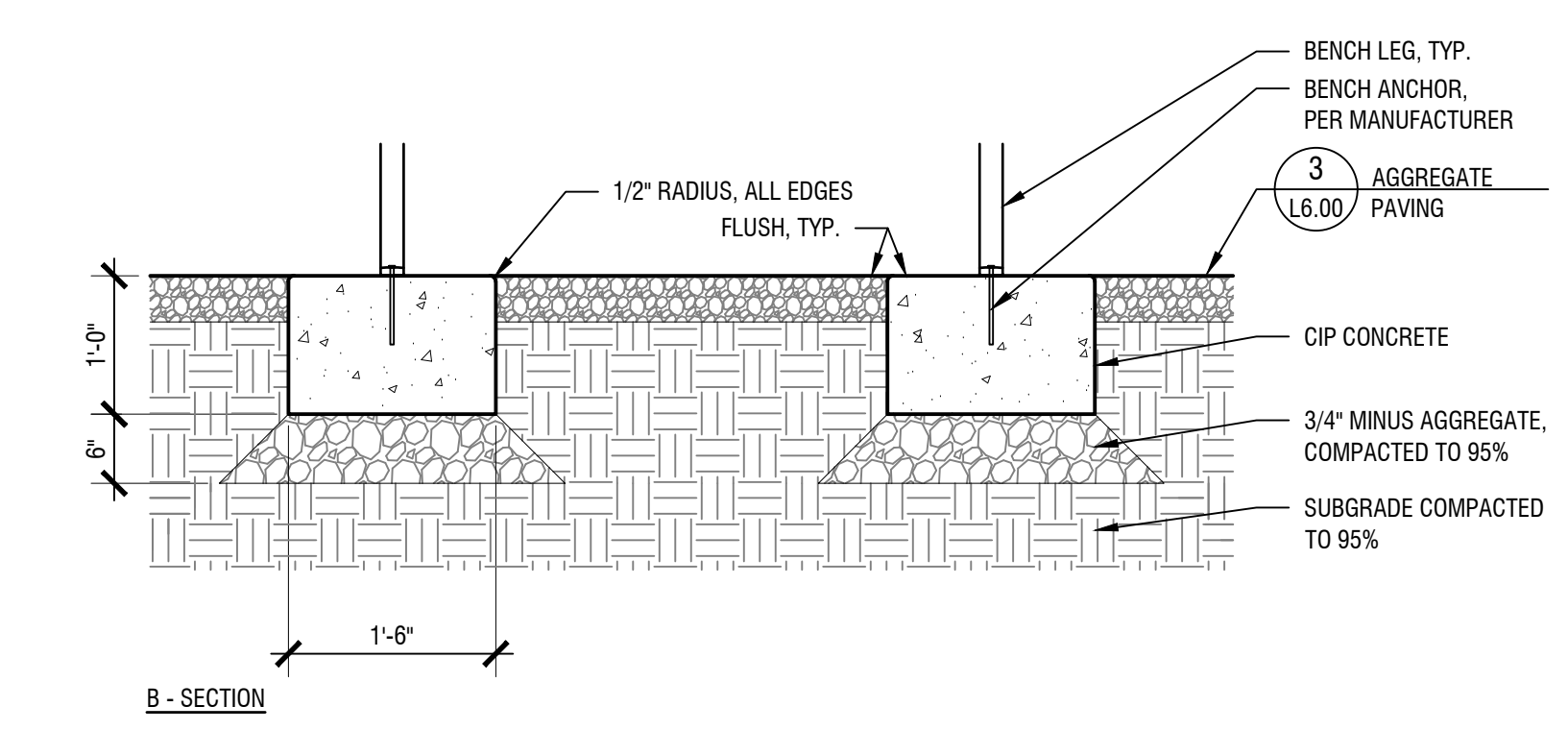
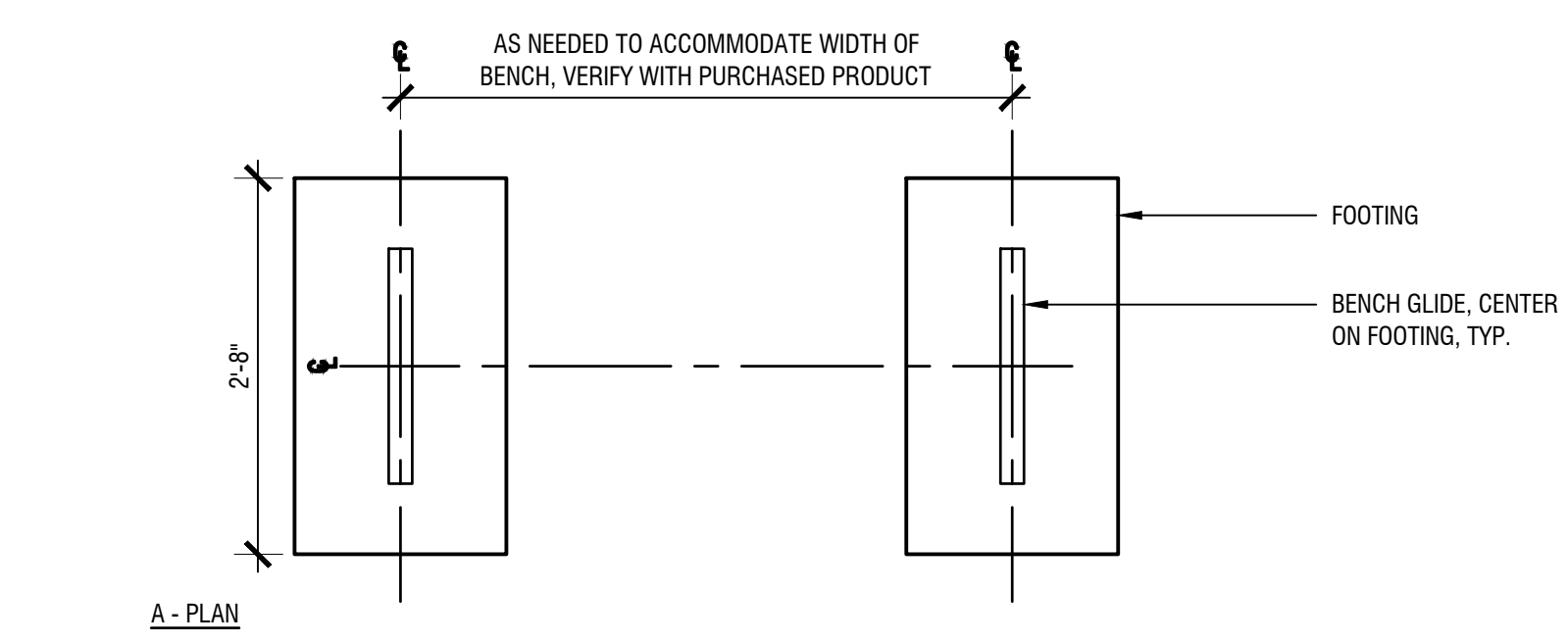
2 BIKE RACK
SCALE: 1"= 1'-0"



NOTES:
1. INSTALL PER MANUFACTURER'S RECOMMENDATIONS.
2. REFERENCE ASTM F1487-17 AND THE CPSC HANDBOOK FOR PUBLIC PLAYGROUND SAFETY.
3. REF. PLANS FOR LAYOUT.

3 PLAYGROUND EQUIPMENT AND SIGN FOOTING - SECTION
SCALE: 3"= 1'-0"

1 LIGHT POLE FOOTING - INTERFACE WITH ADJACENT SURFACES
SCALE: 1"= 1'-0"



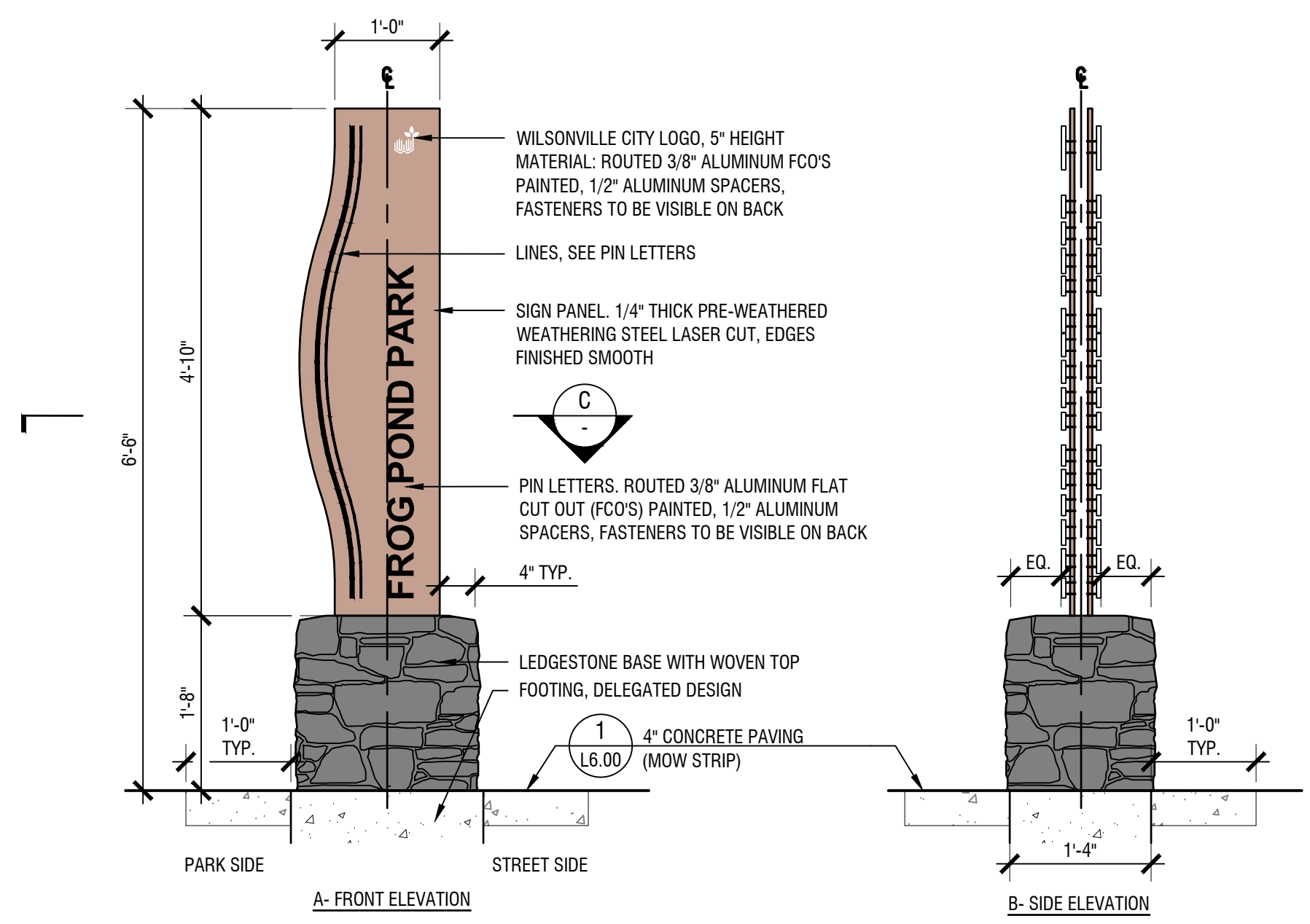
NOTE: TO BE USED FOR BENCH IN AGGREGATE ONLY.

4 BENCH FOOTING
SCALE: 3/4"= 1'-0"

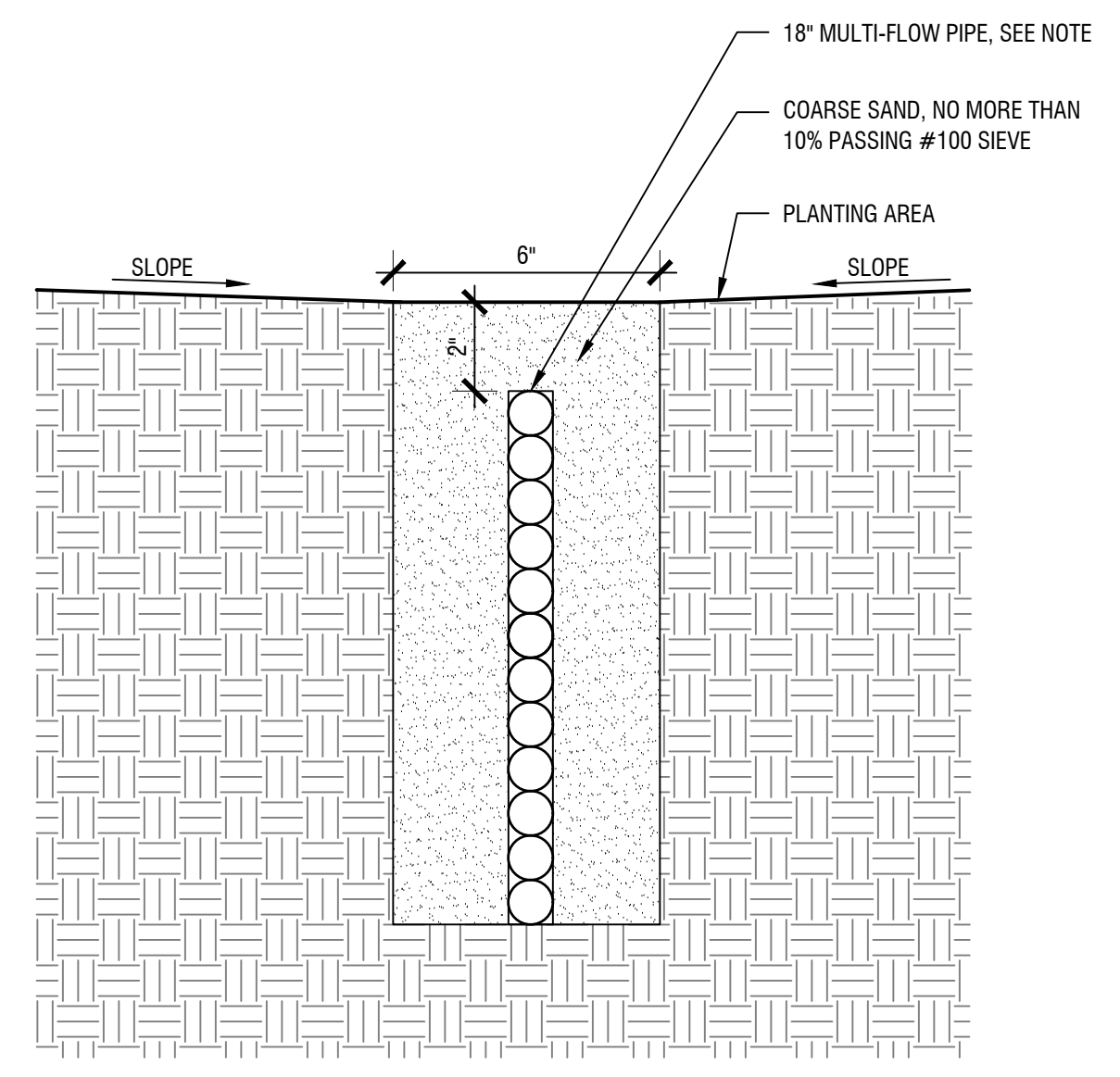


Mayer/Reed

Mayer/Reed, Inc.
 319 SW Washington St.
 Suite 820
 Portland, Oregon 97204
 503.223.5953
 www.mayerreed.com



- NOTES:**
1. THESE DRAWINGS ARE INTENDED TO ILLUSTRATE DESIGN INTENT ONLY AND ARE NOT FOR CONSTRUCTION. ALL FINAL ENGINEERING AND CONDITIONS OF THE PROJECT ARE THE RESPONSIBILITY OF THE FABRICATOR. SCALED SHOP DRAWINGS BY THE FABRICATOR MUST BE SUBMITTED FOR APPROVAL PRIOR TO PROCEEDING WITH FABRICATION.
 2. THE QUALITY OF FIT AND FINISH ON THE FINAL PRODUCT MUST MEET OR EXCEED THE REQUIREMENTS OF THESE DESIGN INTENT DOCUMENTS. ANY VARIATIONS TO DESIGN, MATERIALS, OR FABRICATION METHODS MUST BE APPROVED BY THE OWNER.
 3. WELDS: ALL WELDS SHALL BE GROUND SMOOTH.
 4. HARDWARE: ALL EXPOSED HARDWARE SHALL BE TAMPER PROOF FASTENERS.
 5. SCALED EXAMPLES SHOWN ARE FOR REFERENCE ONLY, AND DO NOT NECESSARILY REFLECT ACTUAL SITE CONDITIONS. DETAILED SITE SURVEY IS REQUIRED PRIOR TO FABRICATION AND INSTALLATION.



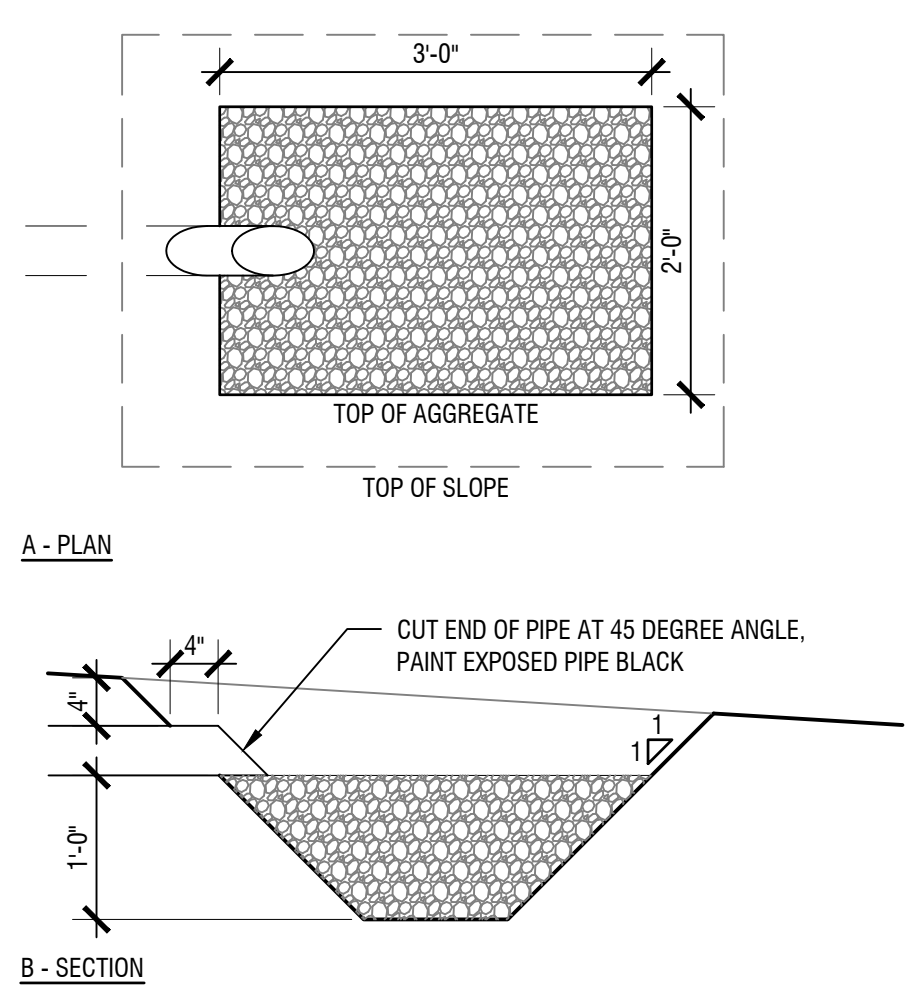
NOTE: MULTI-FLOW DRAIN PIPE AND ACCESSORIES AS NEEDED PER MANUFACTURER'S RECOMMENDATIONS. [HTTPS://MULTI-FLOW.COM/PRODUCTS/18-INCH OR APPROVED EQUAL.](https://multi-flow.com/products/18-inch-or-approved-equal)

1 PARK SIGN
 SCALE: 3/4" = 1'-0"

SIGN-PARK-SMALL.DWG

2 DRAIN TILE - SECTION
 SCALE: 3" = 1'-0"

Multi-Flow Drain.DWG



3 OUTFALL
 SCALE: 3/4" = 1'-0"

DETAIL.DWG

NOT FOR CONSTRUCTION

Revisions

Submittal / Date

LAND USE PERMIT
 REVISED
 06.13.2024

Project

FROG POND
 NEIGHBORHOOD PARK

Sheet Title

SITE DETAILS -
 MISCELLANEOUS

Sheet No.

L6.40 273



picnic shelter - Western Wood Structures
treated Douglas fir, powdercoated steel (dark green), standing seam metal roof (dark green)



bench and picnic table - Landscapeforms Gretchen
thermally modified ash, powdercoated steel (black)



aged thermally modified ash

aged thermally modified oak



bike rack - Huntco Sol
surface mounted, powdercoated (black)



grill - Bull Grills 4 burner with counter
tile counter and ledger stone base
BYO propane tank



waste receptacle - DuMor 70
thermally modified oak
powdercoated steel (black)



pet station - DOGIPOT
powder coated aluminum (green)



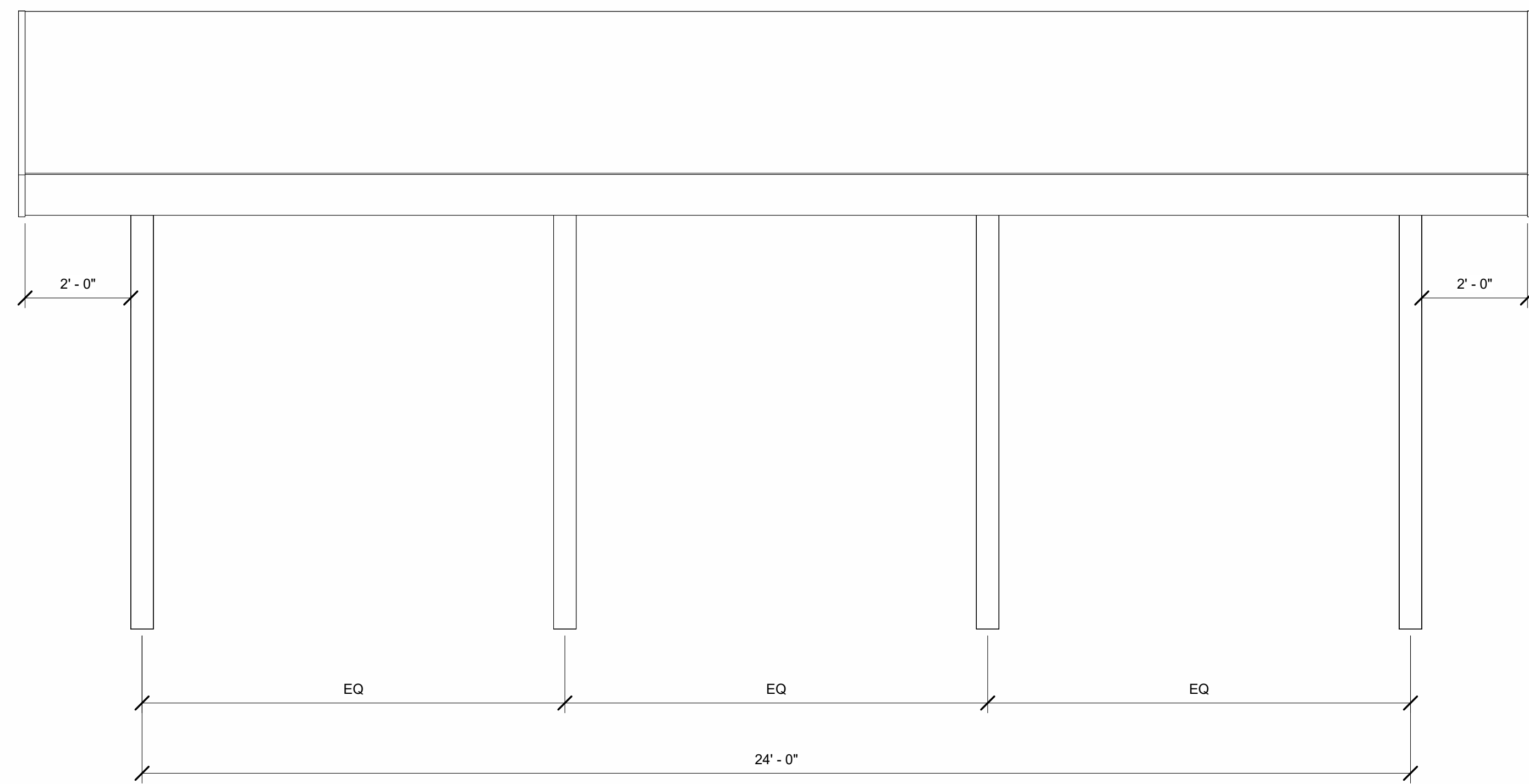
Rolled bag



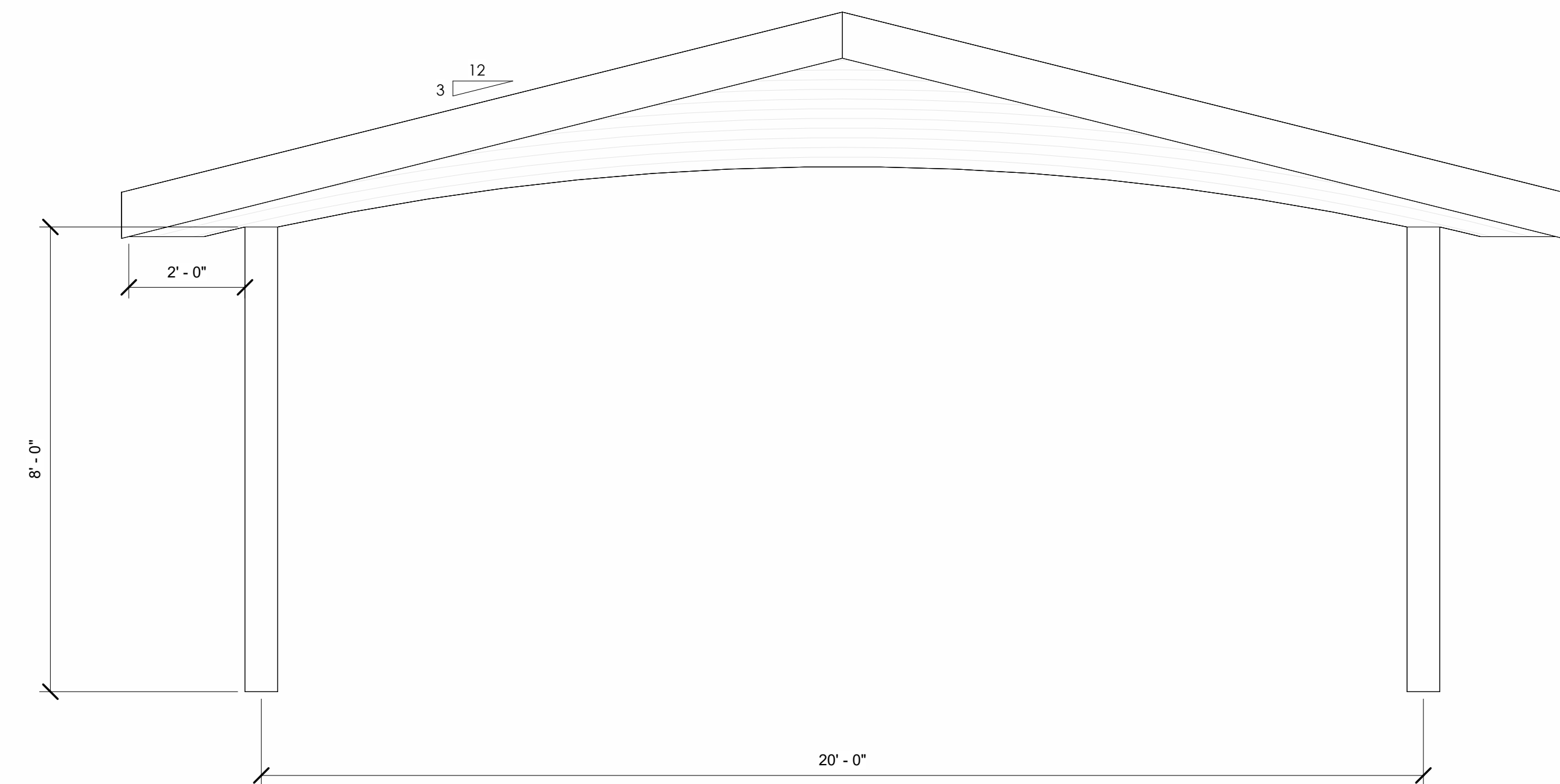
model

color

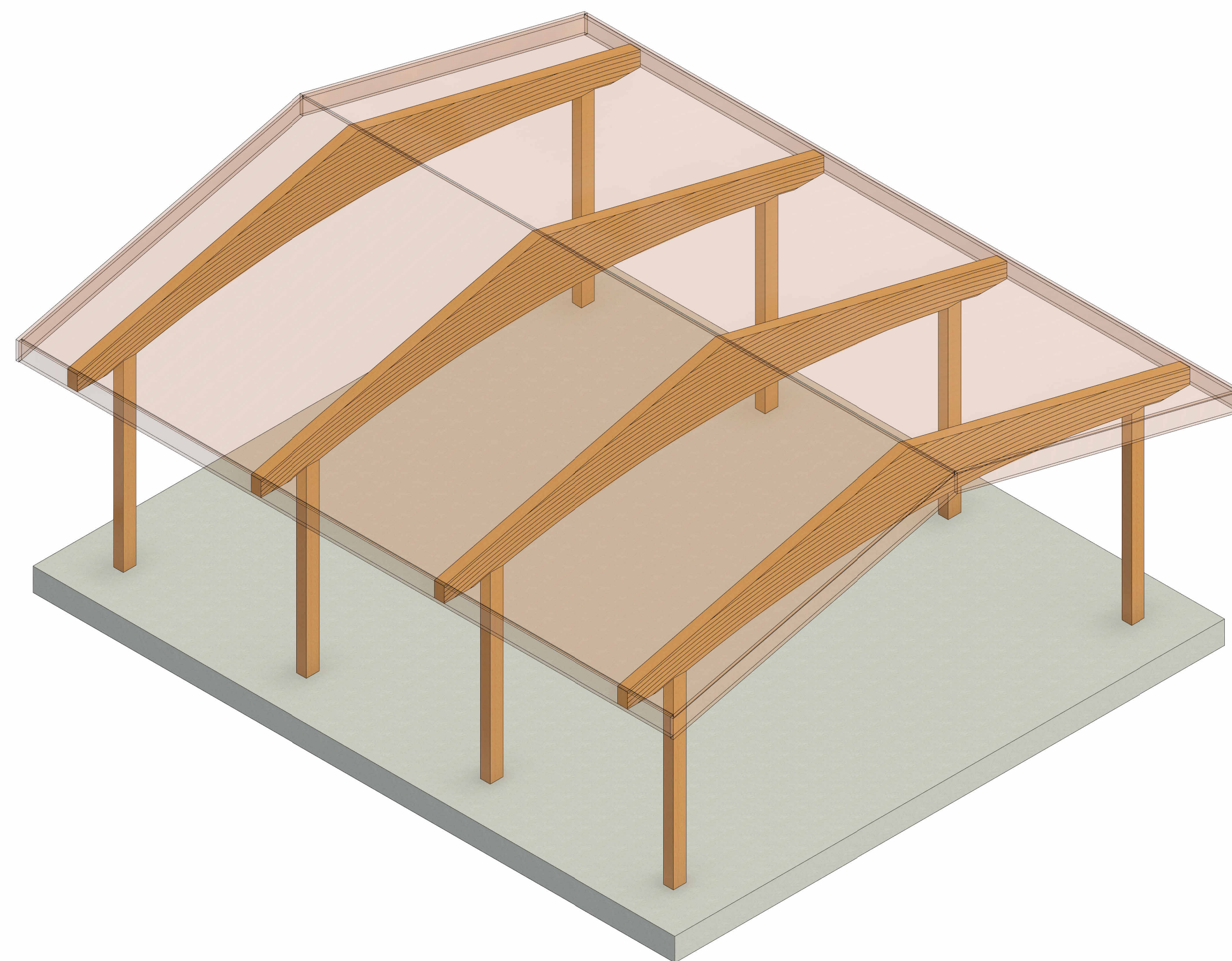
drinking fountain - Most Dependable Fountain 10145SM
powdercoated steel (dark green)



1 SIDE ELEVATION
A101 1/2" = 1'-0"



2 FRONT ELEVATION
A101 1/2" = 1'-0"



3 AXONOMETRIC
A101

PRE-ENGINEERED SHELTERS

1.0 GENERAL REQUIREMENTS

1.1 Description: This section includes the design, fabrication, and supply of the pre-engineered shelter(s) as shown and described on the contract drawings. The shelter framing members are to be of glulam or sawn timber construction and the supplier shall furnish all materials, including connecting steel and hardware for a complete installation.

1.2 Design Criteria:

Dead Load: _____ psf
Live Load: _____ psf
Snow Load: _____ psf
Wind and seismic loads per local building code.

1.3 Qualifications: The shelter supplier must be a company specializing in the design and fabrication of shelters with a minimum of five (5) years documented experience. Approved manufacturers include:

Western Wood Structures, Inc.
PO Box 130
Tualatin, Oregon 97062-0130
(800) 547-5411

1.4 Submittals:

- 1.4.1 Submit shop drawings and product data under the provisions of Section 01300. Shop drawings shall include: general framing plan, truss or beam profiles, loads, and fabrication details for all wood members and steel assemblies. Also indicate dimensions, wood grades, drilled holes, fasteners and cambers.
- 1.4.2 Submit design calculations stamped by a registered engineer, licensed to practice in the state where the shelter is being constructed.
- 1.4.3 Furnish an AITC or APA-EWS Certificate of Conformance stating that the glulams conform to the specifications.
- 1.4.4 Furnish a WCLIB or WWPA Certificate of Conformance for all sawn lumber.
- 1.4.5 Provide a written warranty against defects in material and workmanship for a period of five (5) years.

2.0 PRODUCTS

2.1 Materials:

- 2.1.1 Glulam shall be Douglas Fir. Stress grades shall be as required by the design. The appearance shall be Premium, S3S. Adhesive shall be 100% waterproof phenolic resin glue.
- 2.1.2 Columns shall be Douglas Fir, S4S, KD, FOHC. Hand select for appearance, square edge. Stress grade shall be as required by design. Pressure treat for ground contact to a minimum net retention of 0.4 PCF. At the owner's option, the columns may be glulam or steel.

2.1 Materials (continued):

- 2.1.3 Decking shall be 2"x 6" Douglas Fir Select Dex, S2S, KD, EV1S, Paper Wrap.
- 2.1.4 Fascia to be Western Red Cedar, KD, S4S. Select for appearance.
- 2.1.5 Steel and Hardware. Steel to be ASTM A-36 and hardware to be ASTM A-307. Welding by certified welders per AWS specifications D1.1. All steel and hardware to be hot-dipped galvanized.
- 2.2 Fabrication:**
- 2.2.1 The main structural beams and/or trusses are to be fabricated and assembled to the fullest extent possible in a plant with facilities for performing work specified. Factory drill all holes to the extent possible using steel as templates. For glulam or sawn members of 8" nominal width or greater, drill holes from both sides of members to ensure the true hole alignment.
- 2.2.2 Concealed connector locations shall be fabricated to within 1/8" of true position. Fabricate length of members to be within 1/8" of required length to achieve tight connections. Make end cuts flat and true to ensure consistent load transfer.

3.0 EXECUTION

3.1 Delivery, Storage and Handling:

- 3.1.1 The purchaser or installer is responsible for handling and protection of shelter framing materials after arrival at destination. All trusses and/or beams shall be unloaded and handled with a forklift or crane using nylon slings.
- 3.1.2 If the materials are to be stored at the site, they must be placed on a level surface and stickered to prevent warpage and twisting.
- 3.1.3 Any damage must be reported immediately to the truss manufacturer's professional engineer.

3.2 Installation:

- 3.2.1 Install the shelter according to supplier's shop details and installation instructions. Do not field cut, drill, or alter structural members without written approval from the pre-engineered building supplier. Set framing members in locations and to elevations indicated. Make provisions for erection loads and provide temporary bracing to maintain framing members true and plumb, and in true alignment until completion of erection.
- 3.2.2 Maintain factory-applied wrapping until roof structure is enclosed.

WARNING: Drilling, sawing, sanding or machining wood products can expose you to wood dust, a substance known to the State of California to cause cancer. Avoid inhaling wood dust or use a dust mask or other safeguards for personal protection. For more information go to www.P65Warnings.ca.gov/wood

This drawing is the property of Western Wood Structures, Inc. and has been prepared specifically for the job indicated. It shall not be reproduced or used on any other project without the written consent of Western Wood Structures, Inc.

NO.	DATE	REVISIONS	BY



Western Wood Structures, Inc.
20675 SW 105th Ave
P.O. Box 130
Tualatin, Oregon 97062
503-692-6900
WWSI.com

PROJECT:			
LOCATION:			
ARCHITECT:			
ENGINEER:			
CONTRACTOR:			
DRAWN BY:	BJM	DATE:	3/25/24
CHECKED BY:		DATE:	
DATE PRINTED:		PLOT DATE:	3/25/24
JOB NO. 23-H-115		SHEET 1 OF 1	



Buell Recreation

7327 Barnes Road #601 | Portland, OR 97725 | 503-922-1650

Proposal 907-180072-1 | 2/8/2024

OUR MISSION IS TO BRING
PLAY THAT MOVES YOU.
TO COMMUNITIES AROUND
THE WORLD

DESIGN SUMMARY

Buell Recreation is very pleased to present this Proposal for consideration for the Frog Pond Park Fitness located in Wilsonville. BCI Burke Company, LLC has been providing recreational playground equipment for over 100 years and has developed the right mix of world-class capabilities to meet the initial and continuing needs of City of Wilsonville. We believe our proposal will meet or exceed your project's requirements and will deliver the greatest value to you.

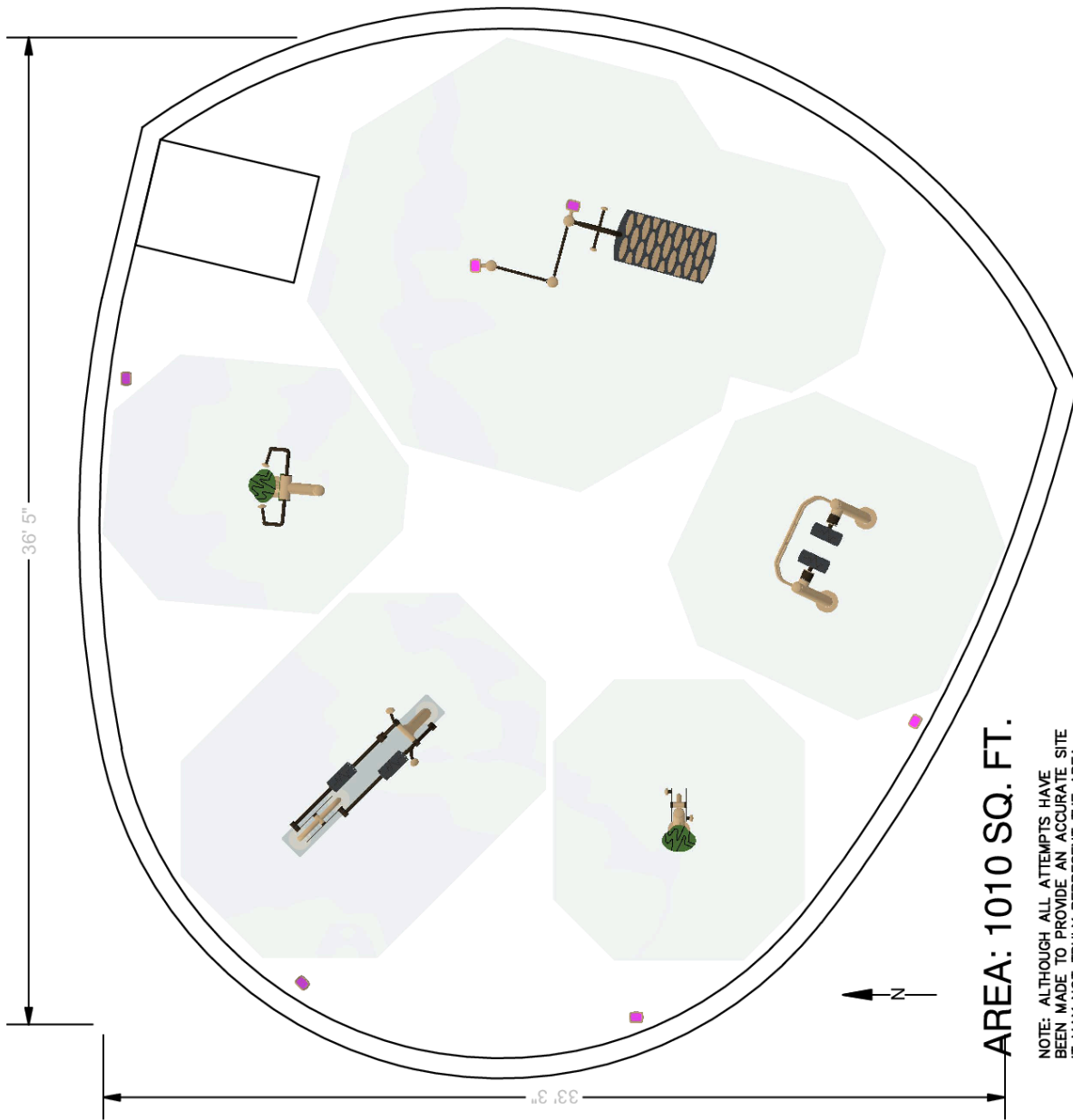
The following is a summary of some of the key elements of our Proposal:

- Project Name: Frog Pond Park Fitness
- Project Number: 907-180072-1
- User Capacity: 8
- Age Groups: 13Plus
- Dimensions: 33' 11"x33' 2"
- Designer Name: Pa Der Vang

Buell Recreation has developed a custom playground configuration based on the requirements as they have been presented for the Frog Pond Park Fitness playground project. Our custom design will provide a safe and affordable playground environment that is aesthetically pleasing, full of fun for all users and uniquely satisfies your specific requirements. In addition, proposal # 907-180072-1 has been designed with a focus on safety, and is fully compliant with ASTM F1487 and CPSC playground safety standards.

We invite you to review this proposal for the Frog Pond Park Fitness playground project and to contact us with any questions that you may have.

Thank you in advance for giving us the opportunity to make this project a success.



AREA: 1010 SQ. FT.

NOTE: ALTHOUGH ALL ATTEMPTS HAVE BEEN MADE TO PROVIDE AN ACCURATE SITE IT MAY NOT TRULY REPRESENT THE AREA WHERE THIS STRUCTURE IS TO BE PLACED.

OVERALL BOUNDING OF USE ZONES **The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Area: 1206.8 sq.ft.
Perimeter: 139.1 ft.
STRUCTURE SIZE: 3"x36' 5"
POST SIZE(S):

PLAYGROUND ACCESSIBILITY (Provided/Required)				
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE ELEMENTS	RAMP ACCESSIBLE ELEMENTS	GROUND EVENTS	TYPES OF GROUND EVENTS
2	0 / 0	0 / 0	2 / 0	1 / 0

The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Fitness | Nucleus

GROUP:
FIT-2672|Fitness Stations

DESIGNED FOR AGES:
13+

Frog Pond Park Fitness
Wilsonville, OR 97070

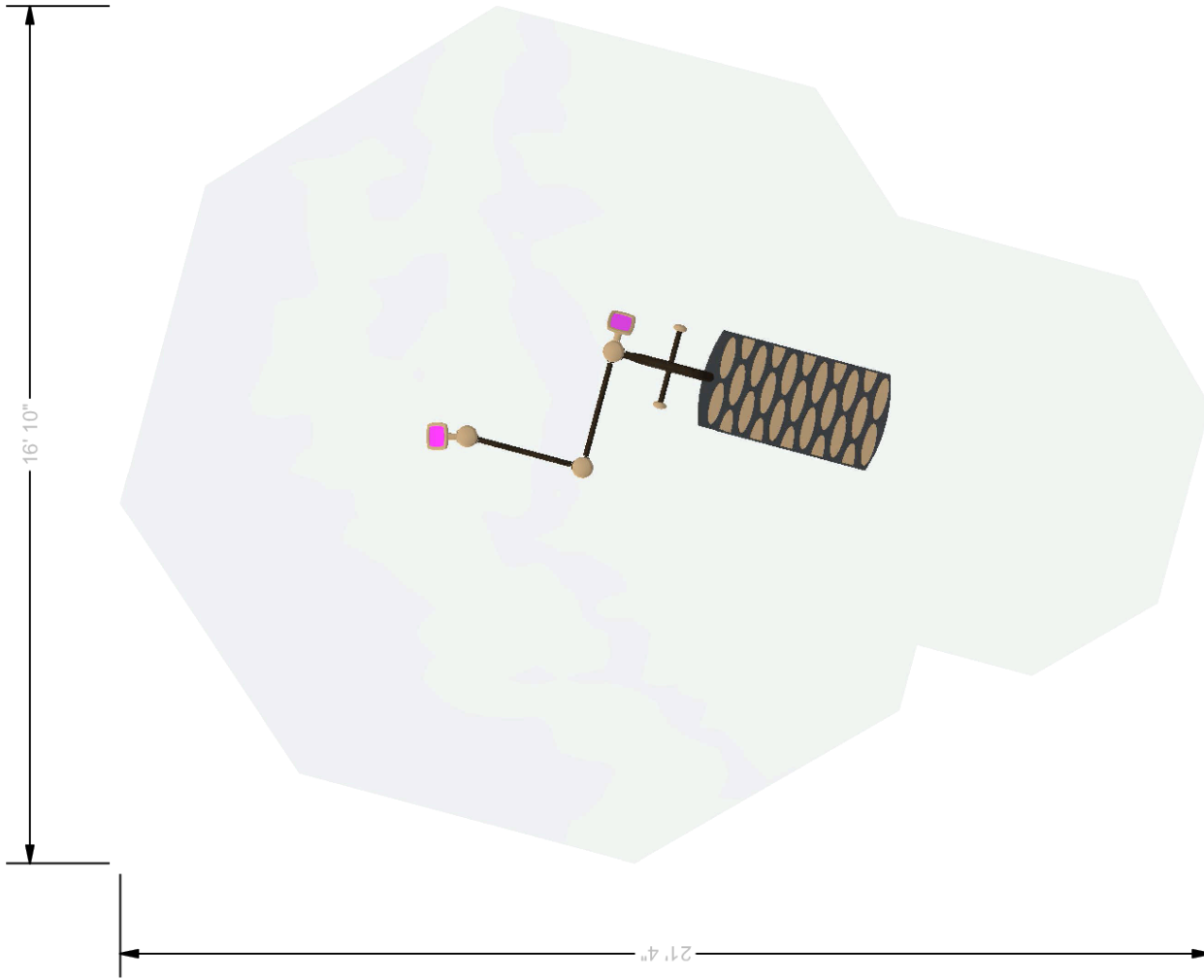
Burke
PLAY THAT MOVES YOU.

SITE PLAN VIEW

02/08/2024

Buell Recreation
907-180072-1

Designer: Pa Der Vang



The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

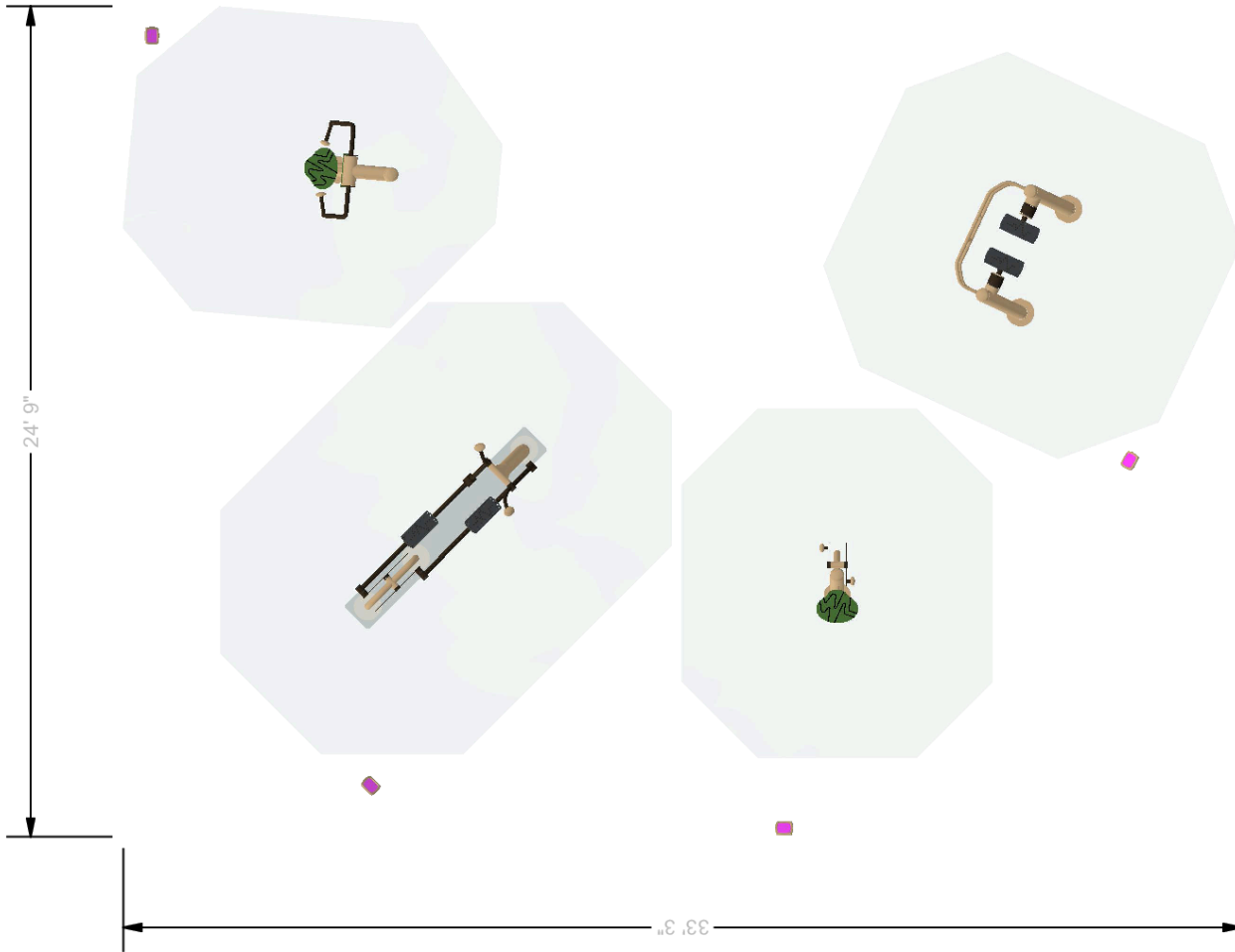
PLAYGROUND ACCESSIBILITY (Provided/Required)			
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE ELEMENTS	RAMP ACCESSIBLE ELEMENTS	TYPES OF GROUND EVENTS
2	0 / 0	0 / 0	2 / 0
			1 / 0

OVERALL BOUNDING OF USE ZONES **The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Area: 1206.8 sq.ft.
 Perimeter: 139.1 ft.
STRUCTURE SIZE: 3'x36' 5"
POST SIZE(S):

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Fitness Nucleus	Frog Pond Park Fitness Wilsonville, OR 97070	SITE PLAN VIEW 02/08/2024
GROUP: FIT-2672	Burke PLAY THAT MOVES YOU.	Buell Recreation 907-180072-1
DESIGNED FOR AGES: 13+		Designer: Pa Der Vang



The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

PLAYGROUND ACCESSIBILITY (Provided/Required)			
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE ELEMENTS	RAMP ACCESSIBLE ELEMENTS	TYPES OF GROUND EVENTS
2	0 / 0	0 / 0	2 / 0
			1 / 0

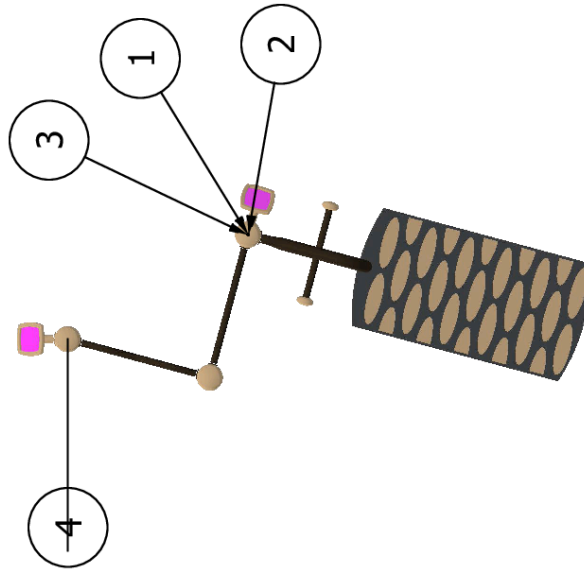
OVERALL BOUNDING OF USE ZONES
 Area: 1206.8 sq.ft.
 Perimeter: 139.1 ft.
STRUCTURE SIZE: 3'x36' 5"
POST SIZE(S):
 **The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Fitness	SITE PLAN VIEW
GROUP: Fitness Stations	Frog Pond Park Fitness Wilsonville, OR 97070
DESIGNED FOR AGES: 13+	Bueller Recreation 907-180072-1 Designer: Pa Der Vang
Burke PLAY THAT MOVES YOU.	

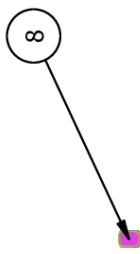
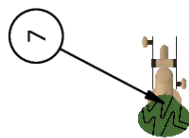
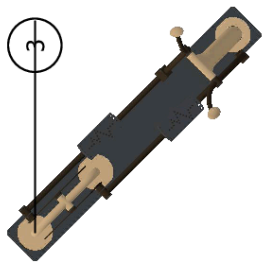
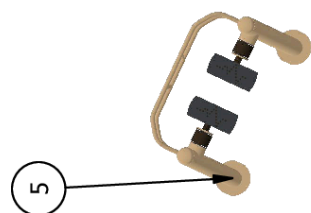
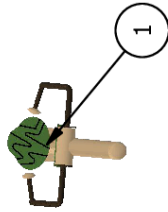
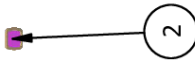
ITEM	COMP.	DESCRIPTION
1	370-1597	STRETCH BEAMS
2	370-1601	CORE STATION
3	570-2659	SIGN, CORE STATION
4	570-2657	SIGN, STRETCH BEAMS

Item 5.

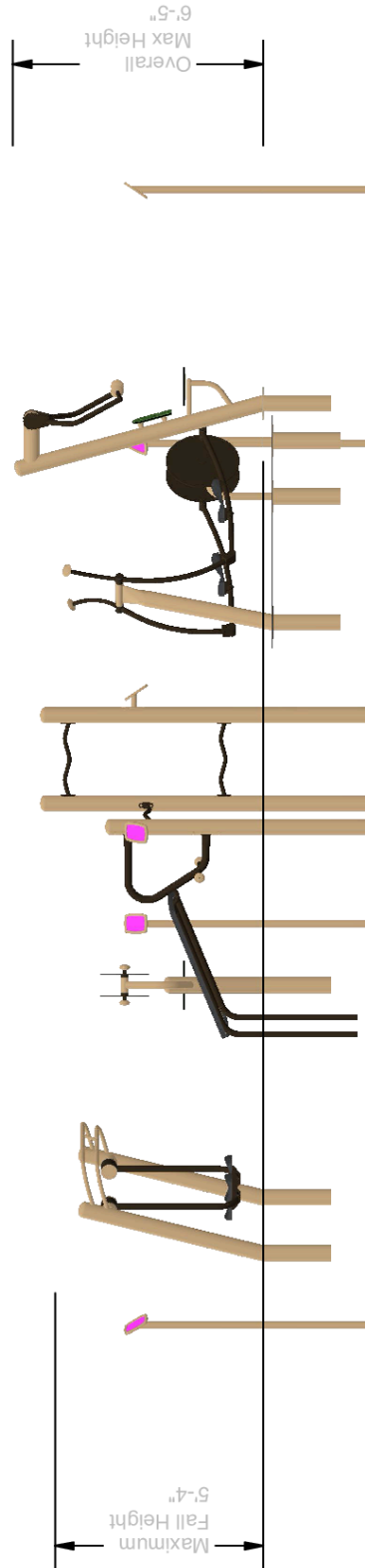


SERIES Fitness Nucleus		COMPONENT VIEW
GROUP: FIT-2672	Frog Pond Park Fitness Wilsonville, OR 97070	02/08/2024
DESIGNED FOR AGES: 13+	Burke PLAY THAT MOVES YOU	Buell Recreation 907-180072-1
		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		

ITEM	COMP.	DESCRIPTION
1	570-2690	INVIGORATE FITNESS CHEST PRESS
2	570-2698	FS SIGN INVIGORATE CHEST PRESS
3	570-2686	INVIGORATE FITNESS ELLIPTICAL
4	570-2700	FS SIGN INVIGORATE ELLIPTICAL
5	570-2691	INVIGORATE FITNESS STRIDER
6	570-2697	FS SIGN INVIGORATE STRIDER
7	570-2730	INVIGORATE HAND CYCLE
8	570-2731	FS SIGN, INVIGORATE HAND CYCLE



SERIES Fitness		COMPONENT VIEW	
GROUP: Fitness Stations		02/08/2024	
DESIGNED FOR AGES: 13+		Buell Recreation 907-180072-1	
<p>Frog Pond Park Fitness Wilsonville, OR 97070</p> 		Designer: Pa Der Vang	
		282	
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM			



SERIES Fitness | Nucleus **ELEVATION VIEW**

GROUP:
FIT-2672|Fitness Stations

DESIGNED FOR AGES:
13+

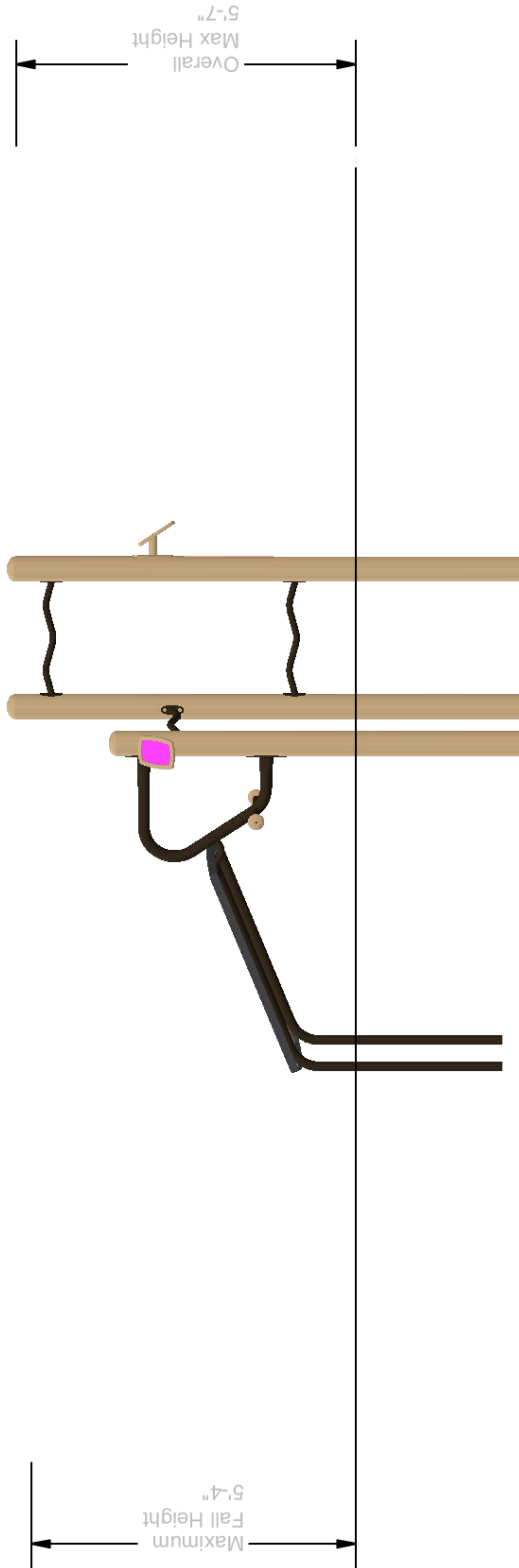
Frog Pond Park Fitness
Wilsonville, OR 97070

Burke
PLAY THAT MOVES YOU

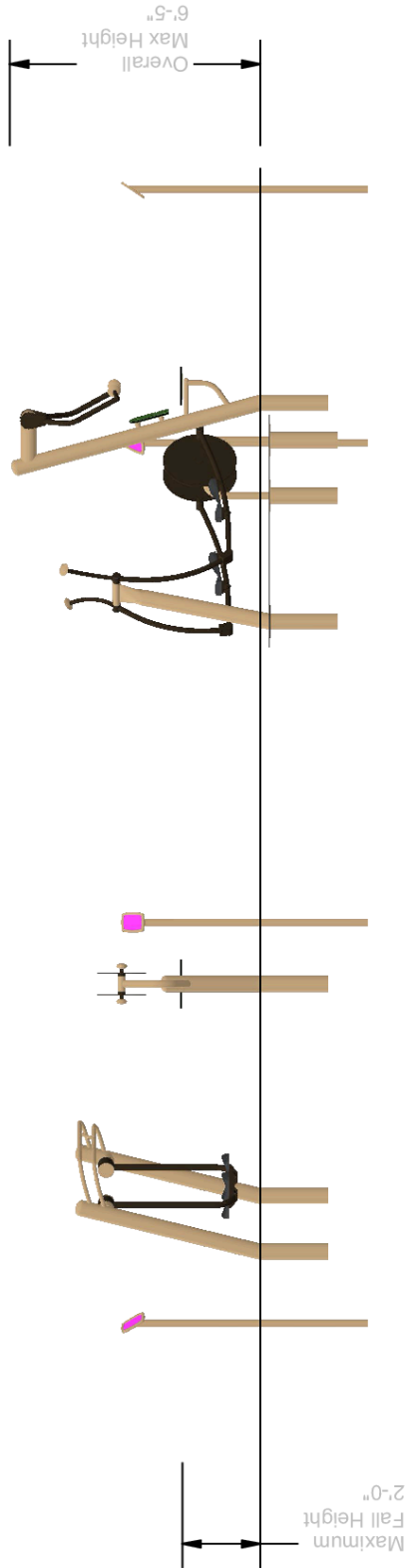
02/08/2024

Buell Recreation
907-180072-1

Designer: Pa Der Vang



SERIES Fitness Nucleus	ELEVATION VIEW
GROUP: FIT-2672	02/08/2024
DESIGNED FOR AGES: 13+	Buell Recreation 907-180072-1
Frog Pond Park Fitness Wilsonville, OR 97070	Designer: Pa Der Vang
Burke PLAY THAT MOVES YOU	
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM	



SERIES Fitness **ELEVATION VIEW**

GROUP:
Fitness Stations

DESIGNED FOR AGES:
13+

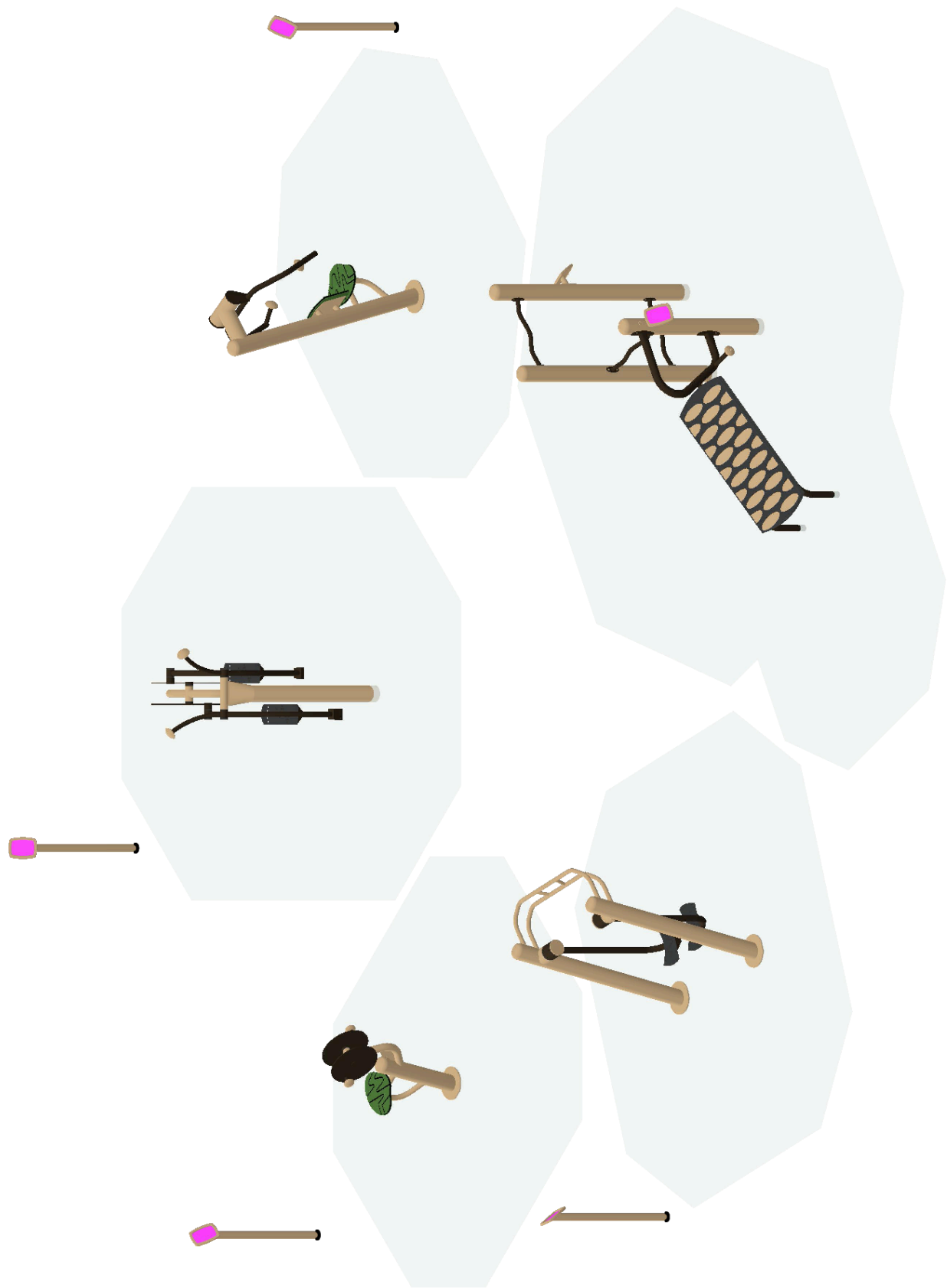
Frog Pond Park Fitness
Wilsonville, OR 97070



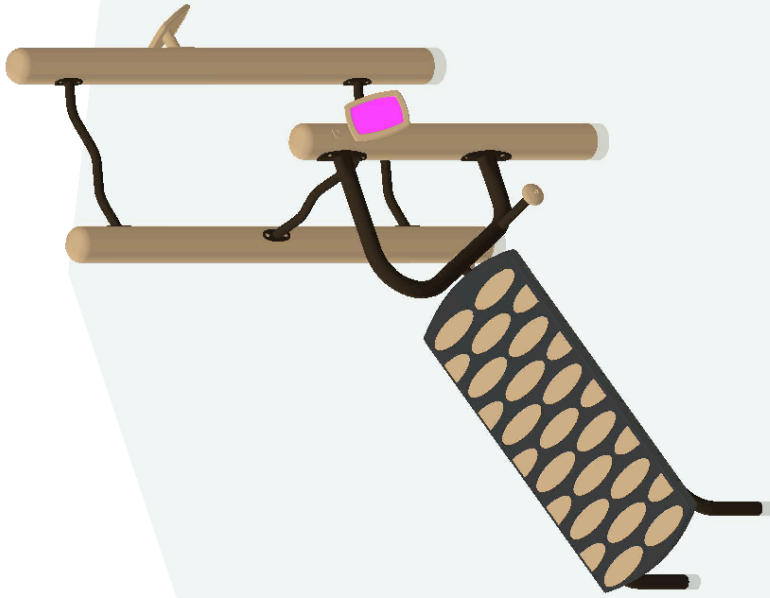
02/08/2024

Buell Recreation
907-180072-1

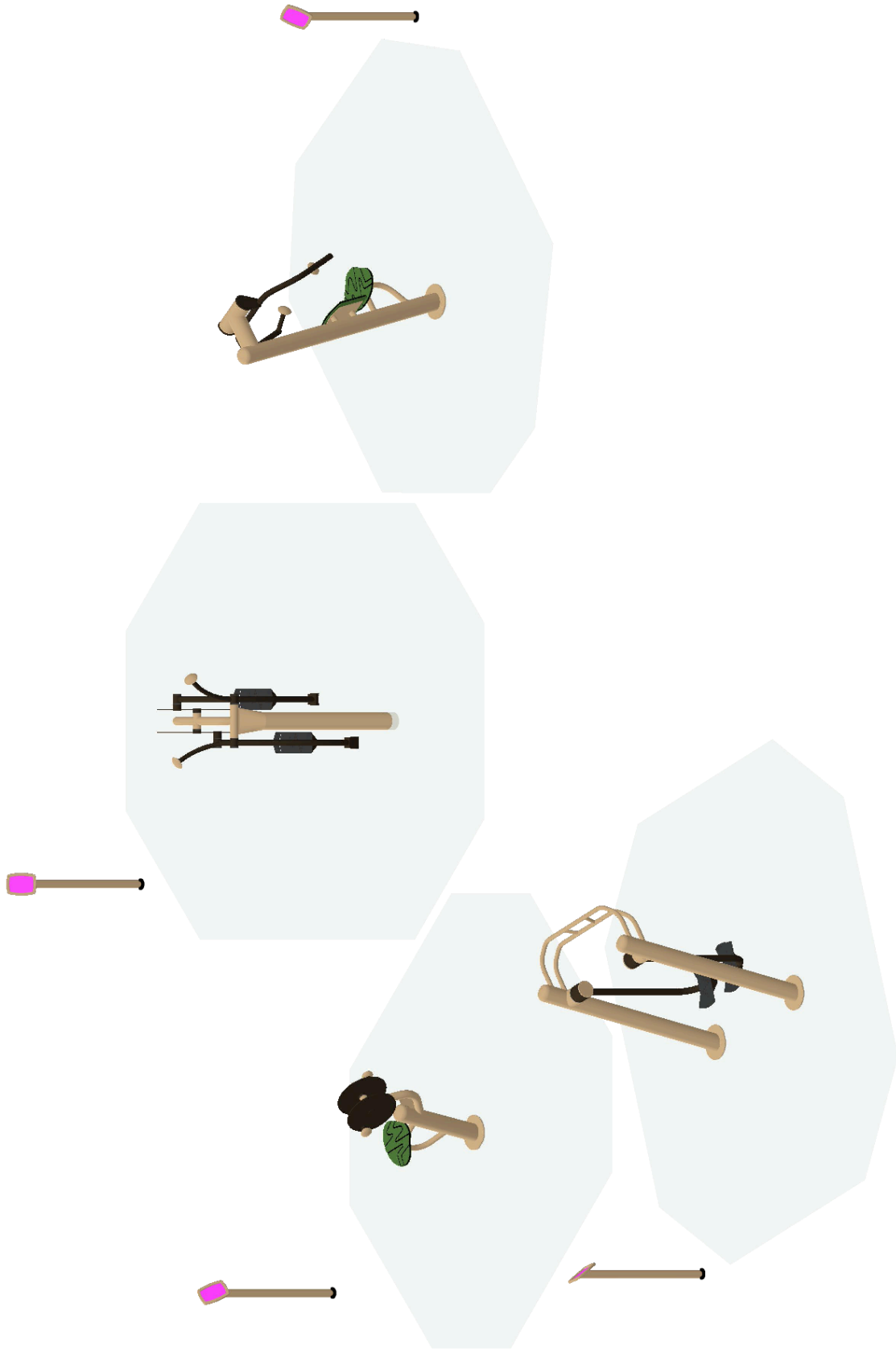
Designer: Pa Der Vang



SERIES Fitness Nucleus	Frog Pond Park Fitness Wilsonville, OR 97070	ISOMETRIC VIEW 02/08/2024
GROUP: FIT-2672 Fitness Stations	Burke PLAY THAT MOVES YOU	Buell Recreation 907-180072-1
DESIGNED FOR AGES: 13+		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		



SERIES Fitness Nucleus		ISOMETRIC VIEW
GROUP: FIT-2672	Frog Pond Park Fitness Wilsonville, OR 97070	02/08/2024
DESIGNED FOR AGES: 13+	Burke PLAY THAT MOVES YOU	Buell Recreation 907-180072-1
		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		



<p>SERIES Fitness</p>	<p>Frog Pond Park Fitness Wilsonville, OR 97070</p>	<p>ISOMETRIC VIEW</p>
<p>GROUP: Fitness Stations</p>		<p>02/08/2024</p> <p>Buell Recreation 907-180072-1</p>
<p>DESIGNED FOR AGES: 13+</p>	<p>Burke PLAY THAT MOVES YOU</p>	<p>Designer: Pa Der Vang</p>
<p>BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM</p>		<p>288</p>

Proposal 907-180072-1 | 2/8/2024 | 2024 Pricing

The play components identified in this proposal are IPEMA certified. The use and layout of these components conform to the requirements of ASTM F1487. To verify product certification, visit www.ipema.org.



The space requirements shown in this proposal are to ASTM standards. Requirements for other standards may be different.

Component No.	Description	Qty	User Cap	Ext. User Cap	Weight	Ext. Weight
---------------	-------------	-----	----------	---------------	--------	-------------

FIT-2672

Fitness

370-1597	STRETCH BEAMS	1	2	2	9	9
370-1601	CORE STATION	1	1	1	126	126
570-2657	SIGN, STRETCH BEAMS	1	0	0	9.5	9.5
570-2659	SIGN, CORE STATION	1	0	0	9.5	9.5
600-0104	NPPS SUPERVISION SAFETY KIT	1	0	0	3	3
660-0103	MAINTENANCE KIT, STRUCTURE	1	0	0	7	7
660-0104	INSTALLATION KIT, STRUCTURE	1	0	0	5	5

FIT-2672

Nucleus

072-0500-100C	5" OD X 100" CAPPED POST	2	0	0	53	106
072-0500-80C	5" OD X 80" CAPPED POST	1	0	0	42	42

Fitness Stations

Fitness

570-2686	INVIGORATE FITNESS ELLIPTICAL	1	1	1	297	297
570-2690	INVIGORATE FITNESS CHEST PRESS	1	1	1	154	154
570-2691	INVIGORATE FITNESS STRIDER	1	1	1	200	200
570-2697	FS SIGN INVIGORATE STRIDER	1	0	0	24	24
570-2698	FS SIGN INVIGORATE CHEST PRESS	1	0	0	24	24
570-2700	FS SIGN INVIGORATE ELLIPTICAL	1	0	0	25	25
570-2730	INVIGORATE HAND CYCLE	1	2	2	98	98
570-2731	FS SIGN, INVIGORATE HAND CYCLE	1	0	0	25	25

Special Notes:

Prices do not include freight, unloading, material storage, site excavation/preparation, removal of existing equipment, removal of excess soil from footing holes, site security, safety surfacing, installation, or sales tax (if applicable). Prices are based on standard colors per CURRENT YEAR BCI Burke Catalog. Custom colors, where available, would be an extra charge. **Pricing is valid for 30 days from the date of this proposal.**

COLOR SELECTION LIST | Default Color Option

GROUP 1 (FIT-2672)

Acc: Brown
Post: Tan
Flat: Tan

GROUP 2 (Fitness Stations)

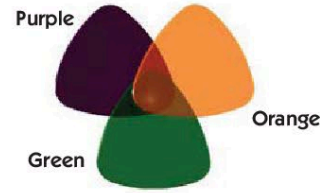
Post: Tan
Panel: Olive-Black-Olive
Acc: Brown
Flat: Tan

COLORS THAT MOVE YOU

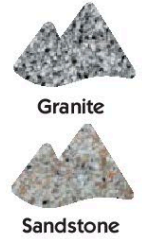
POWDER COAT PAINT



SOLIS HUE TOPPERS



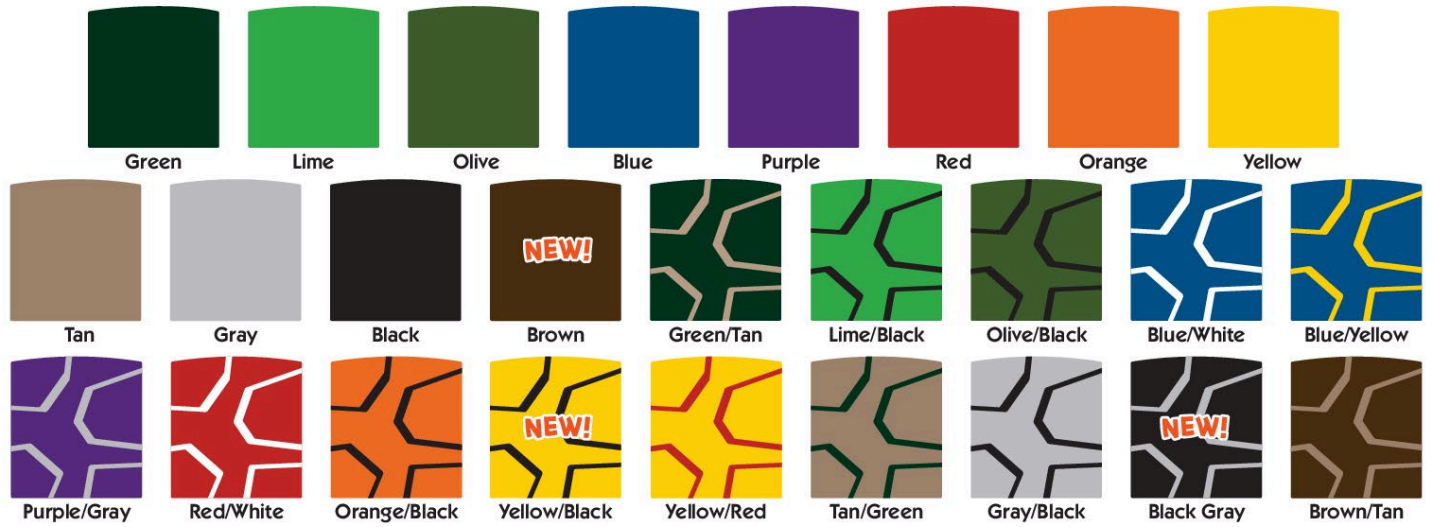
ROCKIT CLIMBERS



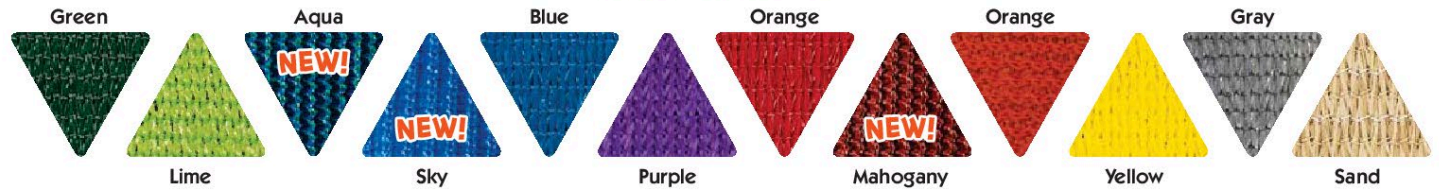
PLATFORMS



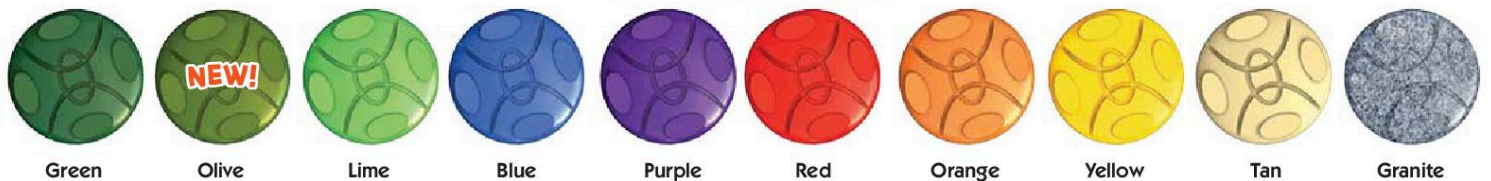
HDPE PLASTIC PANELS



SHADE CANOPIES



ROTOMOLD PLASTIC



VISIT BCIBURKE.COM/COLOR TO CUSTOMIZE YOUR PLAYGROUND COLORS!

BURKE GENERATIONS WARRANTY®

The Longest and Strongest warranty in the industry

BCI Burke Company, LLC ("Burke") warrants that all standard products are warranted to be free from defects in materials and workmanship, under normal use and service, for a period of one (1) year from the date of shipment.

We stand behind our products. In addition, the following products are warranted, under normal use and service from the date of shipment as follows:

- One Hundred (100) Year Limited Warranty on aluminum and steel upright posts (including Intensity®, Synergy™, Nucleus®, Voltage®, Little Buddies®, ELEVATE®, ACTIVATE®, INVIGORATE™) against structural failure due to corrosion, deterioration or workmanship.
- One Hundred (100) Year Limited Warranty on KoreKonnct® clamps against structural failure due to corrosion, deterioration or workmanship.
- One Hundred (100) Year Limited Warranty on Hardware (nuts, bolts, washers)
- One Hundred (100) Year Limited Warranty on bolt-through fastening and clamp systems (Synergy™, Intensity®, Nucleus®, Voltage®, Little Buddies®, ELEVATE®).
- Twenty-Five (25) Year Limited Warranty on spring assemblies and aluminum cast animals.
- Fifteen (15) Year Limited Warranty on structure platforms and decks, metal roofs, table tops, bench tops, railings and barriers against structural failure due to materials or workmanship.
- Fifteen (15) Year Limited Warranty on all plastic components including StoneBorders against structural failure due to materials or workmanship.
- Ten (10) Year Limited Warranty on ShadePlay Canopies fabric, threads, and cables against degradation, cracking or material breakdown resulting from ultra-violet exposure, natural deterioration or manufacturing defects. This warranty is limited to the design loads as stated in the specifications.
- Ten (10) Year Limited Warranty on NaturePlay® Boulders and GFRC products against structural failure due to natural deterioration or workmanship. Natural wear, which may occur with any concrete product with age, is excluded from this warranty
- Ten (10) Year Limited Warranty on Full Color Custom Signage against manufacturing defects that cause delamination or degradation of the sign. Full Color Custom Signs also carry a two (2) year warranty against premature fading of the print and graphics on the signs.
- Five (5) Year Limited Warranty on Intensity® and RopeVenture® cables and LEVEL X® flex bridge against premature wear due to natural deterioration or manufacturing defects. Determination of premature wear will be at the manufacturer's discretion.
- Five (5) Year Limited Warranty on moving parts, including swing components, against structural failure due to materials or workmanship.
- Five (5) Year Limited Warranty on PlayEnsemble® cables and mallets against defects in materials and workmanship.
- Three (3) Year Limited Warranty on electronic panel speakers, sound chips and circuit boards against electronic failure caused by manufacturing defects.

The warranty stated above is valid only if the equipment is erected in conformity with the layout plan and/or installation instructions furnished by BCI Burke Company, LLC using approved parts; have been maintained and inspected in accordance with BCI Burke Company, LLC instructions. Burke's liability and your exclusive remedy hereunder will be limited to repair or replacement of those parts found in Burke's reasonable judgment to be defective. Any claim made within the above stated warranty periods must be made promptly after discovery of the defect. A part is covered only for the original warranty period of the applicable part. Replacement parts carry the applicable warranty from the date of shipment of the replacement from Burke. After the expiration of the warranty period, you must pay for all parts, transportation and service charges.

Burke reserves the right to accept or reject any claim in whole or in part. Burke will not accept the return of any product without its prior written approval. Burke will assume transportation charges for shipment of the returned product if it is returned in strict compliance with Burke's written instructions.

THE FOREGOING WARRANTIES ARE EXCLUSIVE AND IN LIEU OF ANY OTHER WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTY OR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. IF THE FOREGOING DISCLAIMER OF ADDITIONAL WARRANTIES IS NOT GIVEN FULL FORCE AND EFFECT, ANY RESULTING ADDITIONAL WARRANTY SHALL BE LIMITED IN DURATION TO THE EXPRESS WARRANTIES AND BE OTHERWISE SUBJECT TO AND LIMITED BY THE TERMS OF BURKE'S PRODUCT WARRANTY. SOME STATES DO NOT ALLOW THE EXCLUSION OF CERTAIN IMPLIED WARRANTIES, SO THE ABOVE LIMITATION MAY NOT APPLY TO YOU.

Warranty Exclusions: The above stated warranties do not cover: "cosmetic" defects, such as scratches, dents, marring, or fading; damage due to incorrect installation, vandalism, misuse, accident, wear and tear from normal use, exposure to extreme weather; immersion in salt or chlorine water, unauthorized repair or modification, abnormal use, lack of maintenance, or other cause not within Burke's control; and

Limitation of Remedies: Burke is not liable for consequential or incidental damages, including but not limited to labor costs or lost profits resulting from the use of or inability to use the products or from the products being incorporated in or becoming a component of any other product. If, after a reasonable number of repeated efforts, Burke is unable to repair or replace a defective or nonconforming product, Burke shall have the option to accept return of the product, or part thereof, if such does not substantially impair its value, and return the purchase price as the buyer's entire and exclusive remedy. Without limiting the generality of the foregoing, Burke will not be responsible for labor costs involved in the removal of products or the installation of replacement products. Some states do not allow the exclusion of incidental damages, so the above exclusion may not apply to you.

The environment near a saltwater coast can be extremely corrosive. Some corrosion and/or deterioration is considered "normal wear" in this environment. Product installed within 500 yards of a saltwater shoreline will only be covered for half the period of the standard product warranty, up to a maximum of five years, for defects caused by corrosion. Products installed in direct contact with saltwater or that are subjected to salt spray are not covered by the standard warranty for any defects caused by corrosion.

Contact your local Burke Representative for warranty information regarding Burke Turf® and Burke Tile products.

Terms of Sale

Pricing: Prices published in this catalog are in USD, are approximate and do not include shipping & handling, surfacing, installation nor applicable taxes. All prices are subject to change without notice. Contact your Burke representative for current pricing. Payments are to be made in USD.

Weights: Weights are approximate and may vary with actual orders.

Installation: All equipment is shipped unassembled. For a list of factory-certified installers in your area, please contact your Burke representative.

Specifications: Product specifications in this catalog were correct at the time of publication. However, product improvements are ongoing at Burke, and we reserve the right to change or discontinue specifications without notice.

Loss or Damage in Transit: A signed bill of lading is our receipt from a carrier that our shipment to you was complete and in good condition upon arrival. Before you sign, please check the Bill of Lading carefully when the shipment arrives to make sure nothing is missing and there are no damages. Once the shipment leaves our plant, we are no longer responsible for any damage, loss or shortage.

For more information regarding the warranty, call Customer Service at 920-921-9220 or 1-800-356-2070.

01/2021



Buell Recreation

7327 Barnes Road #601 | Portland, OR 97725 | 503-922-1650

Proposal 907-175986-6 | 2/15/2024

OUR MISSION IS TO BRING
PLAY THAT MOVES YOU®
TO COMMUNITIES AROUND
THE WORLD

DESIGN SUMMARY

Buell Recreation is very pleased to present this Proposal for consideration for the Frog Pond Park located in Wilsonville. BCI Burke Company, LLC has been providing recreational playground equipment for over 100 years and has developed the right mix of world-class capabilities to meet the initial and continuing needs of City of Wilsonville. We believe our proposal will meet or exceed your project's requirements and will deliver the greatest value to you.

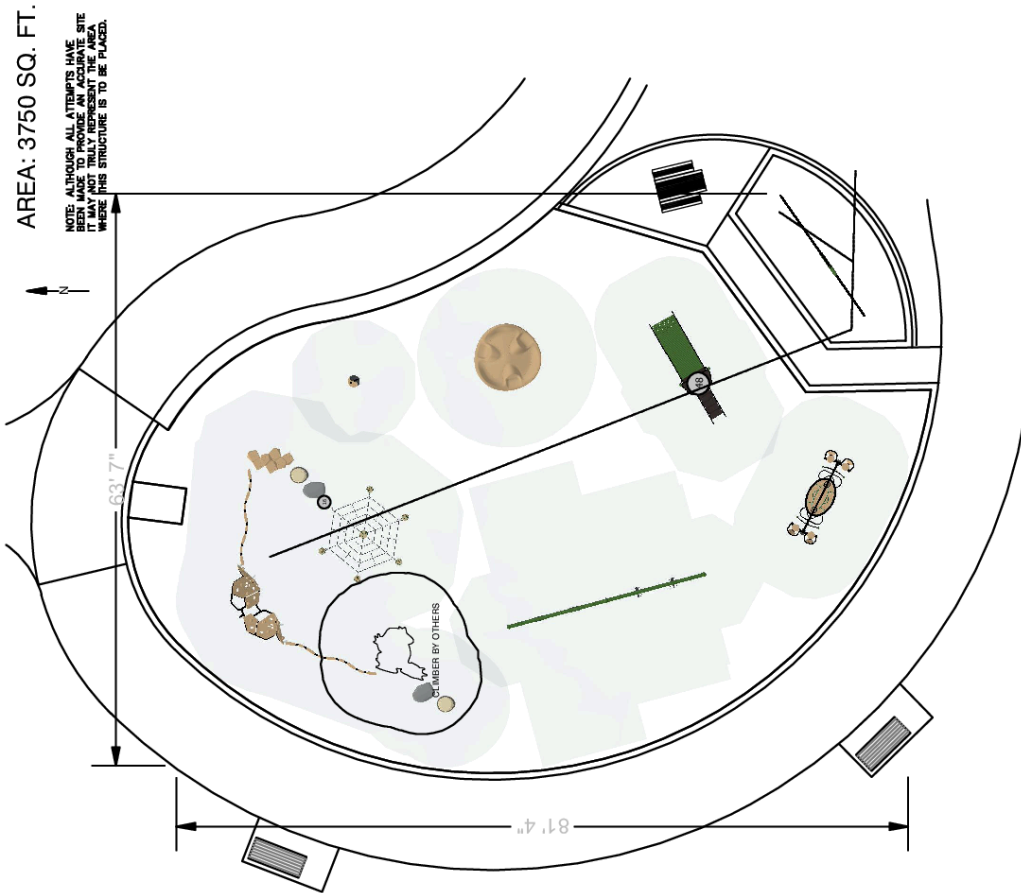
The following is a summary of some of the key elements of our Proposal:

- Project Name: Frog Pond Park
- Project Number: 907-175986-6
- User Capacity: 66
- Age Groups: 2 to 5
- Dimensions: 56' 8"x81' 3"
- Designer Name: Pa Der Vang

Buell Recreation has developed a custom playground configuration based on the requirements as they have been presented for the Frog Pond Park playground project. Our custom design will provide a safe and affordable playground environment that is aesthetically pleasing, full of fun for all users and uniquely satisfies your specific requirements. In addition, proposal # 907-175986-6 has been designed with a focus on safety, and is fully compliant with ASTM F1487 and CPSC playground safety standards.

We invite you to review this proposal for the Frog Pond Park playground project and to contact us with any questions that you may have.

Thank you in advance for giving us the opportunity to make this project a success.



AREA: 3750 SQ. FT.

NOTE: ALTHOUGH ALL ATTEMPTS HAVE BEEN MADE TO PROVIDE AN ACCURATE SITE IT MAY NOT TRULY REPRESENT THE AREA WHERE THIS STRUCTURE IS TO BE PLACED.

PLAYGROUND ACCESSIBILITY (Provided/Required)

TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE EVENTS	RAMP ACCESSIBLE EVENTS	GROUND EVENTS	TYPES OF GROUND EVENTS
17	1 / 1	0 / 0	18 / 0	8 / 0

OVERALL BOUNDING OF USE ZONES
 Area: 5168.1 sq.ft.
 Perimeter: 289.7 ft.
STRUCTURE SIZE: 4" x 63' 7"
POST SIZE(S): 5, 5"

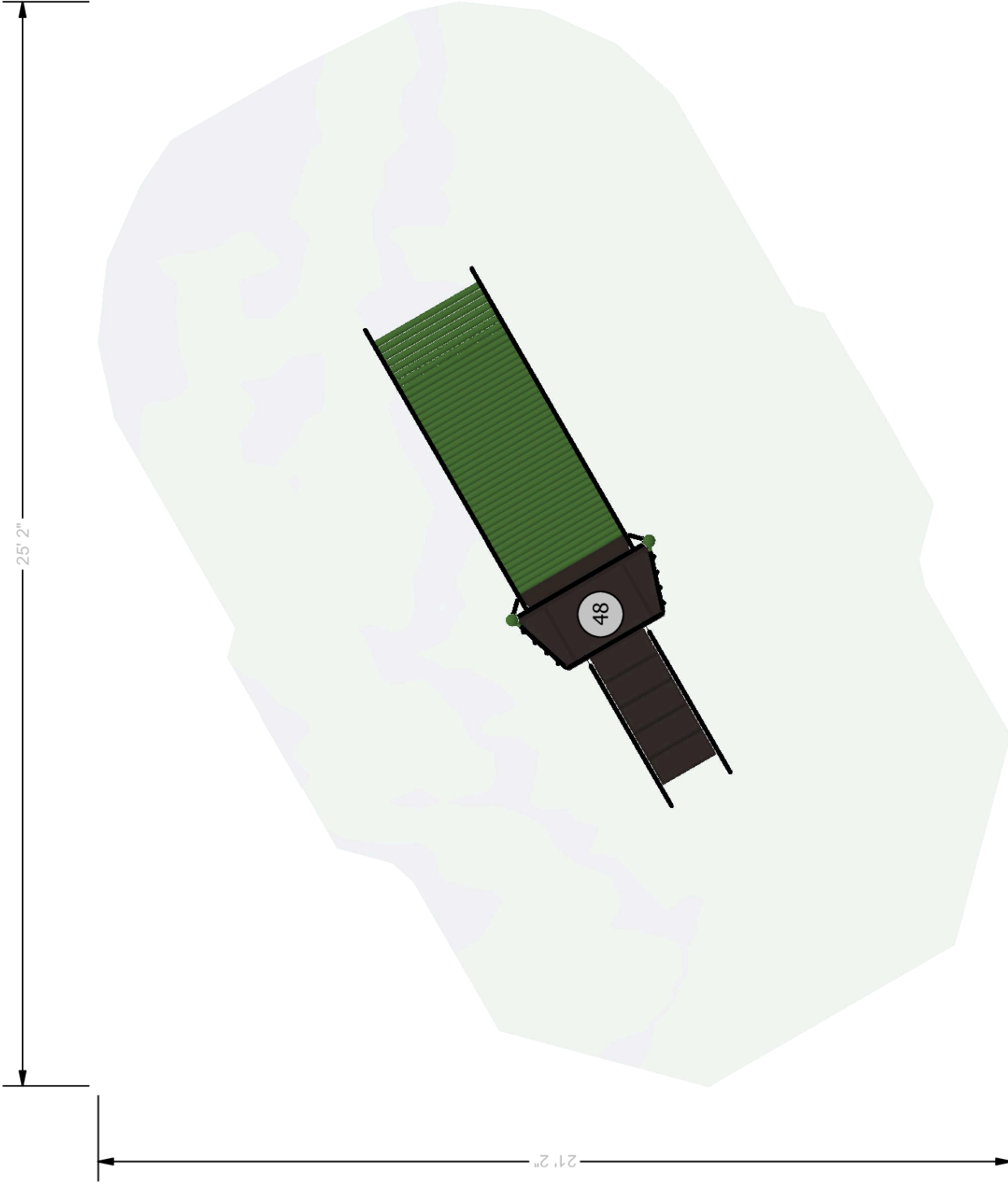
***The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Synergy Burke Basics Intensity Nucleus	Frog Pond Park Wilsonville, OR 97070	SITE PLAN VIEW 02/15/2024
GROUP: SY-3318 Climbers BB-3292 Freestanding		Buell Recreation 907-175986-6
DESIGNED FOR AGES: 2 to 5		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCI BURKE.COM		



The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

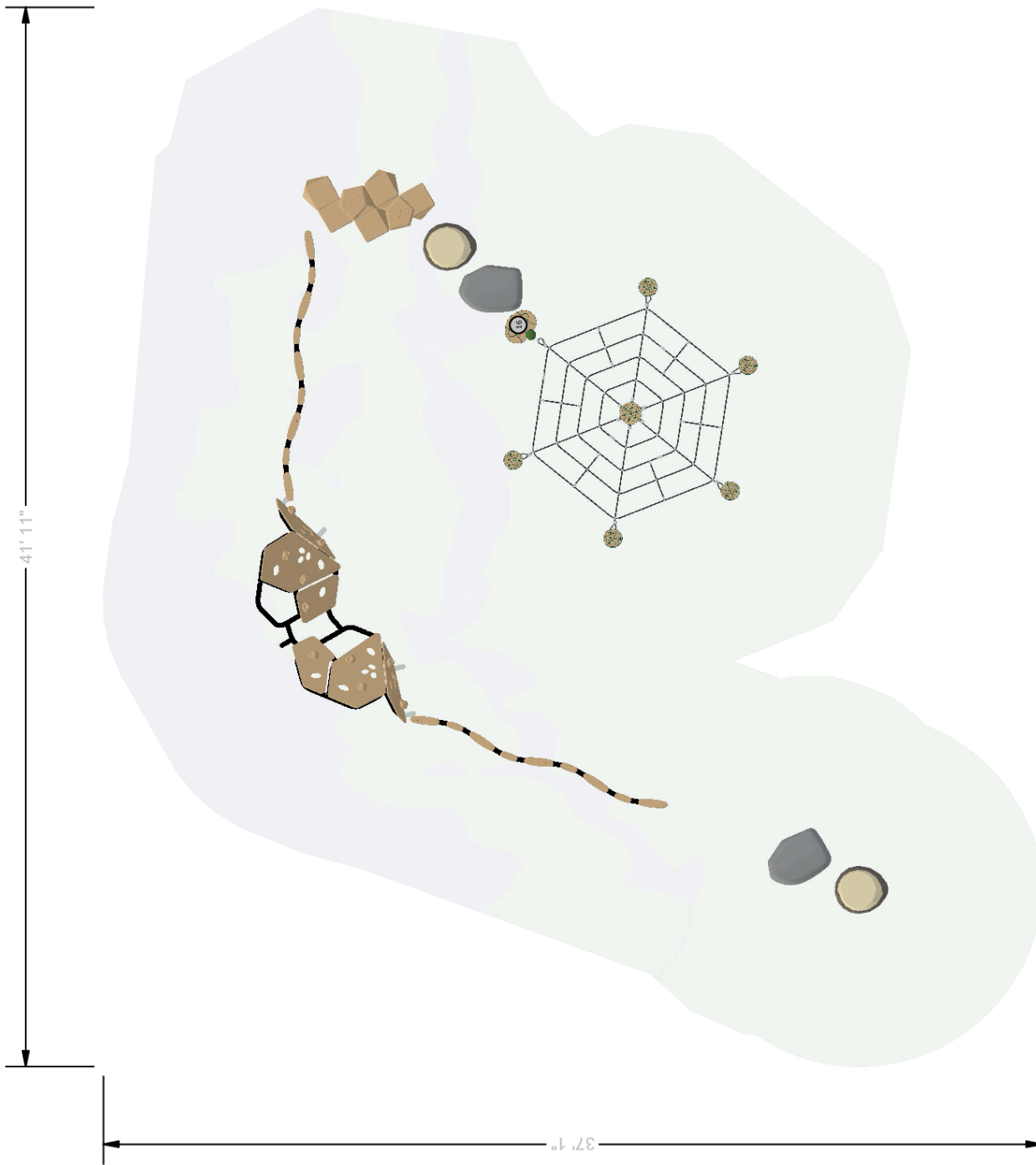
PLAYGROUND ACCESSIBILITY (Provided/Required)			
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE EVENTS	RAMP ACCESSIBLE EVENTS	TYPES OF GROUND EVENTS
17	1 / 1	0 / 0	18 / 0
			8 / 0

OVERALL BOUNDING OF USE ZONES **The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Area: 5168.1 sq.ft.
 Perimeter: 289.7 ft.
STRUCTURE SIZE: 4" x 63' 7"
POST SIZE(S): 5, 5"

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Synergy	Frog Pond Park Wilsonville, OR 97070	SITE PLAN VIEW 02/15/2024
GROUP: SY-3318	Burke PLAY THAT MOVES YOU.	Buell Recreation 907-175986-6
DESIGNED FOR AGES: 2 to 5		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		



The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

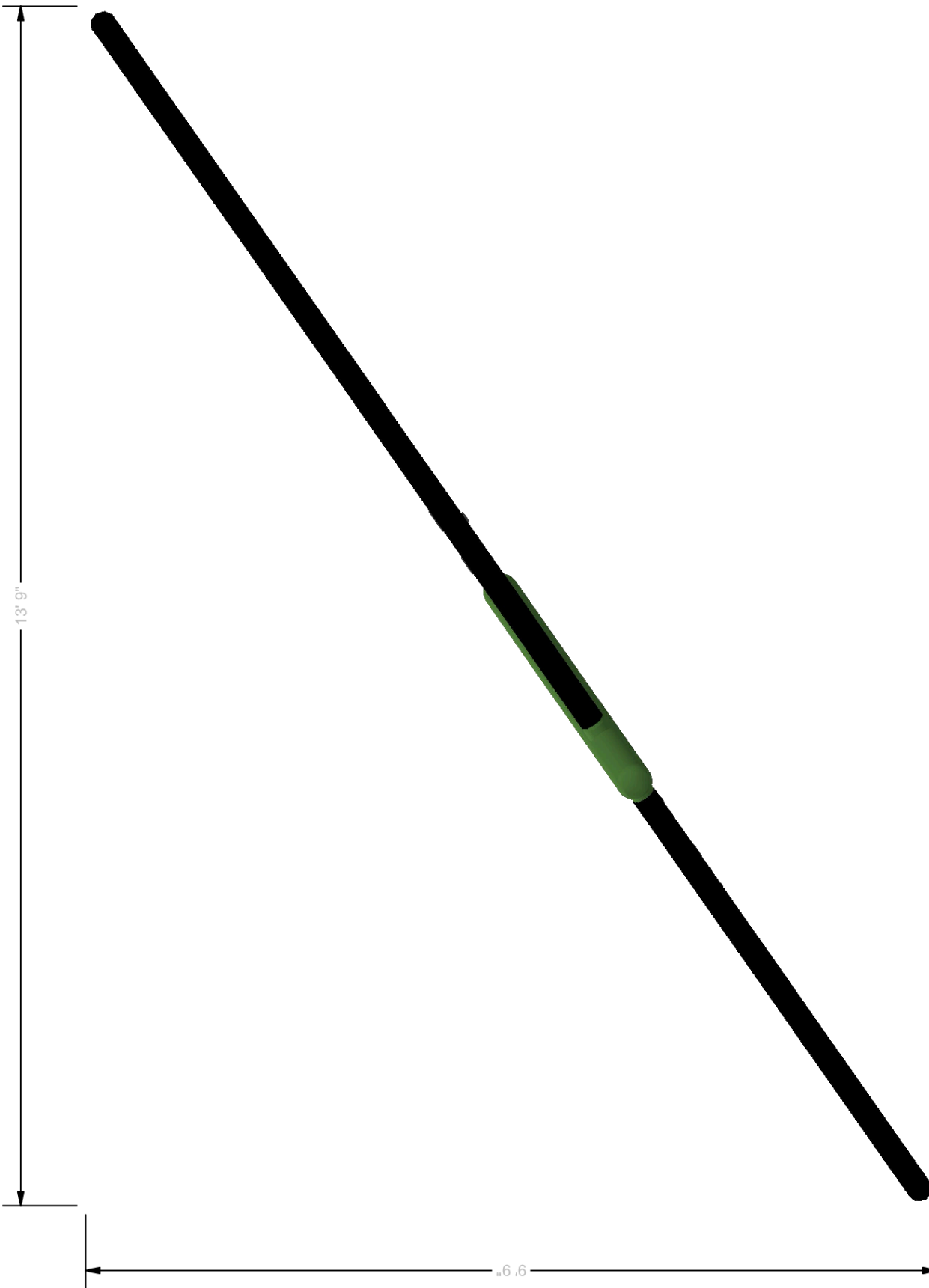
PLAYGROUND ACCESSIBILITY (Provided/Required)				
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE ELEMENTS	RAMP ACCESSIBLE ELEMENTS	GROUND EVENTS	TYPES OF GROUND EVENTS
17	1 / 1	0 / 0	18 / 0	8 / 0

OVERALL BOUNDING OF USE ZONES **The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Area: 5168.1 sq.ft.
 Perimeter: 289.7 ft.
STRUCTURE SIZE: 4" x 63' 7"
POST SIZE(S): 5, 5"

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Burke Basics Intensity Nucleus		SITE PLAN VIEW	
GROUP: Climbers	Frog Pond Park Wilsonville, OR 97070		02/15/2024
DESIGNED FOR AGES: 2 to 5			Buell Recreation 907-175986-6 Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM			



The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

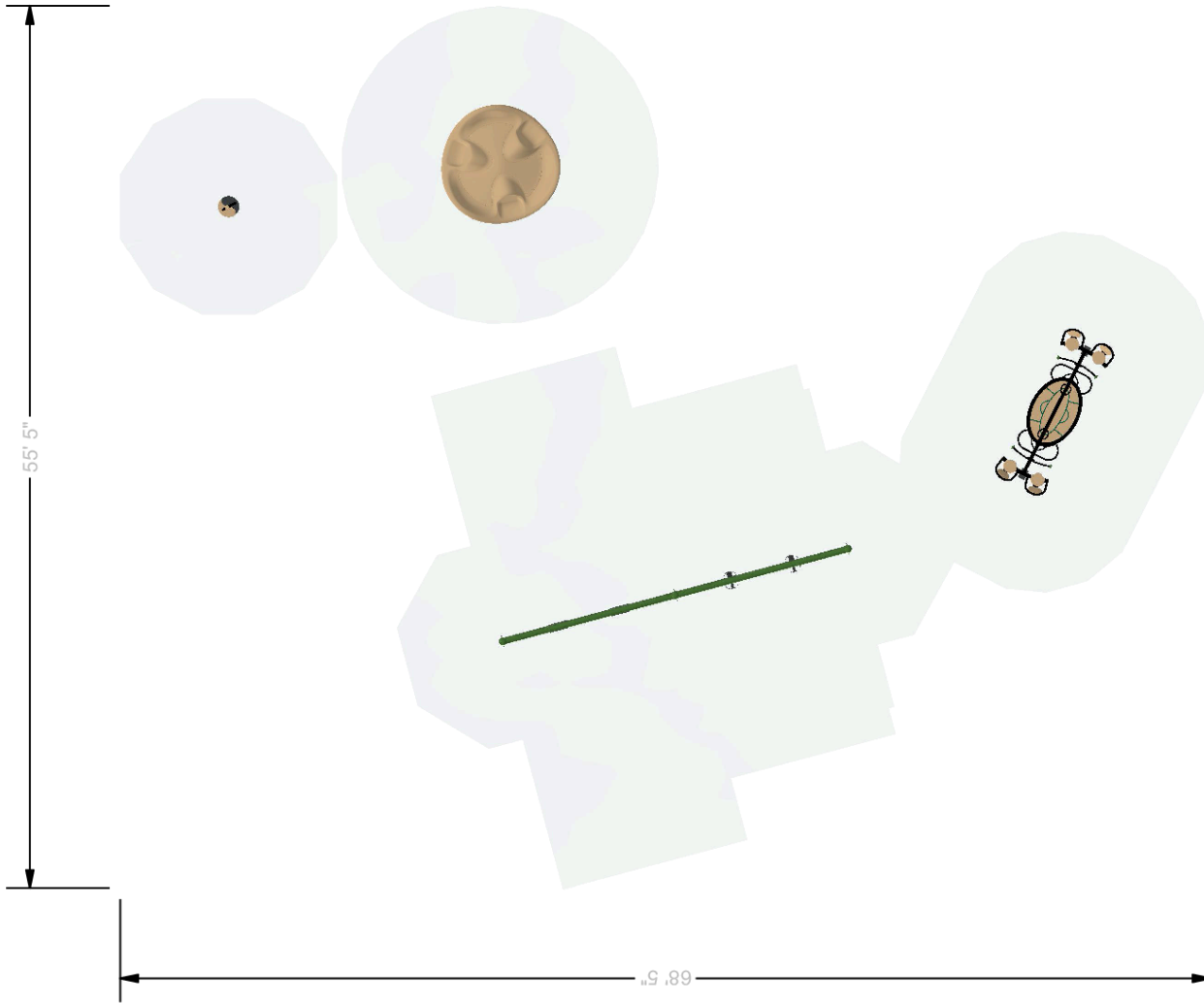
PLAYGROUND ACCESSIBILITY (Provided/Required)				
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE EVENTS	RAMP ACCESSIBLE EVENTS	GROUND EVENTS	TYPES OF GROUND EVENTS
17	1 / 1	0 / 0	18 / 0	8 / 0

OVERALL BOUNDING OF USE ZONES
 Area: 5168.1 sq.ft.
 Perimeter: 289.7 ft.
STRUCTURE SIZE: 4" x 63' 7"
POST SIZE(S): 5, 5"

**The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Burke Basics	SITE PLAN VIEW
GROUP: BB-3292	Frog Pond Park Wilsonville, OR 97070
DESIGNED FOR AGES: 2 to 5	Buell Recreation 907-175986-6
	02/15/2024
	Designer: Pa Der Vang



The use and layout of play components identified in this plan conform to the CPSC guidelines. U.S. CPSC recommends the separation of age groups in playground layouts.

Item 5.

PLAYGROUND ACCESSIBILITY (Provided/Required)			
TOTAL ELEVATED EVENTS	TRANSFER ACCESSIBLE EVENTS	RAMP ACCESSIBLE EVENTS	TYPES OF GROUND EVENTS
17	1 / 1	0 / 0	18 / 0
		0 / 0	8 / 0

OVERALL BOUNDING OF USE ZONES **The space requirements shown here are to ASTM standards. Requirements for other standards may be different.

Area: 5168.1 sq.ft.
 Perimeter: 289.7 ft.
STRUCTURE SIZE: 4" x 63' 7"
POST SIZE(S): 5, 5"

Warning: Accessible safety surfacing material is required beneath and around this equipment that is compliant with ASTM, CPSC, and ADAAG requirements.

SERIES Burke Basics

SITE PLAN VIEW

GROUP:
Freestanding

Frog Pond Park
Wilsonville, OR 97070

02/15/2024

DESIGNED FOR AGES:
2 to 5

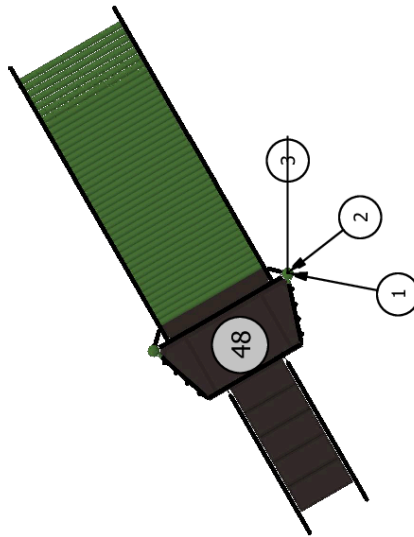


Buell Recreation
907-175986-6

Designer: Pa Der Vang

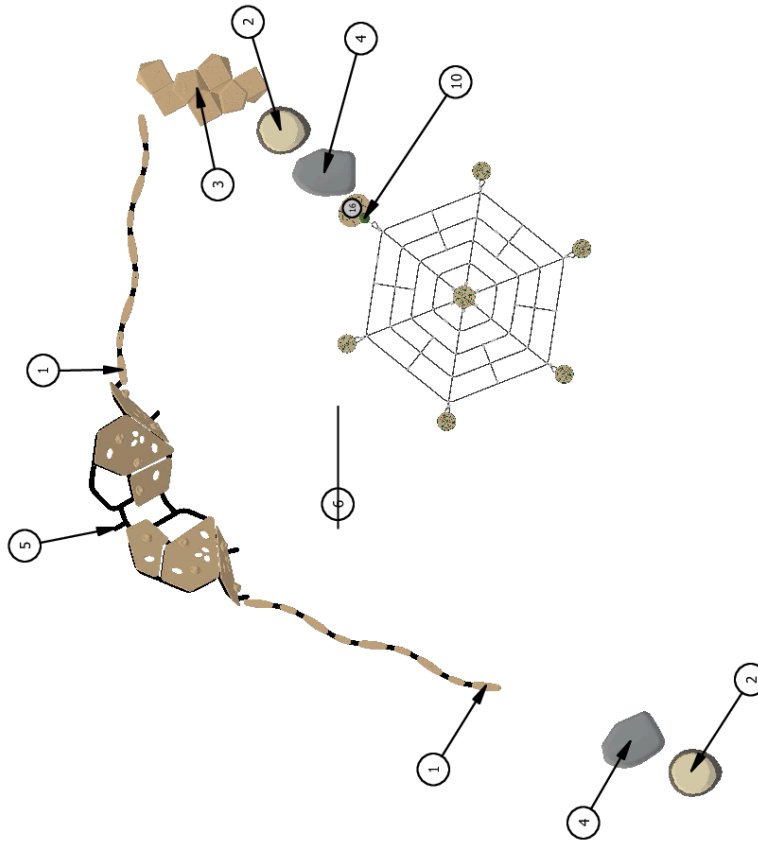
ITEM	COMP.	DESCRIPTION
1	230-0216	SLIDE PLATFORM & STAIR 48"
2	490-0140	ROLLER SLIDE 48"-56"
3	490-0138	DOUBLE SLIDE SIT DOWN BAR

Item 5.



SERIES Synergy	COMPONENT VIEW	
GROUP: SY-3318	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		Designer: Pa Der Vang
		300

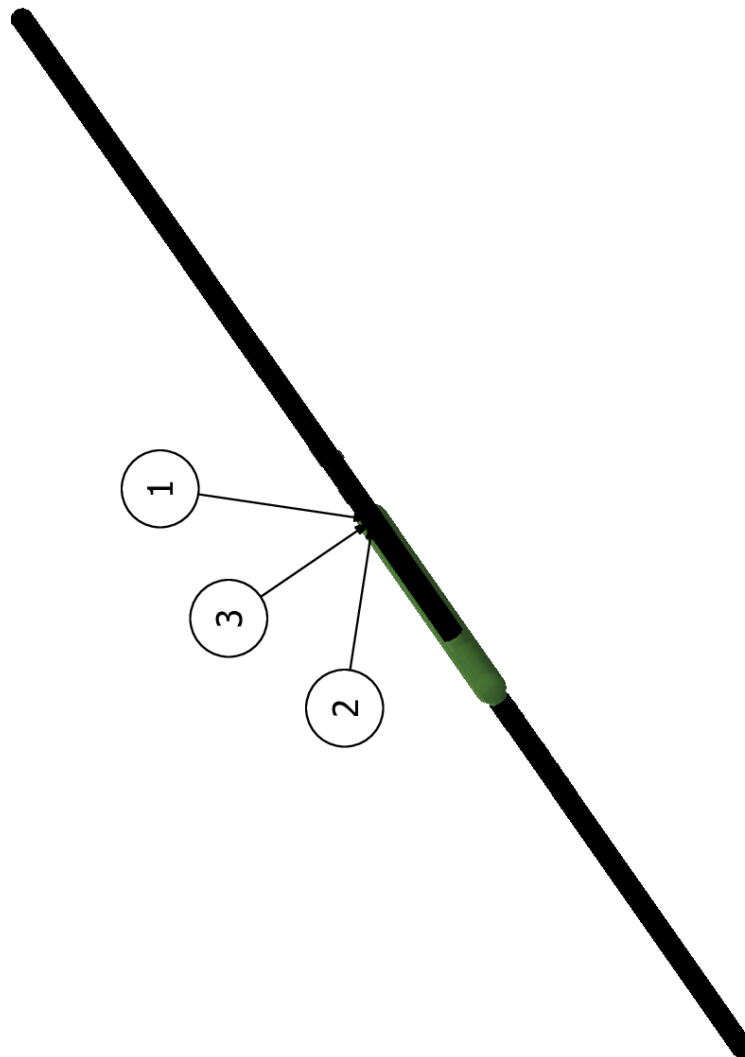
ITEM	COMP.	DESCRIPTION
1	370-1604	BALANCE CHALLENGE
2	560-0553	NATURE PLAY STUMP - SMALL
3	560-2709	EKO BUNDLE
4	560-2614	NATURE PLAY ROCK, SMALL
5	560-0062	FORMIS FREE 2-12
6	370-0814	WOBBLY WEB NET
7	670-0413	WOBBLY WEB POST, SHORT
8	670-0412	WOBBLY WEB POST, MED
9	670-0411	WOBBLY WEB POST, TALL
10	370-1608	OVISTEP LAUNCH PAD



SERIES Burke Basics Intensity Nucleus		COMPONENT VIEW
GROUP: Climbers	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		Designer: Pa Der Vang
		301

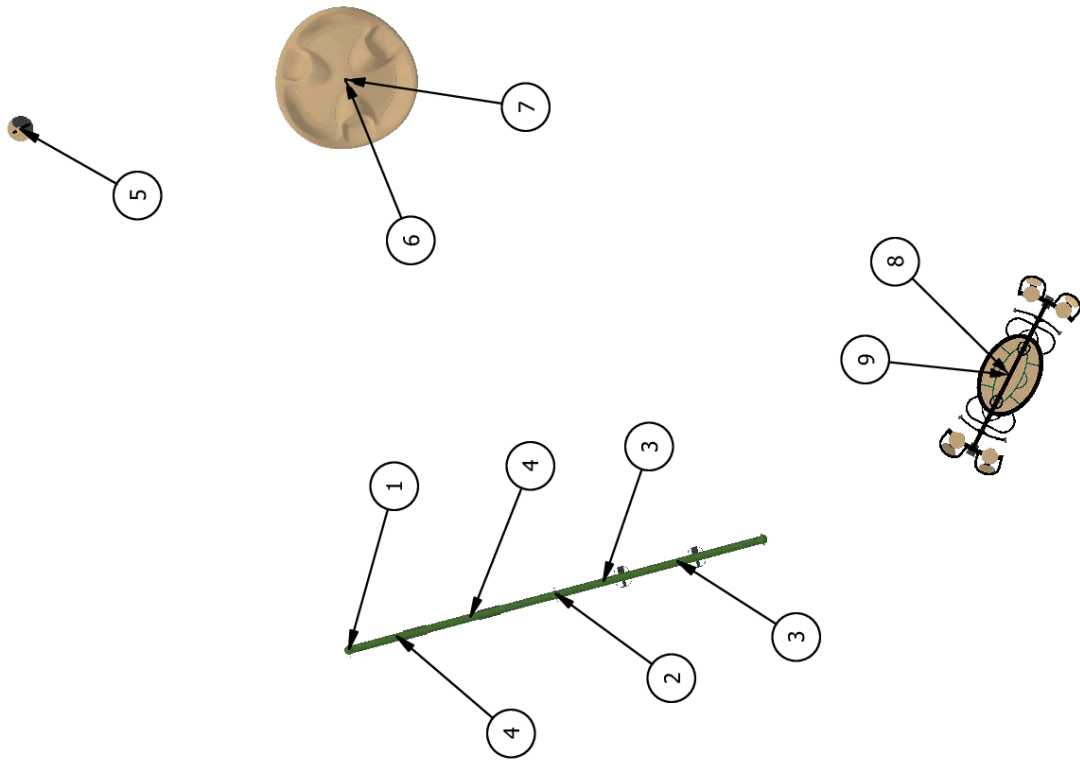
ITEM	COMP.	DESCRIPTION
1	560-1703	STEMPLAY SHORT ACTIVITY FRAME
2	560-2688	STEMPLAY CLASSIC GAMES
3	560-2689	STEMPLAY GRAVITY

Item 5.

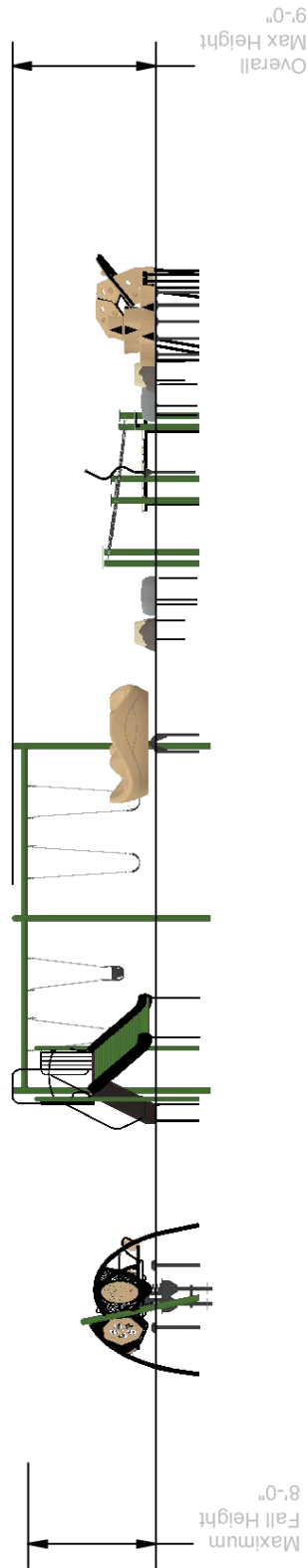


SERIES Burke Basics	COMPONENT VIEW	
GROUP: BB-3292	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6 Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		
		302

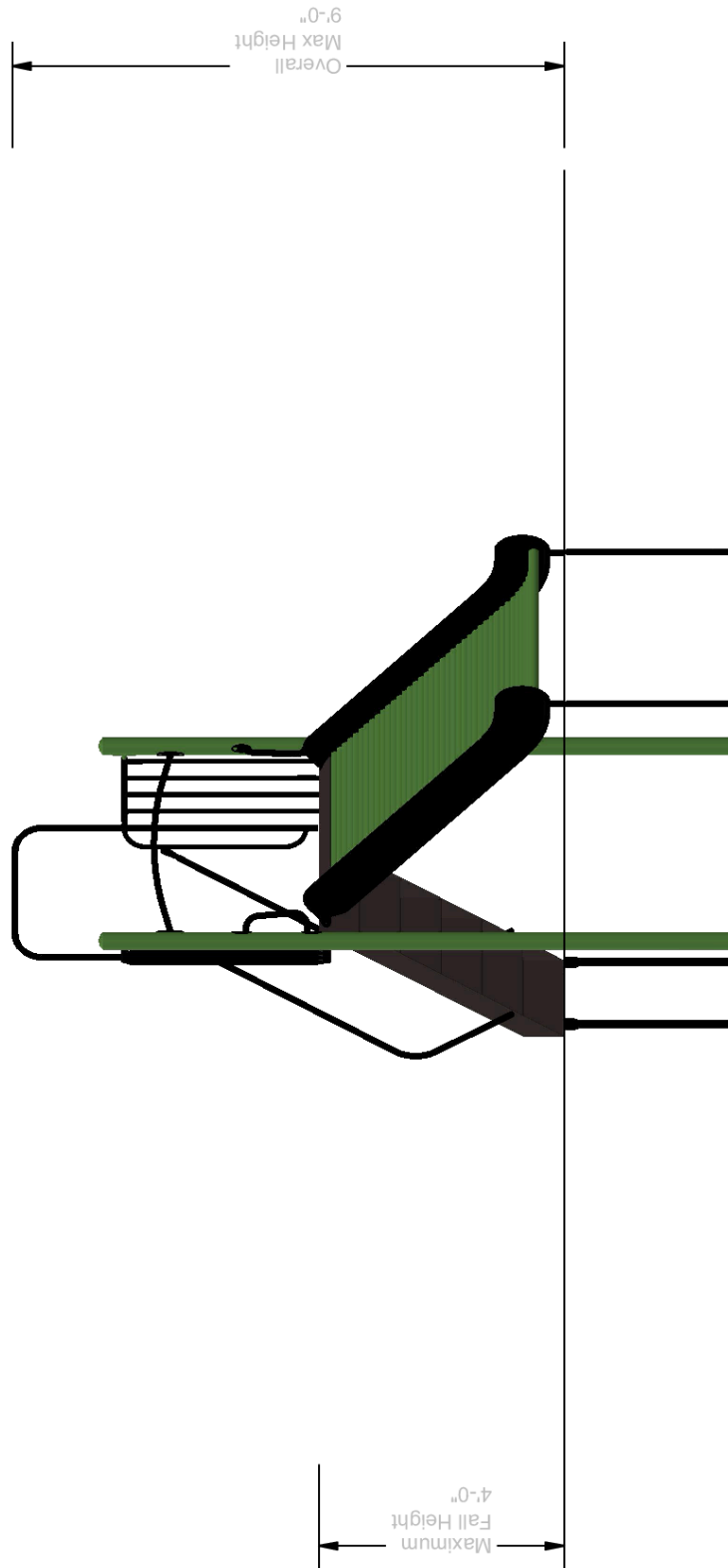
ITEM	COMP.	DESCRIPTION
1	550-0201	SINGLE POST SWING ASSEMBLY 5" OD
2	550-0202	SINGLE POST SWING ADD-ON 5" OD
3	550-0099	TOT SEAT, 7' & 8' SINGLE, STD CHAIN
4	550-0111	BELT SEAT, 8' SINGLE, STD CHAIN
5	560-0457	SWIFT TWIST SPINNER
6	560-2579	VOLTA INCLUSIVE SPINNER
7	560-2765	VOLTA SPINNER FOOTER
8	570-2745	ORB ROCKER
9	570-2727	ORB ROCKER FOOTER



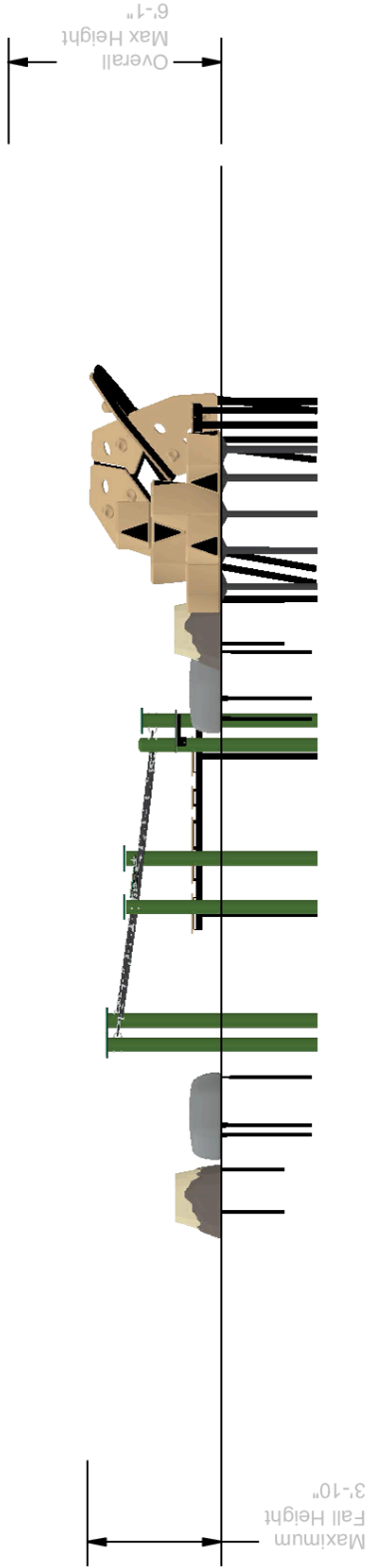
SERIES Burke Basics	COMPONENT VIEW	
GROUP: Freestanding	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		
		303



SERIES Synergy Burke Basics Intensity Nucleus		ELEVATION VIEW
GROUP: SY-3318 Climbers BB-3292 Freestanding	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		Designer: Pa Der Vang
		304



SERIES Synergy		ELEVATION VIEW
GROUP: SY-3318	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		
		305



SERIES Burke Basics | Intensity | Nucleus **ELEVATION VIEW**

GROUP:
Climbers

DESIGNED FOR AGES:
2 to 5

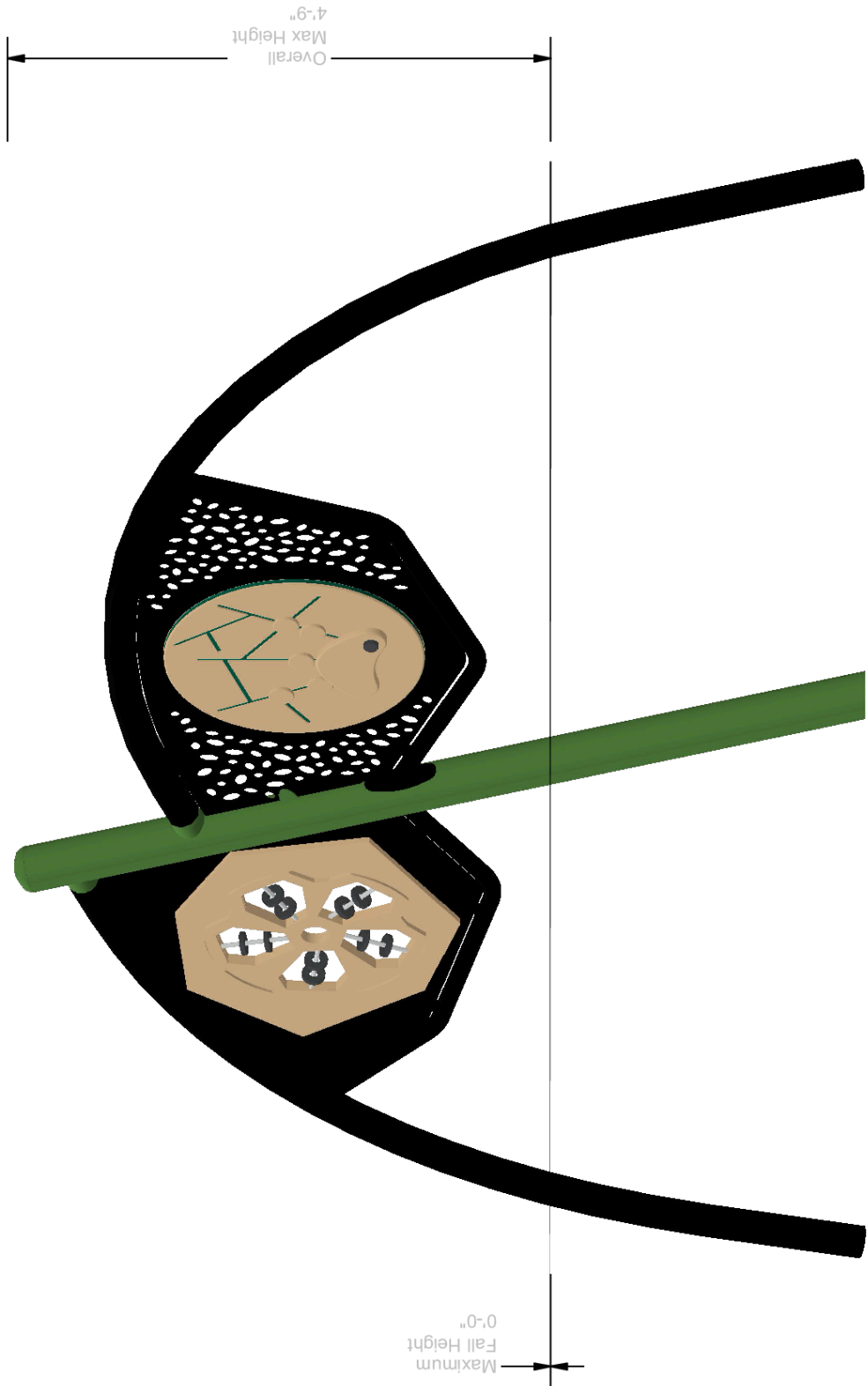
Frog Pond Park
Wilsonville, OR 97070

Burke
PLAY THAT MOVES YOU

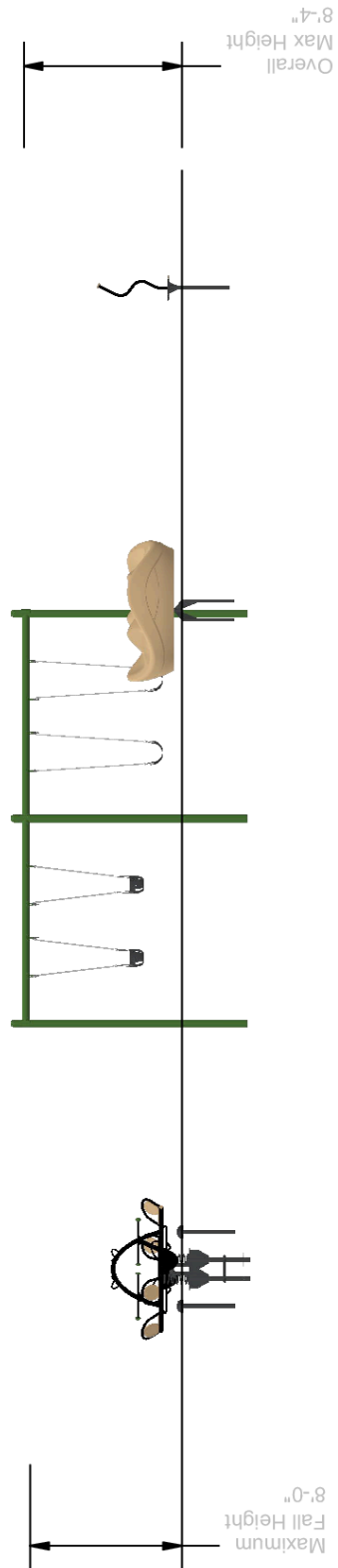
02/15/2024

Buell Recreation
907-175986-6

Designer: Pa Der Vang



SERIES	Burke Basics	ELEVATION VIEW
GROUP: BB-3292	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5		Buell Recreation 907-175986-6
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		307



SERIES Burke Basics **ELEVATION VIEW**

GROUP:
Freestanding

DESIGNED FOR AGES:
2 to 5

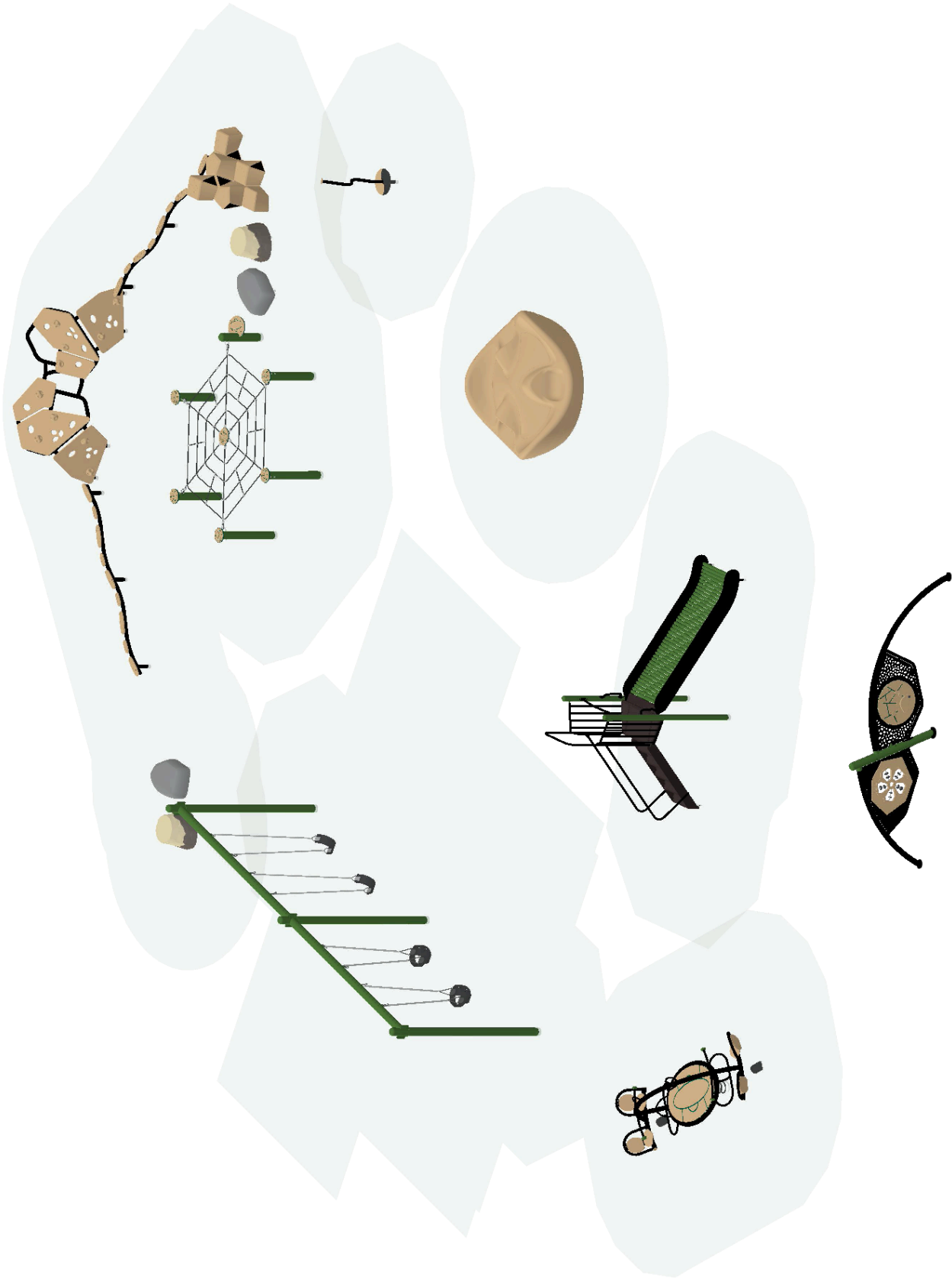
Frog Pond Park
Wilsonville, OR 97070

Burke
PLAY THAT MOVES YOU

02/15/2024

Buell Recreation
907-175986-6

Designer: Pa Der Vang



SERIES Synergy | Burke Basics | Intensity | Nucleus **ISOMETRIC VIEW**

GROUP:
SY-3318|Climbers|BB-3292|Freestanding

Frog Pond Park
Wilsonville, OR 97070

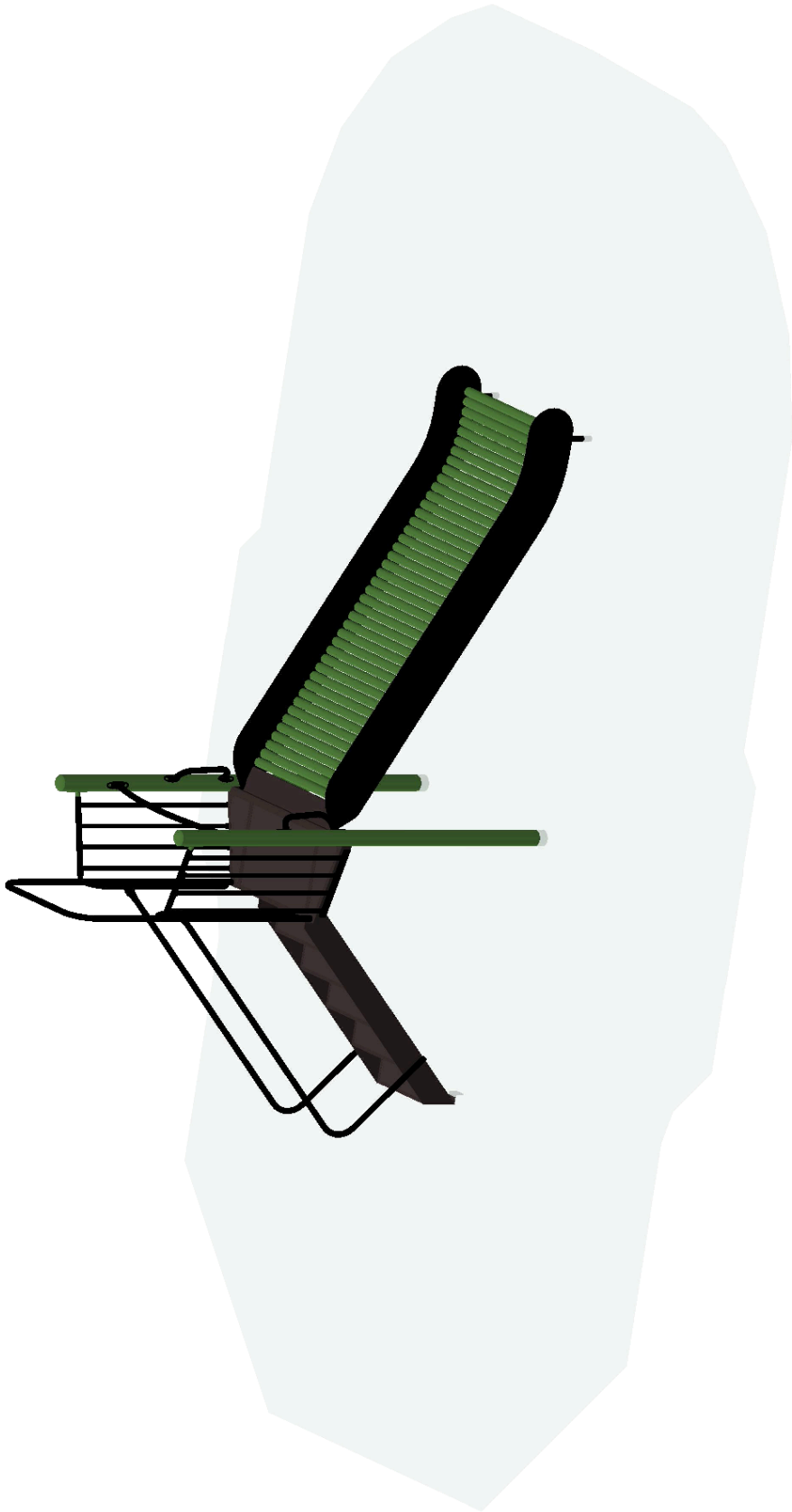
02/15/2024

DESIGNED FOR AGES:
2 to 5

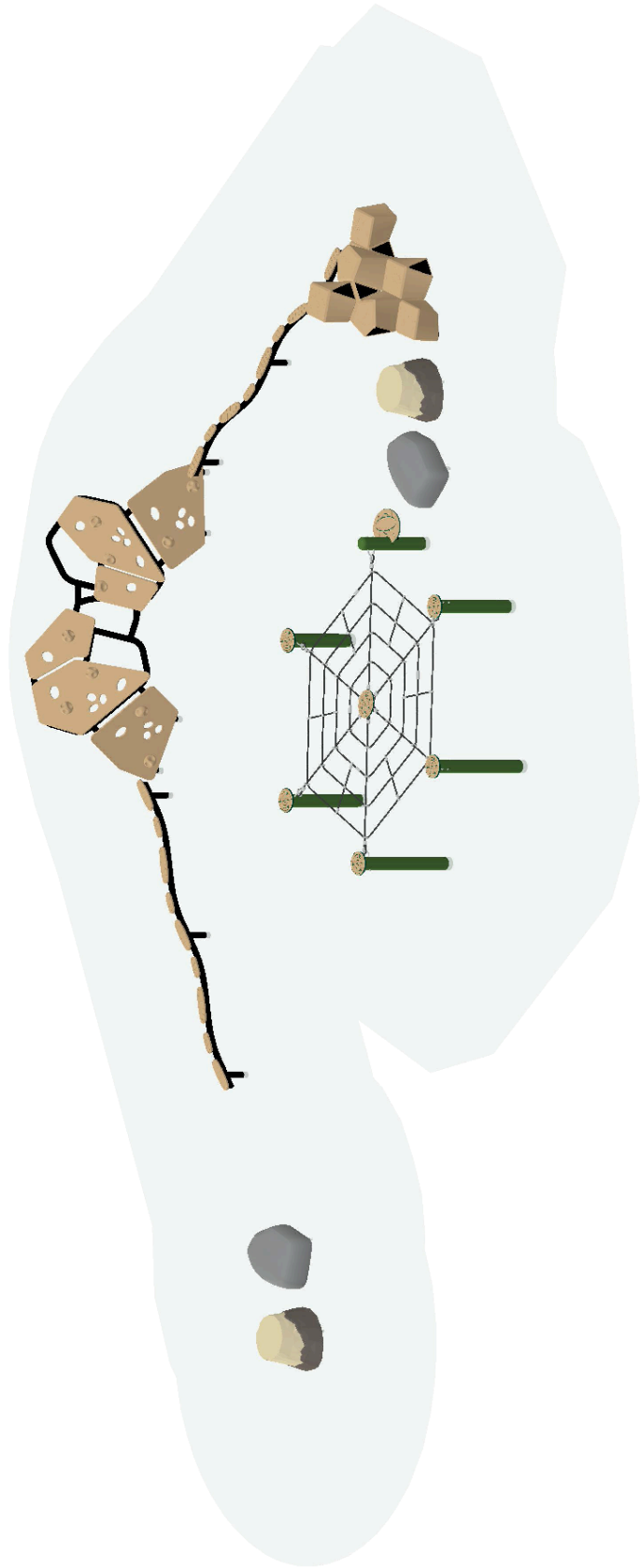


Buell Recreation
907-175986-6

Designer: Pa Der Vang



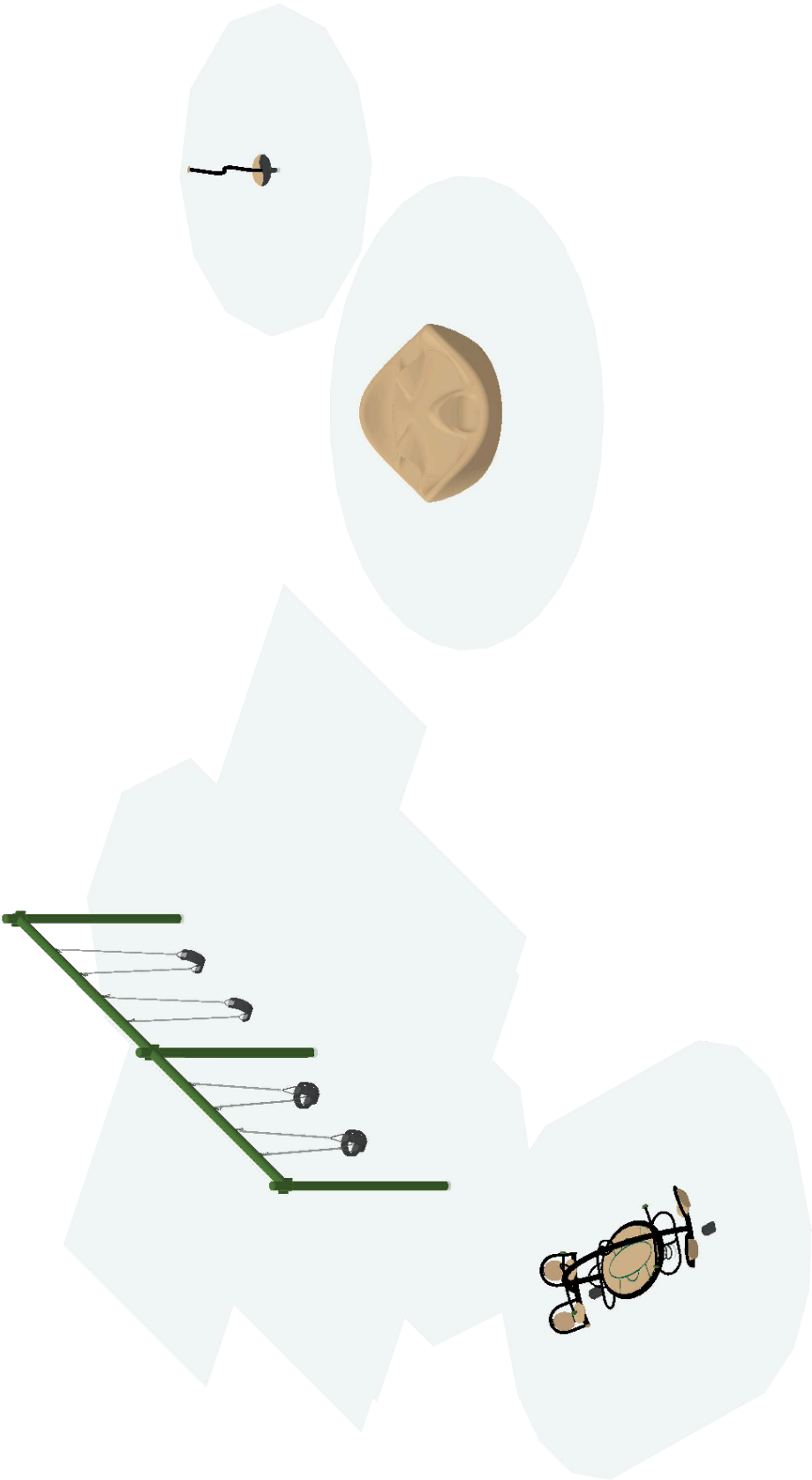
SERIES Synergy		ISOMETRIC VIEW
GROUP: SY-3318	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		
		310



SERIES Burke Basics Intensity Nucleus	ISOMETRIC VIEW
GROUP: Climbers	02/15/2024
DESIGNED FOR AGES: 2 to 5	Buell Recreation 907-175986-6
Frog Pond Park Wilsonville, OR 97070	Designer: Pa Der Vang
Burke PLAY THAT MOVES YOU	
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM	



SERIES Burke Basics		ISOMETRIC VIEW
GROUP: BB-3292	Frog Pond Park Wilsonville, OR 97070	02/15/2024
DESIGNED FOR AGES: 2 to 5	Burke PLAY THAT MOVES YOU	Buell Recreation 907-175986-6
		Designer: Pa Der Vang
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM		
		312



SERIES Burke Basics	ISOMETRIC VIEW
GROUP: Freestanding	02/15/2024
DESIGNED FOR AGES: 2 to 5	Buell Recreation 907-175986-6
Frog Pond Park Wilsonville, OR 97070	Designer: Pa Der Vang
Burke PLAY THAT MOVES YOU	
BCI BURKE COMPANY, LLC PO BOX 549 FOND DU LAC, WI 54936-0549 920.921.9220 BCIBURKE.COM	
313	

Proposal 907-175986-6 | 2/15/2024 | 2024 Pricing

The play components identified in this proposal are IPEMA certified. The use and layout of these components conform to the requirements of ASTM F1487. To verify product certification, visit www.ipema.org.



The space requirements shown in this proposal are to ASTM standards. Requirements for other standards may be different.

Component No.	Description	Qty	User Cap	Ext. User Cap	Weight	Ext. Weight
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SY-3318

Synergy

072-0300-123C	3 1/2" OD X 123" CAPPED POST	2	0	0	45	90
230-0216	SLIDE PLATFORM & STAIR 48"	1	6	6	221	221
490-0138	DOUBLE SLIDE SIT DOWN BAR	1	0	0	6	6
490-0140	ROLLER SLIDE 48"-56"	1	4	4	704	704
600-0104	NPPS SUPERVISION SAFETY KIT	1	0	0	3	3
660-0103	MAINTENANCE KIT, STRUCTURE	1	0	0	7	7
660-0104	INSTALLATION KIT, STRUCTURE	1	0	0	5	5

BB-3292

Burke Basics

560-1703	STEMPLAY SHORT ACTIVITY FRAME	1	0	0	176	176
560-2688	STEMPLAY CLASSIC GAMES	1	2	2	70	70
560-2689	STEMPLAY GRAVITY	1	2	2	63	63
660-0101	INSTALL KIT, BURKE BASICS - P...	1	0	0	2	2

Freestanding

Burke Basics

550-0099	TOT SEAT, 7' & 8' SINGLE, STD...	2	1	2	12	24
550-0111	BELT SEAT, 8' SINGLE, STD CHAIN	2	1	2	10	20
550-0201	SINGLE POST SWING ASSEMBLY 5" OD	1	0	0	220	220
550-0202	SINGLE POST SWING ADD-ON 5" OD	1	0	0	145	145
560-0457	SWIFT TWIST SPINNER	1	1	1	52	52
560-2579	VOLTA INCLUSIVE SPINNER	1	9	9	475	475
560-2765	VOLTA SPINNER FOOTER	1	0	0	69	69
570-2727	ORB ROCKER FOOTER	1	0	0	93	93
570-2745	ORB ROCKER	1	8	8	540.9	540.9
660-0101	INSTALL KIT, BURKE BASICS - P...	1	0	0	2	2

Climbers

Burke Basics

370-1604	BALANCE CHALLENGE	2	2	4	76	152
560-0062	FORMIS FREE 2-12	1	5	5	313	313
560-0553	NATURE PLAY STUMP - SMALL	2	1	2	66	132
560-2614	NATURE PLAY ROCK, SMALL	2	1	2	95	190
560-2709	EKO BUNDLE	1	6	6	148	148

Climbers

Intensity

370-0814	WOBBLY WEB NET	1	10	10	36	36
370-1608	OVISTEP LAUNCH PAD	1	1	1	10	10
670-0411	WOBBLY WEB POST, TALL	2	0	0	59	118
670-0412	WOBBLY WEB POST, MED	2	0	0	55	110
670-0413	WOBBLY WEB POST, SHORT	1	0	0	50	50

Climbers

Nucleus

072-0500-60C	5" OD X 60" CAPPED POST	1	0	0	32	32
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Special Notes:

Prices do not include freight, unloading, material storage, site excavation/preparation, removal of existing equipment, removal of excess soil from footing holes, site security, safety surfacing, installation, or sales tax (if applicable). Prices are based on standard colors per CURRENT YEAR BCI Burke Catalog. Custom colors, where available, would be an extra charge. **Pricing is valid for 30 days from the date of this proposal.**

COLOR SELECTION LIST | Default Color Option

GROUP 1 (SY-3318)

Acc: Black
Post: Olive
Deck: Brown

GROUP 2 (Climbers)

Flat: Tan
Acc: Black
Plastic: Tan
Panel: Tan-Green-Tan
Post: Olive

GROUP 3 (Freestanding)

Post: Olive
Flat: Tan
Acc: Black
Plastic: Tan
Panel: Tan-Green-Tan

GROUP 4 (BB-3292)

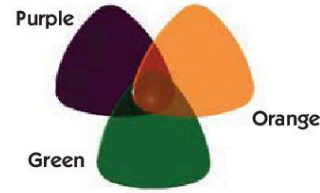
Post: Olive
Acc: Black
Flat: Tan
Panel: Tan-Green-Tan

COLORS THAT MOVE YOU

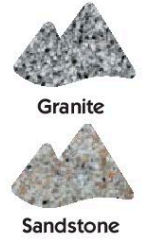
POWDER COAT PAINT



SOLIS HUE TOPPERS



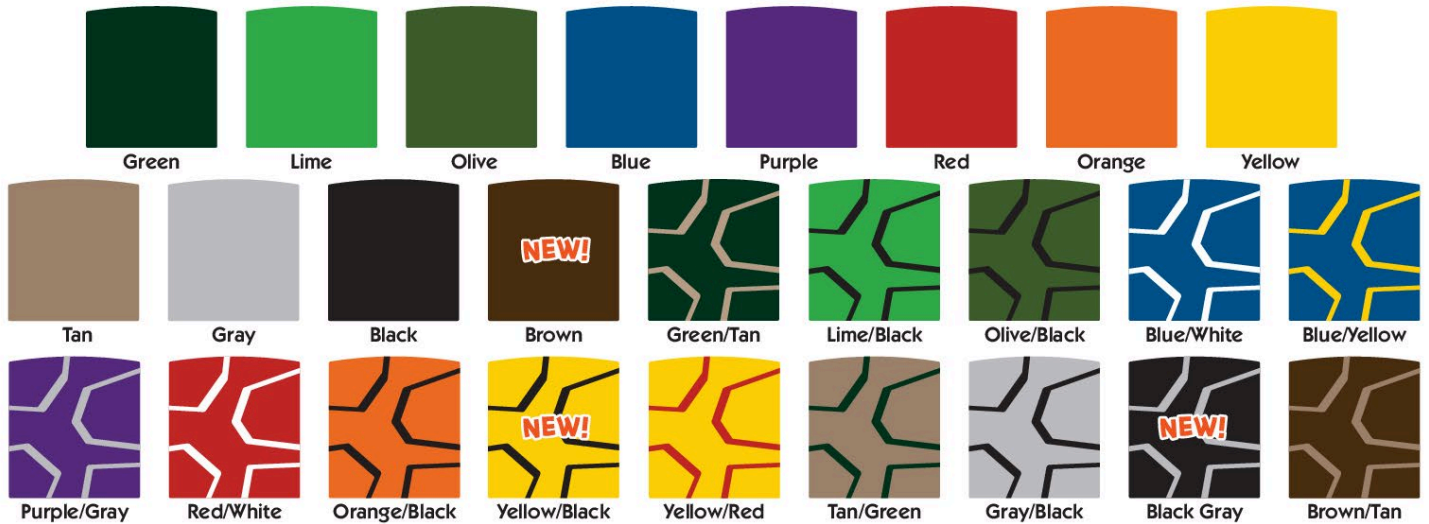
ROCKIT CLIMBERS



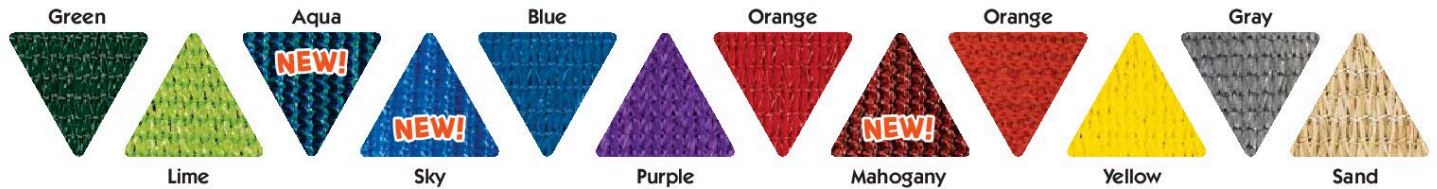
PLATFORMS



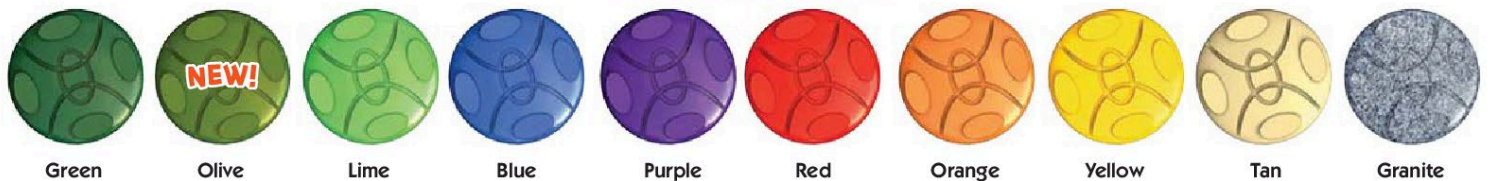
HDPE PLASTIC PANELS



SHADE CANOPIES



ROTOMOLD PLASTIC



VISIT BCIBURKE.COM/COLOR TO CUSTOMIZE YOUR PLAYGROUND COLORS!

BURKE GENERATIONS WARRANTY®

The Longest and Strongest warranty in the industry

BCI Burke Company, LLC ("Burke") warrants that all standard products are warranted to be free from defects in materials and workmanship, under normal use and service, for a period of one (1) year from the date of shipment.

We stand behind our products. In addition, the following products are warranted, under normal use and service from the date of shipment as follows:

- One Hundred (100) Year Limited Warranty on aluminum and steel upright posts (including Intensity®, Synergy™, Nucleus®, Voltage®, Little Buddies®, ELEVATE®, ACTIVATE®, INVIGORATE™) against structural failure due to corrosion, deterioration or workmanship.
- One Hundred (100) Year Limited Warranty on KoreKonnct® clamps against structural failure due to corrosion, deterioration or workmanship.
- One Hundred (100) Year Limited Warranty on Hardware (nuts, bolts, washers)
- One Hundred (100) Year Limited Warranty on bolt-through fastening and clamp systems (Synergy™, Intensity®, Nucleus®, Voltage®, Little Buddies®, ELEVATE®).
- Twenty-Five (25) Year Limited Warranty on spring assemblies and aluminum cast animals.
- Fifteen (15) Year Limited Warranty on structure platforms and decks, metal roofs, table tops, bench tops, railings and barriers against structural failure due to materials or workmanship.
- Fifteen (15) Year Limited Warranty on all plastic components including StoneBorders against structural failure due to materials or workmanship.
- Ten (10) Year Limited Warranty on ShadePlay Canopies fabric, threads, and cables against degradation, cracking or material breakdown resulting from ultra-violet exposure, natural deterioration or manufacturing defects. This warranty is limited to the design loads as stated in the specifications.
- Ten (10) Year Limited Warranty on NaturePlay® Boulders and GFRC products against structural failure due to natural deterioration or workmanship. Natural wear, which may occur with any concrete product with age, is excluded from this warranty
- Ten (10) Year Limited Warranty on Full Color Custom Signage against manufacturing defects that cause delamination or degradation of the sign. Full Color Custom Signs also carry a two (2) year warranty against premature fading of the print and graphics on the signs.
- Five (5) Year Limited Warranty on Intensity® and RopeVenture® cables and LEVEL X® flex bridge against premature wear due to natural deterioration or manufacturing defects. Determination of premature wear will be at the manufacturer's discretion.
- Five (5) Year Limited Warranty on moving parts, including swing components, against structural failure due to materials or workmanship.
- Five (5) Year Limited Warranty on PlayEnsemble® cables and mallets against defects in materials and workmanship.
- Three (3) Year Limited Warranty on electronic panel speakers, sound chips and circuit boards against electronic failure caused by manufacturing defects.

The warranty stated above is valid only if the equipment is erected in conformity with the layout plan and/or installation instructions furnished by BCI Burke Company, LLC using approved parts; have been maintained and inspected in accordance with BCI Burke Company, LLC instructions. Burke's liability and your exclusive remedy hereunder will be limited to repair or replacement of those parts found in Burke's reasonable judgment to be defective. Any claim made within the above stated warranty periods must be made promptly after discovery of the defect. A part is covered only for the original warranty period of the applicable part. Replacement parts carry the applicable warranty from the date of shipment of the replacement from Burke. After the expiration of the warranty period, you must pay for all parts, transportation and service charges.

Burke reserves the right to accept or reject any claim in whole or in part. Burke will not accept the return of any product without its prior written approval. Burke will assume transportation charges for shipment of the returned product if it is returned in strict compliance with Burke's written instructions.

THE FOREGOING WARRANTIES ARE EXCLUSIVE AND IN LIEU OF ANY OTHER WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTY OR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. IF THE FOREGOING DISCLAIMER OF ADDITIONAL WARRANTIES IS NOT GIVEN FULL FORCE AND EFFECT, ANY RESULTING ADDITIONAL WARRANTY SHALL BE LIMITED IN DURATION TO THE EXPRESS WARRANTIES AND BE OTHERWISE SUBJECT TO AND LIMITED BY THE TERMS OF BURKE'S PRODUCT WARRANTY. SOME STATES DO NOT ALLOW THE EXCLUSION OF CERTAIN IMPLIED WARRANTIES, SO THE ABOVE LIMITATION MAY NOT APPLY TO YOU.

Warranty Exclusions: The above stated warranties do not cover: "cosmetic" defects, such as scratches, dents, marring, or fading; damage due to incorrect installation, vandalism, misuse, accident, wear and tear from normal use, exposure to extreme weather; immersion in salt or chlorine water, unauthorized repair or modification, abnormal use, lack of maintenance, or other cause not within Burke's control; and

Limitation of Remedies: Burke is not liable for consequential or incidental damages, including but not limited to labor costs or lost profits resulting from the use of or inability to use the products or from the products being incorporated in or becoming a component of any other product. If, after a reasonable number of repeated efforts, Burke is unable to repair or replace a defective or nonconforming product, Burke shall have the option to accept return of the product, or part thereof, if such does not substantially impair its value, and return the purchase price as the buyer's entire and exclusive remedy. Without limiting the generality of the foregoing, Burke will not be responsible for labor costs involved in the removal of products or the installation of replacement products. Some states do not allow the exclusion of incidental damages, so the above exclusion may not apply to you.

The environment near a saltwater coast can be extremely corrosive. Some corrosion and/or deterioration is considered "normal wear" in this environment. Product installed within 500 yards of a saltwater shoreline will only be covered for half the period of the standard product warranty, up to a maximum of five years, for defects caused by corrosion. Products installed in direct contact with saltwater or that are subjected to salt spray are not covered by the standard warranty for any defects caused by corrosion.

Contact your local Burke Representative for warranty information regarding Burke Turf® and Burke Tile products.

Terms of Sale

Pricing: Prices published in this catalog are in USD, are approximate and do not include shipping & handling, surfacing, installation nor applicable taxes. All prices are subject to change without notice. Contact your Burke representative for current pricing. Payments are to be made in USD.

Weights: Weights are approximate and may vary with actual orders.

Installation: All equipment is shipped unassembled. For a list of factory-certified installers in your area, please contact your Burke representative.

Specifications: Product specifications in this catalog were correct at the time of publication. However, product improvements are ongoing at Burke, and we reserve the right to change or discontinue specifications without notice.

Loss or Damage in Transit: A signed bill of lading is our receipt from a carrier that our shipment to you was complete and in good condition upon arrival. Before you sign, please check the Bill of Lading carefully when the shipment arrives to make sure nothing is missing and there are no damages. Once the shipment leaves our plant, we are no longer responsible for any damage, loss or shortage.

For more information regarding the warranty, call Customer Service at 920-921-9220 or 1-800-356-2070.

01/2021

DEVELOPMENT REVIEW BOARD MEETING

**MONDAY, JUNE 24, 2024
6:30 PM**

Board Member Communications:

6. Results of the April 22, 2024 DRB Panel A meeting

City of Wilsonville

Development Review Board Panel A Meeting Meeting Results

DATE: APRIL 22, 2024

LOCATION: 29799 SW TOWN CENTER LOOP EAST, WILSONVILLE, OR

TIME START: 6:30 P.M.

TIME END: 7:06 P.M.

ATTENDANCE LOG

BOARD MEMBERS	STAFF
Jean Svadlenka	Daniel Pauly
Rob Candrian	Stephanie Davidson
Clark Hildum	Kimberly Rybold
Jordan Herron	Amy Pepper
	Cindy Luxhoj
	Shelley White

AGENDA RESULTS

AGENDA	ACTIONS
CITIZENS' INPUT	
	None
CONSENT AGENDA	
1. Approval of minutes of the March 11, 2024 DRB Panel A meeting	1. Unanimously approved as presented.
PUBLIC HEARING	
2. Resolution No. 433. Boberg Industrial Building Expansion. The applicant is requesting approval of a Stage 2 Final Plan Modification, Site Design Review, and Type C Tree Removal Plan for addition of a one-story 9,540-square-foot industrial warehouse building connected by a breezeway to the existing building, with associated landscaping and other site improvements. Case Files: DB23-0014 Boberg Industrial Building Expansion -Stage 2 Final Plan Modification (STG223-0007) -Site Design Review (SDR23-0009) -Type C Tree Removal Plan (TPLN23-0004)	2. Resolution No. 433 including the approved Staff report was unanimously adopted.
BOARD MEMBER COMMUNICATIONS	
3. Results of the March 14, 2023 DRB Panel B meeting 4. Results of the March 25, 2023 DRB Panel B meeting 5. Results of the April 8, 2023 DRB Panel B meeting 6. Recent City Council Action Minutes	No comments on any Board Member Communications.
STAFF COMMUNICATIONS	
	May's DRB A meeting might be cancelled.

DEVELOPMENT REVIEW BOARD MEETING

**MONDAY, JUNE 24, 2024
6:30 PM**

Board Member Communications:

- 7. Recent City Council Action Minutes**

City Council Meeting Action Minutes
April 1, 2024

COUNCILORS PRESENT

Mayor Fitzgerald
Council President Akervall
Councilor Linville
Councilor Berry
Councilor Dunwell

Dan Carlson, Building Official
Dan Pauly, Planning Manager
Katherine Smith, Assistant Finance Director
Kerry Rappold, Natural Resources Manager
Kimberly Rybold, Senior Planner
Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager
Martin Montalvo, Public Works Ops. Manager
Mark Ottenad, Public/Government Affairs Director
Stephanie Davidson, Assistant City Attorney
Zoe Mombert, Assistant to the City Manager

STAFF PRESENT

Bryan Cosgrove, City Manager
Andrea Villagrana, Human Resource Manager
Amanda Guile-Hinman, City Attorney

AGENDA ITEM	ACTIONS
WORK SESSION	START: 5:02 p.m.
A. Republic Services update on Recycling Modernization Act (RMA)	Republic Services provided Council an update on the Recycling Modernization Act. The PowerPoint has been added to the record.
B. Willamette Water Supply Program Quarterly Updates	Representatives from Willamette Water Supply Program (WWSP) presented the quarterly update on the pipeline project.
C. Updating Local Building Codes	The Building Official reported on Resolution No. 3110, which adopts the Residential Specialty Code, the Plumbing Specialty Code, and the Electrical Specialty Code and repealing all prior resolutions that previously adopted a Residential Specialty Code, Plumbing Specialty Code, or Electrical Specialty Code.
D. Public Contracting Code Update	Due to time constraints, this item was moved to Legal Business.
REGULAR MEETING	
<u>Mayor's Business</u>	
A. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings she attended on behalf of the City.
<u>Communications</u>	
A. None.	

<p><u>Consent Agenda</u></p> <p>A. <u>Resolution No. 3110</u> A Resolution Of The City Of Wilsonville Adopting The Residential Specialty Code, The Plumbing Specialty Code, And The Electrical Specialty Code And Repealing All Prior Resolutions That Previously Adopted A Residential Specialty Code, Plumbing Specialty Code, Or Electrical Specialty Code.</p> <p>B. <u>Resolution No. 3130</u> A Resolution Of The City Of Wilsonville Authorizing The Increase Of The Rate Agreement With Metereaders LLC.</p> <p>C. <u>Resolution No. 3133</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Woodburn Construction CM/GC, LLC, Inc. To Construct The Wilsonville Police Department Interim Renovations.</p> <p>D. Minutes of the March 18, 2024 City Council Meeting.</p>	<p>The Consent Agenda was approved 5-0.</p>
<p><u>New Business</u></p> <p>A. None.</p>	
<p><u>Continuing Business</u></p> <p>A. None.</p>	
<p><u>Public Hearing</u></p> <p>A. <u>Ordinance No. 890</u> An Ordinance Of The City Of Wilsonville To Adopt The 2024 Stormwater Master Plan As A Sub-Element To The City Of Wilsonville Comprehensive Plan And The Stormwater Capital Improvement Project List.</p>	<p>After a public hearing was conducted, Ordinance No. 890 was adopted on first reading by a vote of 5-0.</p>
<p><u>City Manager’s Business</u></p>	<p>No report.</p>
<p><u>Legal Business</u></p> <p>A. Ballot Measure 3-609 Explanatory Statement</p>	<p>Council moved to ratify the Explanatory Statement ballot language for Measure 3-609. Passed 5-0.</p>

B. Consideration Of Scope Of Appeal Proceeding For The Appeal Of Development Review Board Resolution No. 429 To City Council, And The Procedure That City Council Will Follow During This Appeal Proceeding

Council moved to approve the d establishing scope of the appeal proceeding for the appeal of Development Review Board Resolution No. 429 to City Council, and the procedure that City Council will follow during this appeal proceeding. Passed 5-0.

C. Public Contracting Code Update

The City Attorney sought direction from Council regarding the desired content and level of detail for the report to Council on contracts.

ADJOURN

9:07 p.m.

Special City Council Meeting Action Minutes
April 3, 2024

COUNCILORS PRESENT

Mayor Fitzgerald
Council President Akervall
Councilor Linville
Councilor Berry
Councilor Dunwell

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager

AGENDA ITEM	ACTIONS
WORK SESSION	START: 7:00 p.m.
A. None.	
REGULAR MEETING	
<u>Mayor’s Business</u> A. None.	
<u>Communications</u> A. None.	
<u>Consent Agenda</u> A. None.	
<u>New Business</u> A. Appeal Consideration Of Scope Of Appeal Proceeding For The Appeal Of Development Review Board Resolution No. 429 To City Council, And The Procedure That City Council Will Follow During This Appeal Proceeding	Council moved to continue the Appeal Proceeding to April 15 at 7:00 p.m., Council meeting being held at City Hall at that time. Passed 5-0.
<u>Continuing Business</u> A. None.	
<u>Public Hearing</u> A. None.	
<u>City Manager’s Business</u> A. None.	
<u>Legal Business</u> A. None.	
ADJOURN	7:05 p.m.

City Council Meeting Action Minutes
April 15, 2024

COUNCILORS PRESENT

Mayor Fitzgerald
Council President Akervall
Councilor Linville - Excused
Councilor Berry
Councilor Dunwell

Dan Pauly, Planning Manager
Delora Kerber, Public Works Director
Jeanna Troha, Assistant City Manager
Kerry Rappold, Natural Resources Manager
Kimberly Rybold, Senior Planner
Kimberly Veliz, City Recorder
Mark Ottenad, Public/Government Affairs Director
Miranda Bateschell, Planning Director
Robert Wurpes, Chief of Police
Zach Weigel, Capital Projects Engineering Manager
Zoe Mombert, Assistant to the City Manager

STAFF PRESENT

Amanda Guile-Hinman, City Attorney
Bryan Cosgrove, City Manager
Cindy Luxhoj, Associate Planner

AGENDA ITEM	ACTIONS
WORK SESSION	START: 5:02 p.m.
A. Frog Pond East and South Master Plan Development Code	Council provided Planning staff feedback on the Frog Pond East and South Master Plan Development Code.
REGULAR MEETING	
<u>Mayor’s Business</u> A. Upcoming Meetings	Upcoming meetings were announced by the Mayor as well as the regional meetings she attended on behalf of the City.
<u>Communications</u> A. Child Abuse Prevention Month Proclamation	Representatives of the Children’s Center of Clackamas County shared details of the center’s work. In conjunction with their visit, the Mayor read a proclamation declaring April as Childhood Abuse Prevention Month in Wilsonville.
<u>Consent Agenda</u> A. <u>Resolution No. 3122</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into And Execute A Cooperative Maintenance Agreement And Accept The Relinquishment Of A Portion Of SW Elligsen Road With The State Of Oregon Department Of Transportation.	The Consent Agenda was approved 4-0.

<p>B. <u>Resolution No. 3138</u> A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Flow Line Construction, LLC., Inc. To Construct The Park At Merryfield And Boones Ferry Park Trails Project.</p> <p>C. Minutes of the April 1, 2024, City Council Meeting.</p> <p>D. Minutes of the April 3, 2024, Special City Council Meeting.</p>	
<p><u>New Business</u></p> <p>A. None.</p>	
<p><u>Continuing Business</u></p> <p>A. <u>Ordinance No. 890</u> An Ordinance Of The City Of Wilsonville To Adopt The 2024 Stormwater Master Plan As A Sub-Element To The City Of Wilsonville Comprehensive Plan And The Stormwater Capital Improvement Project List.</p> <p>B. Appeal of DRB Resolution No. 429, A Resolution Affirming the Planning Director's Determination of Non-Conformance in Case File ADMN23-0029 and Denying the Applicant's Appeal DB24-0002.</p>	<p>Ordinance No. 890 was adopted on second reading by a vote of 4-0.</p> <p>Council affirmed Development Review Board (Panel B) Resolution 429. Passed 4-0.</p>
<p><u>Public Hearing</u></p> <p>A. None.</p>	
<p><u>City Manager's Business</u></p>	<p>No report.</p>
<p><u>Legal Business</u></p>	<p>No report.</p>
<p>ADJOURN</p>	<p>11:13 p.m.</p>

City Council Meeting Action Minutes
May 6, 2024

COUNCILORS PRESENT

Mayor Fitzgerald
Council President Akervall
Councilor Linville
Councilor Berry
Councilor Dunwell – Excused

Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager
Zoe Mombert, Assistant to the City Manager
Dan Pauly, Planning Manager
Kimberly Rybold, Senior Planner
Miranda Bateschell, Planning Director
Stephanie Davidson, Assistant City Attorney
Bill Evans, Communications & Marketing Manager
Chris Neamtzu, Community Development Director
Zach Weigel, City Engineer

STAFF PRESENT

Bryan Cosgrove, City Manager
Amanda Guile-Hinman, City Attorney

AGENDA ITEM	ACTIONS
WORK SESSION	START: 5:03 p.m.
A. Frog Pond East and South Development Code	Staff sought additional input from Council to inform development code amendments consistent with the Frog Pond East and South Master Plan.
B. IGA with Metro for Wilsonville Industrial Land Readiness Project	Council was informed of Resolution No. 3139, which authorizes the City Manager to execute an intergovernmental agreement (IGA) with Metro for the Wilsonville Industrial Land Readiness Project.
REGULAR MEETING	
<u>Mayor’s Business</u>	
A. State of the City Address	The Mayor presented the 2024 State of the City Adress.
<u>Communications</u>	
A. Senator Aaron Woods	Both Senator Woods and Representative Neron spoke about several legislative issues in which they collaborated with the City
B. Representative Courtney Neron	
C. Tualatin Valley Fire & Rescue State of the District	The Tualatin Valley Fire and Rescue Government Affairs Division Chief provided the agencies 2024 State of the District Address.

Consent Agenda

The Consent Agenda was approved 4-0.

- A. **Resolution No. 3132**
A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Aaken Corporation To Construct Street Lighting LED Conversion – Phase 3 Project (CIP #4722)

- B. **Resolution No. 3134**
A Resolution To Allocate Community Enhancement Funds For Fiscal Year 2024/2025.

- C. **Resolution No. 3135**
A Resolution Of The City Of Wilsonville Acting In Its Capacity As The Local Contract Review Board Authorizing The City Manager To Execute A Contract With Absco Solutions For Updating Card Access And Security Cameras At The SMART Administration Facility.

- D. **Resolution No. 3136**
A Resolution Of The City Of Wilsonville Acting In Its Capacity As The Local Contract Review Board Authorizing The City Manager To Execute An Intergovernmental Agreement With Clackamas County To Build Fiber Infrastructure To The Elligsen And C Level Reservoirs.

- E. **Resolution No. 3137**
A Resolution Of The City Of Wilsonville Authorizing Acquisition Of Property And Property Interests Related To Construction Of The I-5 Pedestrian Bridge Project.

- F. **Resolution No. 3139**
A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute An Intergovernmental Agreement With Metro For The Wilsonville Industrial Land Readiness Project.

- G. **Resolution No. 3140**
A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute An Intergovernmental Agreement With The City Of Portland For Local Improvement District Services.

New Business

- A. None.

<p><u>Continuing Business</u></p> <p>A. None.</p>	
<p><u>Public Hearing</u></p> <p>A. <u>Ordinance No. 891</u> An Ordinance Of The City Of Wilsonville Repealing And Replacing Wilsonville Code Sections 2.310-2.319 Regarding Public Contracts.</p>	<p>After a public hearing was conducted, Ordinance No. 891 was approved on first reading by a vote of 4-0.</p>
<p><u>City Manager's Business</u></p>	<p>The City Manager shared news of a pending \$550,000 grant from the Land and Water Conservation Fund, procured by the City's Parks and Recreation staff, which is to be used for the purchase and installation of new play equipment at lower Memorial Park.</p>
<p><u>Legal Business</u></p>	<p>The City Attorney updated the Council on a collaboration with non-profits Wilsonville Community Sharing and Heart of the City to successfully procure more than \$500,000 over two years from Clackamas County Health, Housing and Human Services to fund programs that provide hotel vouchers and other supportive services to aid people experiencing homelessness.</p> <p>Council moved to adopt an order establishing the procedure that City Council would follow of appeal proceeding for anticipated appeal of Development Review Board Resolution No. 432 to City Council as distributed. Passed 4-0.</p>
<p>ADJOURN</p>	<p>10:00 p.m.</p>

Special City Council Meeting Action Minutes
May 17, 2024

COUNCILORS PRESENT

Mayor Fitzgerald
Council President Akervall
Councilor Linville
Councilor Berry
Councilor Dunwell

Amanda Guile-Hinman, City Attorney
Cindy Luxhoj, Associate Planner Kimberly Rybold,
Senior Planner
Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager
Miranda Bateschell, Planning Director
Dan Pauly, Planning Manager
Stephanie Davidson, Assistant City Attorney
Zoe Mombert, Assistant to the City Manager

STAFF PRESENT

Bryan Cosgrove, City Manager

AGENDA ITEM	ACTIONS
SPECIAL MEETING	START: 12:00 p.m.
A. Appeal of DRB Resolution No. 432, A Resolution Denying the Proposed Occupant's (The Home Depot) Proposed Use at 29400 SW Town Center Loop West is a Continuation of the Existing Non-Conforming Use in Case File No. DB24-0003 (Planning Director Referral of AR23-0031).	Council moved and passed 5-0, the attached Order on Appeal for Development Review Board Resolution No. 432.
ADJOURN	3:56 p.m.

ORDER ON APPEAL: DEVELOPMENT REVIEW BOARD RESOLUTION NO. 432

WHEREAS, on December 15, 2023, the City received an application for Class II Review with respect to the real property located at 29400 SW Town Center Loop West (respectively, the “Location”) from applicant/appellant Dan Zoldak, of Lars Andersen & Associates, Inc. (“Appellant”) (this application is referred to as “AR23-0031” in City records); and

WHEREAS, in its application, Appellant requested a “Class II Staff Interpretation to confirm that The Home Depot and Fry’s Electronics are both warehouse retail uses” at the Location, and alternatively, a “staff interpretation of the Wilsonville Development Code to confirm that The Home Depot store proposed for [the Location] constitutes a warehouse retail use and may operate in the existing structure”; and

WHEREAS, the City processed the Appellant’s application as a request to confirm that the Home Depot’s (the “Proposed Occupant”) proposed use of the Location will constitute a continuation of the non-conforming use, as provided in Wilsonville Code (WC) Section 4.189(.01), which existing nonconforming use was confirmed in the related but separate Class I decision relating to the Location (which was established by the Development Review Board (“DRB”) in Resolution No. 429, and later confirmed by Order on Appeal by City Council dated April 15, 2024); and

WHEREAS, the Planning Director referred the application to the DRB for a public hearing per WC 4.030(.01)B., and did not issue a Planning Director’s decision; and

WHEREAS, the DRB held a public hearing on April 8, 2024 (this proceeding is referred to as “DB24-0003” in City records); and

WHEREAS, the DRB closed the public hearing on April 8, 2024, but kept the written record open to allow the submission of evidence and legal argument, and reconvened to consider the application and issued a decision on April 24, 2024; and

WHEREAS, on April 24, 2024 the DRB unanimously adopted Resolution No. 432; and

WHEREAS, during its regularly scheduled meeting on May 6, 2024, anticipating that Appellant would appeal Resolution No. 432, City Council adopted an order establishing the scope of this appeal proceeding and the procedure that City Council would follow during the appeal proceeding, and set May 17, 2024 at 12:00 p.m. as the date and time of the appeal proceeding (the “Procedural Order”); and,

WHEREAS, on May 7, 2024, Appellant submitted the document titled “Appellant’s Notice of Appeal” to the City (the “Notice of Appeal”) within the prescribed appeal period; and

WHEREAS, City Council held an appeal proceeding to address this matter on May 17, 2024 in accordance with the Procedural Order; and,

WHEREAS, all references to the “staff report” in this order are to the staff report prepared

by staff for the May 17, 2024 titled “Order on Appeal: DRB Resolution No. 432” (the “Staff Report”) and all citations in the following findings are to the attachments to this Staff Report.

FINDINGS:

1. The foregoing recitals are hereby incorporated as findings of the Council, as if fully set forth herein.
2. As of the date of this order, the recognized non-conforming use at the Location is “a 159,400 square-foot electronics-related retail store,” which was determined by the DRB Decision in Case File DB24-0002 (Resolution No. 429), and affirmed by Council in its Order on Appeal dated April 15, 2024 (the “Recognized Non-Conforming Use”). Council finds re-argument of the settled issue of the Recognized Non-Conforming Use in the Class I land use proceedings irrelevant to this decision.
3. Appellant describes itself as a “home improvement warehouse store” (Attachment 3b, page 89), which is not the same as an “electronics-related retail store.”
4. Appellant has the burden of proof in this appeal to establish that the Proposed Occupant’s proposed use of the Location would be a continuation of the Recognized Non-Conforming Use at the Location. Council finds that Appellant has not satisfied its burden of proof for the following reasons:
 - a. Council finds that Appellant relies on evidence irrelevant to this Class II Review, including: (1) the exhibits attached to Appellant’s April 15, 2024 “Open Record Submittal” to the DRB, (2) discussion of the Town Center Plan and related zoning, and (3) the document referred to as the “1991 Decision” throughout these proceedings (Attachment 3b, pages 94-254). Council finds the reasoning on pages 14-17 of the Staff Report persuasive.
 - b. Proposed Occupant proposes to engage in the following activities at the Location, and there is no evidence in the record that establishes that the Current Occupant engaged in these activities at the Location as of June 5, 2019. Regardless of any ancillary commonalities that may be shared by Proposed Occupant and Current Occupant, these activities amount to a “fundamental change in the nature of the use” and go beyond the scope of the Recognized Non-Conforming Use. *See Hendgen v. Clackamas Cnty.*, 115 Or App 117, 121 (1992). The ancillary commonalities are insufficient to compel the Council to grant the relief that has been requested by Appellant.
 - i. Based on the document titled “Applicant’s Narrative and Exhibits Demonstrating Compliance with the Relevant Approval Criteria,” which was submitted by Appellant to the DRB, Proposed Occupant plans to sell tools and construction products (Attachment 3b, page 89). This description is supported by photos showed during Appellant’s presentation at the DRB public hearing on April 8, 2024 (Attachment

3b, pages 468-484), which showed images of merchandise, often stocked floor-to-ceiling, that included large electric power tools, floor polishers, tools, hardware, chainsaws, flooring, paint, cleaning products, windows and doors, large household appliances (e.g. washing and drying machines, refrigerators), light fixtures and lighting systems, saw blades, and patio furniture. There is no evidence in the record of Current Occupant selling these products, or even these types of products. Further, the as-built floor plan submitted by the Current Occupant to the City's Building Division in 2014 (Attachment 3b, page 15) supports this assessment; the only similar type of product shown on this floor plan is small appliances, which are not the same as large household appliances such as washing and drying machines. The as-built floor plan predates the date of non-conformance by five years, which lessens the weight Council assigns to this evidence. However, Council finds it more credible than other evidence submitted by Appellant that is: (1) not from the Location (i.e., other Fry's Electronics stores), (2) earlier in time, and/or (3) fails to demonstrate that the Current Occupant and the Proposed Occupant engaged in the same retail sales.

- ii. Proposed Occupant plans to have a garden center (i.e., a nursery that sells live plants). The site plan included in Appellant's application materials shows a garden center at the front of the building (Attachment 3b, page 256). During the DRB public hearing on April 8, 2024, Barry Simmons, a real estate manager for the Proposed Occupant, acknowledged that there would be a garden center with "live goods" inside the existing building (Attachment 5, page 10). A garden center that contains live plants would require some kind of irrigation or watering. There is no evidence in the record of Current Occupant selling these types of products, or anything live that required irrigation or watering.
- iii. Proposed Occupant would have at least some operations outside of the existing building at the Location. The site plan included in Appellant's application materials shows a "lumber pad" at the back of the building (Attachment 3b, page 256). The extent of the activities that would occur in this area is not clear. During the DRB public hearing on April 8, 2024, Barry Simmons stated that the lumber pad area would be used to unload heavier products off of a flatbed truck, and that it would not be used for exterior storage (Attachment 5, page 10). There is no evidence in the record of Current Occupant having any operations outside of the building that currently exists at the Location, whether for receiving, unloading, temporary storage, or for some other purpose. Although the extent of these activities is unclear, Council must rely to some extent on what has been represented in Appellant's initial application materials.
- iv. Contractors and other home improvement professionals would account

for close to half of the Proposed Occupant's annual sales (Attachment 3b, page 90). There is no evidence in the record of Current Occupant selling to contractors or other home improvement professionals.

- c. During the DRB public hearing on April 8, 2024, Barry Simmons suggested that Proposed Occupant would probably invest about \$20 million into redeveloping the Location, including upgrading roads, the water system, sewer system, and called the project a "redevelopment" (Attachment 5, page 14). This statement strongly suggests that Proposed Occupant's plans involve significant changes to the Location, which go far beyond a mere continuation of non-conforming use.
5. Appellant failed to preserve any argument regarding the utilization of both Class I and Class II review processes in this matter. Assuming, without acknowledging, that the argument was preserved, WC 4.030(.01)A.7. states that confirmation of an existing non-conforming use is subject to a Class I Review, not the determination whether a proposed use is a continuation of an existing non-conforming use. A Class II Review is required for determining continuation of existing non-conforming use, as explained in the Staff Report. Further, Council finds that City staff proposed that Appellant withdraw its Class I application, while preserving its arguments concerning existing non-conforming use, in order for the Class I and Class II applications to be processed together, and Appellant refused (Attachment 3b, pages 63-65).
 6. DRB followed correct procedures, and in particular, the DRB did not err when it adopted the staff report dated April 1, 2024 for the reasons stated on pages 2-3 of the Staff Report. DRB properly applied the relevant Wilsonville Code provisions, including, but not limited to, WC 4.030 and 4.189, as evidenced by findings A5 through A11 of DRB Resolution No. 432.
 7. For the reasons provided in the Staff Report, Council finds Appellant's arguments unpersuasive regarding: (a) parking spaces and traffic impacts, (b) certificates of occupancy, (c) the 1991 Decision, (d) the 1992 CCRs, (e) current Town Center zoning regulations; (f) the "codification" rule and, relatedly, Ordinance No. 55; and (g) the "common nucleus" test.

IT IS THEREFORE ORDERED, by the City of Wilsonville City Council, at its special meeting on this 17th day of May 2024, that the Development Review Board decision in Resolution No. 432 is affirmed, and further, that this was the correct and appropriate decision made based on applicable laws, policies, and standards. The Appeal is therefore respectfully denied.

DATED this 17th day of May 2024.



 JULIE FITZGERALD MAYOR

ATTEST:



Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

- Mayor Fitzgerald - *yes*
- Council President Akervall - *yes*
- Councilor Linville - *yes*
- Councilor Berry - *yes*
- Councilor Dunwell - *yes*

<p>B. Wilsonville High School Student Achievements</p>	<p>Student body co-president Venecia Gon shared with the Council a summary of student accolades and achievements. In addition the Wilsonville High Girls’ Golf Team was recognized on the occasion of winning the 5A State Championship.</p>
<p><u>Consent Agenda</u></p> <p>A. Resolution No. 3113 A Resolution Of The City Of Wilsonville Authorizing The City Manager To Amend A Goods And Services Contract With Absco Alarms, Incorporated For The Security And Access Controls For The Public Works Complex (CIP # 8113).</p> <p>B. Resolution No. 3141 A Resolution Of The City Of Wilsonville Adopting The FY 2024/25 Five-Year Action Plan And Annual One-Year Implementation Plan For The Wilsonville Tourism Development Strategy.</p> <p>C. Minutes of the April 15, 2024 City Council Meeting.</p>	<p>The Consent Agenda was approved 4-0.</p>
<p><u>New Business</u></p> <p>A. Resolution No. 3146 A Resolution Of The City Of Wilsonville Authorizing The City Manager To Enter Into A Disposition And Development Agreement With Palindrome Wilsonville Limited Partnership</p> <p>B. Resolution No. 3147 A Resolution Of The City of Wilsonville Establishing A Systems Development Charges Deferral Program For Affordable Housing Projects On City-Owned Property.</p>	<p>Resolution No. 3146 was adopted 4-0.</p> <p>Resolution No. 3147 was adopted 3-1.</p>
<p><u>Continuing Business</u></p> <p>A. Ordinance No. 891 An Ordinance Of The City Of Wilsonville Repealing And Replacing Wilsonville Code Sections 2.310-2.319 Regarding Public Contracts</p>	<p>Ordinance No. 891 was adopted on second reading by a vote of 4-0.</p>
<p><u>Public Hearing</u></p> <p>A. None.</p>	
<p><u>City Manager’s Business</u></p>	<p>Council was invited to the Grand Opening of the Korean War Memorial Interpretive Center on June 29, 2024.</p>

	The Assistant City Manager reminded all about the upcoming election and shared there was an election drop box in the City Hall parking lot.
<u>Legal Business</u>	No report.
ADJOURN	8:55 p.m.

City Council Meeting Action Minutes
June 3, 2024

Item 7.

COUNCILORS PRESENT

Mayor Fitzgerald
Council President Akervall
Councilor Linville
Councilor Berry
Councilor Dunwell

Bryan Cosgrove, City Manager
Dwight Brashear, Transit Director
Kimberly Veliz, City Recorder
Jeanna Troha, Assistant City Manager
Mark Ottenad, Public/Government Affairs Director
Katherine Smith, Assistant Finance Director
Keith Katko, Finance Director
Zach Weigel, City Engineer
Zoe Mombert, Assistant to the City Manager

STAFF PRESENT

Amanda Guile-Hinman, City Attorney

AGENDA ITEM	ACTIONS
REGULAR MEETING	START: 7:00 p.m.
<p><u>Mayor’s Business</u></p> <p>A. Upcoming Meetings</p> <p>B. Boards/Commission Appointments/Reappointments</p>	<p>Upcoming meetings were announced by the Mayor as well as the regional meetings she attended on behalf of the City.</p> <p><u>Arts, Culture, and Heritage Commission</u> Reappointment of Joan Carlson to the Arts, Culture, and Heritage Commission for a term beginning 7/1/2024 to 6/30/2027. Passed 5-0.</p> <p><u>Arts, Culture, and Heritage Commission</u> Reappointment of Jason Jones to the Arts, Culture, and Heritage Commission for a term beginning 7/1/2024 to 6/30/2027. Passed 5-0.</p> <p><u>Arts, Culture, and Heritage Commission</u> Reappointment of Nadine Elbitar to the Arts, Culture, and Heritage Commission for a term beginning 7/1/2024 to 6/30/2027. Passed 5-0.</p> <p><u>Library Board</u> Appointment of Orel Smith to the Library Board for a term beginning 7/1/2024 to 6/30/2028. Passed 5-0.</p> <p><u>Tourism Promotion Committee</u> Reappointment of Jennifer Gage to the Tourism Promotion Committee for a term beginning 7/1/2024 to 6/30/2027. Passed 5-0.</p>

Wilsonville-Metro Community Enhancement Committee

Reappointment of Maripat Hensel to the Wilsonville-Metro Community Enhancement Committee for a term beginning 7/1/2024 to 6/30/2027. Passed 5-0.

Wilsonville-Metro Community Enhancement Committee

Appointment of Scott Siegel to the Wilsonville-Metro Community Enhancement Committee for a term beginning 7/1/2024 to 6/30/2027. Passed 5-0.

Council approved the City Attorney's Employment Agreement 5-0.

C. City Attorney Employment Agreement

Communications

A. None.

Consent Agenda

A. Resolution No. 3148

A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Construction Contract With Knife River Corporation - Northwest For Construction Of The 2024 Street Maintenance Project (Capital Improvement Project No. 4014, 4118, 4725).

B. Resolution No. 3152

A Resolution Of The City Of Wilsonville Authorizing South Metro Area Regional Transit (SMART) To Purchase One Battery Electric Shuttle Bus From Northwest Bus Sales, Inc.

C. Minutes of the May 6, 2024, City Council Meeting.

The Consent Agenda was approved 5-0.

New Business

A. None.

Continuing Business

A. None.

Public Hearing

A. Resolution No. 3142

A Resolution Declaring The City's Eligibility To Receive State Shared Revenues.

After a public hearing Resolution No. 3142 passed 5-0.

<p>B. <u>Resolution No. 3143</u> A Resolution Declaring The City’s Election To Receive State Shared Revenues.</p> <p>C. <u>Resolution No. 3144</u> A Resolution Of The City Of Wilsonville Adopting The Budget, Making Appropriations, Declaring The Ad Valorem Tax Levy, And Classifying The Levy As Provided By ORS 310.060(2) For Fiscal Year 2024-25.</p> <p>D. <u>Resolution No. 3145</u> A Resolution Of The City Of Wilsonville Authorizing A Supplemental Budget Adjustment For Fiscal Year 2023-24.</p>	<p>After a public hearing Resolution No. 3143 passed 5-0.</p> <p>After a public hearing Resolution No. 3144 passed 5-0.</p> <p>After a public hearing Resolution No. 3145 passed 5-0.</p>
<p><u>City Manager’s Business</u></p>	<p>No report.</p>
<p><u>Legal Business</u></p>	<p>No report.</p>
<p>URBAN RENEWAL AGENCY</p>	
<p><u>Consent Agenda</u> A. Minutes of the March 4, 2024, Urban Renewal Agency Meeting.</p>	<p>The URA Consent Agenda was approved 5-0.</p>
<p><u>New Business</u> A. None.</p>	
<p><u>Continuing Business</u> A. None.</p>	
<p><u>Public Hearing</u> A. <u>URA Resolution No. 350</u> A Resolution Of The Urban Renewal Agency Of The City Of Wilsonville Adopting The Budget, Making Appropriations, And Declaring The Intent To Collect Tax Increment For Fiscal Year 2024-25.</p>	<p>After a public hearing URA Resolution No. 350 passed 5-0.</p>
<p>ADJOURN</p>	<p>8:15 p.m.</p>