



TYPE II APPLICATION (LAND USE) -- 2018

File #: _____

TYPES – PLEASE CHECK ONE:

- Design review
- Tentative Plan for Partition
- Tentative Plan for Subdivision

- Type II Major Modification
- Variance _____
- Other: (Explain) _____

APPLICANT INFORMATION:

APPLICANT: RHW Enterprises Inc, att: Wade Willers
 ADDRESS: 5201 SW Westgate Suite 206, Portland OR 97221
 EMAIL ADDRESS: _____
 PHONE: 503-819-9244 MOBILE: _____ FAX: _____
 OWNER (if different from above): _____ PHONE: _____
 ADDRESS: _____
 ENGINEER/SURVEYOR: HBH Consulting Engineers Inc. Att: Andrey Chernishov PHONE: 503-554-9553
 ADDRESS: 501 E First Street, Newberg, OR 97132 / email schernishov@hbh-consulting.com

GENERAL INFORMATION:

PROJECT NAME: The Flats @ Rogers Landing PROJECT LOCATION: 1109 S. River Road
 PROJECT VALUATION: _____
 PROJECT DESCRIPTION/USE: 45 unit apartment Complex
 MAP/TAX LOT NO. (i.e. 3200AB-400): 3220CC - 05400 ZONE: R-3 SITE SIZE: 2.13 SQ. FT. ACRE
 COMP PLAN DESIGNATION: Medium Density Residential TOPOGRAPHY: _____
 CURRENT USE: Vacant with a single family residence (to be demolished)
 SURROUNDING USES:
 NORTH: R3 Multifamily Residential / R2 Single Family Residential SOUTH: R2 Single family residential
 EAST: R2 single family detached and multifamily WEST: R3 Multifamily

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: Fees Public Notice Information Current Title Report Written Criteria Response Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Design Reviewp. 12
 Partition Tentative Platp. 14
 Subdivision Tentative Platp. 17
 Variance Checklistp. 20

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

DocuSigned by:

 Applicant Signature _____ Date 10/4/2018 10:48:38 AM PDT
 wade willers
 Print Name

DocuSigned by:

 Owner Signature _____ Date 10/4/2018 1:36:33 PM PDT
 Carol Boyes
 Print Name

Attachments: General Information, Fee Schedule, Criteria, Checklists

2

City of Newberg
414 E. First Street
Newberg, OR 97132



INVOICE #
INV-692
Date Due: 11/4/2018

1109 S RIVER ST
Flats at Rogers Landing

Invoice Date: 10/5/2018

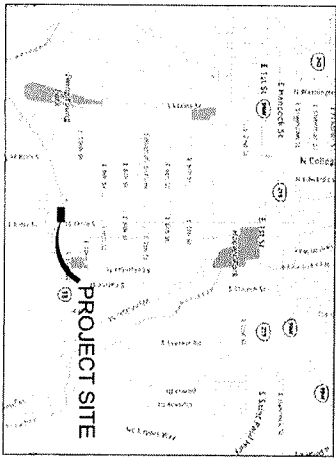
Record #	Record Type	Fee Group	Fee Description	Quantity	Amount
DR218-0010	DESIGN REVIEW - TYPE 2		DESIGN REVIEW	3350000	\$20,100.00
			DEVELOPMENT REVIEW	2.13	\$852.51
			TECHNOLOGY FEE	0	\$1,047.63
					\$22,000.14

Invoice Total: \$22,000.14

Please send your payment to this address:
City of Newberg Community Development Department
PO Box 970
Newberg, OR 97132



THE FLATS @ ROGERS LANDING NEWBERG, OREGON OCTOBER, 2018



NOT TO SCALE

LINE/TYPE LEGEND

PROPOSED WATER SERVICE	WS	EDGE OF PARAPENT	EP
PROPOSED SANITARY	SS	EDGE OF CONCRETE	EC
PROPOSED STORM	ST	EXISTING STORM	ES
PROPOSED ELECTRICAL	E	EXISTING HIGHWAY	EH
PROPOSED GAS	G	ABANDONED SEWER	AS
PROPOSED TELECOMM	T	EXISTING SANITARY	ESN
PROPOSED BIEN OPTIC LINE	BO	EXISTING STORM SEWER	ESS
PROPOSED OVERHEAD UTILITY	O	EXISTING FENCE	EF
PROPOSED FENCE	F	EXISTING BUILDING	EB
PROPOSED WATER CONTROL	WC	EXISTING WATER MAIN	EW
PROPOSED UNDER CONTROL	UC	EXISTING WATER SERVICE	EWV
SPECIAL CONDITION SCHEDULE	SC	EXISTING DRAIN	ED
PROPOSED CURB	C	EXISTING TELECOMM	ET
EDGE OF PAVEMENT	EP	EXISTING WATER CONTROL	EWK
EDGE OF CONCRETE	EC	EXISTING UNDER CONTROL	EWU
EDGE OF CARAVEL	ECV	EXISTING FIBER OPTIC	EF
CENTERLINE	CL	EXISTING CONCRETE	EC
RIGHT-OF-WAY	ROW	PROPOSED LANDSCAPE AREA	PLA
PROPOSED PAVEMENT	PA	IDEALIZED PLANTINGS	IP
PROPOSED CONCRETE	PC	DIRECTED	DIR
		PROPOSED STORMWATER FACILITY	STF

TAX LOT INFORMATION

THIS PROJECT IS LOCATED IN LOT 5400, SW 1 SECTION 12, T 2 S, R 2 W, WML WITHIN THE CITY OF NEWBERG, COUNTY OF YAMHILL, STATE OF OREGON.

VERTICAL DATUM

ENGINEERING VERT DATUM BY BENCHMARK STATION NOT PROVIDED BY SURVEYOR

PROJECT SITE ADDRESS

1100 S. RIVER ST.
NEWBERG, OR 97132

LOCATE

148 HOUR NOTICE PERMIT TO EXCAVATION OREGON LAW REQUIRES YOU TO LOCATE THE UTILITIES SHOWN ON THIS PLAN. YOU MAY OBTAIN COPIES OF THE RULES FROM THE CENTER BY CALING (503) 252-7831. YOU MAY OBTAIN COPIES OF THE RULES FROM THE CENTER BY CALING (503) 252-7831. ONE DOLLAR SERVICE NUMBER 1-800-252-7234.

ABBREVIATIONS

A	ASPHALT	PAV	PAVEMENT
B	BUILDING	PL	PROPERTY LINE
C	CURB	PL	PROPERTY LINE
CA	CALCULATED	INT	INTERSECTION
CL	CENTERLINE	INT	INTERSECTION
CO	CONCRETE	INT	INTERSECTION
CS	CONCRETE SURFACE	INT	INTERSECTION
CU	CURB	INT	INTERSECTION
CV	CURB VARS	INT	INTERSECTION
DR	DRIVE	INT	INTERSECTION
EA	EAST	INT	INTERSECTION
EW	EXISTING WATER	INT	INTERSECTION
EWV	EXISTING WATER SERVICE	INT	INTERSECTION
E	ELECTRICAL	INT	INTERSECTION
EG	EDGE OF GRASS	INT	INTERSECTION
EP	EDGE OF PAVEMENT	INT	INTERSECTION
EC	EDGE OF CONCRETE	INT	INTERSECTION
ECV	EDGE OF CARAVEL	INT	INTERSECTION
EH	EXISTING HIGHWAY	INT	INTERSECTION
ES	EXISTING STORM	INT	INTERSECTION
ESN	EXISTING SANITARY	INT	INTERSECTION
ESS	EXISTING STORM SEWER	INT	INTERSECTION
EF	EXISTING FENCE	INT	INTERSECTION
EB	EXISTING BUILDING	INT	INTERSECTION
EW	EXISTING WATER MAIN	INT	INTERSECTION
EWV	EXISTING WATER SERVICE	INT	INTERSECTION
ED	EXISTING DRAIN	INT	INTERSECTION
ET	EXISTING TELECOMM	INT	INTERSECTION
EWK	EXISTING WATER CONTROL	INT	INTERSECTION
EWU	EXISTING UNDER CONTROL	INT	INTERSECTION
EF	EXISTING FIBER OPTIC	INT	INTERSECTION
EC	EXISTING CONCRETE	INT	INTERSECTION
PLA	PROPOSED LANDSCAPE AREA	INT	INTERSECTION
IP	IDEALIZED PLANTINGS	INT	INTERSECTION
DIR	DIRECTED	INT	INTERSECTION
STF	PROPOSED STORMWATER FACILITY	INT	INTERSECTION

OWNER:

3MM ENTERPRISES, INC.
500 S.W. WESTVALE AVENUE
NEWBERG, OREGON 97132
CONTACT: WADE ALTERS
PH: (503) 537-5244
FAX: (503) 537-5244
EMAIL: WALTERS@3MMLANDINGS.COM

CIVIL ENGINEER

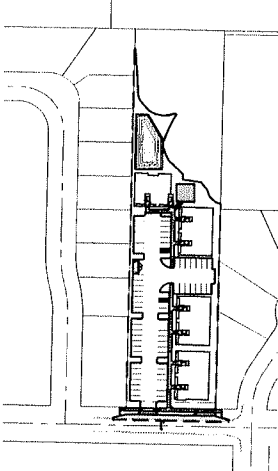
3M CONSULTING ENGINEERS, INC.
500 S.W. WESTVALE AVENUE
NEWBERG, OREGON 97132
CONTACT: WADE ALTERS
PH: (503) 537-5244
FAX: (503) 537-5244
EMAIL: WALTERS@3MMLANDINGS.COM

SURVEYOR:

PROJECT SURVEYOR GROUP
3272 FORELAND ROAD NE
NEWBERG, OREGON 97132
PH: (503) 534-9858
EMAIL: SURVEY@PROJECTSURVEYOR.COM

SHEET INDEX

C-1	COVER
C-2	CONSTRUCTION NOTES
C-3	EXISTING CONDITIONS
C-4	SITE PLAN
C-5	CONCRETE UTILITY PLAN
C-8	GRADING PLAN



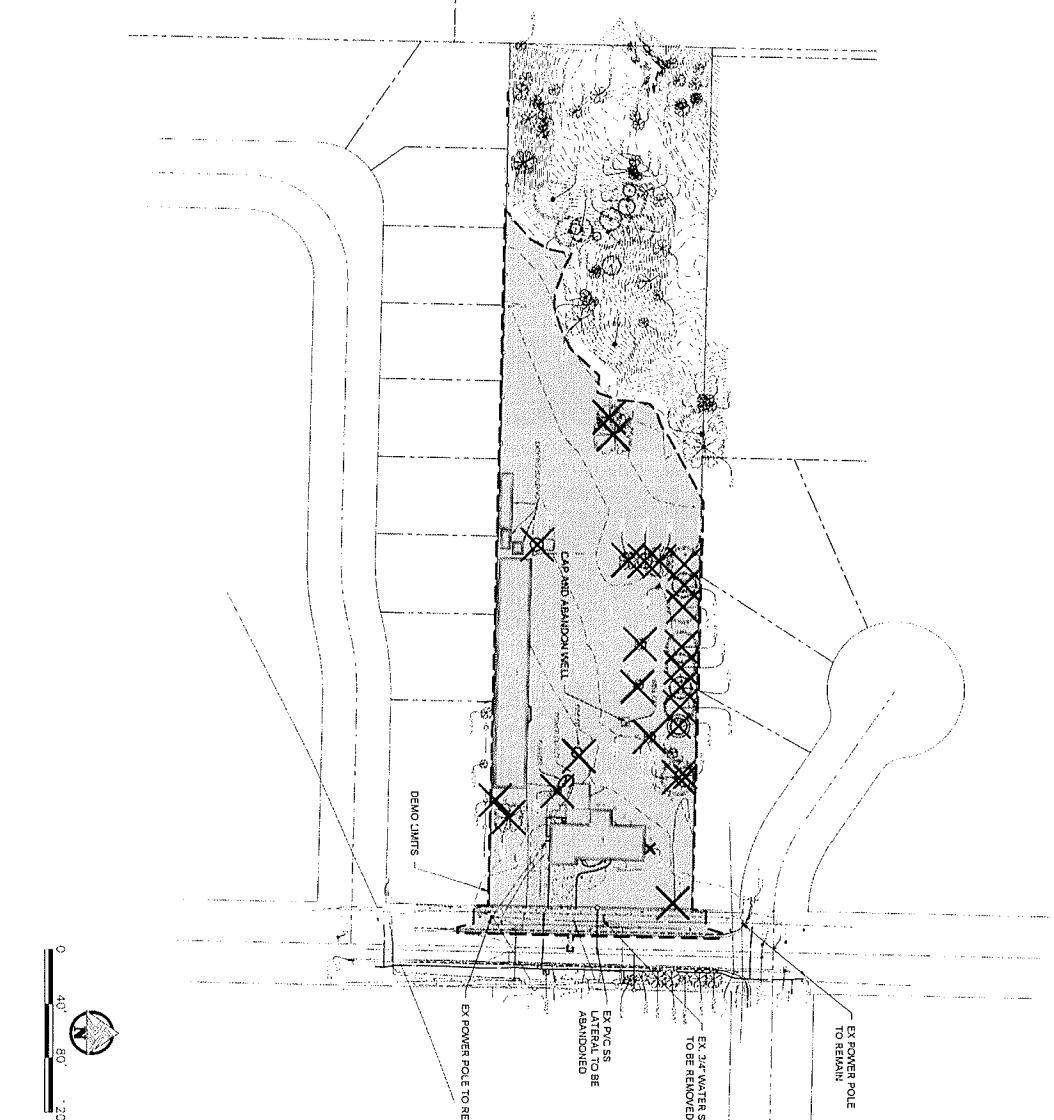
SITE PLAN

NOT TO SCALE

	Date: 10/2/2018 Sheet No: 1 2018-0-311	THE FLATS @ ROGERS LANDING NEWBERG, OREGON COVER	<p>501 E First Street Newberg, Oregon 97132 503/534-9553 Fax 503/537-9554 ENGIN EERS email: mail@hbh-engineers.com</p>	
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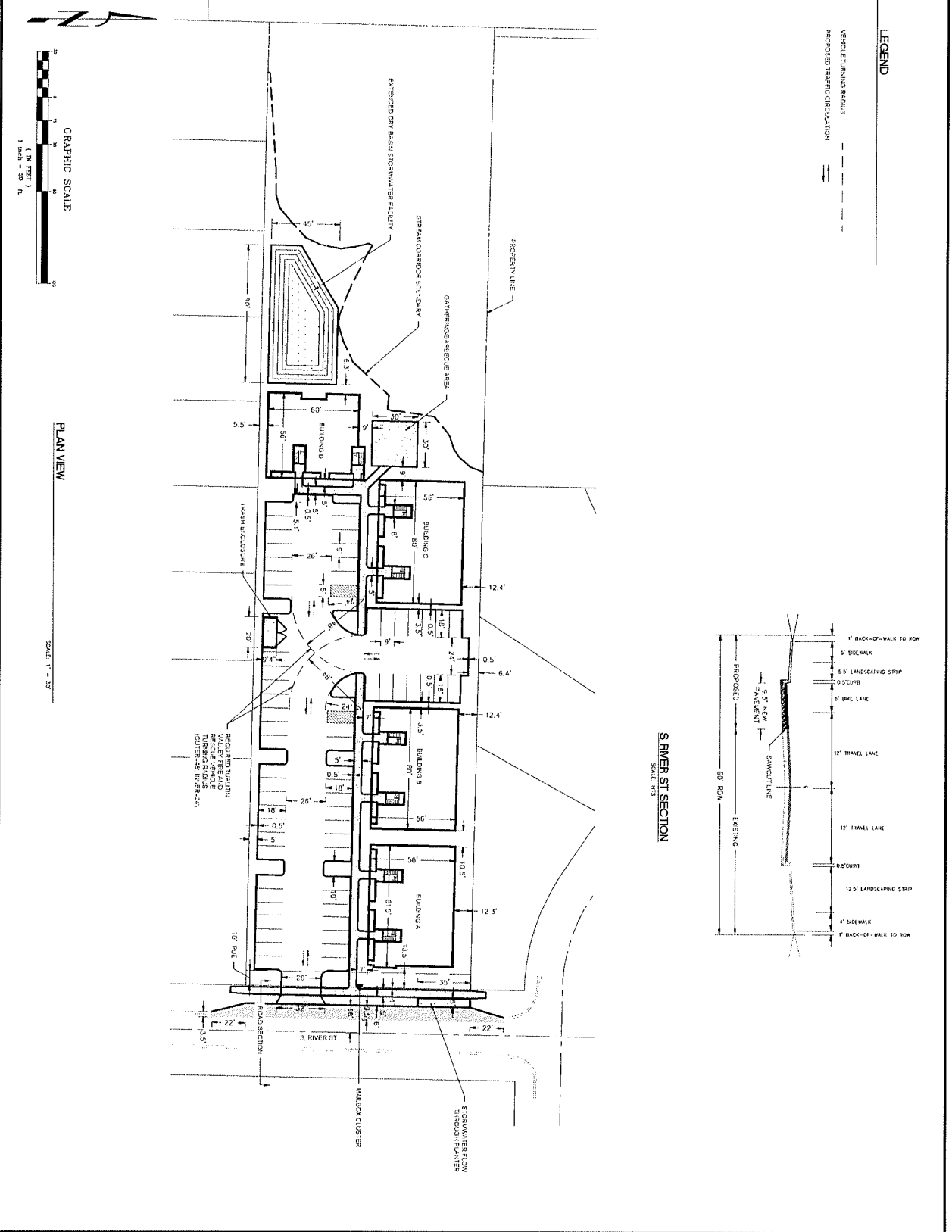
DEMOLITION NOTES
 1. ALL BUILDINGS, STRUCTURES, CURBS, ASPHALT, CONCRETE STRUCTURES, UTILITIES AND SERVICES TO BE DEMOLISHED SHOWN WITH 'X' MARKS.
 2. EXISTING UTILITIES TO BE REMOVED SHOWN WITH 'X' MARKS.
 3. EXISTING UTILITIES TO REMAIN SHOWN WITH 'O' MARKS.
 4. EXISTING UTILITIES TO BE REMOVED AND REPLACED SHOWN WITH 'X' MARKS AND 'O' MARKS.
 5. EXISTING UTILITIES TO BE REMOVED AND REPLACED WITH NEW UTILITIES SHOWN WITH 'X' MARKS AND 'O' MARKS.
 6. EXISTING UTILITIES TO BE REMOVED AND REPLACED WITH NEW UTILITIES AND NEW UTILITIES TO BE INSTALLED SHOWN WITH 'X' MARKS AND 'O' MARKS.
 7. EXISTING UTILITIES TO BE REMOVED AND REPLACED WITH NEW UTILITIES AND NEW UTILITIES TO BE INSTALLED AND NEW UTILITIES TO BE INSTALLED SHOWN WITH 'X' MARKS AND 'O' MARKS.
 8. EXISTING UTILITIES TO BE REMOVED AND REPLACED WITH NEW UTILITIES AND NEW UTILITIES TO BE INSTALLED AND NEW UTILITIES TO BE INSTALLED SHOWN WITH 'X' MARKS AND 'O' MARKS.
 9. EXISTING UTILITIES TO BE REMOVED AND REPLACED WITH NEW UTILITIES AND NEW UTILITIES TO BE INSTALLED AND NEW UTILITIES TO BE INSTALLED SHOWN WITH 'X' MARKS AND 'O' MARKS.
 10. EXISTING UTILITIES TO BE REMOVED AND REPLACED WITH NEW UTILITIES AND NEW UTILITIES TO BE INSTALLED AND NEW UTILITIES TO BE INSTALLED SHOWN WITH 'X' MARKS AND 'O' MARKS.

ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
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102	DEMOLITION				
103	DEMOLITION				
104	DEMOLITION				
105	DEMOLITION				
106	DEMOLITION				
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146	DEMOLITION				
147	DEMOLITION				
148	DEMOLITION				
149	DEMOLITION				
150	DEMOLITION				



PROJECT NO. SHEET NO. DATE SCALE DRAWN CHECKED APPROVED	NO.	DESCRIPTION	DATE	BY
CLIENT NAME PROJECT NAME CLIENT CITY				

THE FLATS @ ROGERS LANDING NEWBERG, OREGON EXISTING CONDITIONS	PROJECT NO. SHEET NO. DATE SCALE DRAWN CHECKED APPROVED	NO. DESCRIPTION DATE BY	CLIENT NAME PROJECT NAME CLIENT CITY	H B H CONSULTING ENGINEERS 501 E First Street Newberg, Oregon 97132 503/554-9553 fax 503/537-9554 email mail@hbh-engineers.com
	SHEET NUMBER: 3 10/2/2018 2018-011	DESIGNED BY: JHB DRAWN BY: JHB CHECKED BY: JHB APPROVED BY: JHB	PROJECT NO. SHEET NO. DATE SCALE DRAWN CHECKED APPROVED	PRELIMINARY NOT FOR CONSTRUCTION



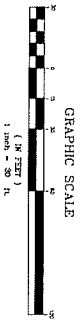
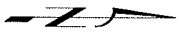
<p>REV</p> <p>DATE</p> <p>DESCRIPTION</p> <p>BY</p>	<p>3018411</p>	<p>PLM</p> <p>10/2/2018</p>	<p>3018411</p>
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RIVA L STERPOVA, Inc.
 501 NW WINGATE AVE, PORTLAND, OR 97224
THE FLATS @ ROGERS LANDING
 NEWBERG, OREGON
SITE PLAN

H B H 501 E First Street
 Consulting Newberg, Oregon 97132
 ENGINEERS 503/554-9553 fax 503/537-9554
 email: mail@hbh-engineers.com

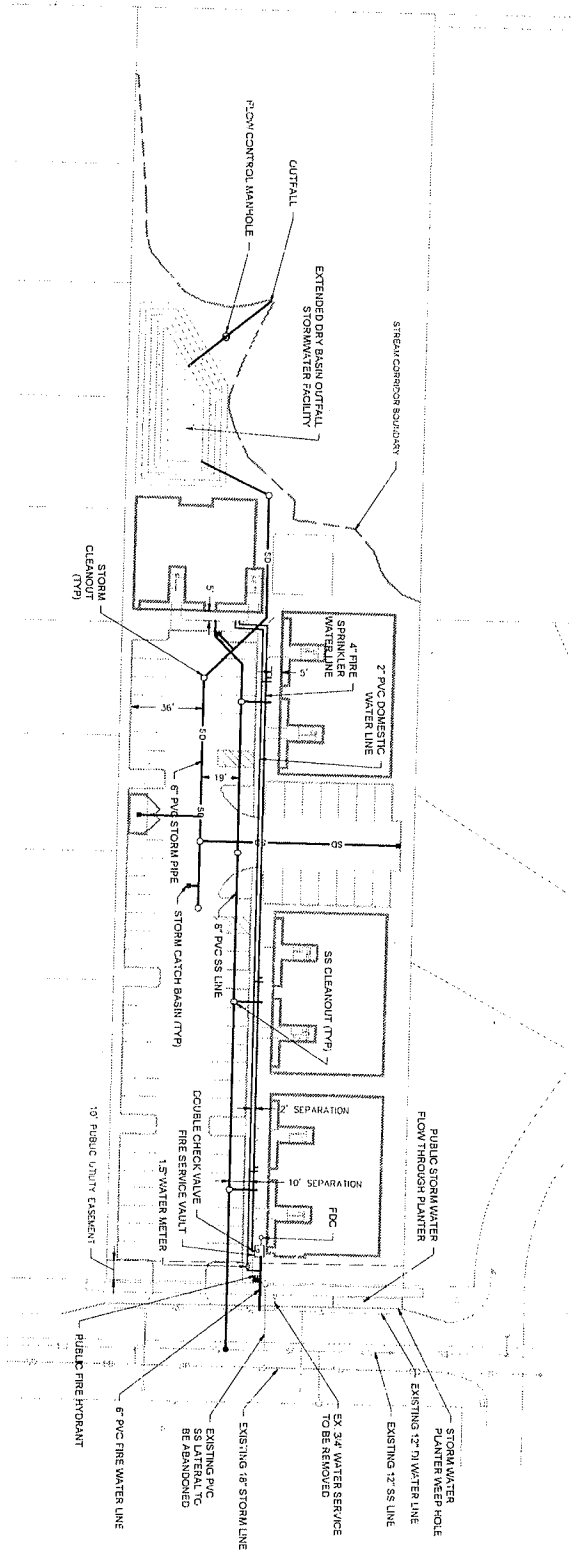
Designed By: JRM Drawn By: ZJH Checked By: JSC Submitted To: PRELIM
 Date:

PRELIMINARY
 NOT FOR CONSTRUCTION



PLAN VIEW

SCALE: 1" = 30'



Date	10/2/2018
Sheet	2018-011

PLAN SHEET NO. 2018-011
 5201 SW MAIN AVE #200, PORTLAND, OR 97221
THE FLATS @ ROGERS LANDING
 NEWBERG, OREGON
COMPOSITE UTILITY PLAN

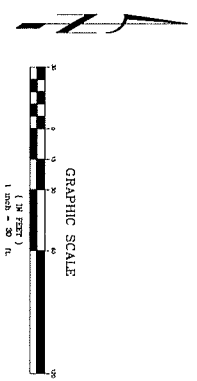
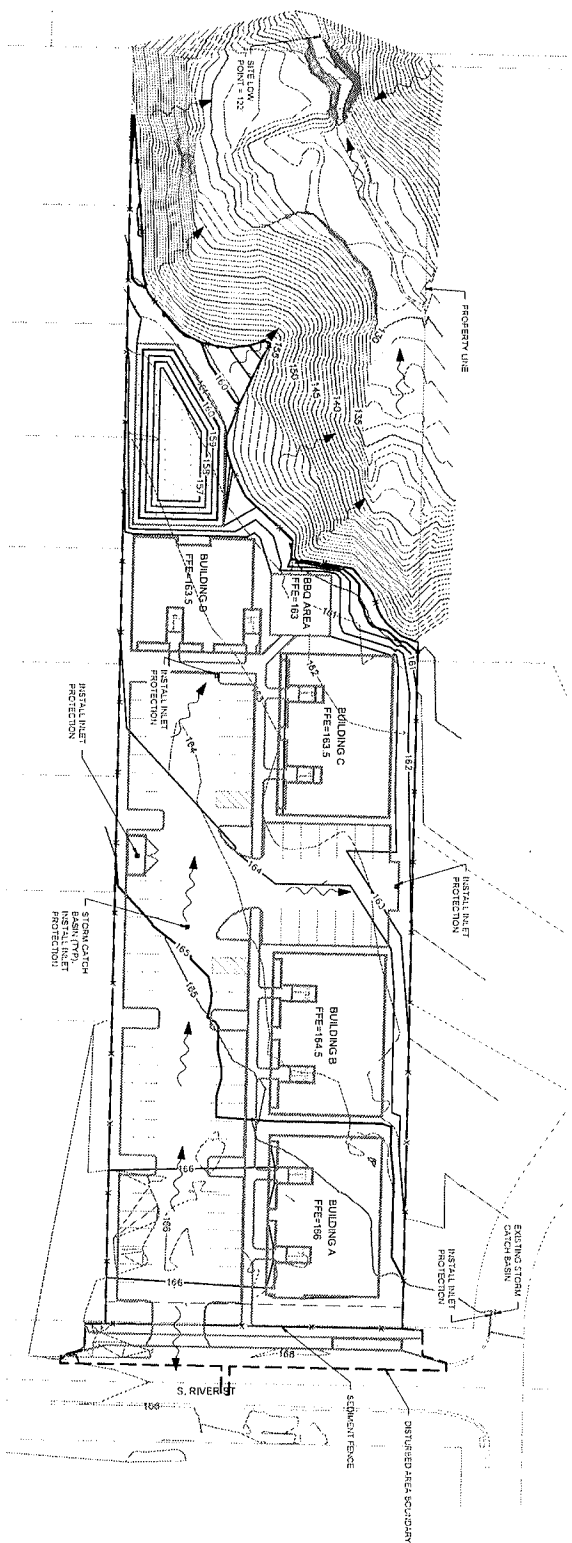
REV.	DATE	DESCRIPTION

H B H 501 E First Street
 Newberg, Oregon 97132
 CONSULTING 503/554-9553 fax 503/537-9554
 ENGINEERS email: mail@hbh-engineers.com
 Designed By: JRL Drawn By: JRL Checked By: JRL Submitted by: PRELIM
 Title: Final



LEGEND

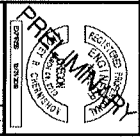
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- PROPOSED MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPERTY LINE
- DISTURBED AREA BOUNDARY
- PROPOSED SEDIMENT FENCE
- FLOW DIRECTION

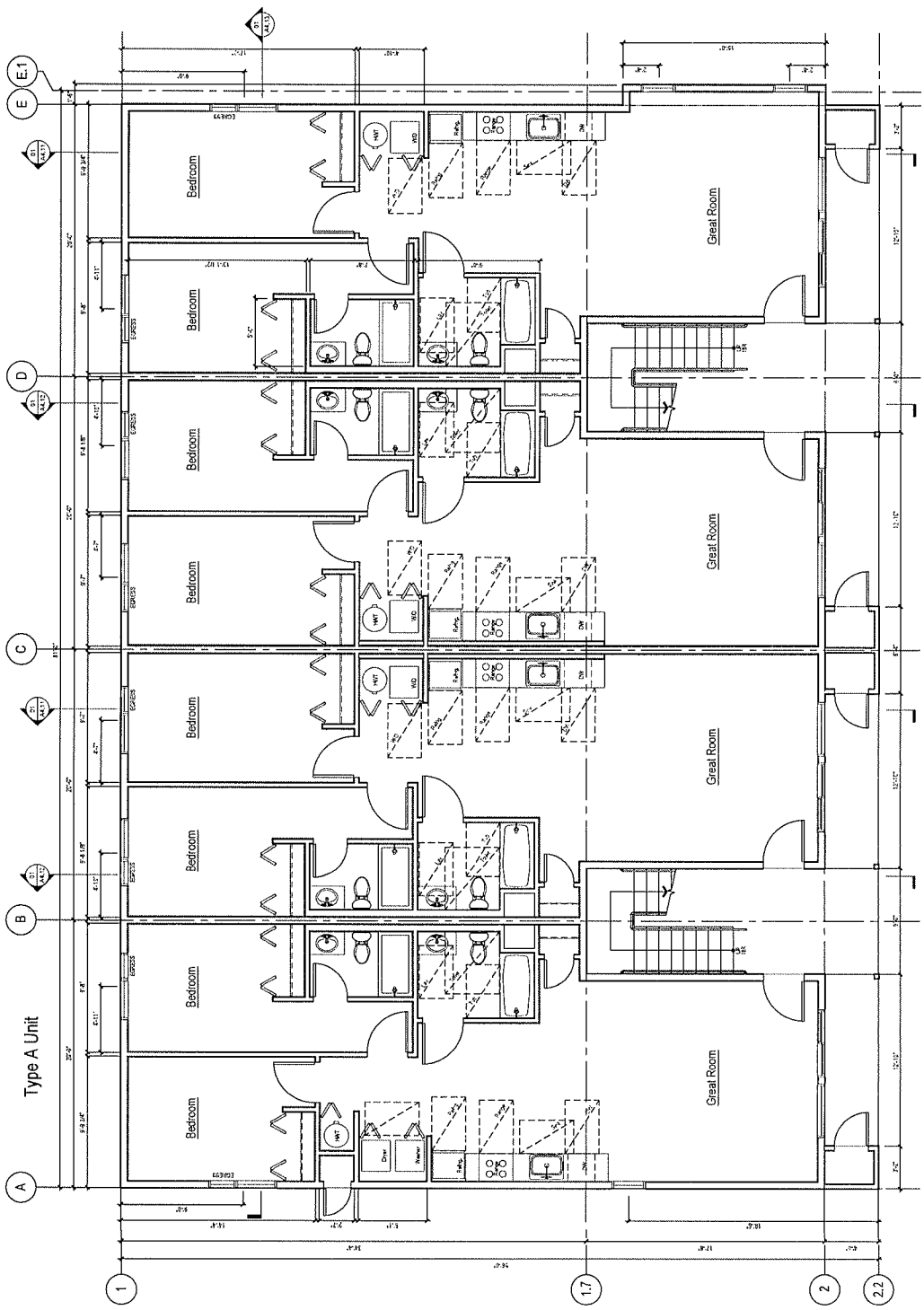


PLAN VIEW

SCALE: 1" = 30'

	SHAW-HERRIN, Inc. 5201 NW VAN GARDEN ROAD, PORTLAND, OR 97224 THE FLATS @ ROGERS LANDING NEWBERG, OREGON <h2 style="margin: 0;">GRADING PLAN</h2>	H B H CONSULTING ENGINEERS 501 E First Street Newberg, Oregon 97132 503/554-9553 • fax 503/537-9554 e-mail: mail@hbh-engineers.com
10/2/2018 2018411	9 of 9	Prepared by: [] Checked by: [] Approved by: [] Date: []





01 Building A Level 1 Floor Plan_{Scale: 1/4"=1'-0"}

A1.11

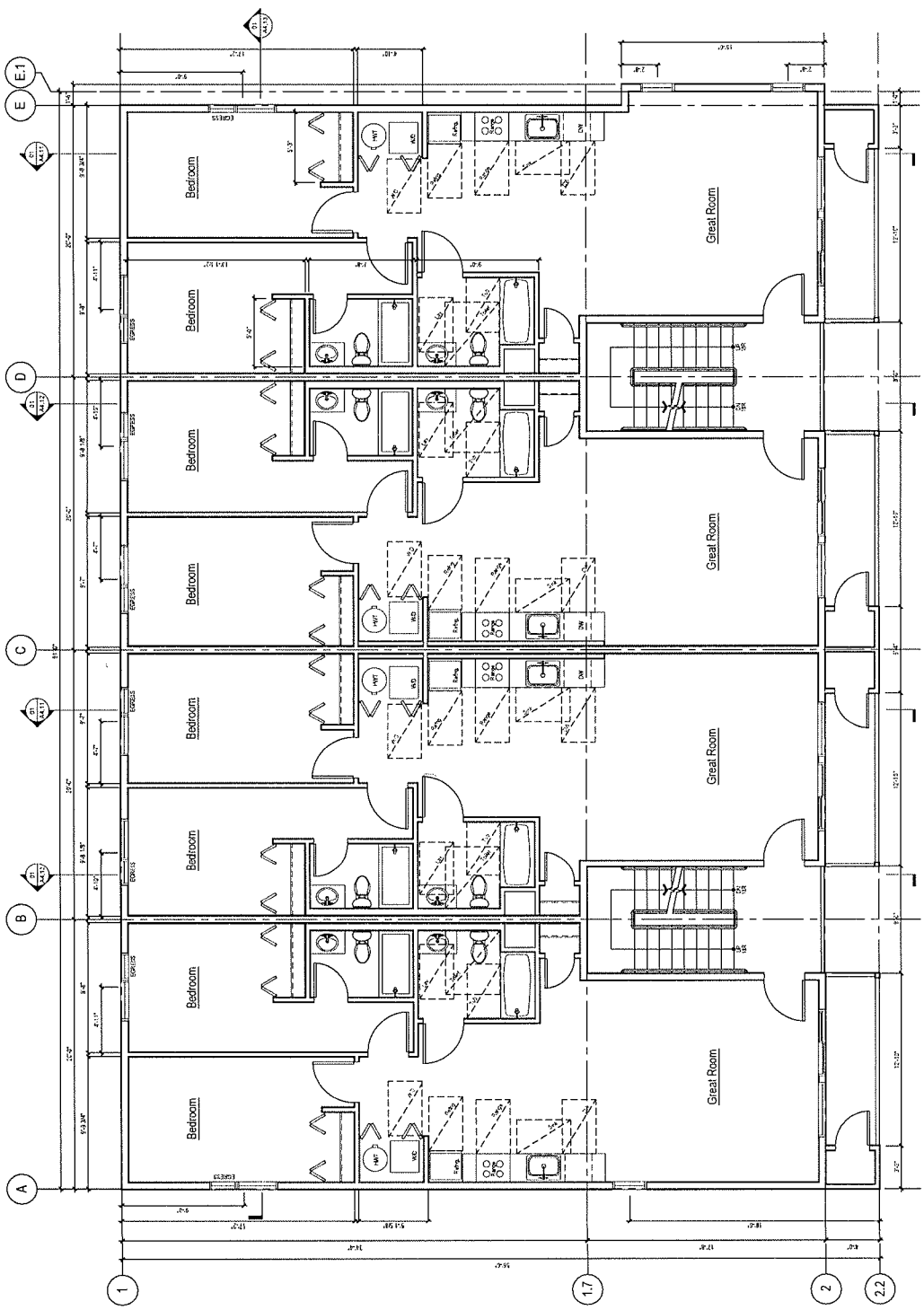
FLOOR PLAN-BUILDING A LEVEL 1

The Flats @ Rogers Landing
1109 S. River St. Newberg, OR 97132

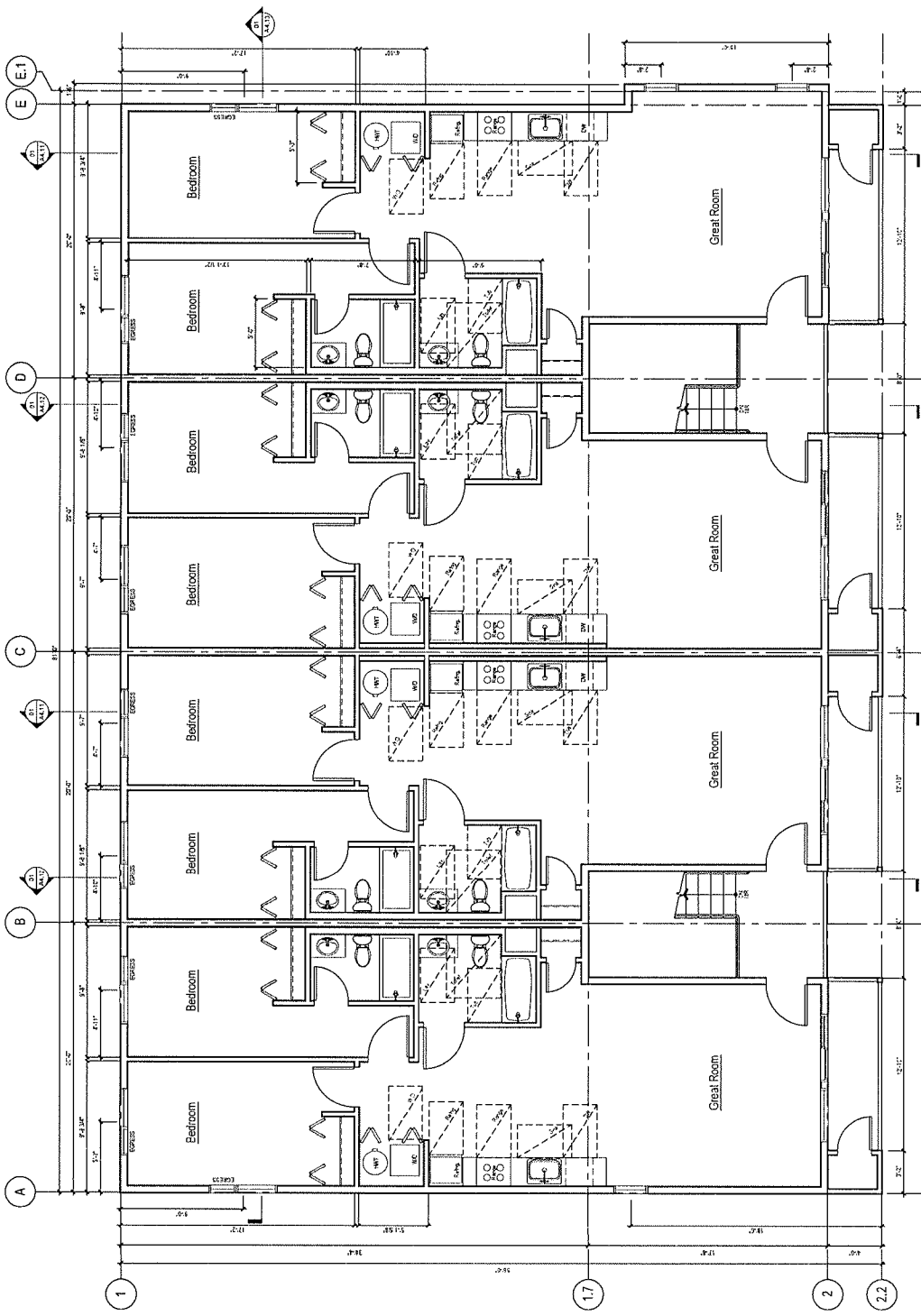
PROJECT NO.
1803

DATE:
Site Design Review
10.01.18

FORMINGARCHITECTURE LLC
3400 NE BROADCHURCH TRAIL #3
PORTLAND, OREGON 97213
503.949.9720
WWW.FORMINGARCHITECTURE.COM



01 Building A Level 2 Floor Plan Scale: 1/8"=1'-0"



01 Building A Level 3 Floor Plan_{Scale: 1/4"=1'-0"}

A1.13

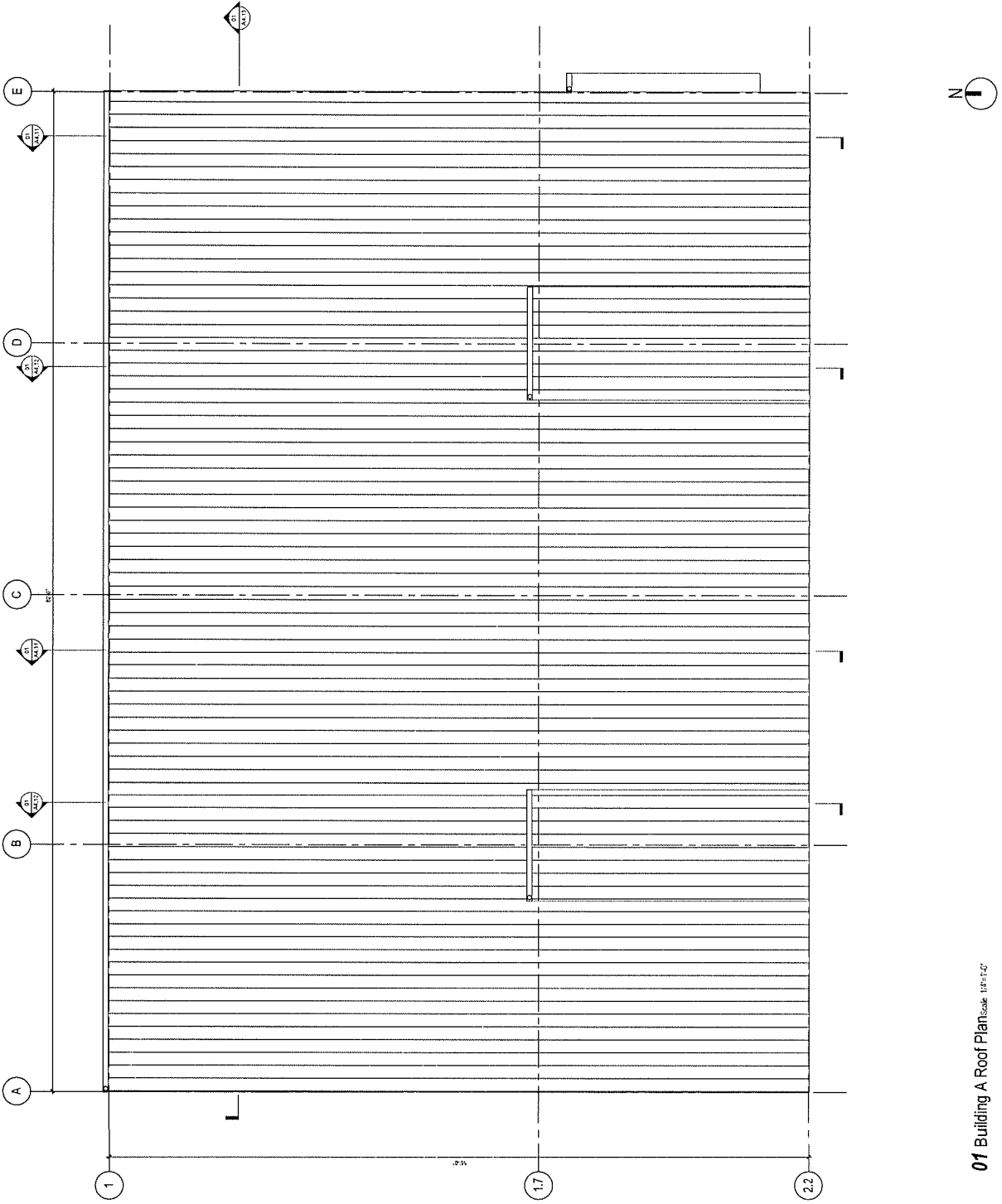
FLOOR PLAN-BUILDING A LEVEL 1

PROJECT NO:
1803

ISSUANCE:
Site Design Review
10.01.18

The Flats @ Rogers Landing
1109 S. River St. Newberg, OR 97132

FORMINGARCHITECTURE LLC
3400 NE SANDHURST TRAIL & J
PORTLAND, OREGON 97213
503.919.3949
WWW.FORMINGARCHITECTURE.COM



01 Building A Roof Plan Scale: 1/8"=1'-0"

A1.14

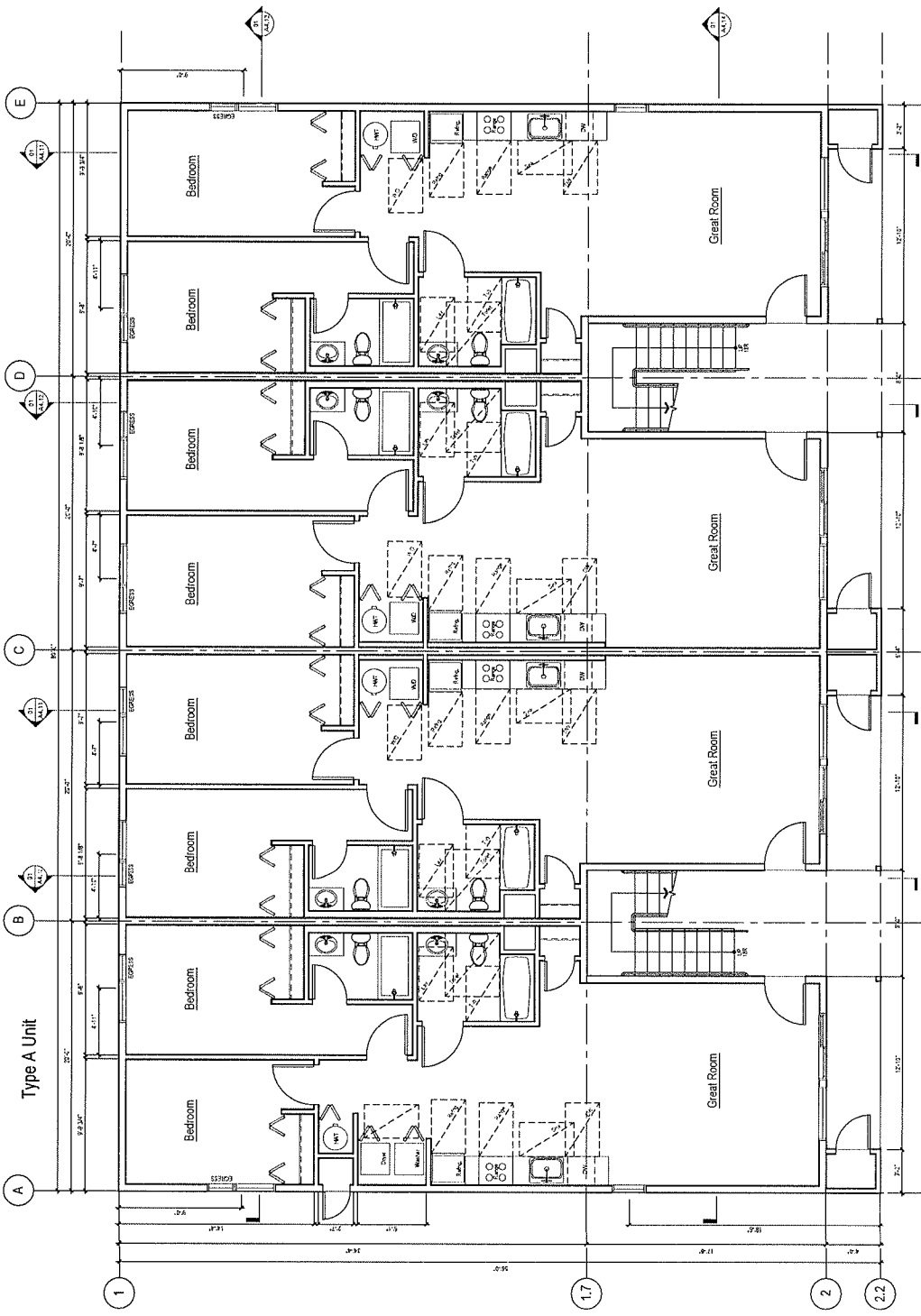
ROOF PLAN-BUILDING A

The Flats @ Rogers Landing
1109 S. River St. Newberg, OR 97132

PROJECT NO.
1803

ISSUE DATE:
Site Design Review
10.01.18

FORMINGARCHITECTURE LLC
3222 NE SANDHOLEN TERRACE #3
PORTLAND, OREGON 97213
503.251.2676
WWW.FORMINGARCHITECTURE.COM



01 Building B & C Level 1 Floor Plan Scale: 1/4"=1'-0"

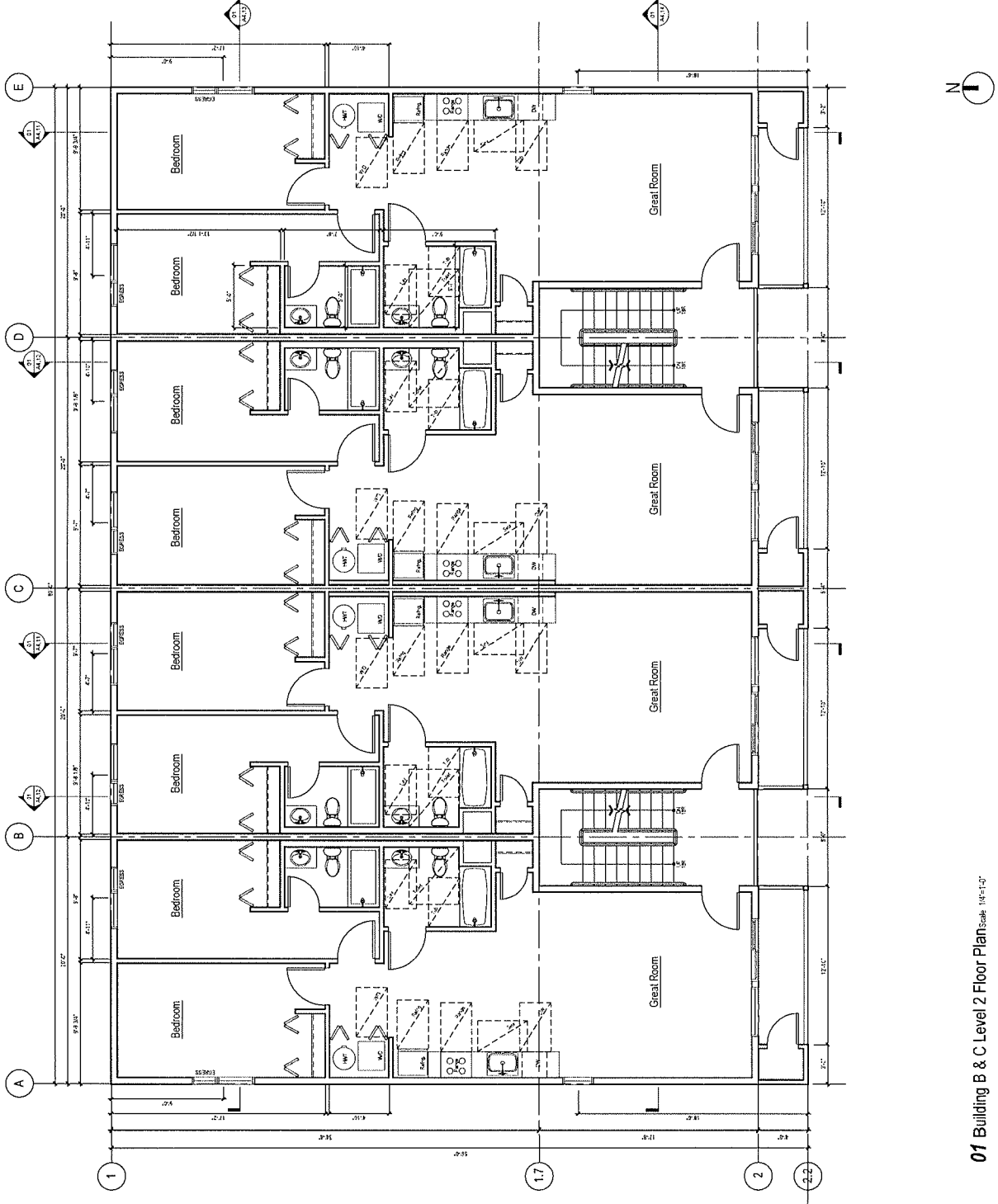
A1.21

FLOOR PLAN-BUILDING B & C LEVEL 1

PROJECT NO.
18003
REVISIONS:
Site Design Review
10.01.18

The Flats @ Rogers Landing
1109 S. River St. Newberg, OR 97132

FORMINGARCHITECTURE LLC
3422 NE SANDHURST TERRACE #2
PORTLAND, OREGON 97218
503.316.9770
WWW.FORMINGARCHITECTURE.COM



01 Building B & C Level 2 Floor Plan^{Scale: 1/4"=1'-0"}

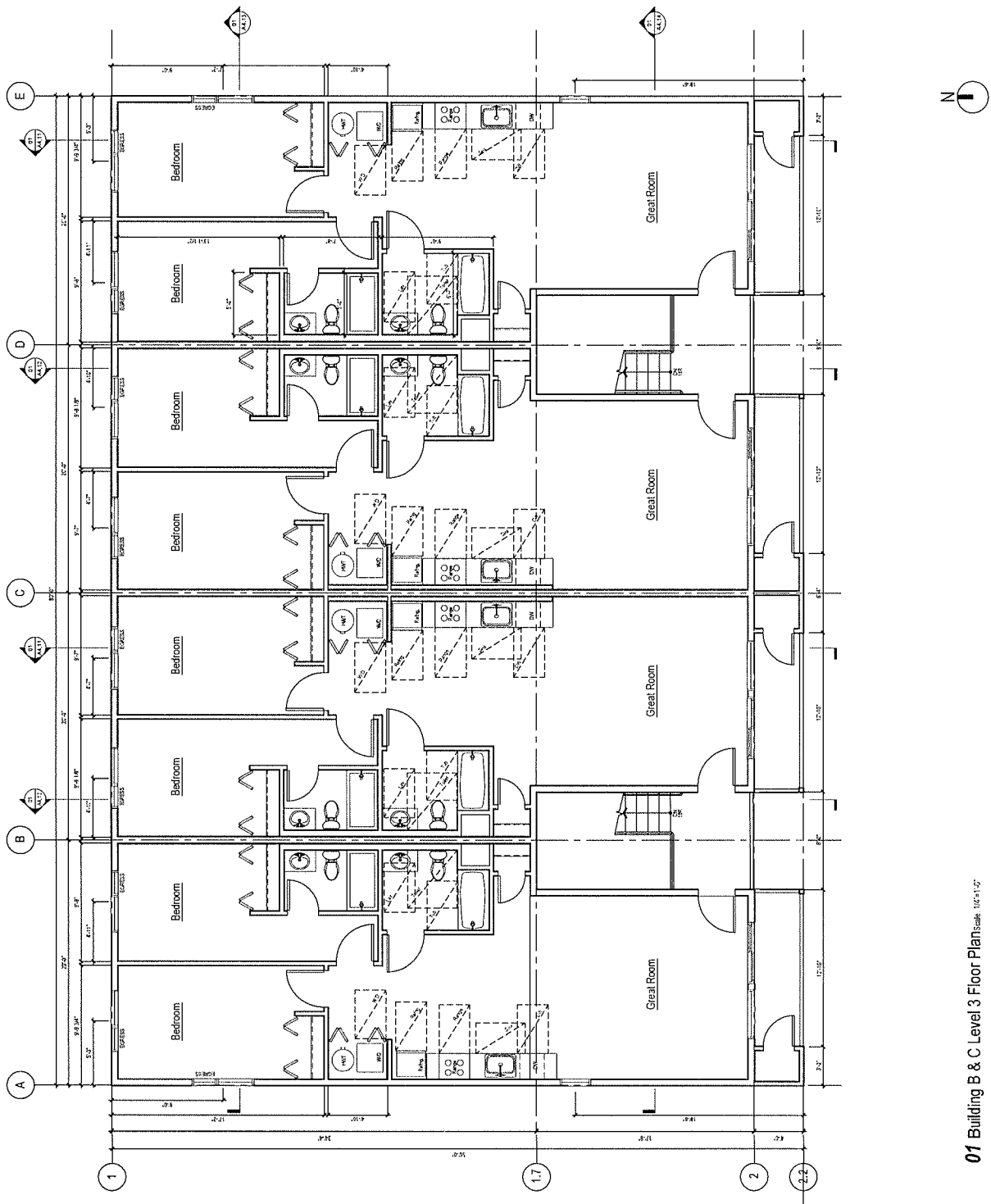
A1.22

FLOOR PLAN-BUILDING B & C LEVEL 2

PROJECT NO.
18803
ISSUE DATE:
Site Design Review
10.01.18

The Flats @ Rogers Landing
1109 S. River St, Newberg, OR 97132

FORMINGARCHITECTURE, LLC
3420 NE LANDMARK FEMMECK #1
PORTLAND, OREGON 97213
503.241.0272
WWW.FORMINGARCHITECTURE.COM



01 Building B & C Level 3 Floor Plans Scale: 1/4" = 1'-0"

A1.23

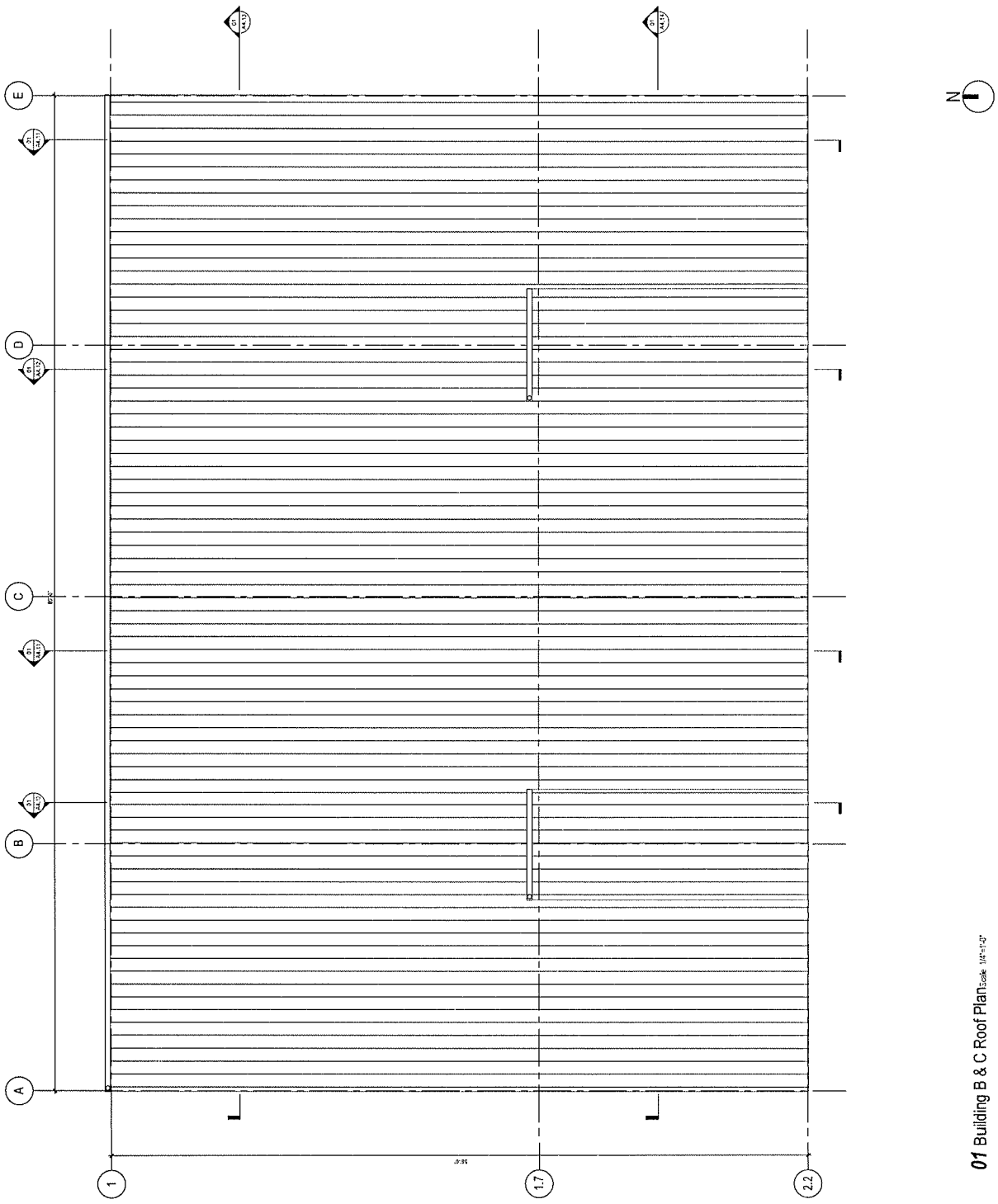
FLOOR PLAN-BUILDING B & C LEVEL 3

DATE: 10.01.18
 Site Design Review

PROJECT NO. 1803

The Flats @ Rogers Landing
 1109 S. River St. Newberg, OR 97132

FORMING ARCHITECTURE, LLC
 5100 NE SANDWICH TERRACE #3
 PORTLAND, OREGON 97213
 WWW.FORMINGARCHITECTURE.COM



01 Building B & C Roof Plan Scale: 1/4"=1'-0"



A1.24

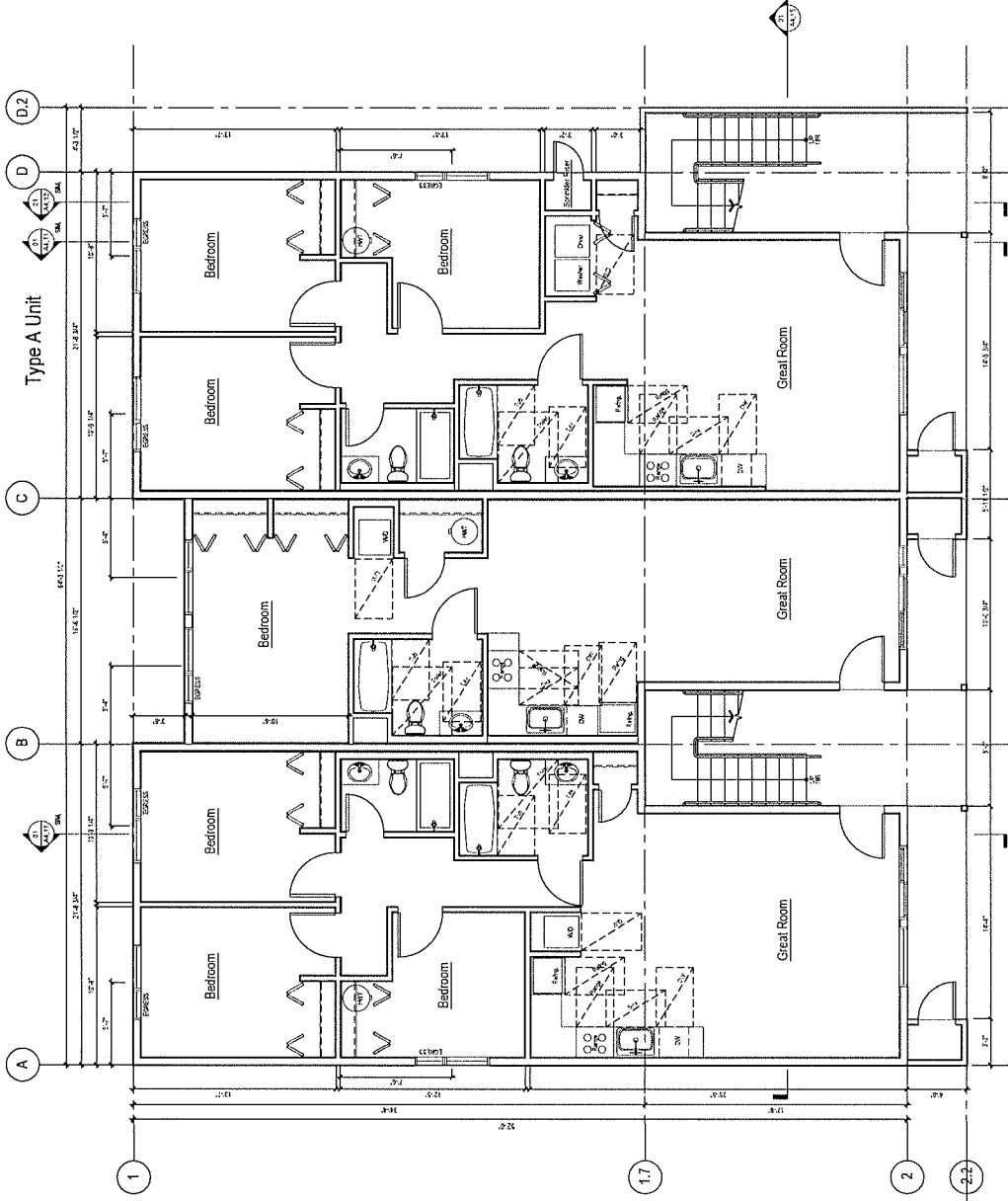
ROOF PLAN-BUILDING B & C

PROJECT NO:
1803

ISSUE DATE:
Site Design Review
10.01.18

The Flats @ Rogers Landing
1109 S. River St. Newberg, OR 97132

FORMINGARCHITECTURE LLC
9422 NE SANDHOLEY TERRACE #3
PORTLAND, OREGON 97218
503.51.2978
WWW.FORMINGARCHITECTURE.COM



Type A Unit

D.2

D

C

B

A

1

1.7

2

2.2



01 Building D Level 1 Floor Plan - scale 1/4" = 1'-0"

A1.41

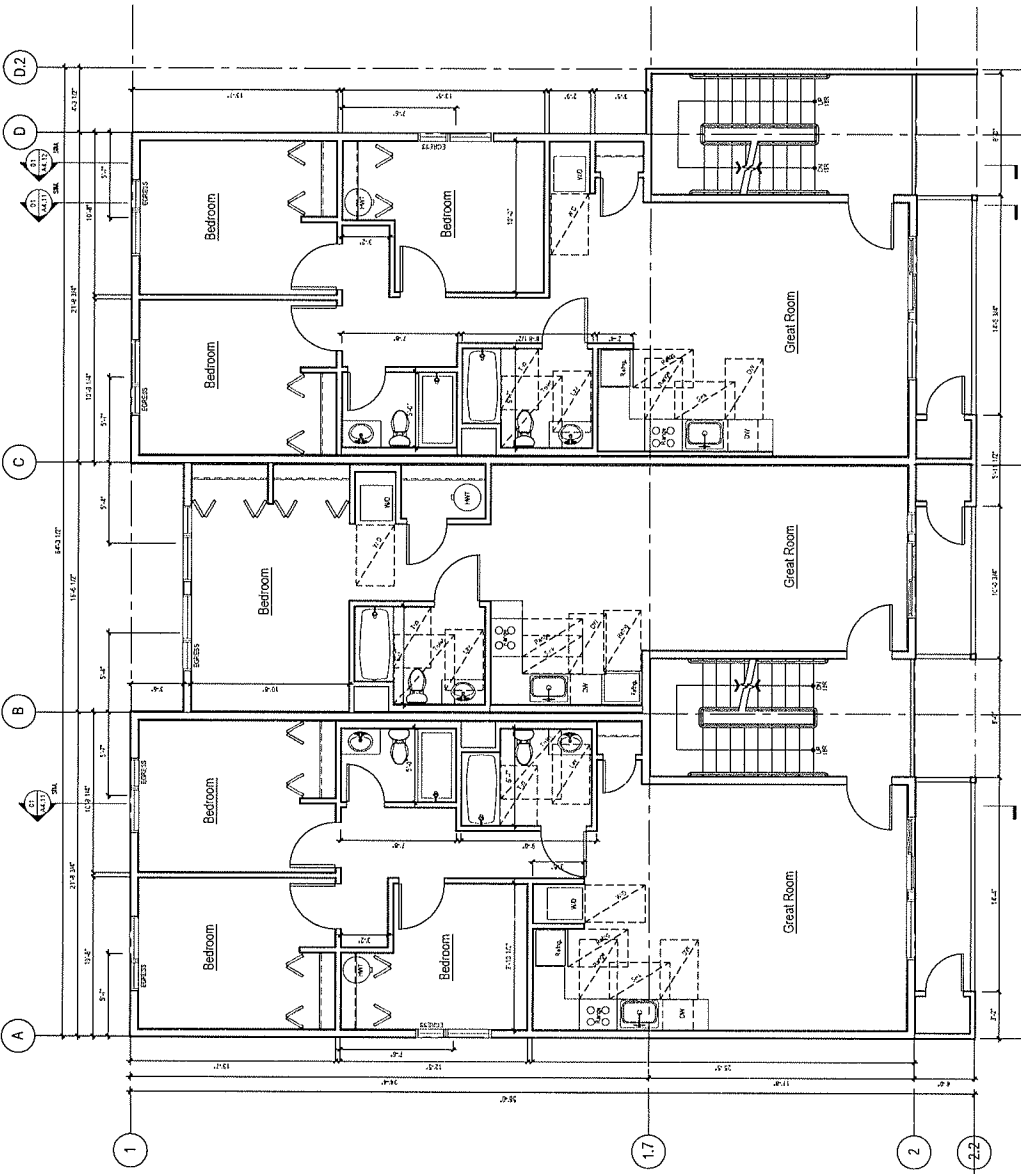
FLOOR PLAN-BUILDING D LEVEL 1

The Flats @ Rogers Landing
1109 S. River St. Newberg, OR 97132

PROJECT NO.
1803

ISSUE DATE:
Site Design Review
10.01.18

FORMING ARCHITECTURE LLC
500 NE GAVINWAY TERRACE #1
PORTLAND, OREGON 97213
503.918.9725
WWW.FORMINGARCHITECTURE.COM



01 Building D Level 2 Floor Plans scale: 1/4" = 1'-0"

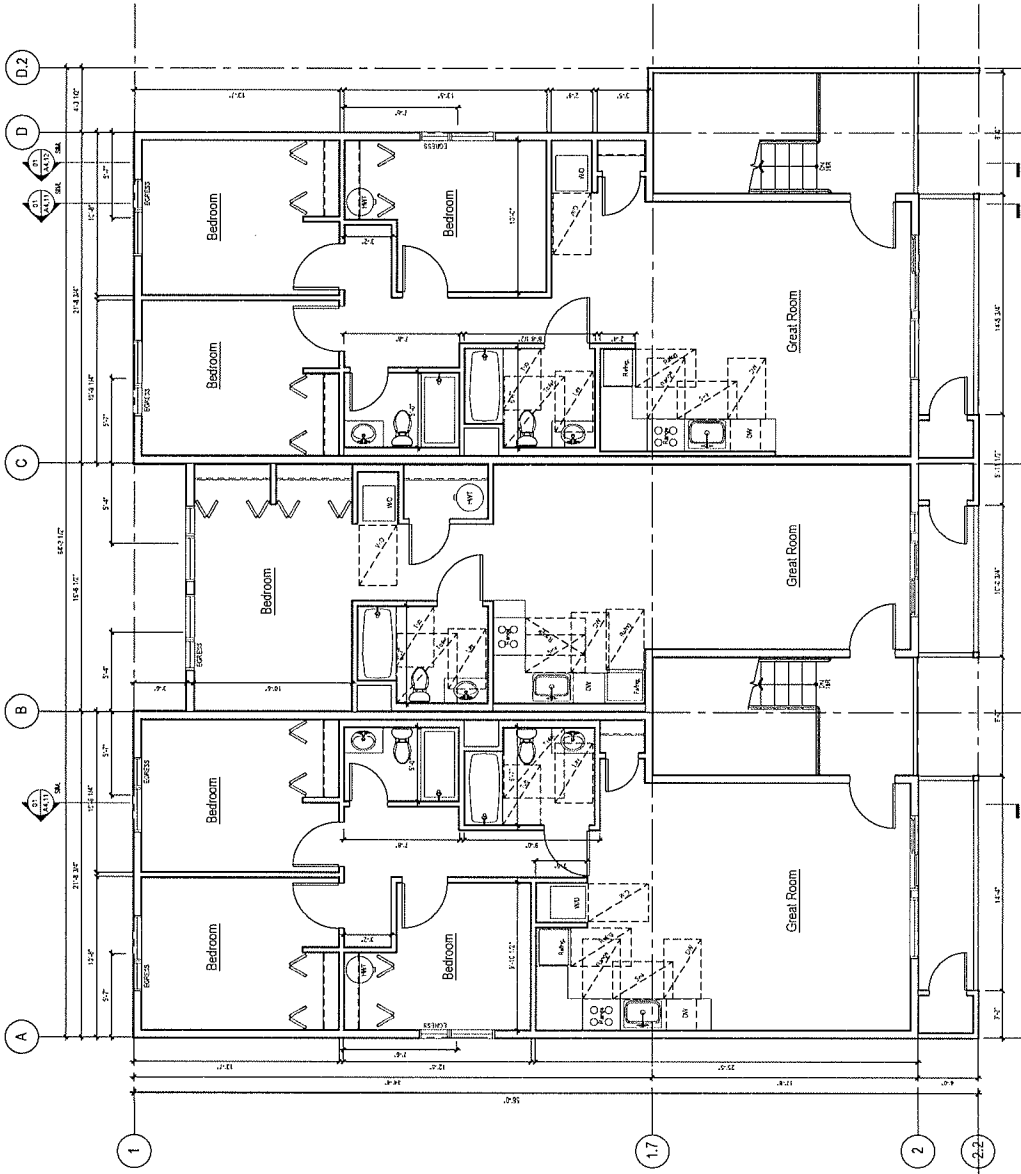
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FLOOR PLAN-BUILDING D LEVEL 2

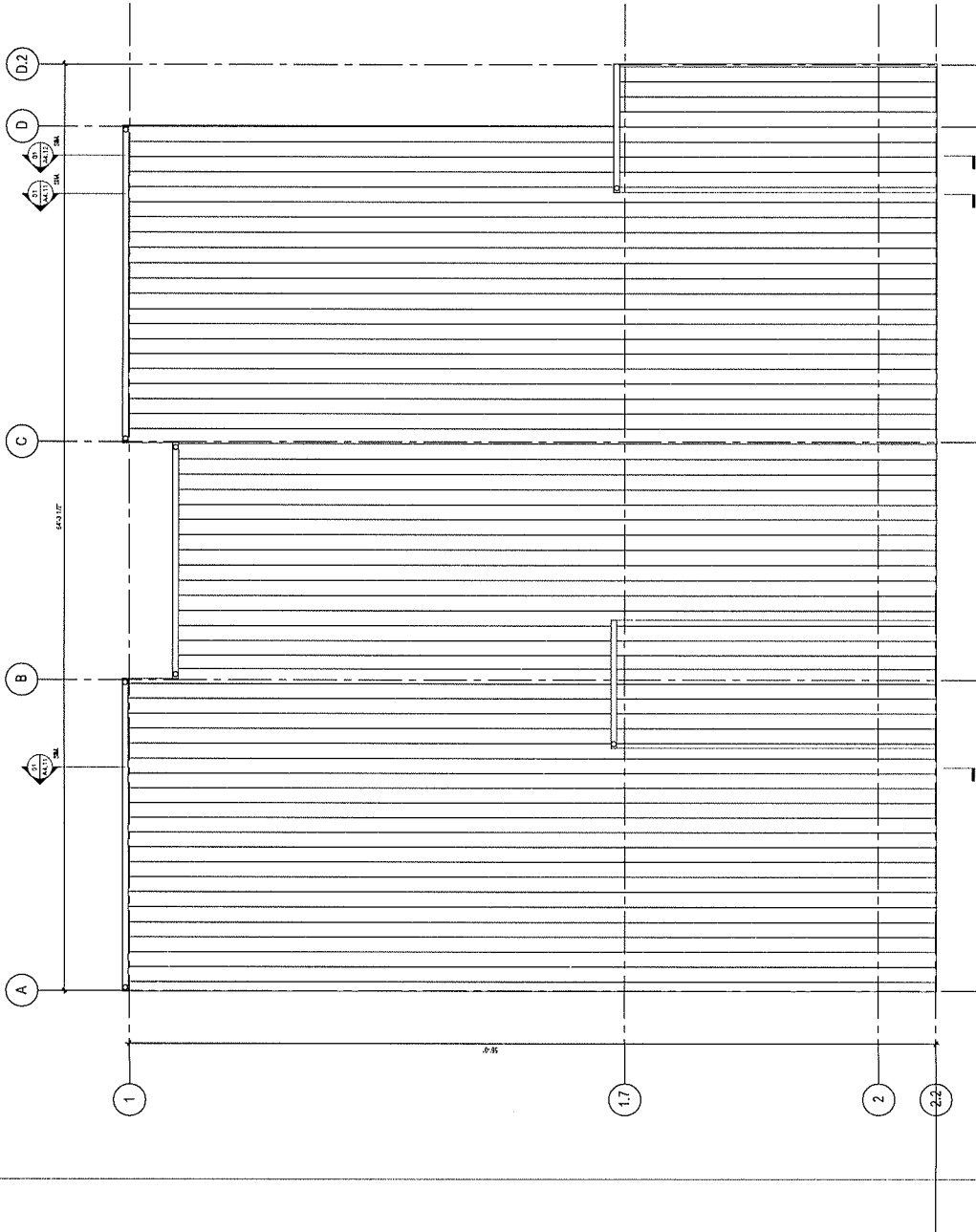
PROJECT NO.
1683
DATE
10.01.18
SHEETS
Site Design Review

The Flats @ Rogers Landing
1109 S. River St. Newberg, OR 97132

FORMINGARCHITECTURE LLC
3420 NE GIMBERT TOWER #2
PORTLAND, OREGON 97213
503.219.2972
WWW.FORMINGARCHITECTURE.COM



01 Building D Level 3 Floor Plans - scale: 1/8" = 1'-0"



01 Building D Roof Plan Scale: 1/8"=1'-0"

A1.44

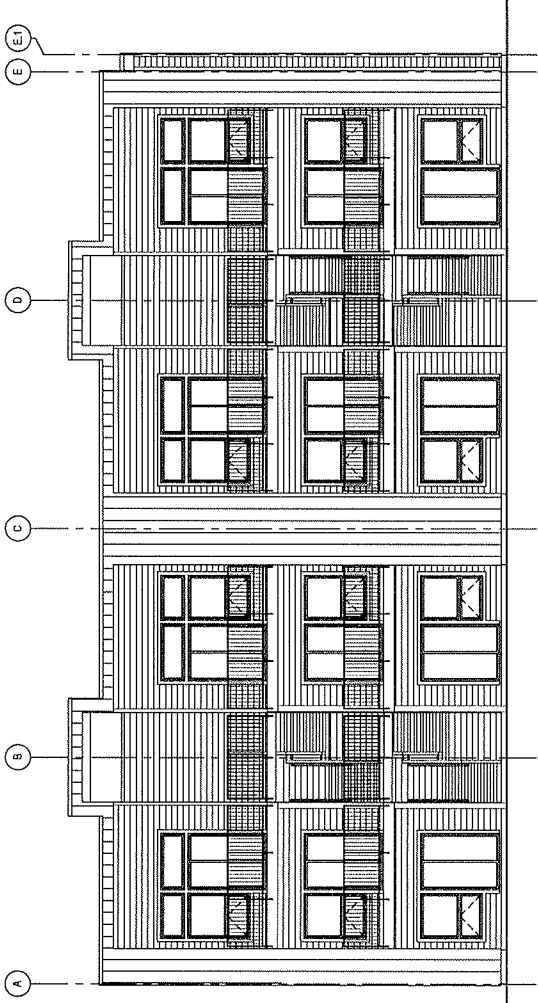
ROOF PLAN-BUILDING D

PROJECT NO.
1603

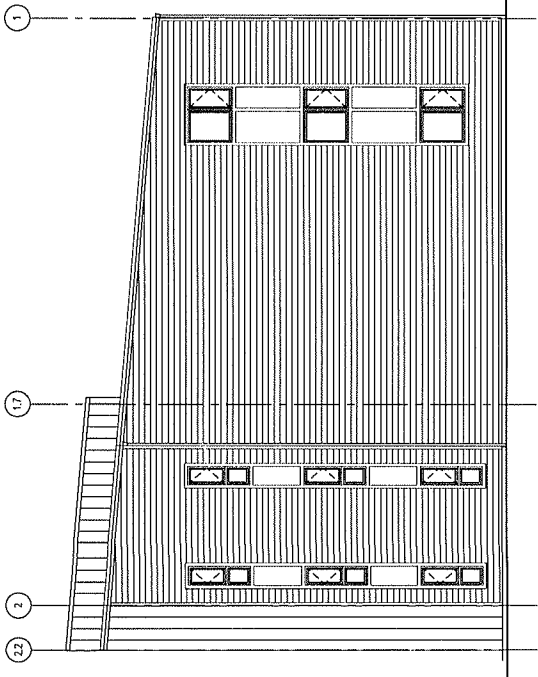
DATE:
Site Design Review
10.01.18

The Flats @ Rogers Landing
1109 S. River St. Newberg, OR 97132

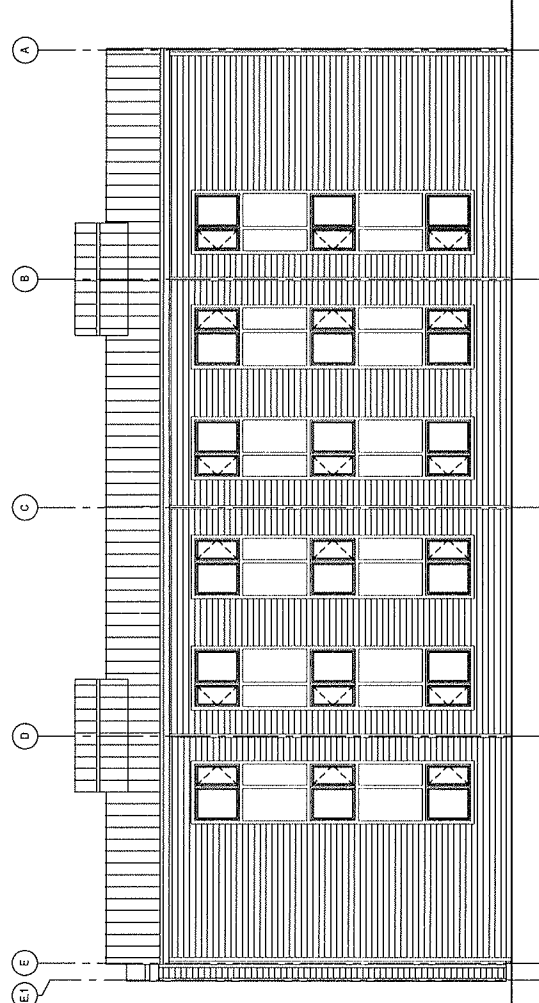
FORMING ARCHITECTURE LLC
522 NE SANDHURST TERRACE #2
PORTLAND, OREGON 97213
503.316.3476
WWW.FORMINGARCHITECTURE.COM



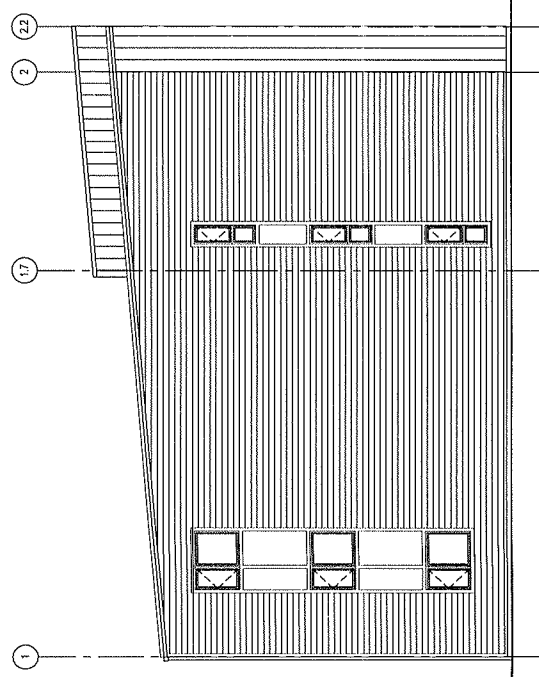
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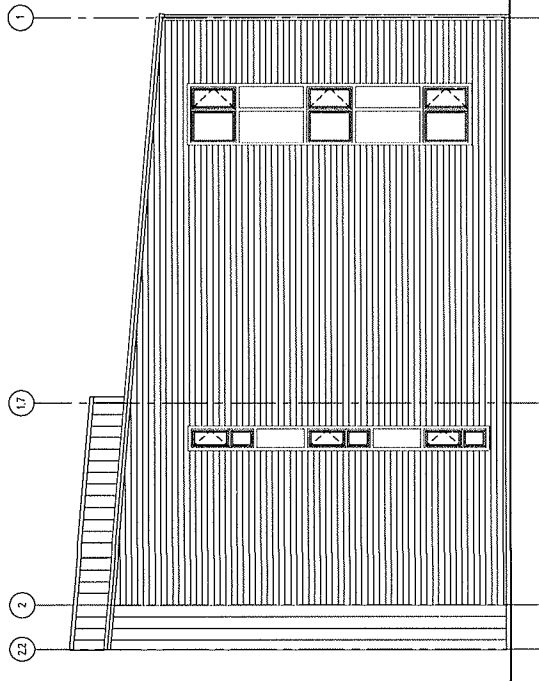
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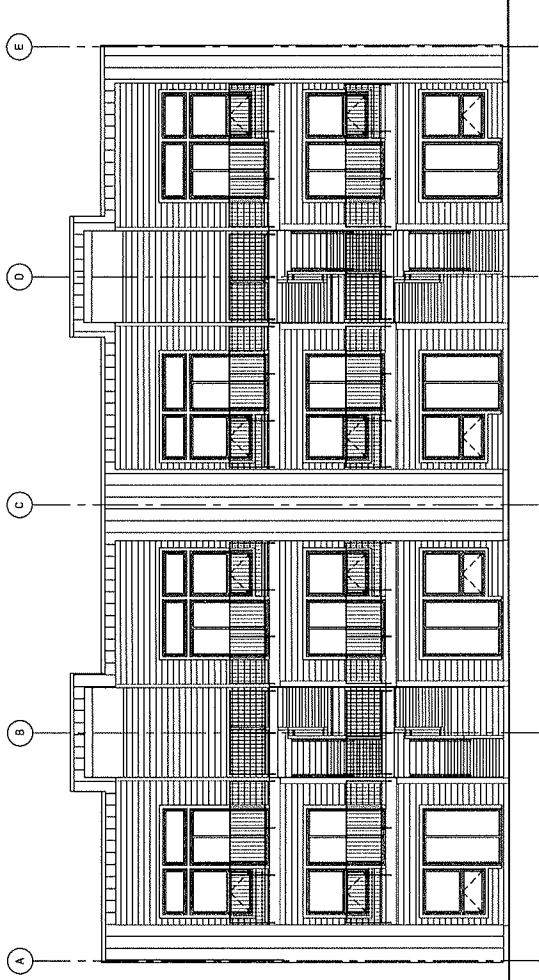
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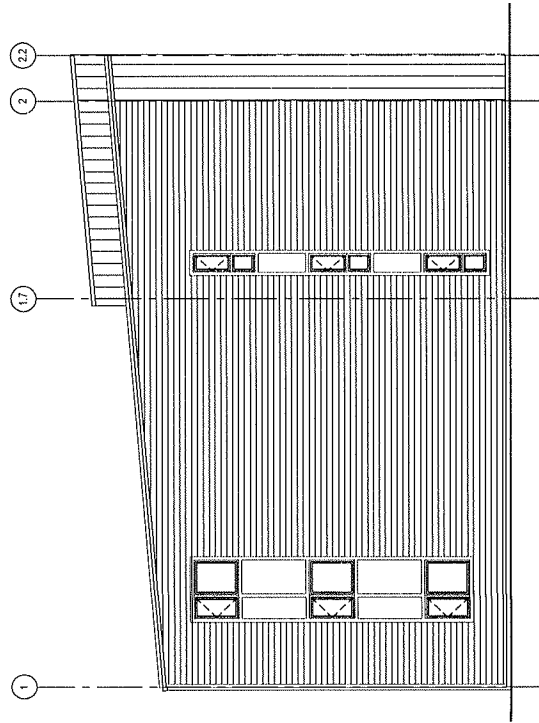
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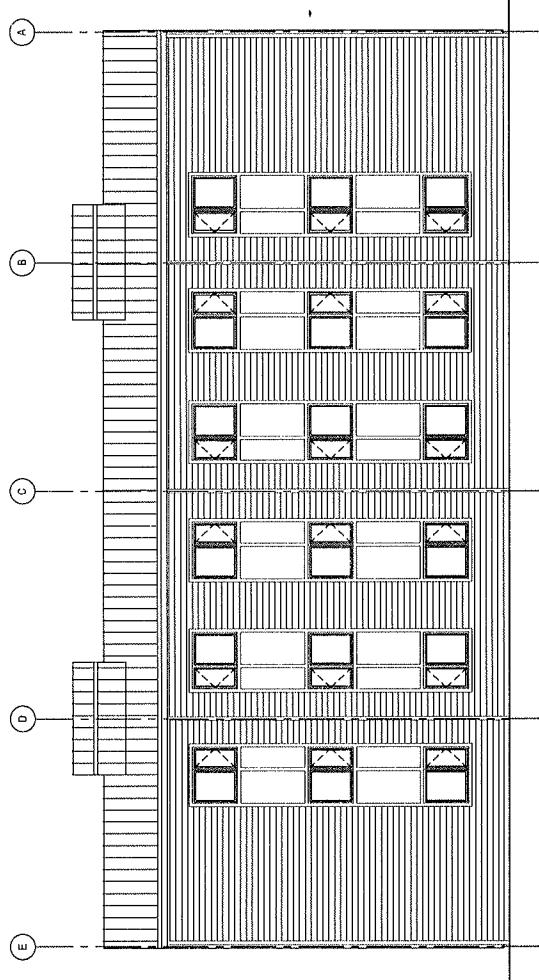
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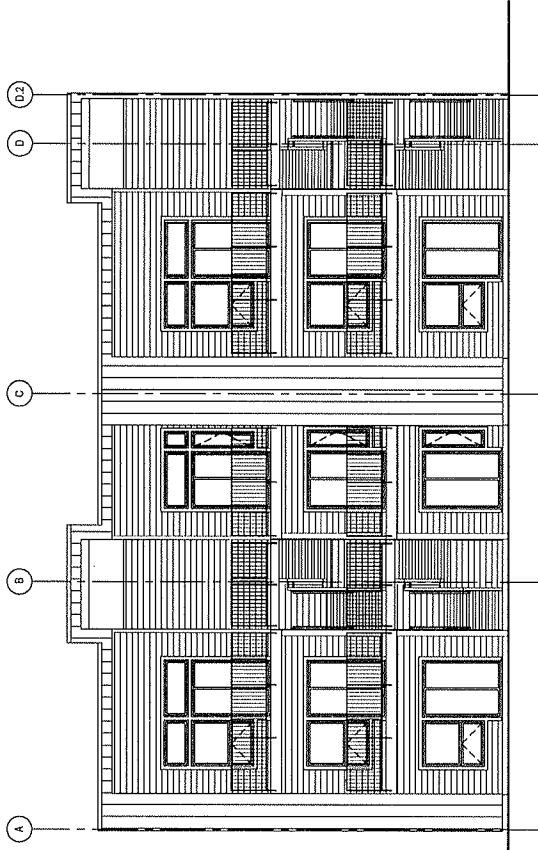
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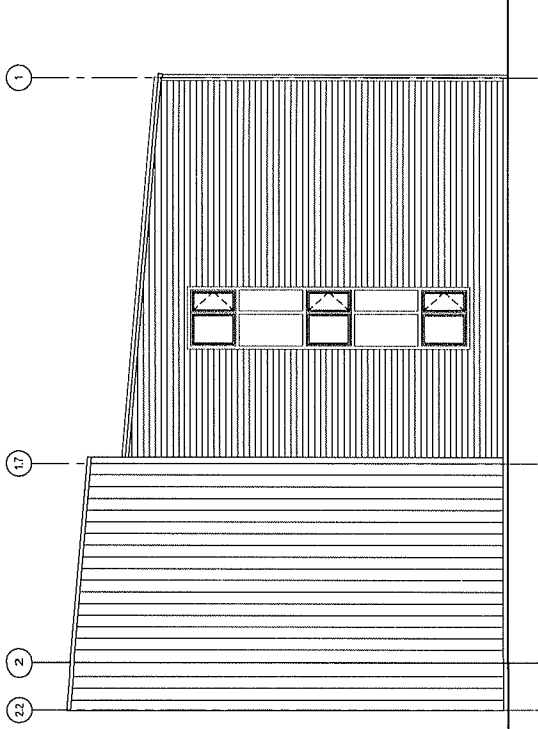
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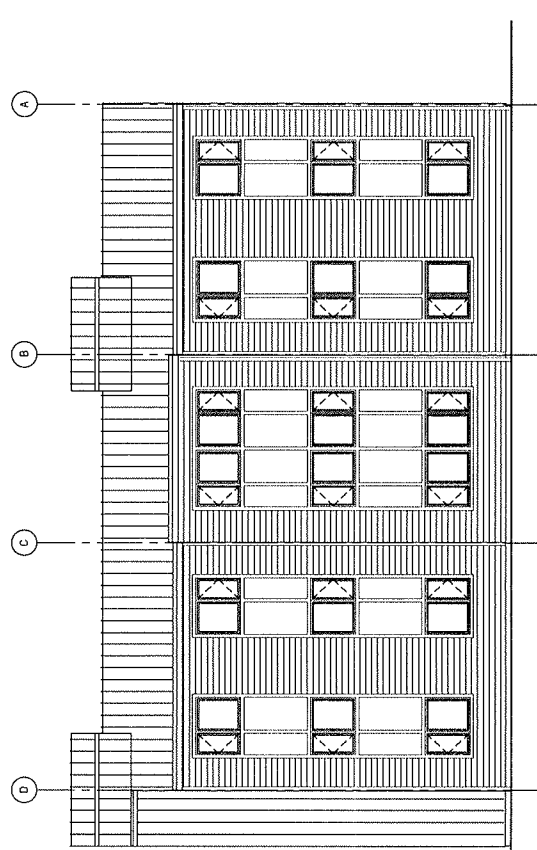
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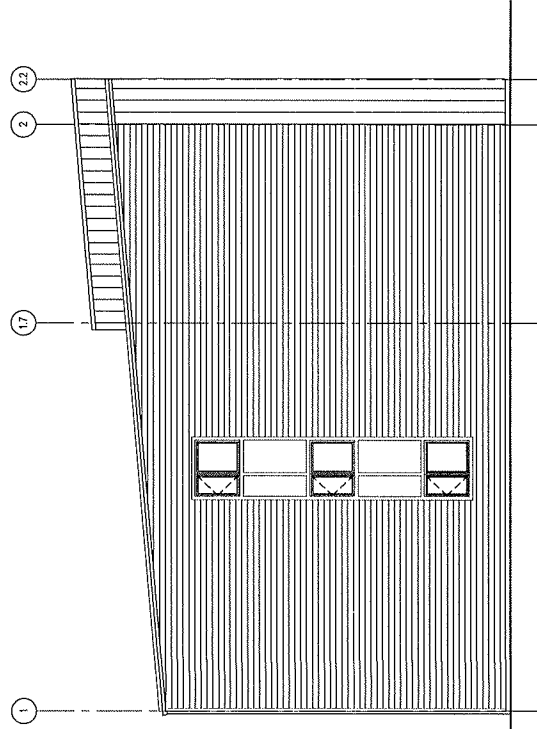
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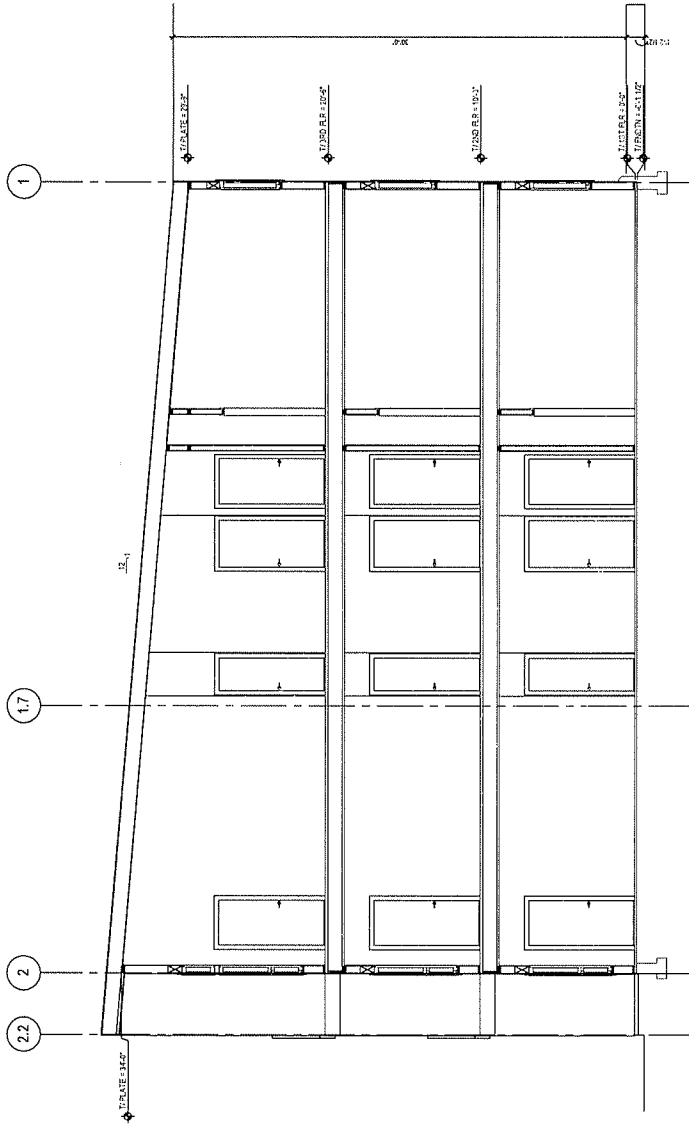
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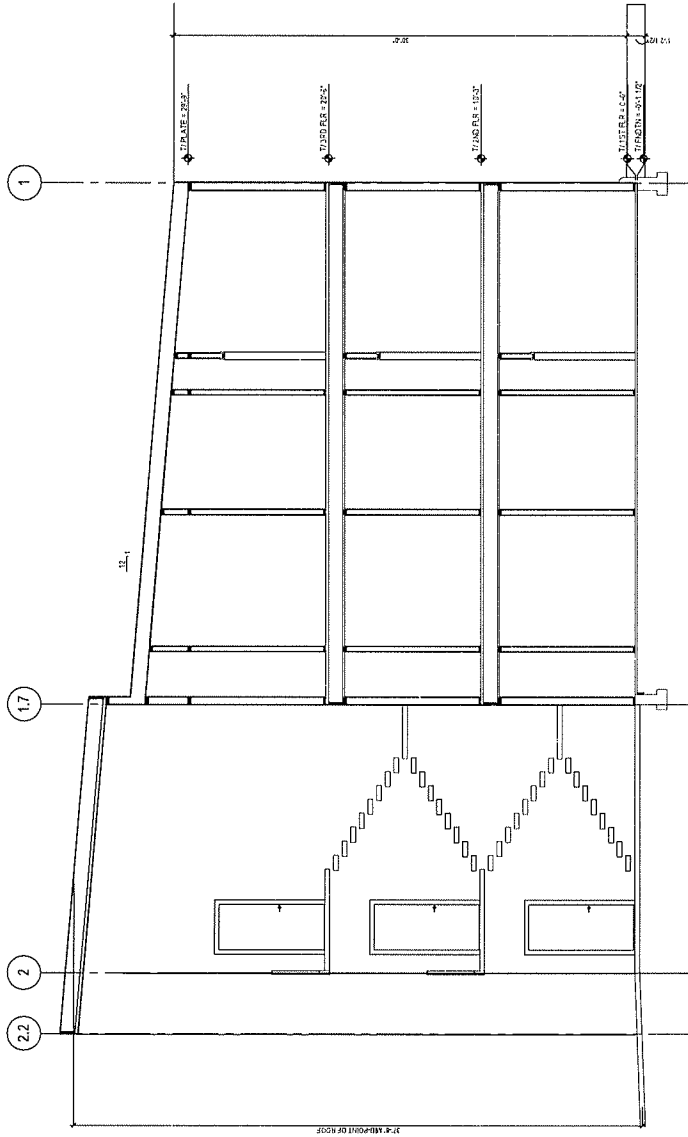
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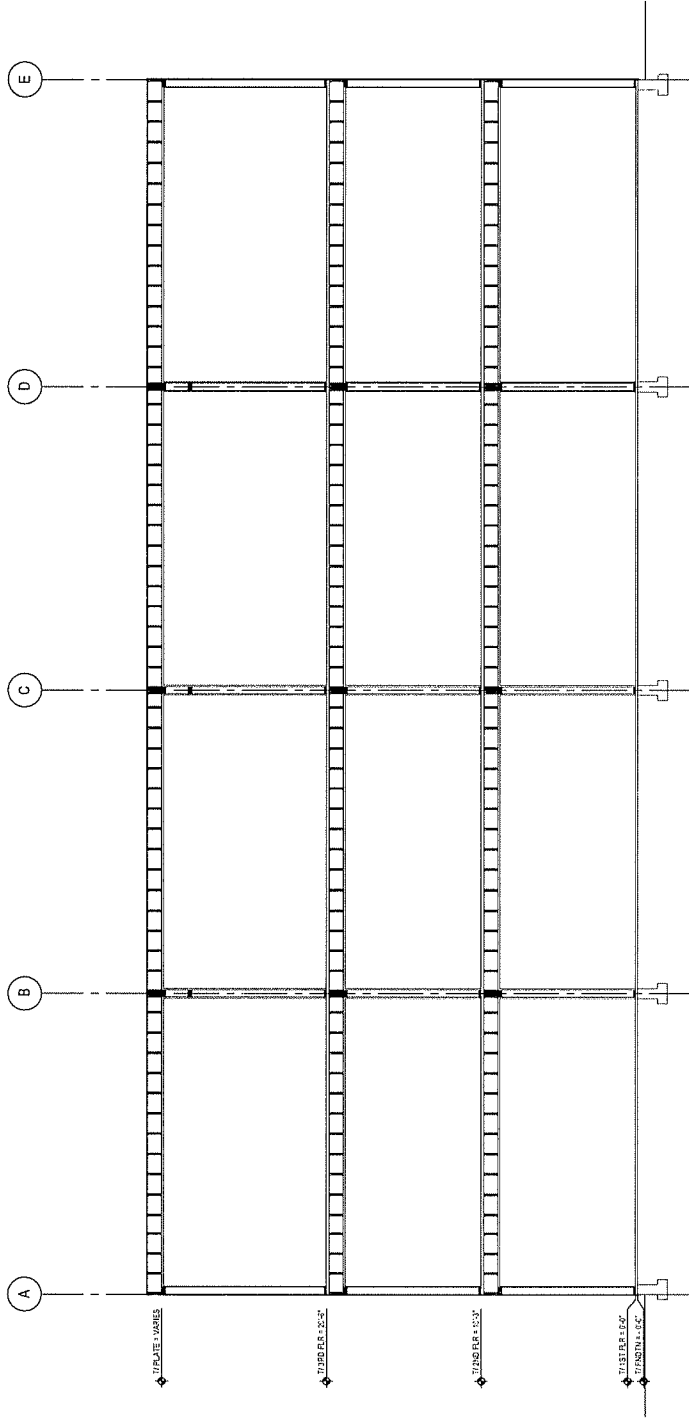
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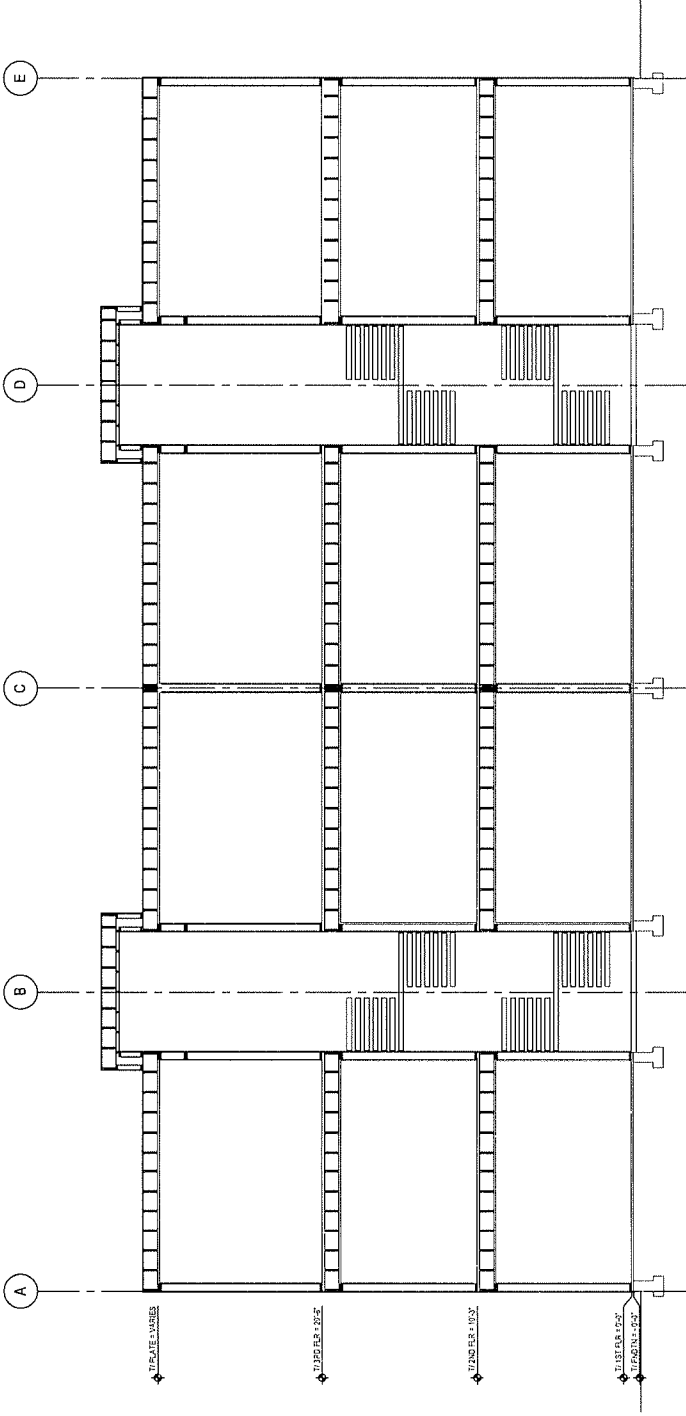
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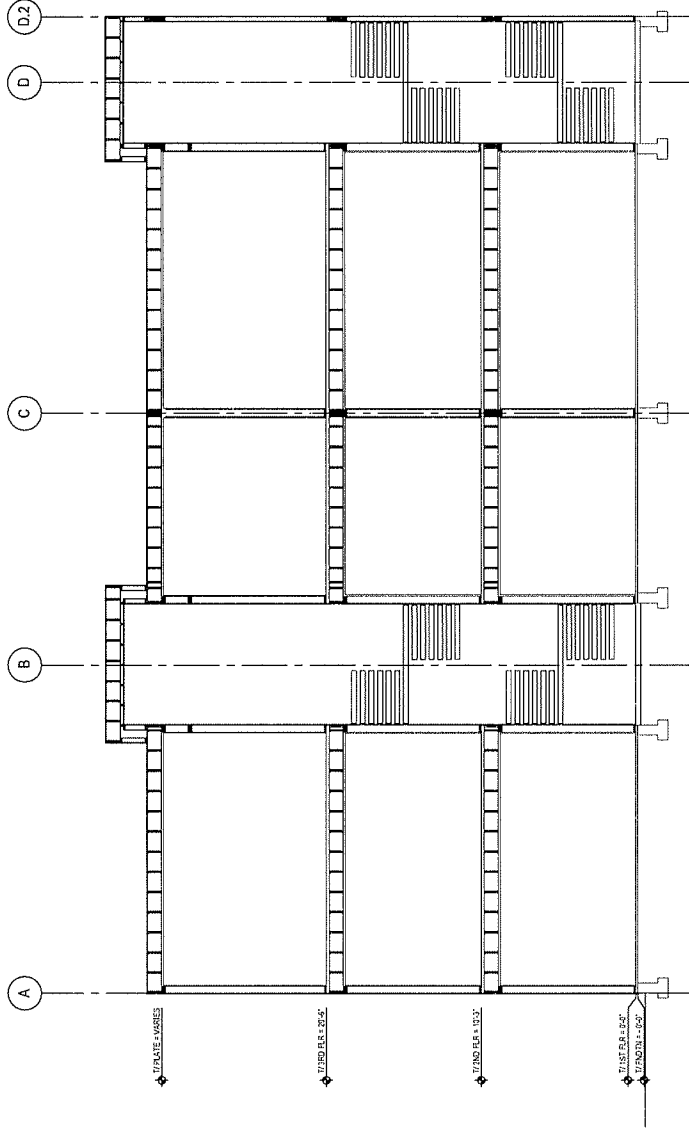
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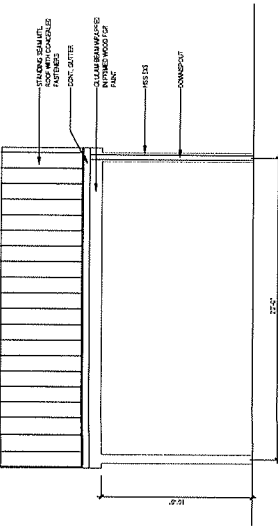
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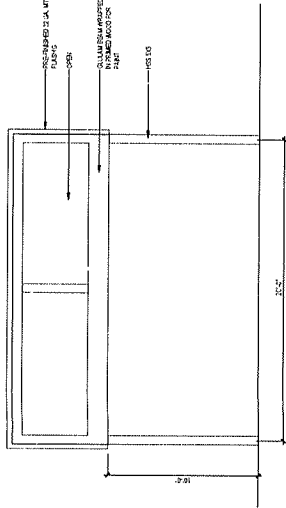
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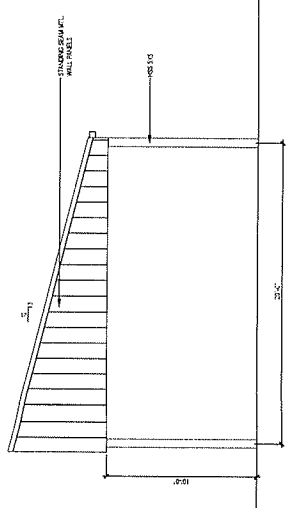
01 Building A, B & C Section Scale: 1/4"=1'-0"



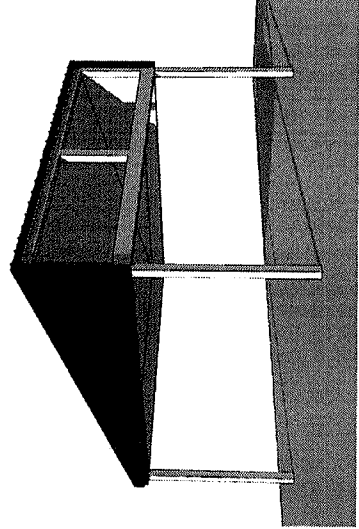
09 Pavilion East Elevation Scale: 1/4"=1'-0"



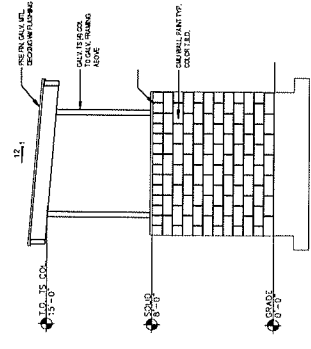
08 Pavilion West Elevation Scale: 1/4"=1'-0"



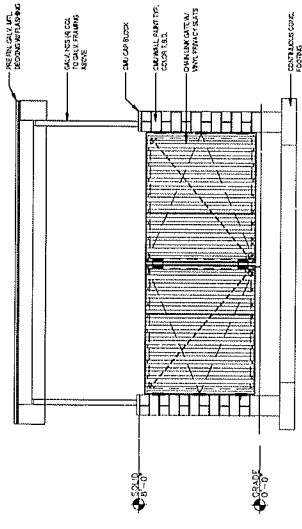
07 Pavilion South Elevation Scale: 1/4"=1'-0"



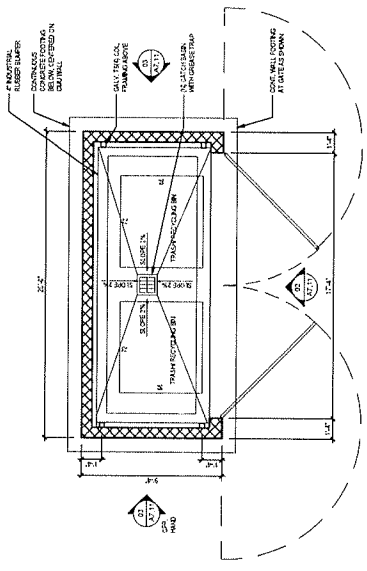
Pavilion Perspective



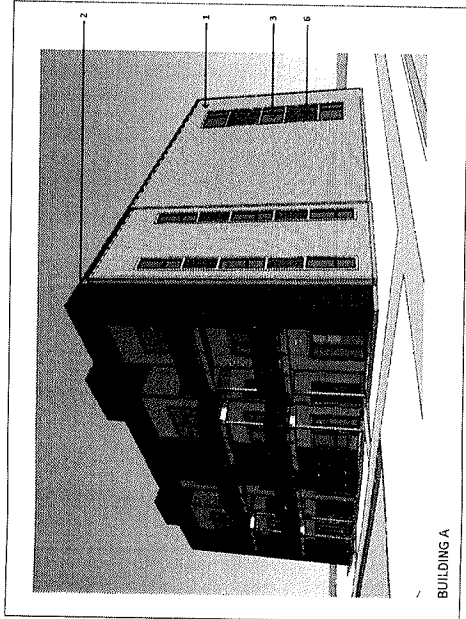
03 Trash Enclosure West Elevation Scale: 1/4"=1'-0"



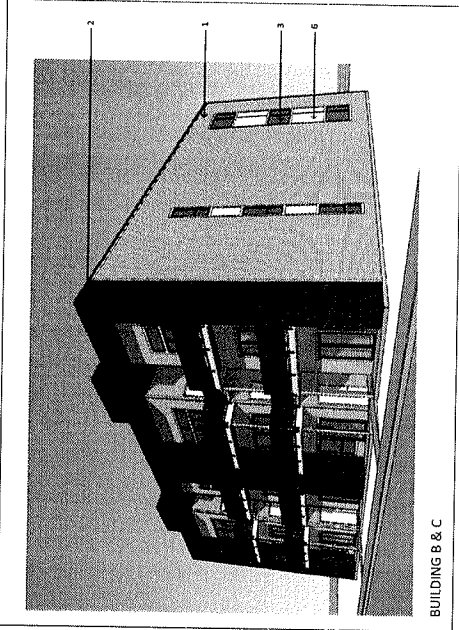
02 Trash Enclosure North Elevation Scale: 1/4"=1'-0"



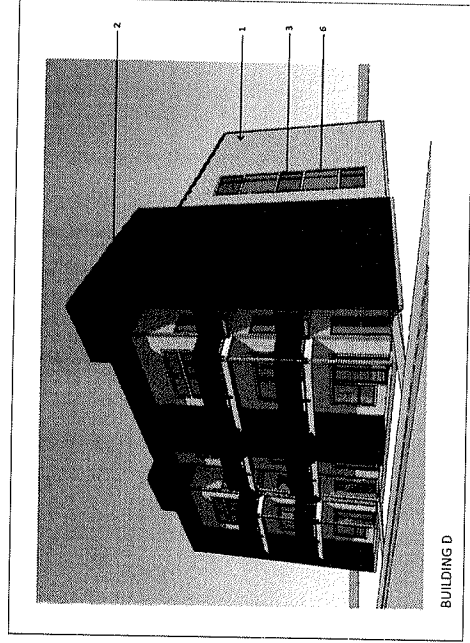
01 Plan at Trash Enclosure Scale: 1/4"=1'-0"



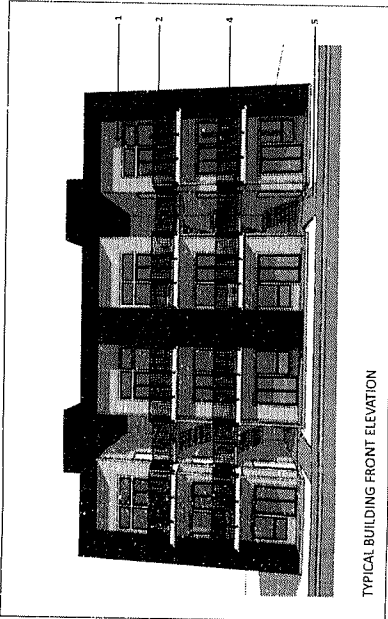
BUILDING A



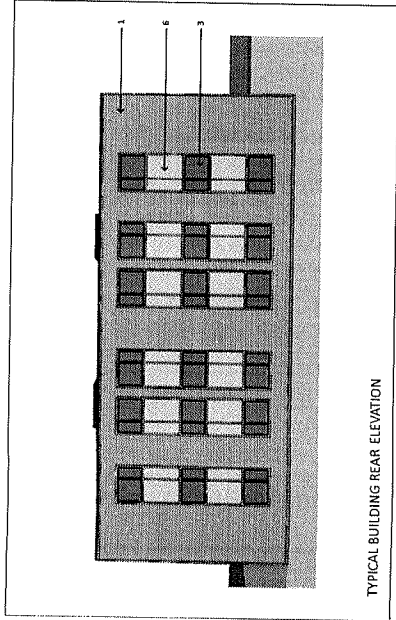
BUILDING B & C



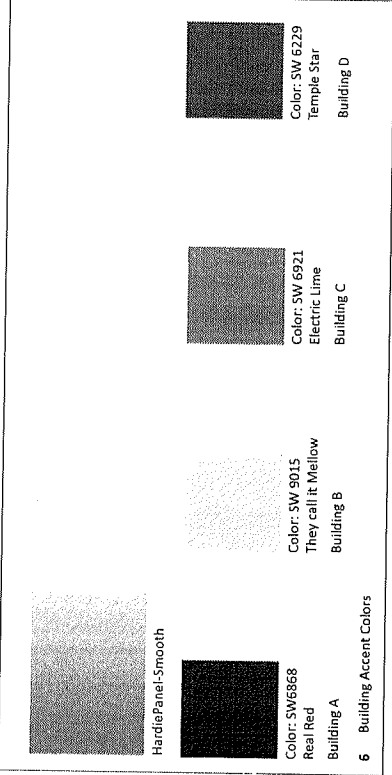
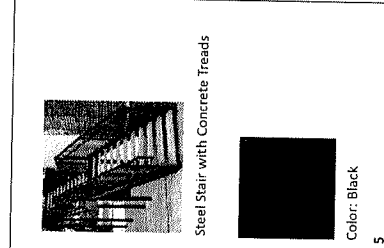
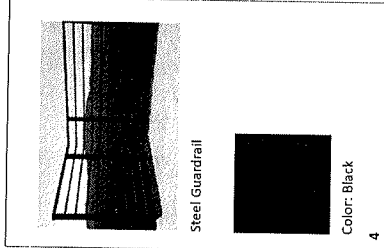
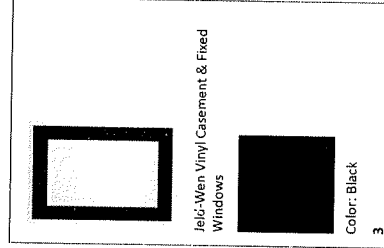
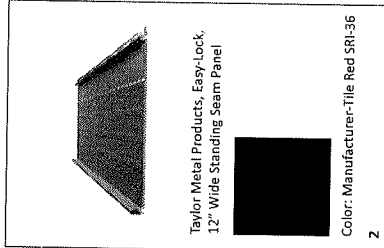
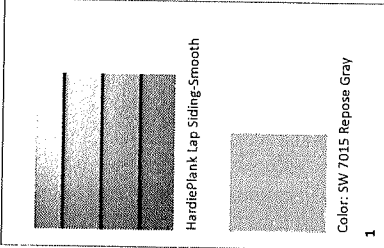
BUILDING D



TYPICAL BUILDING FRONT ELEVATION



TYPICAL BUILDING REAR ELEVATION



SITE DESIGN REVIEW
Building Perspectives & Elevations with Materials

The Flats @ Rogers Landing

1109 S. RIVER ST.
NEWBERG, OR 97132

October 1, 2018

FORINNOVATIONARCHITECTURE, LLC

Memo:

To: Cheryl Caines From: Mark Dane

Re: Submittal Materials for 'Flats at Rogers Landing' Design Review Application

- 1) Signed DR Application By Owner and Applicant
- 2) DR Fee \$21,730.00

3) Preliminary Site Plans including

- i) Cover Sheet C-1
- ii) Construction Notes C-2
- iii) Existing Conditions C-3
- iv) Site Plan C-4
- v) Utility Plan C-5
- vi) Grading Plan C-6
- vii) Landscape Plan L1

4) Preliminary Architectural Plans

- 1. General Information G0.01
- 2. FP Bldg. 'A' 1st floor A1.11
- 3. FP Bldg. 'A' 2nd floor A1.12
- 4. FP Bldg. 'A' 3rd Floor A1.13
- 5. Roof Plan Bldg. 'A' A1.14
- 6. FP Bldg. 'B + C' 1st floor A1.21
- 7. FP Bldg. 'B + C' 2nd floor A1.22
- 8. FP Bldg. 'B + C' 3rd Floor A1.23
- 9. Roof Plan Bldg. 'B + C' A1.24
- 10. FP Bldg. 'D' 1st floor A1.41
- 11. FP Bldg. 'D' 2nd floor A1.42
- 12. FP Bldg. 'D' 3rd Floor A1.43
- 13. Roof Plan Bldg. 'D' A1.44
- 14. Elevations Bldg. 'A' A3.11
- 15. Elevations Bldgs 'B' + 'C' A3.12
- 16. Elevations Bldg 'D' A3.14
- 17. 1st Cross Section Bldgs A,B + C A4.11
- 18. 2nd Cross Section Bldgs A,B + C A4.12
- 19. 3rd Cross Section Bldgs A,B + C A4.13
- 20. 4th Cross Section Bldgs A,B + C A4.14
- 21. Cross Section Bldg D A4.15
- 22. Pavilion, and Trash Design A7.11
- 23. Building Perspectives No

- 5) Design Check List
- 6) Written Criteria Response
- 7) Design Review Pre-app notes
- 8) Storm water Report
- 9) Public Notice Information
- 10) Current Title Report
- 11) Traffic Study (Not required) NOT SUBMITTED
- 12) Trash Enclosure detail
- 13) Container Specs
- 14) Labels
- 15) LIGHTING SPECS.

Sheet number
 Materials Board
 Colors Board
 stair and Railings detail

Land Use Application for Site Design Review

The Flats at Rogers Landing

Date: October 2018

Submitted to: City of Newberg
Planning Department
414 E 1st Street
Newberg, OR 97132

Applicant: The W Group
Att: Wade Willers
5201 SW Westgate,
Portland OR 97221
503-819-9244 / 503-296-2980

Applicant's Consultant: Mark Dane Planning Inc.
14631 SW Millikan Way # 6
Beaverton OR 97003
(503) 332-7167
Contact: Mark Dane
(markdaneplanning@gmail.com)

Project Engineer (Civil): HBH Consulting Engineers Inc.
501 E First Street
Newberg, OR 97132
Contact : Andrey Chernishov
achernishov@hbh-consulting.com

Project Surveyor : Project Delivery Group
3772 Portland Road NE
Salem, OR 97301
503-364-8766
keith@pdgnw.com

Traffic Engineer: Lancaster Traffic Engineering

Todd E. Mobley, PE | Principal
321 SW 4th Avenue, Suite 400 |
Portland, OR 97204
O: 503-248-0313 | C: 503-319-9811 | todd@lancasterengineering.com

Site Location: 1109 South River Road, Newberg

Assessor's Map: Yamhill County Assessor's Map 3220CC -05400

Site Size: ±2.13

Land Use Districts: R-3medium density residential district

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 Division 15.300 Zoning Districts 12
 Division 15.400 Development Standards 15
 Division 15.500 Public Improvement Standards 34
 IV. Conclusion 46

Exhibits

- Exhibit A: Development Plans
- Exhibit B: Land Use Application Forms
- Exhibit C: Property Title Information
- Exhibit D: Public Notice Information
- Exhibit E: Preliminary Stormwater Report

I. Executive Summary

Comment: Mark Dane Planning Inc. is submitting this application for Type II site design review for a 44-unit apartment complex at 1109 South River Road in Newberg, Tax Map # R3220CC -05400. The property has been subject to a recent zone change and Comprehensive Plan Map Amendment to R3. A stream corridor lies along the western 1/3rd of the project site with a stream cutting the NW corner of the site. The Gross site area is 2.13 acres. The Net Site area after subtracting out the overlay is 1.33 acres

The planned apartments will be in four buildings of 12 (Bldg ‘A’) + 12 (Bldg ‘B’) + 12 (Bldg ‘C’) + 9 (Bldg ‘D’) Building ‘D’ is located at the west end of the site, facing east west with buildings A-C along the north line on the eastern half of the property facing north south. Buildings A, B, and C, contain twelve 2-bedroom units each. Building ‘D’ contains six 2-bedroom units, and three 1-bedroom units. So there are a total of three 1 bed, and forty two 2-bed units.

The parking is located on the south half of the property adjacent to the units. There is a central fire turn around within the design of the proposed parking lot.

Access is planned from S. River road. Open space, landscaping, outdoor living and recreation areas will meet the requirements of the City of Newberg Municipal Code (NMC). This application includes the City application forms, written materials, and preliminary plans necessary for City Staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City’s approval of the application.

II. Site Description/Setting

Site Description

Comment: *The South River Street property (R2110CC 05400) is located on the west side of River Road just north of the new bypass Road. The parent parcel currently contains a house, and oversized garage. This site has remained unused, and largely vacant as the neighborhoods around it have developed to urban densities. Land to the north has been developed on the west half of the north line with apartments and single-family homes on E 11th Court. The property to the west has also been developed with apartments (Woodside Apartments). The property to the south has been developed with double wide manufactured homes. East of the property is a fourplex, and a single-family home Facing E 11th Street. These homes are over shadowed by the new bypass that is raised some 60-ft to 80-ft above the ground.*

The area is flat, but there is a draw along the western third of the property that flows southwest and falls from a top of bank to a low point of 128-feet. There is a small creek that runs along a clearly demarked food hazard area about 30-40-feet wide, and the toe of the slope. This draw is wooded. There is also a line of mature conifers that run along the central portion of the north line. Given the landscaping, and spacing requirements it is unfortunate but these will have to be removed. This was the initial intent but was determined to be necessary as we moved deeper into the review process. There is an SC overlay that roughly covers the Draw location. This area has been netted out of the density calculation.

DESCRIPTION OF SURROUNDING AREA

Area Jurisdiction Zoning Land Uses

North	Newberg R-3: Multifamily residential / R2 single family residential
South	Newberg R-2: Single Family Residential
East	Newberg R-2: Single-family detached residential / and multifamily
West	Newberg R-3: Multi family

PUBLIC UTILITIES

Streets:

Comment: *There is currently a 60-ft right-of-way. River Street is a Major Collector. This functional classification requires between 57 to 80-feet. The applicant is requesting that the existing right of-way is sufficient, and that given that the properties both north and south of this parcel are fully developed that there is little chance of this street being widened. That to continue to match the curb line, that the existing curb not be altered. The street is currently 24-feet wide, with 18-feet from face of curb to the property line. There is currently a 4-ft wide sidewalk located 1.5 -feet forward of the property line. This should be replaced with a 5-ft sidewalk, 1 ft forward of said right-of-way.*

Wastewater:

Comment: *There is a 12-inch wastewater line along the east side of River Street. City GIS data indicates two service laterals extending to the property near the north and south ends of the property. Capacity of the existing service lateral and wastewater main will be verified by the applicant as suitable for the intended project. There is also an abandoned 27-inch wastewater line located on the west side of S. River Street that was installed in 1987 and served both sides of S. River Street. This will remain untouched.*

Water:

Comment: *There is a 6-inch water line on S. River Street (Ductile Iron – 1969), with a ¾-inch copper service lateral serving the property. Fire flow testing will be required. The applicant will propose either a 1 of 1 ½” combined domestic / fire flow meter and run the water line back onto the property. There will be a fire turn around, and probably a fire hydrant will be required at the time of the apartment design being submitted.*

Stormwater:

Comment: *There is an 18-inch storm line located on the east side of S. River Street. However, no public improvements will be required to be treated. All the private onsite storm drainage will be treated onsite in a water quality swale, and then delivered into the draw along the western edge of the property.*

III. Applicable Review Criteria

CITY OF NEWBERG DEVELOPMENT CODE

Chapter 15.100 LAND USE PROCESSES AND PROCEDURES

15.100.030 Type II procedure.

A. Type II development actions shall be decided by the director.

B. Type II actions include, but are not limited to:

1. Site design review.
2. Variances.
3. Manufactured dwelling parks and mobile home parks.
4. Partitions.
5. Subdivisions, except for subdivisions with certain conditions requiring them to be processed using the Type III process, pursuant to NMC 15.235.030(A).

C. The applicant shall provide notice pursuant to the requirements of NMC 15.100.200 et seq.

D. The director shall make a decision based on the information presented and shall issue a development permit if the applicant has complied with all of the relevant requirements of this code. The director may add conditions to the permit to ensure compliance with all requirements of this code.

E. Appeals may be made by an affected party, Type II, in accordance with NMC 15.100.160 et seq. All Type II development action appeals shall be heard and decided by the planning commission.

F. If the director's decision is appealed as provided in subsection (E) of this section, the hearing shall be conducted pursuant to the Type III quasi-judicial hearing procedures as identified in NMC 15.100.050.

G. The decision of the planning commission on any appeal may be further appealed to the city council by an affected party, Type III, in accordance with NMC 15.100.160 et seq. and shall be a review of the record supplemented by written or oral arguments relevant to the record presented by the parties.

H. An applicant shall have the option to request at the time the development permit application is submitted that the proposal be reviewed under the Type III procedure.

Comment: This application is for a site design review and is therefore a Type II action. It is understood the requirements and procedures listed in this section apply to this application.

15.100.140 Permit decision – Type II.

A. The director shall approve or deny the development permit for a Type II action within 60 days of accepting a complete permit application, unless it is a subdivision which has been converted to a Type III process pursuant to NMC 15.235.030(A).

B. The applicant shall provide notice pursuant to NMC 15.100.200 et seq. together with a 14-day comment

- C. The decision of the director shall be based upon the application, the evidence, comments from referral agencies, and approvals required by others.
- D. The director shall notify the applicant and others entitled to notice of the disposition of the application. The notice shall indicate the date that the decision will take effect and describe the right of appeal pursuant to NMC 15.100.160 et seq. A decision on a Type II development shall take effect on the fifteenth day following the notice of a decision unless an appeal is filed pursuant to NMC 15.100.160 et seq.
- E. Approval or denial of a Type II development permit application shall be accompanied by written findings that explain the criteria, facts and justification for the decision.
- F. The director shall approve a permit application if applicable approvals by others have been granted and the proposed development or land use request otherwise conforms to the requirements of this code. The director may add conditions to the permit to ensure compliance with all requirements of this code.
- G. The director shall deny the permit application if required approvals are not obtained or the application otherwise fails to comply with code requirements.
- H. Notice of approval or denial of a Type II decision shall be provided to the applicant, parties providing written testimony, or anyone requesting such notice. Notice shall include a description of the item, the decision, conditions that may have been added, and the rights of appeal.
- I. Type II applications are required to be reviewed under the Type III procedures at the request of the applicant, or the application is subdivision which has been converted to a Type III process pursuant to NMC 15.235.030(A), or through an appeal of the director's decision. Type II development permit applications that require a Type III procedure must conclude the hearing procedure before a land use or construction permit application can be considered to be complete by the director. Upon receiving a final decision by the hearing body on a Type III application, the subsequent review of a permit application may be reviewed by the director as a Type I process.

Comment: This application is for a site design review and is therefore a Type II action. It is understood the requirements and procedures listed in this section apply to this application.

5.100.160 Appeal procedures.

- A. Type I. An appeal of a Type I decision by the director may be appealed within 14 calendar days of the date of the decision by the director. Appeals may be made only by an affected party, Type I (the person or party submitting the application). Appeals of a Type I application are processed as a Type III procedure and proceed to the planning commission.
- B. Type II. An appeal of a Type II decision by the director may be appealed within 14 calendar days of the date of the decision. Appeals may be made only by an affected party, Type II (the applicant, any party entitled to receive notice of the decision, or anyone providing written comments within 14 calendar days prior to the date of the decision). Appeals of a Type II application are processed as a Type III procedure and proceed to the planning commission.

5.100.170 Notice of appeal – Type I, II and III.

- A. An appeal for Type I, II, and III decisions shall include an identification of the decision sought to be reviewed, the date of the decision and shall be accompanied by a notice of appeal form provided by the planning and building department. The notice of appeal shall be completed by the applicant and shall contain:
 - 1. An identification of the decision sought to be reviewed, including the date of the decision.

2. A statement of the interest of the person seeking review and that they were a party to the initial proceedings.
3. A detailed statement of the specific grounds on which the appeal is filed.

B. Notice shall be filed with the community development department together with the filing fee and deposit for transcript costs.

Comment: This application is for a Type II site design review. It is understood the permit decision and appeal procedures of the above-listed sections apply to this application.

15.100.200 Compliance required.

Notice on all Type I through Type IV actions, including appeals, shall be conducted in accordance with this article.

15.100.210 Mailed notice.

Mailed notice shall be provided as follows:

A. Type I Actions. No public notice is required.

B. Type II and Type III Actions. The applicant shall provide public notice to:

1. The owner of the site for which the application is made; and
2. Owners of property within 500 feet of the entire site for which the application is made. The list shall be compiled from the most recent property tax assessment roll. For purposes of review, this requirement shall be deemed met when the applicant can provide an affidavit or other certification that such notice was deposited in the mail or personally delivered.
3. To the owner of a public use airport, subject to the provisions of ORS 215.416 or 227.175.

C. The director may request that the applicant provide notice to people other than those required in this section if the director believes they are affected or otherwise represent an interest that may be affected by the proposed development. This includes, but is not limited to, neighborhood associations, other governmental agencies, or other parties the director believes may be affected by the decision.

D. The director shall provide the applicant with the following information regarding the mailing of notice:

1. The latest date by which the notice must be mailed;
2. An affidavit of mailing (to be signed and returned) certifying that the notice was mailed, acknowledging that a failure to mail the notice in a timely manner constitutes an agreement by the applicant to defer the 120-day process limit and acknowledging that failure to mail will result in the automatic postponement of a decision on the application; and
3. A sample notice.

Comment: The applicant will provide public notice as required by NMC 15.100.210. A mailing list, sample notice, and a site notice sign are included in Exhibit D. The criteria are met or will be met when applicable.

E. The notice of a Type II and Type III development application shall be reasonably calculated to give actual notice and shall:

1. Set forth the street address or other easily understood geographical reference to the subject property;
2. List, by commonly used citation, the applicable criteria for the decision;
3. Include the name and phone number of a local government contact person, the telephone number where additional information may be obtained and where information may be examined;
4. Explain the nature of the application and the proposed use or uses which could be authorized;
5. State that a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at a reasonable cost.

- F. Prior to mailing or posting any notice required by this code, the applicant shall submit a copy of the notice to the director.
- G. The applicant shall mail the notice for Type II actions at least 14 days before a decision is rendered. The applicant shall file with the director an affidavit of mailing as identified in subsection (D) of this section within two business days after notice is mailed.
- H. The applicant shall mail the notice for Type III actions at least 20 days before the first new hearing, or if two or more new hearings are allowed, 10 days before the first new hearing. The applicant shall file with the director an affidavit of mailing as identified in subsection (D) of this section within two business days after notice is mailed.
- I. All public notices shall be deemed to have been provided or received upon the date the notice is deposited in the mail or personally delivered, whichever occurs first. The failure of a property owner to receive notice shall not invalidate an action if a good faith attempt was made to notify all persons entitled to notice. An affidavit of mailing issued by the person conducting the mailing shall be conclusive evidence of a good faith attempt to contact all persons listed in the affidavit.
- J. Failure to mail the notice and affirm that the mailing was completed in conformance with the code shall result in:
 - 1. Postponement of a decision until the mailing requirements have been met; or
 - 2. Postponement of the hearing to the next regularly scheduled meeting or to such other meeting as may be available for the hearing; or
 - 3. The entire process being invalidated; or
 - 4. Denial of the application.

15.100.220 Additional notice procedures of Type II development applications.

In addition to the requirements of NMC 15.100.210, mailed notice for development actions shall also contain the following:

- A. Provide a 14-day period from the date of mailing for the submission of written comments prior to the decision;
- B. State that issues that may provide a basis for appeal must be raised in writing during the comment period;
- C. State that issues must be raised with sufficient specificity to enable the local government to respond to the issue;
- D. State the place, date and time that comments are due;
- E. State that notice of the decision, including an explanation of appeal rights, will be provided to any person who submits comments under subsection (A) of this section;
- F. Briefly summarize the local decision-making process.
- G. Type II notice for subdivisions shall also include a description of how an interested party may request a public hearing before the planning commission.

Comment: Exhibit D includes draft notice materials meeting the requirements of this section. As stated above, the applicant will provide notice as required, including the required affidavit. The criteria are met.

15.100.260 Procedure for posted notice for Type II and III procedures.

A. Posted Notice Required.

Posted notice is required for all Type II and III procedures. The notice shall be posted on the subject property by the applicant.

B. Notice Information Provided by City.

The director shall provide the applicant with the following information regarding the posting of notice:

1. The number of notices required;
2. The latest date by which the notice must be posted;
3. An affidavit of posting (to be signed and returned) certifying that the notice was posted on site, acknowledging that a failure to post the notice in a timely manner constitutes an agreement by the applicant to defer the 120-day process limit and acknowledging that failure to post will result in the automatic postponement of a decision on the application; and
4. A sample notice.

C. Submission of Notice.

Prior to posting any notice required by this section, the applicant shall submit a copy of the notice to the director for review.

D. Size, Number and Location Requirements.

A waterproof notice which measures a minimum of two feet by three feet shall be placed on each frontage of the site. If a frontage is over 600 feet long, a notice is required for each 600 feet, or fraction of 600 feet. If possible, notices shall be posted within 10 feet of a street lot line and shall be visible to pedestrians and motorists in clear view from a public right-of-way. Notices shall not be posted in a public right-of-way or on trees.

E. Contents of Notice.

The posted notice shall only contain the following information: planning action number, brief description of the proposal, phone number and address for contact at the Newberg planning and building department.

F. Standards and Timing,

Type II Actions. The applicant shall post the notice at least 14 days before a decision is rendered. The applicant shall file with the director an affidavit of posting as identified in subsection (B) of this section within two business days after notice is posted.

G. Standards and Timing,

Type III Actions. The applicant shall post the notice at least 10 days before the first scheduled hearing. The applicant shall file with the director an affidavit of posting as identified in subsection (B) of this section within two business days after notice is posted.

H. Removal of Notice.

The applicant shall not remove the notice before the final decision. All posted notice shall be removed by the applicant within 10 days following the date of the final decision on the request.

I. Failure to Post Notice.

The failure of the posted notice to remain on the property shall not invalidate the proceedings. Failure by the applicant to post a notice and affirm that the posting was completed in conformance with the code shall result in:

1. Postponement of a decision until the mailing requirements have been met; or
2. Postponement of the hearing to the next regularly scheduled meeting or to such other meeting as may be available for the hearing; or
3. The entire process being invalidated; or
4. Denial of the application.

Comment: This application is for a site design review and is therefore a Type II action. Therefore, the posted notice requirements for Type II procedures listed in this section apply to this application. Notice will be posted and documented as required.

Division 15.200 Land Use Applications

Chapter 15.220 SITE DESIGN REVIEW

15.220.020 Site design review applicability.

A. Applicability of Requirements.

Site design review shall be required prior to issuance of building permits or commencement of work for all improvements noted below. Site design review permits shall be processed as either Type I or Type II, as noted below.

1. Type I....

2. Type II.

a. Any new development or remodel which is not specifically identified within subsection (A)(1) of this section.

Comment: The planned improvement is not listed as a Type I review use. Therefore, Type II site design review is applicable to this application.

C. Site Design Review Time Limit.

An approved site design review plan intended to be constructed in a single phase shall be valid for one year from the date of the notice of final decision. A building permit must be acquired within this time period or the design review approval shall terminate. The director under a Type I procedure may grant an extension for up to six months if the applicant files a request in writing prior to the expiration of the approval and demonstrates compliance with the following:

1. The land use designation of the property has not been changed since the initial design review approval; and

2. The applicable standards in this code which applied to the project have not changed.

Comment: The time limits of this section apply to this application.

15.220.030 Site design review requirements.

B. Type II. The following information is required to be submitted with all Type II applications for site design review:

1. Site Development Plan.

A site development plan shall be to scale and shall indicate the following as appropriate to the nature of the use:

a. Access to site from adjacent right-of-way, streets and arterials;

b. Parking and circulation areas;

c. Location and design of buildings and signs;

d. Orientation of windows and doors;

e. Entrances and exits;

f. Private and shared outdoor recreation spaces;

g. Pedestrian circulation;

h. Outdoor play areas;

i. Service areas for uses such as mail delivery, trash disposal, above-ground utilities, loading and delivery;

- j. Areas to be landscaped;
- k. Exterior lighting;
- l. Special provisions for handicapped persons;
- m. Other site elements and spaces which will assist in the evaluation of site development;
- n. Proposed grading, slopes, and proposed drainage;
- o. Location and access to utilities including hydrant locations; and
- p. Streets, driveways, and sidewalks.

Comment: The preliminary development plans (Exhibit A) show the information required for a site development plan per the requirements of this section. The criteria are met.

2. Site Analysis Diagram.

A site analysis diagram shall be to scale and shall indicate the following characteristics on the site and within 100 feet of the site:

- a. Relationship of adjacent lands;
- b. Location of species of trees greater than four inches in diameter at four feet above ground level;
- c. Existing and proposed topography;
- d. Natural drainage and proposed drainage and grading;
- e. Natural features and structures having a visual or other significant relationship with the site.

Comment: The existing conditions plan and preliminary grading plan (Exhibit A) show the information required for a site analysis diagram per the requirements of this section. The criteria are met.

3. Architectural Drawings.

Architectural drawings shall be prepared which identify floor plans and elevations.

Comment: Architectural drawings are included with the preliminary development plans (Exhibit A). The criteria are met.

4. Landscape Plan.

The landscape plan shall indicate:

- a. The size, species and approximate locations of plant materials to be retained or placed on the site together with a statement which indicates the mature size and canopy shape of all plant materials;
- b. Proposed site contouring; and
- c. A calculation of the percentage of the site to be landscaped.

Comment: The preliminary development plans (Exhibit A) include a landscape plan meeting the requirements of this section. The criteria are met.

5. Special Needs for Handicapped.

Where appropriate, the design review plan shall indicate compliance with handicapped accessibility requirements including, but not limited to, the location of handicapped parking spaces, the location of accessible routes from the entrance to the public way, and ramps for wheelchairs.

6. Existing Features and Natural Landscape.

The plans shall indicate existing landscaping and existing grades. Existing trees or other features intended to be preserved or removed shall be indicated on the plans.

7. Drives, Parking and Circulation.

Proposed vehicular and pedestrian circulation, parking spaces, parking aisles, and the location and number of access points shall be indicated on the plans. Dimensions shall be provided on the plans for parking aisles, back-up areas, and other items as appropriate.

8. Drainage.

The direction and location of on- and off-site drainage shall be indicated on the plans. This shall include, but not be limited to, site drainage, parking lot drainage, size and location of storm drain lines, and any retention or detention facilities necessary for the project.

9. Buffering and Screening.

Buffering and screening of areas, structures and facilities for storage, machinery and equipment, services (mail, refuse, utility wires, and the like), loading and parking and similar accessory areas and structures shall be shown on the plans.

10. Signs and Graphics.

The location, colors, materials, and lighting of all exterior signs, graphics or other informational or directional features shall be shown on the plans.

11. Exterior Lighting.

Exterior lighting within the design review plan shall be indicated on the plans. The direction of the lighting, size and type of fixtures, and an indication of the amount of lighting shall be shown on the plans.

12. Trash and Refuse Storage.

All trash or refuse storage areas, along with appropriate screening, shall be indicated on the plans. Refuse storage areas must be constructed of brick, concrete block or other similar products as approved by the director.

13. Roadways and Utilities.

The proposed plans shall indicate any public improvements that will be constructed as part of the project, including, but not limited to, roadway and utility improvements.

Comment: The preliminary development plans (Exhibit A) include the information required by NMC 15.220.030, B (5) – (13), including handicapped accessibility features, existing conditions, parking and circulation, drainage and erosion control, buffers and screening, exterior lighting, trash and recycling areas, and planned roadway and utilities improvements. The criteria are met.

14. Traffic Study.

A traffic study shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. This requirement may be waived by the director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required by the director for projects below 40 trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to the City of Newberg design standards.

Comment: The ITE Trip Generation Handbook, Trip Generation Rates – 9th Edition indicates 45 units “Apartment 220” are estimated to generate 26 PM Hour trips. This rate is below the “40 trips per p.m. peak hour” threshold to require a traffic study. Thus, a traffic study is not provided with this application. The criterion is met.

Division 15.300 Zoning Districts

Chapter 15.302 DISTRICTS AND THEIR AMENDMENT

15.302.010 Establishment and designation of use districts and subdistricts.

In order to classify, regulate, restrict and segregate the uses of lands and buildings, to regulate and restrict the height and size of buildings, to regulate the area of yards and other open spaces about buildings, and to regulate the density of population, the following classes of use districts and subdistricts are established:

A. Use Districts.

2. R-2 medium density residential district.

15.302.032 Purposes of each zoning district.

C. R-3 High Density Residential District.

1. The purpose of this land use designation is to provide multifamily dwellings of different types and styles at an average overall density of 16.5 units per gross buildable acre in the district.

2. Typical housing types will include duplexes, multifamily dwellings, and manufactured dwelling and mobile home parks. The district also is intended to allow low intensity institutional uses that operate consistent with peaceful enjoyment of residential neighborhoods. Density may vary depending on lot size, off-street parking area, transportation, landscaping and other site considerations. The R-3 district is intended to be consistent with the high density residential (HDR) designation of the comprehensive plan.

Comment: The subject property is located in the R-3 district. This application is for a 45-unit multifamily apartment complex. Multifamily is defined as three or more attached independent dwelling units. This use is consistent with surrounding uses in the MDR comprehensive plan designation. The W Group will submit for Site Plan Review for an apartment complex based on the a close approximation of the original concept. The land use review will consider parking, intensity, landscaping, buffering, and transportation impacts. The Concept Plan has been revised based on neighborhood feedback to reduce the number of dwelling units, increase the number of parking spaces per dwelling unit, and reduce the height of the structures adjacent to existing homes along the northern property line. The impact of the apartments will be mitigated by the planting of larger species trees that will help separate the existing homes from the proposed apartment site.

An R-3 designation is appropriate in this location due to several factors. The size of the property allows for thoughtful site planning, with three story structures along the northern boundary separated by the existing trees and significant separation for buffering. The location is within walking and biking distance to several parks including boat access to the Tualatin River. South River road planned for bike lanes for convenient alternative connections to community services listed above, including education, employment, services, and recreation.

15.220.050 Criteria for design review (Type II process).

B. Type II. The following criteria are required to be met in order to approve a Type II design review request:

1. Design Compatibility.

The proposed design review request incorporates an architectural design which is compatible with and/or superior to existing or proposed uses and structures in the surrounding area. This shall include, but not be limited to, building architecture, materials, colors, roof design, landscape design, and signage.

Comment: Architectural drawings are included with the development plans (Exhibit A). The drawings show three-story multi-unit apartment structures designed in a clean, modern style. The surrounding uses were built over many years and incorporate a variety of architectural styles. The planned structures are harmonious with the street-level location and are intended to be compatible with current and future surrounding uses. The criterion is met.

2. Parking and On-Site Circulation.

Parking areas shall meet the requirements of NMC 15.440.010. Parking studies may be required to determine if adequate parking and circulation are provided for uses not specifically identified in NMC 15.440.010. Provisions shall be made to provide efficient and adequate on-site circulation without using the public streets as part of the parking lot circulation pattern. Parking areas shall be designed so that vehicles can efficiently enter and exit the public streets with a minimum impact on the functioning of the public street.

Comment: As discussed elsewhere in this narrative, the preliminary development plans (Exhibit A) show the planned improvements meet the requirements of NMC 15.440.010. The criteria are met.

3. Setbacks and General Requirements.

The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions and public access; and NMC 15.405.010 through 15.405.040 and 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.

Comment: As discussed elsewhere in this narrative, the preliminary development plans (Exhibit A) show the planned improvements comply with the applicable standards for setbacks, height, access, and other requirements listed in this sub-section. The criteria are met.

4. Landscaping Requirements.

The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.

Comment: The preliminary development plans (Exhibit A) show landscaping associated with this project meets the requirements of NMC 15.420.010. The criteria are met.

5. Signs.

Signs shall comply with NMC 15.435.010 et seq. dealing with signs.

Comment: Signs associated with this project will comply with NMC 15.435.010 et seq. The criteria are met.

6. Manufactured Dwelling, Mobile Home and RV Parks.

Manufactured dwelling and mobile home parks shall also comply with the standards listed in NMC 15.445.075 through 15.445.100 in addition to the other clear and objective criteria listed in this section. RV parks also shall comply with NMC 15.445.170 in addition to the other criteria listed in this section.

Comment: This application is for multifamily apartments. The criterion is inapplicable.

7. Zoning District Compliance.

The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.305.010 through 15.336.020. Through this site review process, the director may make a determination that a use is determined to be similar to those listed in the applicable zoning district, if it is not already specifically listed. In this case, the director shall make a finding that the use shall not have any different or more detrimental effects upon the adjoining neighborhood area than those specifically listed.

Comment: This application is for a 45-unit multifamily apartment complex. Per the NMC 15.305.020

Zoning use table – Use districts, “Dwelling, multifamily” is a permitted use in the R-3 district. The criterion is met.

8. Subdistrict Compliance.

Properties located within subdistricts shall comply with the provisions of those subdistricts located in NMC 15.340.010 through 15.348.060.

Comment: The only known overlay district near the property is the stream corridor overlay (SC) subdistrict. The SC covers the creek on the westerly 1/3rd of the subject property. The preliminary development plans (Exhibit A) show that all the planned improvements are outside the SC overlay. This application is in compliance with the SC overlay.

9. Alternative Circulation, Roadway Frontage Improvements and Utility Improvements.

Where applicable, new developments shall provide for access for vehicles and pedestrians to adjacent properties which are currently developed or will be developed in the future. This may be accomplished through the provision of local public streets or private access and utility easements. At the time of development of a parcel, provisions shall be made to develop the adjacent street frontage in accordance with city street standards and the standards contained in the transportation plan. At the discretion of the city, these improvements may be deferred through use of a deferred improvement agreement or other form of security.

Comment: The preliminary development plans (Exhibit A) show planned frontage improvements for the project. Sidewalks, planter strips, and other required circulation and utility improvements are shown to meet City standards. The criteria, as applicable, are met.

10. Traffic Study Improvements. If a traffic study is required, improvements identified in the traffic study shall be implemented as required by the director.

Comment: As discussed above for NMC 15.220.030.B(14), a traffic study is not required for this application.

Chapter 15.405 LOT REQUIREMENTS

15.405.010 Lot area – Lot areas per dwelling unit.

A. In the following districts, each lot or development site shall have an area as shown below except as otherwise permitted by this code:

1. In the R-1 district, each lot or development site shall have a minimum area of 5,000 square feet or as may be established by a subdistrict. The average size of lots in a subdivision intended for single-family development shall not exceed 10,000 square feet.

2. In the R-2, R-3, and RP districts, each lot or development site shall have a minimum area of 3,000 square feet or as may be established by a subdistrict. In the R-2 and R-P districts, the average size of lots in a subdivision intended for single-family development shall not exceed 5,000 square feet.

Comment: The proposed development site contains 2.13 acres, well above the minimum lot size of 3,000 square feet of this section. This criterion is met.

B. Lot or Development Site Area per Dwelling Unit.

2. In the R-2, AR, and R-P districts, there shall be a minimum of 3,000 square feet of lot or development site area per dwelling unit. In the R-2 and R-P districts, lots or development sites more than 15,000 square feet used for multiple single-family, duplex or multifamily dwellings shall be developed at a minimum of one dwelling per 5,000 square feet lot area.

3. In the R-3 district, there shall be a minimum of 1,500 square feet of lot or development site area per dwelling unit. Lots or development sites more than 15,000 square feet used for multiple single-family, duplex or multifamily dwellings shall be developed at a minimum of one dwelling per 2,500 square feet lot area.

Comment: *The site contains 2.13 acres of 93,000 SF. The Stream corridor overlay subtracts out about 35,000 SF netting 58,000 SF. This Area divided $1,500 / 58,000 = 38.67$ units. When a density transfer of the 35,000 SF of unbuildable area is multiplied in the unit count can be increased by 20% or $38.67 \times 1.2 = 46.4$ units. It is possible to develop the site with up to 45 units, and provide the necessary parking, and open space. This will be shown under the Design review submittal.*

C. In calculating lot area for this section, lot area does not include land within public or private streets. In calculating lot area for maximum lot area/minimum density requirements, lot area does not include land within stream corridors, land reserved for public parks or open spaces, commons buildings, land for preservation of natural, scenic, or historic resources, land on slopes exceeding 15 percent or for avoidance of identified natural hazards, land in shared access easements, public walkways, or entirely used for utilities, land held in reserve in accordance with a future development plan, or land for uses not appurtenant to the residence.

D. Lot size averaging is allowed for any subdivision. Some lots may be under the minimum lot size required in the zone where the subdivision is located, if the average size of all lots is at least the minimum lot size.

Comment: *Final net site area calculations will be provided for Site Design Review once a final design is proposed.*

15.405.030 Lot dimensions and frontage.

A. Width.

Widths of lots shall conform to the standards of this code.

B. Depth to Width Ratio.

Each lot and parcel shall have an average depth between the front and rear lines of not more than two and one half times the average width between the side lines. Depths of lots shall conform to the standards of this code. Development of lots under 15,000 square feet are exempt from the lot depth to width ratio requirement.

C. Area.

Lot sizes shall conform to standards set forth in this code. Lot area calculations shall not include area contained in public or private streets as defined by this code.

D. Frontage.

1. No lot or development site shall have less than the following lot frontage standards:

a. Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in NMC 15.05.030, shall be created to provide frontage or access.

b. Each lot in an R-2 and R-3 zone shall have a minimum width of 30 feet at the front building line.

Comment: The subject property is subject to a recent boundary line adjustment in which conformance with the lot dimensions and frontage was established. The criteria are met. The proposed development has 148.6-feet of frontage onto South River Road

15.405.040 Lot coverage and parking coverage requirements.

B. Residential uses in residential zones shall meet the following maximum lot coverage and parking coverage standards. See the definitions in NMC 15.05.030 and Appendix A, Figure 4.

1. Maximum Lot Coverage.

- a. R-1: 30 percent, or 40 percent if all structures on the lot are one-story.
- b. R-2 and RP: 50 percent.
- c. AR and R-3: 50 percent.

2. Maximum Parking Coverage. R-1, R-2, R-3, and RP: 30 percent.

3. Combined Maximum Lot and Parking Coverage.

- a. R-1, R-2 and RP: 60 percent.
- b. R-3: 70 percent.

Comment: The preliminary development plans (Exhibit A) show lot coverage for structures, parking, and combined coverage fall below the maximum coverage thresholds for the R-3 district. The criteria are met.

Chapter 15.410 YARD SETBACK REQUIREMENTS

15.410.020 Front yard setback.

A. Residential (see Appendix A, Figure 10).

1. AR, R-1 and R-2 districts shall have a front yard of not less than 15 feet. Said yard shall be landscaped and maintained.
2. R-3 and RP districts shall have a front yard of not less than 12 feet. Said yard shall be landscaped and maintained.
3. The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least 20 feet from the nearest property line of the street to which access will be provided. However, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.

Comment: The preliminary development plans (Exhibit A) show the proposed building locations and compliance with the minimum front yard setback standards for the R-3 district. The criteria are met.

15.410.030 Interior yard setback.

A. Residential.

1. All lots or development sites in the AR, R-1, R-2 and R-3 districts shall have interior yards of not less than five feet, except that where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement.
2. All lots or development sites in the RP district shall have interior yards of not less than eight feet.

Comment: The preliminary development plans (Exhibit A) show the proposed building locations and compliance with the minimum interior setback standards for R-3 district. The criteria are met.

15.410.060 Vision clearance setback.

The following vision clearance standards shall apply in all zones (see Appendix A, Figure 9).

- A. At the intersection of two streets, including private streets, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 50 feet in length.
- B. At the intersection of a private drive and a street, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 25 feet in length.
- C. Vision clearance triangles shall be kept free of all visual obstructions from two and one-half feet to nine feet above the curb line. Where curbs are absent, the edge of the asphalt or future curb location shall be used as a guide, whichever provides the greatest amount of vision clearance.
- D. There is no vision clearance requirement within the commercial zoning district(s) located within the riverfront (RF) overlay subdistrict.

Comment: The subject property is not located at the intersection of two streets. The preliminary development plans (Exhibit A) vision clearance triangles at the intersection of the private drive entrance and S. River Road meeting the requirements of this section. The criteria are met.

15.410.070 Yard exceptions and permitted intrusions into required yard setbacks.

The following intrusions may project into required yards to the extent and under the conditions and limitations indicated:

- A. Depressed Areas.
In any district, open work fences, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps, stairs or retaining walls may be located in required yards; provided, that such devices are not more than three and one-half feet in height.
- B. Accessory Buildings.
In front yards on through lots, where a through lot has a depth of not more than 140 feet, accessory buildings may be located in one of the required front yards; provided, that every portion of such accessory building is not less than 10 feet from the nearest street line.
- C. Projecting Building Features.
The following building features may project into the required front yard no more than five feet and into the required interior yards no more than two feet; provided, that such projections are no closer than three feet to any interior lot line:
 - 1. Eaves, cornices, belt courses, sills, awnings, buttresses or other similar features.
 - 2. Chimneys and fireplaces, provided they do not exceed eight feet in width.
 - 3. Porches, platforms or landings which do not extend above the level of the first floor of the building.
 - 4. Mechanical structures (heat pumps, air conditioners, emergency generators and pumps).
- D. Fences and Walls.
 - 1. In the residential district, a fence or wall shall be permitted to be placed at the property line or within a yard setback as follows:

- a. Not to exceed six feet in height. Located or maintained within the required interior yards. For purposes of fencing only, lots that are corner lots or through lots may select one of the street frontages as a front yard and all other yards shall be considered as interior yards, allowing the placement of a six-foot fence on the property line. In no case may a fence extend into the clear vision zone as defined in NMC 15.410.060.
 - b. Not to exceed four feet in height. Located or maintained within all other front yards.
2. In any commercial or industrial district, a fence or wall shall be permitted to be placed at the property line or within a yard setback as follows:
 - a. Not to exceed eight feet in height. Located or maintained in any interior yard except where the requirements of vision clearance apply. For purposes of fencing only, lots that are corner lots or through lots may select one of the street frontages as a front yard and all other yards shall be considered as interior yards, allowing the placement of an eight-foot fence on the property line.
 - b. Not to exceed four feet in height. Located or maintained within all other front yards.
3. If chain link (wire-woven) fences are used, they are manufactured of corrosion-proof materials of at least 11-1/2 gauge.
4. The requirements of vision clearance shall apply to the placement of fences.

E. Parking and Service Drives (Also Refer to NMC 15.440.010 through 15.440.080).

1. In any district, service drives or accessways providing ingress and egress shall be permitted, together with any appropriate traffic control devices in any required yard.
2. In any residential district, public or private parking areas and parking spaces shall not be permitted in any required yard except as provided herein:
 - a. Required parking spaces shall be permitted on service drives in the required front yard in conjunction with any single-family or two-family dwelling on a single lot.
 - b. Recreational vehicles, boat trailers, camperettes and all other vehicles not in daily use are restricted to parking in the front yard setback for not more than 48 hours; and recreational vehicles, boat trailers, camperettes and all other vehicles not in daily use are permitted to be located in the required interior yards.
 - c. Public or private parking areas, parking spaces or any building or portion of any building intended for parking which have been identified as a use permitted in any residential district shall be permitted in any interior yard that abuts an alley, provided said parking areas, structures or spaces shall comply with NMC 15.440.070, Parking tables and diagrams (Diagrams 1 through 3).
 - d. Public or private parking areas, service drives or parking spaces which have been identified as a use permitted in any residential district shall be permitted in interior yards; provided, that said parking areas, service drives or parking spaces shall comply with other requirements of this code.
3. In any commercial or industrial district, except C-1, C-4 and M-1, public or private parking areas or parking spaces shall be permitted in any required yard (see NMC 15.410.030). Parking requirements in the C-4 district are described in NMC 15.352.040(H).

4. In the I district, public or private parking areas or parking spaces may be no closer to a front property line than 20 feet, and no closer to an interior property line than five feet.

F. Public Telephone Booths and Public Transit Shelters. Public telephone booths and public transit shelters shall be permitted; provided, that vision clearance is maintained for vehicle requirements for vision clearance.

G. Hangars within the AR airport residential district may be constructed with no yard setbacks to property lines adjacent to other properties within the airport residential or airport industrial districts.

Comment: At this time the above-listed exceptions and intrusions into yard setbacks not planned as necessary. The criteria are not applicable.

Chapter 15.415 BUILDING AND SITE DESIGN STANDARDS

15.415.010 Main buildings and uses as accessory buildings.

A. Hereinafter, any building which is the only building on a lot is a main building.

B. In any residential district except RP, there shall be only one main use per lot or development site; provided, that home occupations shall be allowed where permitted.

C. In any residential district, there shall be no more than two accessory buildings on any lot or development site.

15.415.020 Building height limitation.

A. Residential.

1. In the R-1, R-2, AR, and RP districts, no main building shall exceed 30 feet in height. Accessory buildings in the R-1, R-2, R-3, AR, and RP districts are limited to 16 feet in height, except as follows:

a. Up to 800 square feet of an accessory building may have a height of up to 24 feet.

b. Aircraft hangars in the AR district may be the same height as the main building.

E. Alternative Building Height Standard. As an alternative to the building height standards above, any project may elect to use the following standard (see Figure 24 in Appendix A). To meet this standard:

1. Each point on the building must be no more than 20 feet higher than the ground level at all points on the property lines, plus one vertical foot for each horizontal foot of distance from that property line; and

2. Each point on the building must be no more than 20 feet higher than the ground level at a point directly north on a property line, plus one vertical foot for each two horizontal feet of distance between those points. This second limit does not apply if the property directly to the north is a right-of-way, parking lot, protected natural resource, or similar unbuildable property.

F. Buildings within the airport overlay subdistrict are subject to the height limits of that subdistrict.

Comment: The preliminary development plans (Exhibit A) contain architectural drawings of the planned elevations of the structures for this project. The elevation drawings show the structures to be in compliance with the alternative building height standard of this section. The criteria are met.

Chapter 15.420 LANDSCAPING AND OUTDOOR AREAS

15.420.010 Required minimum standards.

A. Private and Shared Outdoor Recreation Areas in Residential Developments.

1. Private Areas.

Each ground-level living unit in a residential development subject to a design review plan approval shall have an accessible outdoor private space of not less than 48 square feet in area. The area shall be enclosed, screened or otherwise designed to provide increased privacy for unit residents, their guests and neighbors.

2. Individual and Shared Areas. Usable outdoor recreation space shall be provided for the individual and/or shared use of residents and their guests in any duplex or multifamily residential development, as follows:
 - a. One- or two-bedroom units: 200 square feet per unit.
 - b. Three- or more bedroom units: 300 square feet per unit.
 - c. Storage areas are required in residential developments. Convenient areas shall be provided in residential developments for the storage of articles such as bicycles, barbecues, luggage, outdoor furniture, and the like. These shall be entirely enclosed.

Comment: This is a multifamily project. The preliminary development plans (Exhibit A) and architectural drawings show each residential unit has individual outdoor private space not less than 48 sf and the complex as a whole to have not less than 200 sf of either individual or shared usable outdoor recreation space per unit. Each unit has a balcony or patio that is 6 feet by 16 feet or 96 square feet in size. Each unit also has an enclosed storage area that is 6 feet by 8 feet or 48 square feet in size. The applicable criteria are met.

B. Required Landscaped Area.

The following landscape requirements are established for all developments except single-family dwellings:

1. A minimum of 15 percent of the lot area shall be landscaped; provided, however, that computation of this minimum may include areas landscaped under subsection (B)(3) of this section. Development in the C-3 (central business district) zoning district and M-4 (large lot industrial) zoning district is exempt from the 15 percent landscape area requirement of this section. Additional landscaping requirements in the C-4 district are described in NMC 15.352.040(K). In the AI airport industrial district, only a five percent landscaping standard is required with the goal of “softening” the buildings and making the development “green” with plants, where possible. The existence of the runway, taxiway, and approach open areas already provide generally for the 15 percent requirement. Developments in the AI airport industrial district with a public street frontage shall have said minimum landscaping between the front property line and the front of the building.

Comment: The preliminary development plans (Exhibit A) show a minimum of 15 percent of the subject lot area is planned to be landscaped per the requirements of this sub-section. The criteria are met.

2. All areas subject to the final design review plan and not otherwise improved shall be landscaped.

Comment: All areas that are not proposed for improvement will be landscaped. The criteria are met.

3. The following landscape requirements shall apply to the parking and loading areas:
 - a. A parking or loading area providing 10 or more spaces shall be improved with defined landscaped areas totaling no less than 25 square feet per parking space.
 - b. A parking, loading area, or drive aisle which runs adjacent to a property line shall be separate from any lot line adjacent to a street by a landscaped strip at least 10 feet in interior width or the width of the required yard, whichever is greater, and any other lot line by a landscaped strip of at least five feet in interior width. See subsections (B)(3)(c) and (d) of this section for material to plant within landscape strips.
 - c. A landscaped strip separating a parking area, loading area, or drive aisle from a street shall contain street trees spaced as appropriate to the species, not to exceed 50 feet apart on average, and a combination of shrubs and ground cover, or lawn. This landscaping shall provide partial screening of these areas from the street.

- d. A landscaped strip separating a parking area, loading area, or drive aisle from an interior lot line shall contain any combination of trees, shrubs, ground cover or lawn. Plant material shall be selected from at least two different plant material groups (example: trees and shrubs, or lawn and shrubs, or lawn and trees and shrubs).
- e. Landscaping in a parking or loading area shall be located in defined landscaped areas which are uniformly distributed throughout the parking or loading area.
- f. Landscaping areas in a parking lot, service drive or loading area shall have an interior width of not less than five feet.
- g. All multifamily, institutional, commercial, or industrial parking areas, service drives, or loading zones which abut a residential district shall be enclosed with a 75 percent opaque, site-obscuring fence, wall or evergreen hedge along and immediately adjacent to any interior property line which abuts the residential district. Landscape plantings must be large enough to provide the required minimum screening requirement within 12 months after initial installation. Adequate provisions shall be maintained to protect walls, fences or plant materials from being damaged by vehicles using said parking areas.
- h. An island of landscaped area shall be located to separate blocks of parking spaces. At a minimum, one deciduous shade tree per seven parking spaces shall be planted to create a partial tree canopy over and around the parking area. No more than seven parking spaces may be grouped together without an island separation unless otherwise approved by the director based on the following alternative standards:
 - i. Provision of a continuous landscaped strip, with a five-foot minimum width, which runs perpendicular to the row of parking spaces (see Appendix A, Figure 13).
 - ii. Provision of tree planting landscape islands, each of which is at least 16 square feet in size, and spaced no more than 50 feet apart on average, within areas proposed for back-to-back parking (see Appendix A, Figure 14).

Comment: The preliminary development plans (Exhibit A) show planned landscaping for parking and loading areas included with this project is in conformance with the requirements of this sub-section, including islands, blocking, and screening. The criteria are met.

4. Trees, Shrubs and Ground Covers.

The species of street trees required under this section shall conform to those authorized by the city council through resolution. The director shall have the responsibility for preparing and updating the street tree species list which shall be adopted in resolution form by the city council.

- a. Arterial and minor arterial street trees shall have spacing of approximately 50 feet on center. These trees shall have a minimum two-inch caliper tree trunk or stalk at a measurement of two feet up from the base and shall be balled and burlapped or boxed.
- b. Collector and local street trees shall be spaced approximately 35 to 40 feet on center. These trees shall have a minimum of a one and one-half or one and three-fourths inch tree trunk or stalk and shall be balled and burlapped or boxed.
- c. Accent Trees. Accent trees are trees such as flowering cherry, flowering plum, crab-apple, Hawthorne and the like. These trees shall have a minimum one and one-half inch caliper tree trunk or stalk and shall be at least eight to 10 feet in height. These trees may be planted bare root or balled and burlapped. The spacing of these trees should be approximately 25 to 30 feet on center.
- d. All broad-leafed evergreen shrubs and deciduous shrubs shall have a minimum height of 12 to 15 inches and shall be balled and burlapped or come from a two-gallon can. Gallon-can size shrubs will not be allowed except in ground covers. Larger sizes of shrubs may be required in special areas and locations as specified by the design review board. Spacing of these shrubs shall be typical for the variety, three to eight feet, and shall be identified on the landscape planting plan.
- e. Ground Cover Plant Material. Ground cover plant material such as greening juniper, cotoneaster, minor Bowles, English ivy, hypericum and the like shall be one of the following sizes in specified spacing for that size:

Gallon cans	3 feet on center
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4" containers	2 feet on center
2-1/4" containers	18" on center
Rooted cuttings	12" on center

Comment: The preliminary development plans (Exhibit A) show the location and types of trees and groundcover planned for installation with this project meet the standards of this section. The criteria are met.

5. Automatic, underground irrigation systems shall be provided for all areas required to be planted by this section. The director shall retain the flexibility to allow a combination of irrigated and non-irrigated areas. Landscaping material used within non-irrigated areas must consist of drought-resistant varieties. Provision must be made for alternative irrigation during the first year after initial installation to provide sufficient moisture for plant establishment.
6. Required landscaping shall be continuously maintained.
7. Maximum height of tree species shall be considered when planting under overhead utility lines.
8. Landscaping requirements and standards for parking and loading areas (subsection (B)(3) of this section) will apply to development proposals unless the institution has addressed the requirements and standards by an approved site development master plan. With an approved site development master plan, the landscape requirements will be reviewed through an administrative Type I review process.
9. In the M-4 zone, landscaping requirements and standards for parking and loading areas (subsection (B)(3) of this section) do not apply unless within 50 feet of a residential district.

Comment: The installation, irrigation, and maintenance requirements of NMC 15.42.010 apply to this project. The preliminary plans, show planned landscape features in conformance with the sub-sections above. The criteria are met or can be met through future action.

C. Installation of Landscaping.

All landscaping required by these provisions shall be installed prior to the issuance of occupancy permits, unless security equal to 110 percent of the cost of the landscaping as determined by the director is filed with the city, insuring such installation within six months of occupancy. A security – cash, certified check, time certificates of deposit, assignment of a savings account, bond or such other assurance of completion as shall meet with the approval of the city attorney – shall satisfy the security requirements. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the director, 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.

Comment: Landscaping required by this Chapter will be installed prior to final occupancy permits or the appropriate security must be provided per this sub-section. The criteria are met.

15.420.020 Landscaping and amenities in public rights-of-way.

The following standards are intended to create attractive streetscapes and inviting pedestrian spaces. A review body may require any of the following landscaping and amenities to be placed in abutting public rights-of-way as part of multifamily, commercial, industrial, or institutional design reviews, or for subdivisions and planned unit developments. In addition, any entity improving existing rights-of-way should consider including these elements in the project. A decision to include any amenity shall be based on comprehensive plan guidelines, pedestrian volumes in the area, and the nature of surrounding development.

A. Pedestrian Space Landscaping. Pedestrian spaces shall include all sidewalks and medians used for pedestrian refuge. Spaces near sidewalks shall provide plant material for cooling and dust control, and street furniture for comfort and safety, such as benches, waste receptacles and pedestrian-scale lighting. These spaces should be designed for short-term as well as long-term use. Elements of pedestrian spaces shall not obstruct sightlines and shall adhere to any other required city safety measures. Medians used for pedestrian refuge shall be designed for short-term use only with plant material for cooling and dust control, and pedestrian-scale lighting. The design of these spaces shall facilitate safe pedestrian crossing with lighting and accent paving to delineate a safe crossing zone visually clear to motorists and pedestrians alike.

1. Street trees planted in pedestrian spaces shall be planted according to NMC 15.420.010(B)(4).
2. Pedestrian spaces shall have low (two and one-half feet) shrubs and ground covers for safety purposes, enhancing visibility and discouraging criminal activity.
 - a. Plantings shall be 90 percent evergreen year-round, provide seasonal interest with fall color or blooms, and at maturity maintain growth within the planting area (refer to plant material matrix below).
 - b. Plant placement shall also adhere to clear sight line requirements as well as any other relevant city safety measures.
3. Pedestrian-scale lighting shall be installed along sidewalks and in medians used for pedestrian refuge.
 - a. Pole lights as well as bollard lighting may be specified; however, the amount and type of pedestrian activity during evening hours, e.g., transit stops, nighttime service districts, shall ultimately determine the type of fixture chosen.
 - b. Luminaire styles shall match the area/district theme of existing luminaires and shall not conflict with existing building or roadway lights causing glare.
 - c. Lighting heights and styles shall be chosen to prevent glare and to designate a clear and safe path and limit opportunities for vandalism (see Appendix A, Figure 17, Typical Pedestrian Space Layouts).
 - d. Lighting shall be placed near the curb to provide maximum illumination for spaces furthest from building illumination. Spacing shall correspond to that of the street trees to prevent tree foliage from blocking light.
4. Street furniture such as benches and waste receptacles shall be provided for spaces near sidewalks only.
 - a. Furniture should be sited in areas with the heaviest pedestrian activity, such as downtown, shopping districts, and shopping centers.
 - b. Benches should be arranged to facilitate conversation between individuals with L-shaped arrangements and should face the area focal point, such as shops, fountains, plazas, and should divert attention away from nearby traffic.

Comment: The preliminary development plans (Exhibit A) show pedestrian paths, street trees and varying-width sidewalks included along the public improvements for S. River Road. The design considers the preservation of the grove of trees in the northwest corner of the site to the extent possible. The improvements meet the minimum requirements of the City Code and Public Works engineering standards. It is understood the review body may impose reasonable conditions upon landscaping and amenities in the public right of way as indicated in this section. The criteria are met.

5. Paving and curb cuts shall facilitate safe pedestrian crossing and meet all ADA requirements for accessibility.

B. Planting Strip Landscaping. All planting strips shall be landscaped.

Planting strips provide a physical and psychological buffer for pedestrians from traffic with plant material that reduces heat and dust, creating a more comfortable pedestrian environment. Planting strips shall have different arrangements and combinations of plant materials according to the frequency of on-street parking (see Appendix A, Figures 18 and 19).

1. Planting strips which do not have adjacent parking shall have a combination of ground covers, low (two and one-half feet) shrubs and trees. Planting strips adjacent to frequently used on-street parking, as defined by city staff, shall only have trees protected by tree grates, and planting strips adjacent to infrequently used on-street parking shall be planted with ground cover as well as trees (see Appendix A, Figures 18 and 19, Typical Planting Strip Layouts). District themes or corridor themes linking individual districts should be followed utilizing a unifying plant characteristic, e.g., bloom color, habit, or fall color. When specifying thematic plant material, monocultures should be avoided, particularly those species susceptible to disease.
2. Street trees shall be provided in all planting strips as provided in NMC 15.420.010(B)(4).
 - a. Planting strips without adjacent parking or with infrequent adjacent parking shall have street trees in conjunction with ground covers and/or shrubs.
 - b. Planting strips with adjacent parking used frequently shall have only street trees protected by tree grates.
3. Shrubs and ground covers shall be provided in planting strips without adjacent parking with low (two and one-half feet) planting masses to enhance visibility, discourage criminal activity, and provide a physical as well as psychological buffer from passing traffic.
 - a. Plantings shall be 90 percent evergreen year-round, provide seasonal interest with fall color or blooms and at maturity maintain growth within the planting area.
 - b. Ground cover able to endure infrequent foot traffic shall be used in combination with street trees for planting strips with adjacent occasional parking (refer to plant material matrix below).
 - c. All plant placement shall adhere to clear sight line requirements as well as any other relevant city safety measures.

Comment: The preliminary development plans (Exhibit A) show planting strip landscaping, including street trees, in conformance with the requirements of this section. The criteria are met.

C. Maintenance. All landscapes shall be maintained for the duration of the planting to encourage health of plant material as well as public health and safety. All street trees and shrubs shall be pruned to maintain health and structure of the plant material for public safety purposes.

Comment: Required landscaping installed as part of this project will be maintained and pruned, including street trees for public safety. The criterion is met.

Chapter 15.425 EXTERIOR LIGHTING

15.425.020 Applicability and exemptions.

A. Applicability.

Outdoor lighting shall be required for safety and personal security in areas of assembly, parking, and traverse, as part of multifamily residential, commercial, industrial, public, recreational and institutional uses. The applicant for any Type I or Type II development permit shall submit, as part of the site plan, evidence that the proposed outdoor lighting plan will comply with this section. This information shall contain but not be limited to the following:

1. The location, height, make, model, lamp type, wattage, and proposed cutoff angle of each outdoor lighting fixture.
2. Additional information the director may determine is necessary, including but not limited to illuminance level profiles, hours of business operation, and percentage of site dedicated to parking and access.
3. If any portion of the site is used after dark for outdoor parking, assembly or traverse, an illumination plan for these areas is required. The plan must address safety and personal security.

Comment: The preliminary development plans (Exhibit A) contain the information required per NMC 15.425.020 to satisfy the requirements of an outdoor "lighting plan." The criteria are met.

15.425.030 Alternative materials and methods of construction, installation, or operation.

The provisions of this section are not intended to prevent the use of any design, material, or methods of installation or operation not specifically prescribed by this section, provided any such alternate has been approved by the director. Alternatives must be an approximate equivalent to the applicable specific requirement of this section and must comply with all other applicable standards in this section.

15.425.040 Requirements.

A. General Requirements – All Zoning Districts.

1. Low-level light fixtures include exterior lights which are installed between ground level and six feet tall. Low-level light fixtures are considered nonintrusive and are unrestricted by this code.
2. Medium-level light fixtures include exterior lights which are installed between six feet and 15 feet above ground level. Medium-level light fixtures must either comply with the shielding requirements of subsection (B) of this section, or the applicant shall show that light trespass from a property has been designed not to exceed one-half foot-candle at the property line.
3. High-level light fixtures include exterior lights which are installed 15 feet or more above ground level. High-level light fixtures must comply with the shielding requirements of subsection (B) of this section, and light trespass from a property may not exceed one-half foot-candle at the property line.

B. Table of Shielding Requirements.

Fixture Lamp Type	Shielded Low/high pressure sodium, mercury vapor, metal halide and fluorescent over 50 watts
Fully Incandescent over 160 watts	Fully Incandescent 160 watts or less

Comment: The preliminary development plans (Exhibit A) contain the information required per NMC 15.425.020 to satisfy the requirements of an outdoor "lighting plan." Required lighting will meet 15.425.030–040 for the installation of outdoor lighting. The criteria are met.

Chapter 15.430 UNDERGROUND UTILITY INSTALLATION

15.430.010 Underground utility installation.

- A. All new utility lines, including but not limited to electric, communication, natural gas, and cable television transmission lines, shall be placed underground. This does not include surface-mounted transformers, connections boxes, meter cabinets, service cabinets, temporary facilities during construction, and high-capacity electric lines operating at 50,000 volts or above.
- B. Existing utility lines shall be placed underground when they are relocated, or when an addition or remodel requiring a Type II design review is proposed, or when a developed area is annexed to the city.
- C. The director may make exceptions to the requirement to underground utilities based on one or more of the following criteria:
 1. The cost of undergrounding the utility is extraordinarily expensive.
 2. here are physical factors that make undergrounding extraordinarily difficult.
 3. Existing utility facilities in the area are primarily overhead and are unlikely to be changed.

Comment: New utilities included with this project will be installed underground where required by this chapter. The preliminary development plans (Exhibit A) show planned utilities meeting these standards. The criteria are met.

Chapter 15.435 SIGNS

Comment: As a permanent multifamily residential use, this project is anticipated to have modest signage sufficient to identify the permanent use, including monument entrance signs. Final sign design and location are not available at the time of application because it will be contingent on final architectural design and site plan approval. However, non-public signs covered by this chapter will be reviewed and permitted prior to installation. The criteria, as applicable, are met.

Chapter 15.440 OFF-STREET PARKING, BICYCLE PARKING, AND PRIVATE WALKWAYS

Article I. Off-Street Parking Requirements

15.440.010 Required off-street parking.

A. Off-street parking shall be provided on the development site for all R-1, C-1, M-1, M-2 and M-3 zones. In all other zones, the required parking shall be on the development site or within 400 feet of the development site which the parking is required to serve. All required parking must be under the same ownership as the development site served except through special covenant agreements as approved by the city attorney, which bind the parking to the development site.

Comment: All proposed parking is located on-site as required by this section. The criterion is met.

15.440.020 Parking area and service drive design.

A. All public or private parking areas, parking spaces, or garages shall be designed, laid out and constructed in accordance with the minimum standards as set forth in NMC 15.440.070.

B. Groups of three or more parking spaces, except those in conjunction with single-family or two-family dwellings on a single lot, shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street, other than an alley, will be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress and maximum safety of pedestrian and vehicular traffic on the site, but in no case shall two-way and one-way service drives be less than 20 feet and 12 feet, respectively. Service drives shall be improved in accordance with the minimum standards as set forth in NMC 15.440.060.

Comment: The preliminary development plans (Exhibit A) show 80 dedicated parking spaces. As shown on the plans, the space and drive aisle layout meet the minimum standards of this section for safety, traffic flow, etc. The criteria are met.

C. Gates. A private drive or private street serving as primary access to more than one dwelling unit shall not be gated to limit access, except as approved by variance.

Comment: The site is not planned to be gated at this time. This criterion is not applicable.

15.440.030 Parking spaces required.

Use Minimum Parking Spaces Required Dwelling, multifamily and multiple single family dwellings on a single lot

Studio or one-bedroom unit	1 per dwelling unit
Two-bedroom unit	1.5 per dwelling unit
Three- and four-bedroom unit	2 per dwelling unit
Five- or more bedroom unit	0.75 spaces per bedroom

*Unassigned spaces If a development is required to have more than 10 spaces on a lot, then it must provide some unassigned spaces. At least 15 percent of the total required parking spaces must be unassigned and be located for convenient use by all occupants of the development. The location shall be approved by the director.

*Visitor spaces If a development is required to have more than 10 spaces on a lot, then it must provide at least 0.2 visitor spaces per dwelling unit.

*On-street parking credit On-street parking spaces may be counted toward the minimum number of required spaces for developments required to have more than 10 spaces on a lot. The onstreet spaces must be directly adjoining and on the same side of the street as the subject property, must be legal spaces that meet all city standards, and cannot be counted if they could be removed by planned future street widening or a bike lane on the street.

*Available transit service At the review body's discretion, affordable housing projects may reduce the required off-street parking by 10 percent if there is an adequate continuous pedestrian route no more than 1,500 feet in length from the development to transit service with an average of less than one hour regular service intervals during commuting periods or where the development provides its own transit. A developer may qualify for this parking reduction if improvements on a proposed pedestrian route are made by the developer, thereby rendering it an adequate continuous route.

Comment: This application is for a multifamily apartment complex composed of 42 two-bedroom units and three single one-bedroom unit. Per the minimum space requirements above at least $(1.5 \times 42) + (1 \times 3) = 66$ parking spaces. The applicant has provided 69 standard, and two handicapped spaces (71 total)

Each apartment will be assigned one parking space, leaving 26 unassigned spaces. Of these 12 of the 71 or 16.9% will remain unassigned, while 14 of the 71 or 19.7% will be designated as visitor spaces. The criteria are met.

15.440.070 Parking tables and diagrams.

The following tables provide the minimum dimensions of public or private parking areas

Basic Stall Back to Back Aisles

Notes:

1. Bumpers must be installed where paved areas abut street right-of-way (except at driveways).
2. No stalls shall be such that cars must back over the property line to enter or leave stall.
3. Stalls must be clearly marked and the markings must be maintained in good condition.
4. The sketches show typical situations to illustrate the required standards. For further information or advice, contact the community development department at 537-1210

Comment: The preliminary development plans (Exhibit A) show 71 dedicated parking spaces. As shown on the plans, the space and drive aisle layout meet the minimum standards of this section. The criteria are met.

Article II. Bicycle Parking

15.440.100 Facility requirements.

Bicycle parking facilities shall be provided for the uses shown in the following table. Fractional space requirements shall be rounded up to the next whole number. Use Minimum Number of Bicycle Parking Spaces Required New multiple dwellings, including additions creating additional dwelling units One bicycle parking space for every four dwelling units

15.440.110 Design.

A. Bicycle parking facilities shall consist of one or more of the following:

1. A firmly secured loop, bar, rack, or similar facility that accommodates locking the bicycle frame and both wheels using a cable or U-shaped lock.
2. An enclosed locker.
3. A designated area within the ground floor of a building, garage, or storage area. Such area shall be clearly designated for bicycle parking.
4. Other facility designs approved by the director.

B. All bicycle parking spaces shall be at least six feet long and two and one-half feet wide. Spaces shall not obstruct pedestrian travel.

C. All spaces shall be located within 50 feet of a building entrance of the development.

D. Required bicycle parking facilities may be located in the public right-of-way adjacent to a development subject to approval of the authority responsible for maintenance of that right-of-way.

Comment: This application is for a 45-unit apartment complex. Per the bicycle space requirements above, a minimum of 11 bicycle spaces are required. The preliminary development plans (Exhibit A) show bicycle spaces meeting the size and location requirements of this section with 16 total spaces provided (two per stairwell). The criteria are met.

Article III. Private Walkways

15.440.140 Private walkway design.

A. All required private walkways shall meet the applicable building code and Americans with Disabilities Act requirements.

B. Required private walkways shall be a minimum of four feet wide. Meadow Creek Apartments – City of

C. Required private walkways shall be constructed of portland cement concrete or brick.

D. Crosswalks crossing service drives shall, at a minimum, be painted on the asphalt or clearly marked with contrasting paving materials or humps/raised crossings. If painted striping is used, it should consist of thermoplastic striping or similar type of durable application.

E. At a minimum, required private walkways shall connect each main pedestrian building entrance to each abutting public street and to each other.

F. The review body may require on-site walks to connect to development on adjoining sites.

G. The review body may modify these requirements where, in its opinion, the development provides adequate on-site pedestrian circulation, or where lot dimensions, existing building layout, or topography preclude compliance with these standards.

Comment: The preliminary development plans (Exhibit A) show several sections of private walkways within the project area. They are designed with a minimum width of 5 feet and meet ADA requirements. The exact location and layout of the private walkways is contingent on final design approval by the City. The criteria are met.

Division 15.500 Public Improvement Standards

Chapter 15.505 PUBLIC IMPROVEMENTS STANDARDS

15.505.020 Applicability.

The provision and utilization of public facilities and services within the City of Newberg shall apply to all land developments in accordance with this chapter. No development shall be approved unless the following improvements are provided for prior to occupancy or operation, unless future provision is assured in accordance with NMC 15.505.030(E).

- A. Public Works Design and Construction Standards.
The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall comply with the requirements of the most recently adopted Newberg public works design and construction standards.
- B. Street Improvements.
All projects subject to a Type II design review, partition, or subdivision approval must construct street improvements necessary to serve the development.
- C. Water.
All developments, lots, and parcels within the City of Newberg shall be served by the municipal water system as specified in Chapter 13.15 NMC.
- D. Wastewater.
All developments, lots, and parcels within the City of Newberg shall be served by the municipal wastewater system as specified in Chapter 13.10 NMC.
- E. Stormwater.
All developments, lots, and parcels within the City of Newberg shall manage stormwater runoff as specified in Chapters 13.20 and 13.25 NMC.
- F. Utility Easements.
Utility easements shall be provided as necessary and required by the review body to provide needed facilities for present or future development of the area.
- G. City Approval of Public Improvements Required.
No building permit may be issued until all required public facility improvements are in place and approved by the director, or are otherwise bonded for in a manner approved by the review authority, in conformance with the provisions of this code and the Newberg Public Works Design and Construction Standards.

Comment: Public improvements included with this project meet the standards of this chapter, as discussed with City Staff. The preliminary development plans (Exhibit A) show the improvements, including water, wastewater, stormwater, and associated utility easements are planned to be constructed to City Public Works design and engineering standards. The criteria are met.

15.505.030 Street standards.

B. Applicability. The provisions of this section apply to:

1. The creation, dedication, and/or construction of all public streets, bike facilities, or pedestrian facilities in all subdivisions, partitions, or other developments in the City of Newberg.
2. The extension or widening of existing public street rights-of-way, easements, or street improvements including those which may be proposed by an individual or the city, or which may be required by the city in association with other development approvals.
3. The construction or modification of any utilities, pedestrian facilities, or bike facilities in public rights-of-way or easements.
4. The designation of planter strips. Street trees are required subject to Chapter 15.420 NMC.
5. Developments outside the city that tie into or take access from city streets.

C. Layout of Streets, Alleys, Bikeways, and Walkways. Streets, alleys, bikeways, and walkways shall be laid out and constructed as shown in the Newberg transportation system plan. In areas where the transportation system plan or future street plans do not show specific transportation improvements, roads and streets shall be laid out so as to conform to previously approved subdivisions, partitions, and other developments for adjoining properties, unless it is found in the public interest to modify these patterns. Transportation improvements shall conform to the standards within the Newberg Municipal Code, the Newberg public works design and construction standards, the Newberg transportation system plan, and other adopted city plans.

Comment: No new streets are anticipated for this project however frontage improvements are required. South River Road is planned for bike lanes, but there are no existing bike lanes to connect to. As an alternative, the Applicant has worked with City Staff to provide a 12 foot detached bikeway/sidewalk with a 5.5 foot easement adjacent to River Road right-of-way

D. Construction of New Streets.

Where new streets are necessary to serve a new development, subdivision, or partition, right-of-way dedication and full street improvements shall be required. Three quarter streets may be approved in lieu of full street improvements when the city finds it to be practical to require the completion of the other one-quarter street improvement when the adjoining property is developed; in such cases, three-quarter street improvements may be allowed by the city only where all of the following criteria are met:

1. The land abutting the opposite side of the new street is undeveloped and not part of the new development; and
2. The adjoining land abutting the opposite side of the street is within the city limits and the urban growth boundary.

Comment: No new streets are anticipated for this project. The standards are not applicable.

E. Improvements to Existing Streets.

1. All projects subject to partition, subdivision, or Type II design review approval shall dedicate right-of-way sufficient to improve the street to the width specified in subsection (G) of this section.
2. All projects subject to partition, subdivision, or Type II design review approval must construct a minimum of a three-quarter street improvement to all existing streets adjacent to, within, or necessary to serve the development. The director may waive or modify this requirement where the applicant demonstrates that the condition of existing streets to serve the development meets city standards and is in satisfactory condition to handle the projected traffic loads from the development. Where a development has frontage on both sides of an existing street, full street improvements are required.
3. In lieu of the street improvement requirements outlined in NMC 15.505.040(B), the review authority may elect to accept from the applicant monies to be placed in a fund dedicate to the future reconstruction of the subject street(s). The amount of money deposited with the city shall be 100 percent of the estimated cost of the

required street improvements (including any associated utility improvements), and 10 percent of the estimated cost for inflation. Cost estimates used for this purpose shall be based on preliminary design of the constructed street provided by the applicant's engineer and shall be approved by the director.

Comment: Improvements to existing streets will be constructed to the standards of this section. The criteria are met.

F. Improvements Relating to Impacts. Improvements required as a condition of development approval shall be roughly proportional to the impact of the development on public facilities and services. The review body must make findings in the development approval that indicate how the required improvements are roughly proportional to the impact. Development may not occur until required transportation facilities are in place or guaranteed, in conformance with the provisions of this code. If required transportation facilities cannot be put in place or be guaranteed, then the review body shall deny the requested land use application.

Comment: Improvements required as conditions for this project will meet the proportionality and guarantee provisions of this section, as applicable. The criteria are met.

G. Street Width and Design Standards.

1. Design Standards. All streets shall conform with the standards contained in Table 15.505.030(G). Where a range of values is listed, the director shall determine the width based on a consideration of the total street section width needed, existing street widths, and existing development patterns. Preference shall be given to the higher value. Where values may be modified by the director, the overall width shall be determined using the standards under subsections (G)(2) through (10) of this section.

2. Motor Vehicle Travel Lanes. Collector and arterial streets shall have a minimum width of 12 feet.

3. Bike Lanes. Striped bike lanes shall be a minimum of six feet wide. Bike lanes shall be provided where shown in the Newberg transportation system plan.

4. Parking Lanes. Where on-street parking is allowed on collector and arterial streets, the parking lane shall be a minimum of eight feet wide.

5. Center Turn Lanes. Where a center turn lane is provided, it shall be a minimum of 12 feet wide.

6. Limited Residential Streets. Limited residential streets shall be allowed only at the discretion of the review authority, and only in consideration of the following factors:

- a. The requirements of the fire chief shall be followed.
- b. The estimated traffic volume on the street is low, and in no case more than 600 average daily trips.
- c. Use for through streets or looped streets is preferred over cul-de-sac streets.
- d. Use for short blocks (under 400 feet) is preferred over longer blocks.
- e. The total number of residences or other uses accessing the street in that block is small, and in no case more than 30 residences.
- f. On-street parking usage is limited, such as by providing ample off-street parking, or by staggering driveways so there are few areas where parking is allowable on both sides.

7. Sidewalks.

Sidewalks shall be provided on both sides of all public streets. Minimum width is five feet.

8. Planter Strips.

Except where infeasible, a planter strip shall be provided between the sidewalk and the curb line, with a minimum width of five feet. This strip shall be landscaped in accordance with the standards in NMC 15.420.020. Curbside sidewalks may be allowed on limited residential streets. Where curb-side sidewalks are allowed, the following shall be provided:

- a. Additional reinforcement is done to the sidewalk section at corners.
- b. Sidewalk width is six feet.

9. Slope Easements.

Slope easements shall be provided adjacent to the street where required to maintain the stability of the street.

10. Intersections and Street Design.

The street design standards in the Newberg public works design and construction standards shall apply to all public streets, alleys, bike facilities, and sidewalks in the city.

11. The planning commission may approve modifications to street standards for the purpose of ingress or egress to a minimum of three and a maximum of six lots through a conditional use permit.

Comment: No new public or private streets are planned for this project, however improvements along the North Springbrook Road frontage are required. The preliminary development plans (Exhibit A) show street improvements, sidewalks, planting strips, parking areas, etc. as described in detail above. The criteria are met.

H. Modification of Street Right-of-Way and Improvement Width.

The director, pursuant to the Type II review procedures of Chapter 15.220 NMC, may allow modification to the public street standards of subsection (G) of this section, when the criteria in both subsections (H)(1) and (2) of this section are satisfied:

1. The modification is necessary to provide design flexibility in instances where:
 - a. Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or
 - b. Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of this section; or
 - c. A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area; or
 - d. A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development.
 2. Modification of the standards of this section shall only be approved if the director finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.
- I. Temporary Turnarounds.
 - J. Topography.
 - K. Future Extension of Streets.
 - L. Cul-de-Sacs.
 - M. Street Names and Street Signs.
 - N. Platting Standards for Alleys.
 - O. Platting Standards for Blocks.
 - P. Private Streets. New private streets, as defined in NMC 15.05.030, shall not be created.

Comment: No new public streets or extensions, cul-de-sacs, alleys, blocks, or private streets are planned to be included with this project. The criteria are not applicable.

Q. Traffic Calming.

1. The following roadway design features may be required in new street construction where traffic calming needs are anticipated:
 - a. Serpentine alignment.
 - b. Curb extensions.
 - c. Traffic diverters/circles.
 - d. Raised medians and landscaping.
 - e. Other methods shown effective through engineering studies.
2. Traffic-calming measures such as speed humps should be applied to mitigate traffic operations and/or safety problems on existing streets. They should not be applied with new street constructions.

Comment: No new streets or extensions are planned to be included with this project.

R. Vehicular Access Standards.

2. Access Spacing Standards. Public street intersection and driveway spacing shall follow the standards in Table 15.505.R below. The Oregon Department of Transportation (ODOT) has jurisdiction of some roadways within the Newberg city limits, and ODOT access standards will apply on those roadways.
3. Properties with Multiple Frontages. Where a property has frontage on more than one street, access shall be limited to the street with the lesser classification.
4. Driveways. More than one driveway is permitted on a lot accessed from either a minor collector or local street as long as there is at least 40 feet of lot frontage separating each driveway approach. More than one driveway is permitted on a lot accessed from a major collector as long as there is at least 100 feet of lot frontage separating each driveway approach.

Comment: A single point of egress is proposed for the site. The preliminary development plans (Exhibit A) show the access points are over 100 feet apart from the closest other street or driveway. The criteria are met.

5. Alley Access.

Comment: No alleys are planned to be included with this project. The criteria are not applicable.

6. Closure of Existing Accesses.

Existing accesses that are not used as part of development or redevelopment of a property shall be closed and replaced with curbing, sidewalks, and landscaping, as appropriate.

Comment: There is one existing access point (a curb cut and apron) on the north portion of road frontage. If this access point is not used it will be closed. The criterion is met.

7. Shared Driveways.

a. The number of driveways onto arterial streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The city shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes. Where there is an abutting developable property, a shared driveway shall be provided as appropriate. When shared driveways are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway temporarily ends at the property line, but may be accessed or extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

- b. Access easements (i.e., for the benefit of affected properties) and maintenance agreements shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.
- c. No more than four lots may access one shared driveway.
- d. Shared driveways shall be posted as no parking fire lanes where required by the fire marshal.
- e. Where three lots or three dwellings share one driveway, one additional parking space over those otherwise required shall be provided for each dwelling. Where feasible, this shall be provided as a common use parking space adjacent to the driveway.

Comment: This is a multifamily development with a large shared parking area and a single primary access points. Shared driveways and access easements are not necessary. The criteria are not applicable.

8. Frontage Streets and Alleys.

The review body for a partition, subdivision, or design review may require construction of a frontage street to provide access to properties fronting an arterial or collector street.

Comment: A frontage street is not necessary.

9. ODOT or Yamhill County Right-of-Way.

Where a property abuts an ODOT or Yamhill County right-of-way, the applicant for any development project shall obtain an access permit from ODOT or Yamhill County.

Comment: The property abuts a city street. The criteria are not applicable.

10. Exceptions.

The director may allow exceptions to the access standards above in any of the following circumstances:

- a. Where existing and planned future development patterns or physical constraints, such as topography, parcel configuration, and similar conditions, prevent access in accordance with the above standards.
- b. Where the proposal is to relocate an existing access for existing development, where the relocated access is closer to conformance with the standards above and does not increase the type or volume of access.
- c. Where the proposed access results in safer access, less congestion, a better level of service, and more functional circulation, both on street and on site, than access otherwise allowed under these standards.

11. Where an exception is approved, the access shall be as safe and functional as practical in the particular circumstance. The director may require that the applicant submit a traffic study by a registered engineer to show the proposed access meets these criteria.

Comment: No exceptions are requested.

S. Public Walkways.

- 1. Projects subject to Type II design review, partition, or subdivision approval may be required to provide publicwalkways where necessary for public safety and convenience, or where necessary to meet the standards of this code. Public walkways are meant to connect cul-de-sacs to adjacent areas, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other community destinations or public areas. Where practical, public walkway easements and locations may also be used to accommodate public utilities.
- 2. Public walkways shall be located within a public access easement that is a minimum of 15 feet in width.
- 3. A walk strip, not less than 10 feet in width, shall be paved in the center of all public walkway easements. Such paving shall conform to specifications in the Newberg public works design and construction standards.

4. Public walkways shall be designed to meet the Americans with Disabilities Act requirements.
5. Public walkways connecting one right-of-way to another shall be designed to provide as short and straight of a route as practical.
6. The developer of the public walkway may be required to provide a homeowners' association or similar entity to maintain the public walkway and associated improvements.
7. Lighting may be required for public walkways in excess of 250 feet in length.
8. The review body may modify these requirements where it finds that topographic, preexisting development, or similar constraints exist.

Comment: The preliminary development plans (Exhibit A) show public walkways (sidewalks) along the S. River Road frontage as described in detail above and meeting the criteria in this section. The walkways take into account the landscaping requirements for this development, as well as the preservation of the mature trees in the northwest corner of the site to extent practicable. The criteria are met.

T. Street Trees.

Street trees shall be provided for all projects subject to Type II design review, partition, or subdivision. Street trees shall be installed in accordance with the provisions of NMC 15.420.010(B)(4).

Comment: As discussed in the landscaping requirements section of this narrative and shown in the preliminary plans (Exhibit A), street trees are planned to be provided per the requirements of NMC 15.420.010(B)(4). The criteria are met.

U. Street Lights.

All developments shall include underground electric service, light standards, wiring and lamps for street lights according to the specifications and standards of the Newberg public works design and construction standards. The developer shall install all such facilities and make the necessary arrangements with the serving electric utility as approved by the city. Upon the city's acceptance of the public improvements associated with the development, the street lighting system, exclusive of utility-owned service lines, shall be and become property of the city unless otherwise designated by the city through agreement with a private utility.

Comment: As discussed in the public improvements and design standards sections of this narrative, exterior lighting meeting City public works design standards is planned to be installed for this project. The preliminary development plans (Exhibit A) show street lighting. After approval by the City, the lighting will be installed in coordination with City Public Works and the electrical utility. The criteria, as applicable, are met.

V. Transit Improvements.

Development proposals for sites that include or are adjacent to existing or planned transit facilities, as shown in the Newberg transportation system plan or adopted local or regional transit plan, shall be required to provide any of the following, as applicable and required by the review authority:

1. Reasonably direct pedestrian connections between the transit facility and building entrances of the site. For the purpose of this section, "reasonably direct" means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for users.
2. A transit passenger landing pad accessible to disabled persons.
3. An easement of dedication for a passenger shelter or bench if such facility is in an adopted plan.
4. Lighting at the transit facility.

Comment: Pedestrian access to transit is linked to the frontage improvements along S River Road. ADA accessibility and transit connectivity per the Newberg Transportation System Plan are shown on the preliminary plans. All required transit facilities will be designed to the requirements of this section and City engineering standards. The criteria, as applicable, are met.

15.505.040 Public utility standards.

C. General Standards.

1. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall conform to the Newberg public works design and construction standards and require a public improvements permit.
2. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site. Installation of all proposed public and private utilities shall be coordinated by the developer and be approved by the city to ensure the orderly extension of such utilities within public right-of-way and easements.

Comment: The preliminary development plans (Exhibit A) show the location of utilities included with this project. The design, installation, and maintenance of private and public utilities for this project will meet City of Newberg standards. The criteria are met.

D. Standards for Water Improvements.

All development that has a need for water service shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary wastewater and stormwater facilities, as applicable.

1. All developments shall be required to be linked to existing water facilities adequately sized to serve their intended area by the construction of water distribution lines, reservoirs and pumping stations which connect to such water service facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.
2. Specific location, size and capacity of such facilities will be subject to the approval of the director with reference to the applicable water master plan. All water facilities shall conform with city pressure zones and shall be looped where necessary to provide adequate pressure and fire flows during peak demand at every point within the system in the development to which the water facilities will be connected. Installation costs shall remain entirely the developer's responsibility.
3. The design of the water facilities shall take into account provisions for the future extension beyond the development to serve adjacent properties, which, in the judgment of the city, cannot be feasibly served otherwise.
4. Design, construction and material standards shall be as specified by the director for the construction of such public water facilities in the city.

Comment: The preliminary development plans (Exhibit A) show the location and size of water facilities meet the City of Newberg standards. The water improvements are planned to be installed and inspected in coordination with City Public Works. The criteria are met.

E. Standards for Wastewater Improvements.

All development that has a need for wastewater services shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary water services and stormwater facilities, as applicable.

1. All septic tank systems and on-site sewage systems are prohibited. Existing septic systems must be abandoned or removed in accordance with Yamhill County standards.

2. All properties shall be provided with gravity service to the city wastewater system, except for lots that have unique topographic or other natural features that make gravity wastewater extension impractical as determined by the director. Where gravity service is impractical, the developer shall provide all necessary pumps/lift stations and other improvements, as determined by the director.
3. All developments shall be required to be linked to existing wastewater collection facilities adequately sized to serve their intended area by the construction of wastewater lines which connect to existing adequately sized wastewater facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.
4. Specific location, size and capacity of wastewater facilities will be subject to the approval of the director with reference to the applicable wastewater master plan. All wastewater facilities shall be sized to provide adequate capacity during peak flows from the entire area potentially served by such facilities. Installation costs shall remain entirely the developer's responsibility.
5. Temporary wastewater service facilities, including pumping stations, will be permitted only if the director approves the temporary facilities, and the developer provides for all facilities that are necessary for transition to permanent facilities.
6. The design of the wastewater facilities shall take into account provisions for the future extension beyond the development to serve upstream properties, which, in the judgment of the city, cannot be feasibly served otherwise.
7. Design, construction and material standards shall be as specified by the director for the construction of such wastewater facilities in the city.

Comment: The preliminary development plans (Exhibit A) show the location and size of sanitary sewer facilities meeting City of Newberg standards. Laterals to each building are proposed connecting to a new manhole over the existing 12-inch line that bisects the property east-west. The criteria are met.

F. Easements.

Easements for public and private utilities shall be provided as deemed necessary by the city, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be recorded on easement forms approved by the city and designated on the final plat of all subdivisions and partitions. Minimum required easement width and locations are as provided in the Newberg public works design and construction standards.

Comment: The preliminary development plans (Exhibit A) show necessary utility easements anticipated as necessary for this project. The width and location of the easements meet the Newberg Public Works design and construction standards. The criteria, as applicable, are met.

15.505.050 Stormwater system standards.

C. General Requirement.

All stormwater runoff shall be conveyed to a public storm wastewater or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private

property. The developer shall pay all costs associated with designing and constructing the facilities necessary to meet this requirement.

D. Plan for Stormwater and Erosion Control.

No construction of any facilities in a development included in subsection (B) of this section shall be permitted until an engineer registered in the State of Oregon prepares a stormwater report and erosion control plan for the project. This plan shall contain at a minimum:

1. The methods to be used to minimize the amount of runoff, sedimentation, and pollution created from the development both during and after construction.
2. Plans for the construction of stormwater facilities and any other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the stormwater plans.
3. Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included in the stormwater report and shall be stamped by a licensed professional engineer in the State of Oregon. Peak design discharges shall be computed based upon the design criteria outlined in the public works design and construction standards for the city.

E. Development Standards.

Development subject to this section shall be planned, designed, constructed, and maintained in compliance with the Newberg public works design and construction standards.

Comment: The preliminary development plans (Exhibit A) include a preliminary storm drainage plan and preliminary erosion and sediment control plans meeting the design and construction standards of Newberg Public Works. A preliminary stormwater report is included separately. Stormwater will be collected from the rooftops and treated in raingardens/flow through planters and detained in an underground storage facility under the parking lot on the southern end of the site before being released into an existing storm pipe in Springbrook Road. The criteria, as applicable, are met.

IV. Conclusion

The required findings have been made and this written narrative and accompanying documentation demonstrate the application is consistent with the applicable provisions of the City of Newberg Municipal Code and Public Works engineering standards. The evidence in the record is substantial and supports approval of the application. Therefore, the Applicant respectfully requests the City approve this Type II site design review application.

City of Newberg - Preapplication meeting notes: 8/15/18

1109 S. River Street - apartment design review

Planning Notes

Site: Zoning = R-2 with Stream Corridor (SC) overlay zone. Once proposed Comprehensive Plan and Zoning Map Amendments are effective, the zoning will be R-3 with SC overlay.

Size is approx. 93,000 sf with around 35,000 sf in the stream corridor overlay. The stream corridor overlay zone location is as shown on the zoning map (not determined in the field).

Density: 3,000 sf of lot area per unit is the maximum density in the R-2 zone.

Stream Corridor density transfer (development code chapter 15.342.120).

Calculations (estimates only):

- 93,000 sf lot divided by 3,000 = 62 dwelling units (expected maximum density)
- 58,000 sf of lot area outside of the SC area = 38.6 units
- Can transfer density from SC area to area outside the SC but can't increase the number of units in that area by more than 20%
- End result: 38.6 units x 1.2 = **46.39 units actual maximum**

The site size and SC overlay area size are rough estimates, so the actual maximum density on the site may be a little higher or lower. The calculation above shows you how to figure the density once you have better size estimates.

Process: Type 2 Design Review for review of the multifamily project

Neighborhood meeting – not required, but a good idea for this project

- Application submittal & completeness check (typically done within two weeks)
- Public notice & comment period, review by staff & public agencies
- Staff decision 4-6 weeks after project is found complete.
- Two week appeal period to Planning Commission.

Criteria:

- Newberg Development Code **15.220.050(B)** for design review, and **15.220.060** (additional multifamily criteria – point system).

Issues:

- Design compatibility criteria: with uses/structures in surrounding area – design will need to consider how to minimize the impact on the adjacent properties through setbacks, fences, landscaping buffer, building design and placement.
- Parking: Based on number of bedrooms, and visitor parking. Rule of thumb is you need about 1.8 spaces per unit, or 42 parking spaces for 23 units. See NDC 15.440.030.
- Landscaping: 40% landscaping coverage (the SC area counts as landscaping), requirements for parking lot trees every 7 spaces, street trees. Landscaping between property lines and parking areas/drive aisles (10 foot along street frontage, 5 feet along interior property lines). Outdoor recreation areas need to be usable (relatively flat, not located next to a street) and are 200 sf per unit for 1 bedroom

apts. Enclosed storage areas required. Ground floor units have an accessible outdoor private space of at least 48 sf.

- **Setbacks:** Minimum 15' front yard, 5 foot side yard.
- **Coverage:** Maximum 50% for buildings, 30% for parking, and combined 60% max coverage.
- **Height:** 30 feet maximum (measured to midpoint of highest gable on a pitched roof).
- **Trash enclosure:** masonry walls are required, and design/location must be approved by Waste Management.
- **Fire:** Need fire truck turnaround, and hydrant. If over 30 feet to gutter line then need ladder- truck access.
- **Stream Corridor:** If any improvements are proposed within the stream corridor (including stormwater), please note that an additional review may be required. See NMC 15.342 to determine what level, if any, of review is required.
- **Exterior Lighting:** light trespass limited to 0.5 foot-candles at the property line.

Fees (see city Fee Packet for details):

- **Planning:** Design review application fee (0.6 % of total project cost), plus Engineering Review Fee: \$374.59 for 1st acre plus \$219.68 for additional acre. 5% technology fee added to total.
- **Building:** permit fees based on valuation, fixture count, etc.
- **Engineering:** design review fee, erosion control permit fees, public improvement permit fees
- **System development charges (city/school dist./parkdist.)**

Planning application checklist: The application packet has a checklist showing the items required for each application type.

Engineering Notes

Street: River Street is a major collector. Information regarding right-of-way and cross-section can be seen below.

Roadway	Functional Classification	Existing Right-of-way	Existing Pavement Width	Minimum Right-of-way	Minimum Pavement Width	Typical Cross-Section (per Transportation System Plan)
River Street	Major Collector (57-feet to 80-feet)	Approx. 60-feet	Approx. 24-feet	60-feet For typical section per TSP.	36-feet	<ul style="list-style-type: none"> ☐ 1-foot from back of walk to right-of-way ☐ 5-foot sidewalk ☐ 5.5-foot planter* ☐ 0.5-foot curb ☐ 6-foot bike lane ☐ 12-foot travel lane ☐ 12-foot travel lane ☐ 6-foot bike lane ☐ 0.5-foot curb ☐ 5.5-foot planter* ☐ 5-foot sidewalk ☐ 1-foot from back of walk to right-of-way

*5-foot minimum per NMC 15.505.030(G)(8)

Street improvements required to match the Transportation System Plan cross-section i.e. the installation of sidewalk, planter, curb and dedication of any necessary right-of-way.

If more than \$30,000 of improvements are made to the property, street improvements can be required, see NMC 12.05.090.

Wastewater: There is a 12-inch wastewater line along the east side of River Street. City GIS data indicates two service laterals extending to the property near the north and south ends of the property. Capacity of the existing service lateral and wastewater main will need to be verified by the applicant as suitable for the intended project.

There is also an abandoned 27-inch wastewater line located on the west side of S. River Street that was installed in 1987 and served both sides of S. River Street.

Water: There is a 6-inch water line on S. River Street (Ductile Iron – 1969), with a ¾-inch copper service lateral serving the property. Fire flow testing will be required.

Stormwater: There is an 18-inch storm line located on the east side of S. River Street.

If more than 500 square feet of new impervious area is created stormwater treatment will be required (PWDCS 4.6 and NMC 13.25.280). Water quality and detention need to be provided per the Public Works Design and Construction Standards, Section 4. A Stormwater Report will need to include a downstream analysis.

Erosion and Sedimentation Control (ESC): The City will require ESC permits. If more than 1 acre disturbed, a 1200 C permit through DEQ will be required.

Other Utilities: There are overhead utility lines on the proposed development frontage that need to be undergrounded. See NMC 15.430.010 for exception provisions.

Additional Engineering Comments:

- *Question about stormwater discharge:* The applicant's design should limit any need to enter the stream corridor. As was discussed in the meeting, a flow dissipater at the top of the slope, where the water is then slowed down and sheet flows into the stream would be a viable option.
- *Question about live water taps:* Generally speaking most water taps are done live, this can be further discussed as part of the public improvement permit phase.
- *Question about one water tap and then splitting into a fire line and a domestic line:* The City requires separate fire and domestic water taps.

Tualatin Valley Fire & Rescue – see attached notes from Jason Arn, Deputy Fire Marshal.

General Comment

The preapplication notes are based on a preliminary site plan review, and may not cover all of the development issues or requirements for the project. When we have received a complete application and conducted a full review we may determine that there are additional requirements for the project.



August 22, 2018

Cheryl Caines
Senior Planner City of Newberg
Community Development Department
414 E. First Street
Newberg, Oregon 97132

Re: New Multifamily development, 1109 S. River St. Newberg

Tax Lot#: 03S02W 05400

Cheryl,

Thank you for the opportunity to review the proposed application surrounding the above named development project. These notes are provided in regards to the pre-application meeting held on **August 15, 2018**. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval.

FIRE APPARATUS ACCESS:

1. **FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDINGS AND FACILITIES:** Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1)
2. **DEAD END ROADS AND TURNAROUNDS:** Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. Diagrams can be found in the corresponding guide that is located at <http://www.tvfr.com/DocumentCenter/View/1296>. (OFC 503.2.5 & D103.1)
3. **FIRE APPARATUS ACCESS ROAD EXCEPTION FOR AUTOMATIC SPRINKLER PROTECTION:** When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access may be modified as approved by the Fire Marshal. (OFC 503.1.1) ***Note: If fire sprinklers are installed and the system will be supported by a municipal water supply, please contact the local water purveyor for information surrounding water meter sizing.***
4. **ADDITIONAL ACCESS ROADS – COMMERCIAL/INDUSTRIAL HEIGHT:** Buildings exceeding 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. (D104.1)
5. **AERIAL FIRE APPARATUS ROADS:** Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater. Any portion of the building may be used for this measurement, provided that it is accessible to firefighters and is capable of supporting ground ladder placement. (OFC D105.1, D105.2)

6. **AERIAL APPARATUS OPERATIONS:** At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the Fire Marshal. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4)
7. **MULTIPLE ACCESS ROADS SEPARATION:** Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the area to be served (as identified by the Fire Marshal), measured in a straight line between accesses. (OFC D104.3)
8. **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1 & D103.1)
9. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)
10. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
 1. 20-26 feet road width – no parking on either side of roadway
 2. 26-32 feet road width – parking is allowed on one side
 3. Greater than 32 feet road width – parking is not restricted**Note:** For specific widths and parking allowances, contact the local municipality.
11. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)
12. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3)
13. **TURNING RADIUS:** The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3)
14. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)
15. **TRAFFIC CALMING DEVICES:** Shall be prohibited on fire access routes unless approved by the Fire Marshal. (OFC 503.4.1). Traffic calming measures linked here: <http://www.tvfr.com/DocumentCenter/View/1578>

FIREFIGHTING WATER SUPPLIES:

16. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration shall be determined in accordance with OFC Table B105.2. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi residual. (OFC B105.3)
Note: OFC B106, Limiting Fire-Flow is also enforced, except for the following:
 - The maximum needed fire flow shall be 3,000 GPM, measured at 20 psi residual pressure.

- Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1

17. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)

FIRE HYDRANTS:

18. **FIRE HYDRANT(S) PLACEMENT:** (OFC C104)

- Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)
- Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the Fire Marshal.
- Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the Fire Marshal.
- Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the Fire Marshal.

19. **FIRE DEPARTMENT CONNECTION (FDC) LOCATIONS:** FDCs shall be located within 100 feet of a fire hydrant (or as approved). Hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle, fully visible, and recognizable from the street or nearest point of the fire department vehicle access or as otherwise approved. (OFC 912.2.1 & NFPA 13)

- Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
- FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants.

BUILDING ACCESS AND FIRE SERVICE FEATURES:

20. **FIRE PROTECTION EQUIPMENT IDENTIFICATION:** Rooms containing controls to fire suppression and detection equipment shall be identified as "Fire Control Room." Signage shall have letters with a minimum of 4 inches high with a minimum stroke width of 1/2 inch, and be plainly legible, and contrast with its background. (OFC 509.1)

21. **PREMISES IDENTIFICATION:** New and existing buildings shall have approved address numbers; building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. (OFC 505.1)

If you have questions or need further clarification, please feel free to contact me at **503-259-1510**.

Sincerely,

Jason Arn

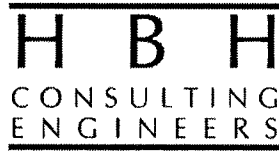
Jason Arn
Deputy Fire Marshal II

Email jason.arn@tvfr.com

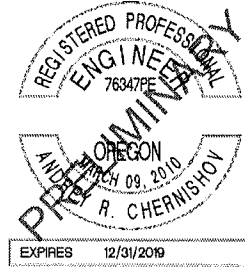
Cc: File

A full copy of the New Construction Fire Code Applications Guide for Commercial and Multi-Family Development is available at <http://www.tvfr.com/DocumentCenter/View/1296>

COVER ONLY.



501 E First Street
Newberg, Oregon 97132
Ph. 503-554-9553 | Fax 503-537-9554



STORMWATER MEMORANDUM

Date: **October 2, 2018**
To: **To Whom It May Concern**
From: **Andrey Chernishov, PE**
RE: **Project Narrative**

Project Number: **2018-011**

Overview

The proposed project is an apartment complex located at 1109 S River St, Newberg, OR 97132 and has an area of 2.15 acres. The existing site area is over 85% pervious and drains to a stream that passes through the northwest corner of the property and is a tributary of Chahalem creek. The proposed project reduces the pervious area of the site to approximately 50%. To treat and detain the increased runoff due to the added impervious area, an extended dry basin stormwater facility will be added to the southwest corner of the property. Under the proposed conditions peak runoff to the stream is reduced by approximately 40% as a result of the detention provided by the extended dry basin.

Existing Conditions

Per USDA NRCS WSS records, the soils underlying the project site are over 90% aloha silt loam and similar soils in hydrologic soil group C/D. Based on a survey and site visits, the existing site is primarily grass and forest with smaller areas of gravel and imperious surface, as shown in Table 1 below. These conditions correspond to a weighted CN of 81 for the entire pre-development area of 93,510. Based on geotechnical soil samples the site has negligible soil infiltration. The entire existing site drains to a stream that is a tributary of Chahalem creek at the northwest corner of the property.

Table 1 – Pre-Development Area (excluding area in the Public ROW)

Surface	CN	Area (SF)	% of Total Area
Grass	79	48299	52%
Forrest	77	30343	32%
Gravel	96	4000	4%
Concrete	98	10868	12%
Total Pervious Surface	79 (weighted average)	82642	88%
Total Impervious Surface	98 (weighted average)	10868	12%



First American

First American Title Insurance Company

825 NE Evans Street
McMinnville, OR 97128
Phn - (503)376-7363
Fax - (866)800-7294

Order No.: 1032-2971979
October 06, 2018

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

MARY JANE HENDRIX, Escrow Officer/Closer
Phone: (503)538-7361 - Fax: (866)800-7290 - Email:MHendrix@firstam.com
First American Title Company of Oregon
515 E Hancock, Newberg, OR 97132

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Clayton Carter, Title Officer
Phone: (503)376-7363 - Fax: (866)800-7294 - Email: ctcarter@firstam.com

Supplemental Preliminary Title Report

County Tax Roll Situs Address: 1109 South River Street, Newberg, OR 97132

2006 ALTA Owners Standard Coverage	Liability \$	305,000.00	Premium \$	960.00
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$	To Come	Premium \$	To Come
Endorsement 9.10, 22 & 8.1			Premium \$	100.00
Govt Service Charge			Cost \$	20.00
Other			Cost \$	

Proposed Insured Lender: To Be Determined

Proposed Borrower: RHW Enterprises Inc. and/or Assigns

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of October 04, 2018 at 8:00 a.m., title to the fee simple estate is vested in:

Carol L. Boyes

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

- 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 (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.
 5. 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.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
 - B. Affidavit regarding possession
 - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
 6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
 7. Taxes for the fiscal year 2018-2019 a lien due, but not yet payable.
 8. City liens, if any, of the City of Newberg.
- Note: There are no liens as of August 07, 2017. All outstanding utility and user fees are not liens and therefore are excluded from coverage.
9. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
 10. Agreement and the terms and conditions thereof:

Between:	Dale D. Voss and Alice A. Voss
And:	Brentwood Corporation and Gary Albertson
Recording Information:	June 21, 1991 in Film Volume 256, Page 370, Deed and Mortgage Records

- END OF EXCEPTIONS -

NOTE: This report has been supplemented to show reconveyance of West Coast Bank Trust Deed and updated tax information, and to bring forward plant date.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

NOTE: We find no matters of public record against RHW Enterprises, Inc. that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: Taxes for the year 2017-2018 PAID IN FULL

Tax Amount:	\$4,971.67
Map No.:	R3220CC-05400
Property ID:	62185
Tax Code No.:	29.0

Situs Address as disclosed on Yamhill County Tax Roll:

1109 South River Street, Newberg, OR 97132

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

RECORDING INFORMATION

Filing Address: **Yamhill County**
535 NE Fifth Street
McMinnville, OR 97128

Recording Fees: \$ **41.00** for the first page
\$ **5.00** for each additional page

cc: RHW Enterprises Inc. and/or Assigns

cc: Carol Boyes

cc: To Be Determined

cc: Rob Molzahn, Berkshire Hathaway HomeServices Northwest Real Estate
2501 Portland Road, Newberg, OR 97132

cc: Rob Molzahn, Berkshire Hathaway HomeServices Northwest Real Estate
2501 Portland Road, Newberg, OR 97132



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

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) 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 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 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).

ALTA OWNER'S POLICY (06/17/06)

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) 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 Risks 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 vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. 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.

SCHEDULE OF STANDARD 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. 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 (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.
5. 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.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08



First American Title

Privacy Information

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet. In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site. There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive. FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

Use We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

Accuracy We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

Security We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

A tract of land in the Joseph B. Rogers Donation Land Claim No. 55 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

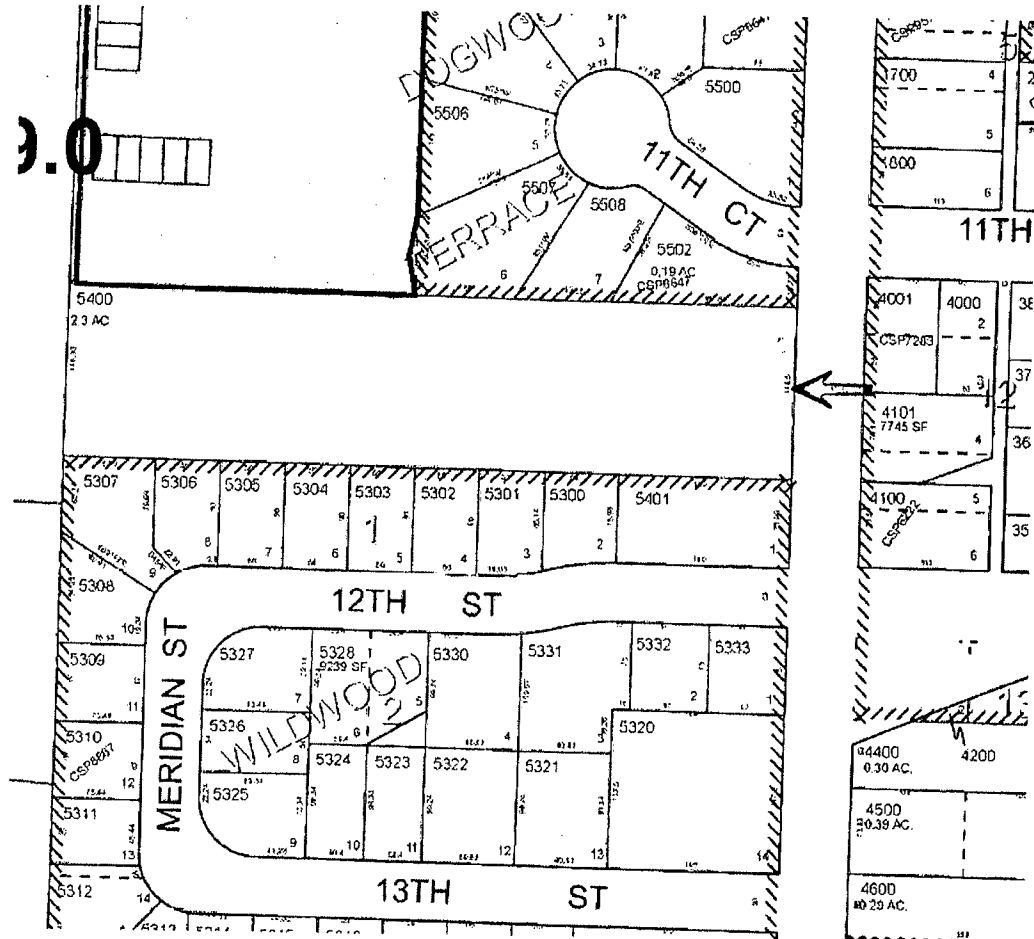
BEGINNING on the East line of and North 68 rods from the Southeast corner of that tract of land conveyed by Edwin R. Poppleton to Jesse Edwards by Deed recorded May 27, 1887 in Book "Y" Page 92, Deed Records, from which a maple tree 10 inches in diameter bears North 66°30' West 37 links; thence West 40 rods to the East line of that tract of land conveyed by A.J. Crouse to Alfred Wilson by Deed recorded July 5, 1944 in Book 109, Page 131, Deed Records; thence South 9 rods along the East line of said Wilson tract; thence East 40 rods; thence North 9 rods to the place of beginning.

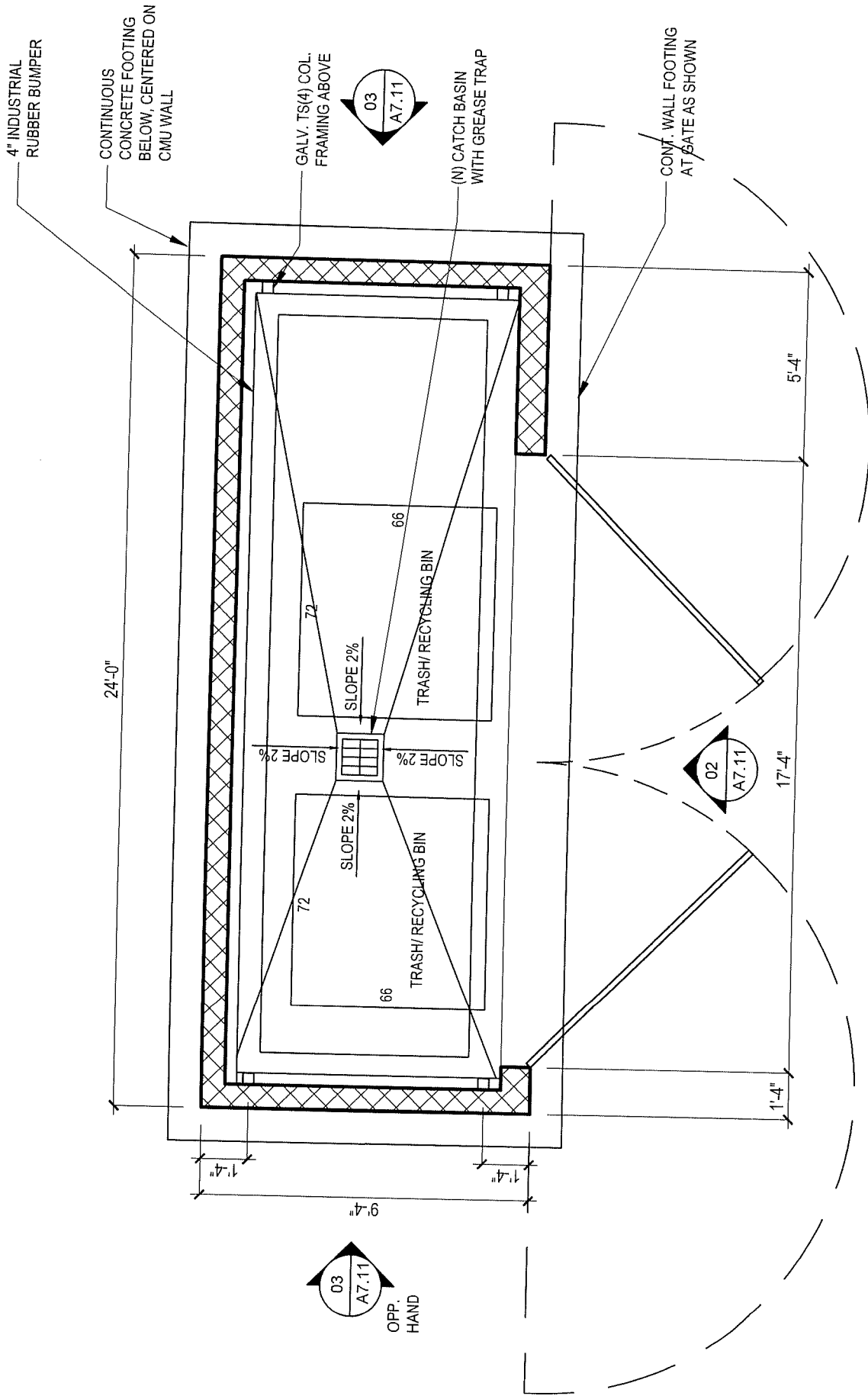


First American



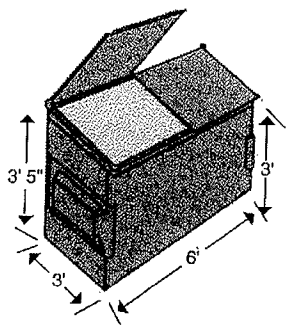
This map is furnished for illustration and to assist in property location. The company assumes no liability for any variation in dimensions by location ascertainable by actual survey



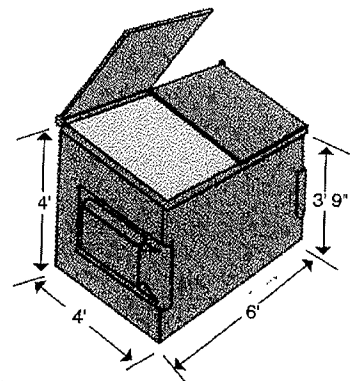


S. River St. Apts.
Trash Enclosure

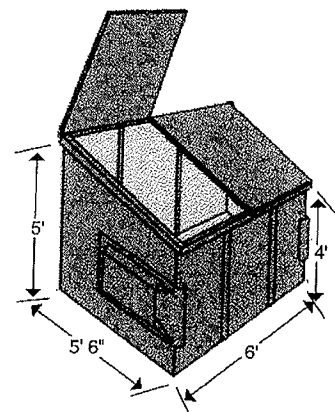
Sept. 26, 2018



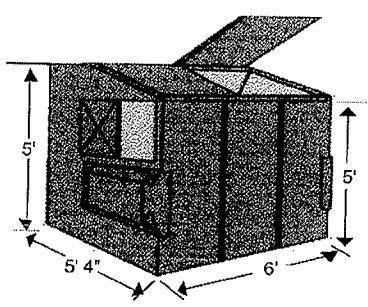
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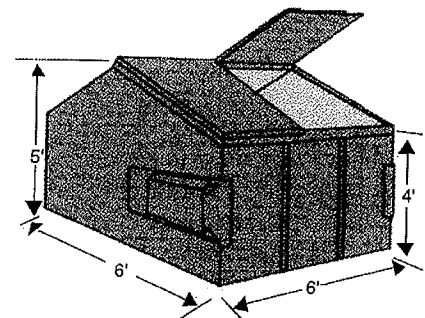
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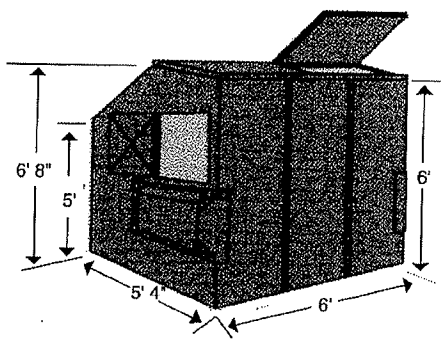
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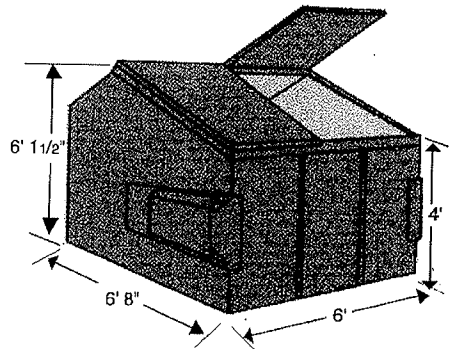
6 YARD



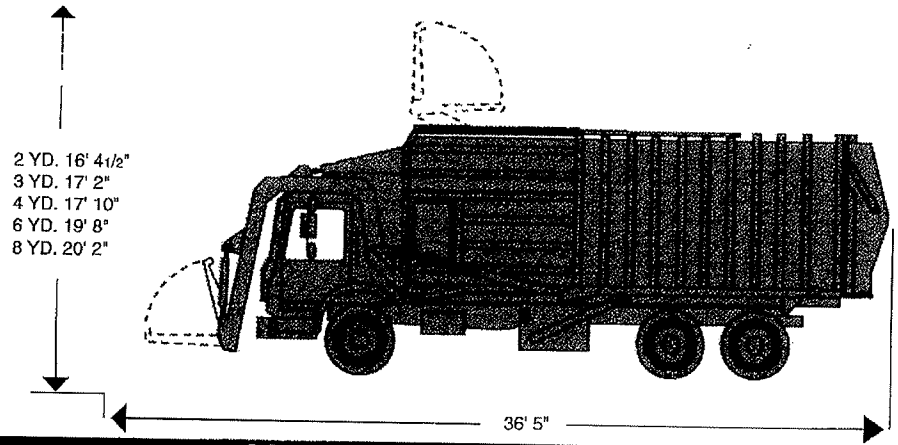
6 YARD SLANT



8 YARD



8 YARD SLANT



- 2 YD. 16' 4 1/2"
- 3 YD. 17' 2"
- 4 YD. 17' 10"
- 6 YD. 19' 8"
- 8 YD. 20' 2"

COLLECTION VEHICLE CONFIGURATION

Note: Approximate specifications subject to change.

Publishers Paper Co
PO Box 4098
Norcross, GA 30091

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Norcross, GA 30091

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914 S College St
Newberg, OR 97132

Glenn & Sinoun Cloyd
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Newberg, OR 97132

David Anderson
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John Nyberg
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Woodview Village Apartments
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Company
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Portland, OR 97239

Woodview Village Aptartments
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Kent Roberts
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Indus
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Indus
Salem, OR 97302

Oregon State Of Dept Of
Transportation
Tech Lead Ctr - Prop Mngmnt
7291447 4040
Salem, OR 97302

Oregon State Of Dept Of
Transportation
4040 Fairview Industrial Dr SE Ms 2
Salem, OR 97302

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Transportation
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Oregon State Of Dept Of
Transportation
Tech Lead Ctr - Prop Mngmnt
7291443 4040
Salem, OR 97302

Oregon State Of Dept Of
Transportation
4040 Fairview Industrial Dr SE Ms 2
Salem, OR 97302

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Salem, OR 97302

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Oregon State Of Dept Of
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Indus
Salem, OR 97302

Oregon State Of Dept Of
Transportation
4040 Fairview Industrial Dr SE Ms#2
Salem, OR 97302

Oregon State Of Dept Of
Transportation
355 Capitol St NE Rm 420
Salem, OR 97301

Oregon State Of
355 Capitol St NE Rm 420
Salem, OR 97301

Oregon State Of
4040 Fairview Industrial Dr SE Ms#2
Salem, OR 97302

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4040 Fairview Industrial Dr SE Ms 2
Salem, OR 97302

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Oregon State Of
4040 Fairview Industrial Dr SE Ms 2
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Salem, OR 97302

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Norman & Diana Walton
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Newberg, OR 97132

Jacob Steele
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Amanda Neff
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Aurora Byerley
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Brady Gage
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Ping Yi Shih
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Newberg, Or 97132

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925 S River St Unit 7
Newberg, Or 97132

Kourtney Mootz
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Newberg, Or 97132

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Us Bank Trust Na Tr
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Bank Of America Na
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McGraw-Edison

DESCRIPTION

The Galleon™ Wall LED luminaire's appearance is complementary with the Galleon area and site luminaire bringing a modern architectural style to lighting applications. Flexible mounting options accommodate wall surfaces in both an upward and downward configuration. The Galleon family of LED products deliver exceptional performance with patented, high-efficiency AccuLED Optics™, providing uniform and energy conscious lighting for parking lots, building and security lighting applications.

Catalog #		Type	
Project		Date	
Comments			
Prepared by			

SPECIFICATION FEATURES

Construction
Driver enclosure thermally isolated from optics for optimal thermal performance. Heavy wall aluminum housing die-cast with integral external heat sinks to provide superior structural rigidity and an IP66 rated housing. Overall construction passes a 1.5G vibration test to ensure mechanical integrity. UPLIGHTING: Specify with the UPL option for inverted mount upright housing with additional protections to maintain IP rating.

Optics
Choice of thirteen patented, high-efficiency AccuLED Optics. The optics are precisely designed to shape the distribution maximizing efficiency and application spacing. AccuLED Optics create consistent distributions with the scalability to meet customized application requirements. Offered standard in 4000K (+/- 275K) CCT and minimum 70 CRI. Optional 3000K, 5000K and 6000K CCT. Greater than 90%

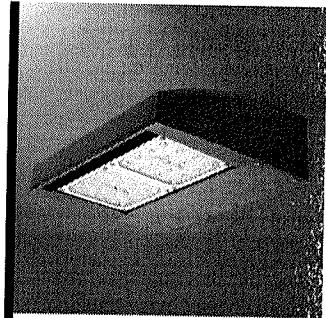
lumen maintenance expected at 60,000 hours. Available in standard 1A drive current and optional 1200mA, 800mA, and 600mA drive currents.

Electrical
LED drivers are mounted for ease of maintenance. 120-277V 50/60Hz, 347V or 480V 60Hz operation. 480V is compatible for use with 480V Wye systems only. Drivers are provided standard with 0-10V dimming. An optional Eaton proprietary surge protection module is available and designed to withstand 10kV of transient line surge. The Galleon Wall LED luminaire is suitable for operation in -40°C to 40°C ambient environments. For applications with ambient temperatures exceeding 40°C, specify the HA (High Ambient) option. Emergency egress options for -20°C ambient environments and occupancy sensor available.

Mounting
Gasketed and zinc plated rigid steel mounting attachment fits directly to 4" j-box or wall with the Galleon Wall "Hook-N-Lock" mechanism for quick installation. Secured with two captive corrosion resistant black oxide coated allen head set screws which are concealed but accessible from bottom of fixture.

Finish
Housing finished in super durable TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Standard colors include black, bronze, grey, white, dark platinum and graphite metallic. RAL and custom color matches available. Consult the McGraw-Edison Architectural Colors brochure for the complete selection.

Warranty
Five-year warranty.

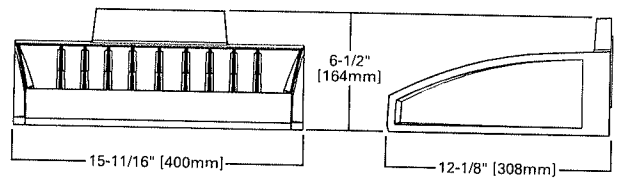


GWC GALLEON WALL

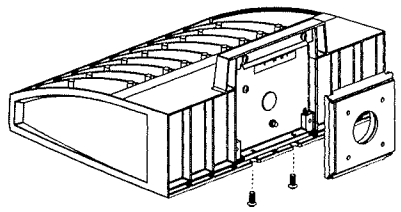
1-2 Light Squares
Solid State LED

WALL MOUNT LUMINAIRE

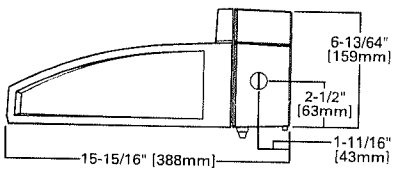
DIMENSIONS



HOOK-N-LOCK MOUNTING



BATTERY BACKUP AND THRU-BRANCH BACK BOX



CERTIFICATION DATA
UL/cUL Listed
LM79 / LM80 Compliant
IP66 Housing
ISO 9001
DesignLights Consortium™ Qualified*

ENERGY DATA
Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120-277V/50 & 60Hz, 347V/60Hz, 480V/60Hz
-30°C Minimum Temperature
40°C Ambient Temperature Rating

SHIPPING DATA
Approximate Net Weight:
27 lbs. (12.2 kgs.)



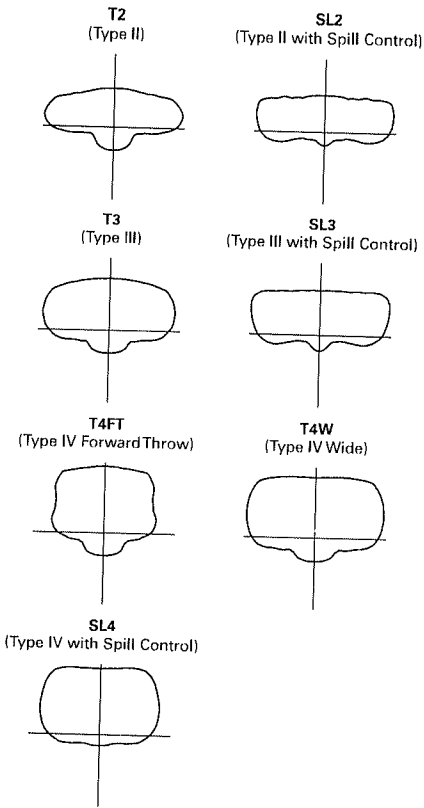
POWER AND LUMENS

Number of Light Squares		1				2			
Drive Current		600mA	800mA	1.0A	1.2A	600mA	800mA	1.0A	1.2A
Nominal Power (Watts)		34	44	59	67	66	85	113	129
Input Current @ 120V (A)		0.30	0.39	0.51	0.58	0.58	0.77	1.02	1.16
Input Current @ 208V (A)		0.17	0.22	0.29	0.33	0.34	0.44	0.56	0.63
Input Current @ 240V (A)		0.15	0.19	0.26	0.29	0.30	0.38	0.48	0.55
Input Current @ 277V (A)		0.14	0.17	0.23	0.25	0.28	0.36	0.42	0.48
Input Current @ 347V (mA)		0.11	0.15	0.17	0.20	0.19	0.24	0.32	0.39
Input Current @ 480V (mA)		0.08	0.11	0.14	0.15	0.15	0.18	0.24	0.30
Optics									
T2	4000K/5000K Lumens	4,110	5,040	6,238	6,843	8,031	9,849	12,190	13,373
	3000K Lumens	3,638	4,461	5,522	6,057	7,109	8,718	10,791	11,838
	BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2
T3	4000K/5000K Lumens	4,189	5,138	6,359	6,975	8,187	10,039	12,425	13,630
	3000K Lumens	3,708	4,548	5,629	6,174	7,247	8,887	10,999	12,065
	BUG Rating	B1-U0-G1	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G2
T4FT	4000K/5000K Lumens	4,214	5,167	6,395	7,016	8,233	10,097	12,497	13,709
	3000K Lumens	3,730	4,574	5,661	6,211	7,288	8,938	11,062	12,135
	BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G2
T4W	4000K/5000K Lumens	4,159	5,100	6,313	6,925	8,127	9,966	12,336	13,532
	3000K Lumens	3,682	4,515	5,588	6,130	7,194	8,822	10,920	11,979
	BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3
SL2	4000K/5000K Lumens	4,102	5,032	6,227	6,831	8,018	9,832	12,170	13,350
	3000K Lumens	3,631	4,454	5,512	6,047	7,098	8,703	10,773	11,817
	BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B2-U0-G2	B2-U0-G3	B2-U0-G3
SL3	4000K/5000K Lumens	4,188	5,137	6,358	6,974	8,186	10,038	12,424	13,628
	3000K Lumens	3,707	4,547	5,628	6,173	7,246	8,886	10,998	12,064
	BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B2-U0-G3	B2-U0-G3
SL4	4000K/5000K Lumens	3,980	4,880	6,040	6,626	7,776	9,537	11,803	12,949
	3000K Lumens	3,523	4,320	5,347	5,865	6,883	8,442	10,448	11,462
	BUG Rating	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B1-U0-G3	B2-U0-G3
5NQ	4000K/5000K Lumens	4,321	5,298	6,558	7,193	8,443	10,353	12,814	14,057
	3000K Lumens	3,825	4,690	5,805	6,367	7,474	9,164	11,343	12,443
	BUG Rating	B2-U0-G1	B2-U0-G1	B2-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G2	B3-U0-G2
5MQ	4000K/5000K Lumens	4,400	5,396	6,678	7,326	8,598	10,544	13,050	14,315
	3000K Lumens	3,895	4,777	5,911	6,485	7,611	9,334	11,552	12,672
	BUG Rating	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2
5WQ	4000K/5000K Lumens	4,412	5,410	6,695	7,345	8,621	10,572	13,085	14,354
	3000K Lumens	3,906	4,789	5,926	6,502	7,631	9,358	11,583	12,706
	BUG Rating	B3-U0-G1	B3-U0-G1	B3-U0-G2	B3-U0-G2	B3-U0-G2	B4-U0-G2	B4-U0-G2	B4-U0-G2
SLL/SLR	4000K/5000K Lumens	3,681	4,515	5,588	6,129	7,193	8,821	10,917	11,976
	3000K Lumens	3,258	3,997	4,946	5,425	6,367	7,808	9,664	10,601
	BUG Rating	B1-U0-G1	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G2	B1-U0-G3	B1-U0-G3	B2-U0-G3
RW	4000K/5000K Lumens	4,281	5,250	6,498	7,129	8,366	10,259	12,698	13,930
	3000K Lumens	3,790	4,647	5,752	6,311	7,406	9,081	11,240	12,331
	BUG Rating	B2-U0-G1	B2-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G1	B3-U0-G2	B3-U0-G2

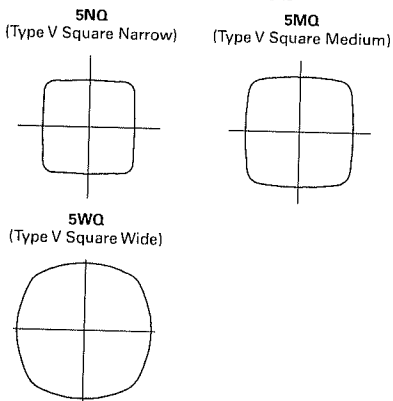
* Nominal lumen data for 70 CRI. BUG rating for 4000K/5000K. Refer to IES files for 3000K BUG ratings.

OPTICAL DISTRIBUTIONS

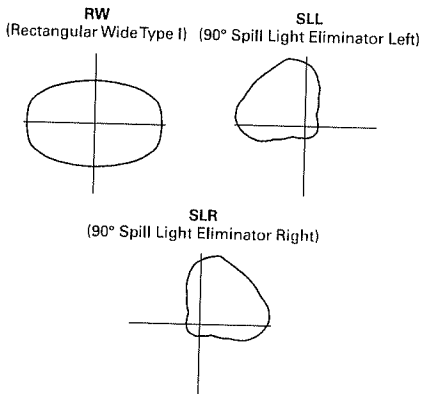
Asymmetric Area Distributions



Symmetric Distributions

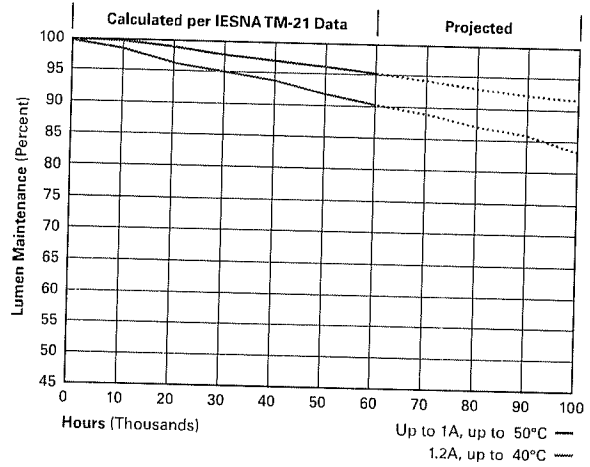


Specialized Distributions



LUMEN MAINTENANCE

Drive Current	Ambient Temperature	TM-21 Lumen Maintenance (60,000 Hours)	Projected L70 (Hours)
Up to 1A	Up to 50°C	> 95%	> 416,000
1.2A	Up to 40°C	> 90%	> 205,000



LUMEN MULTIPLIER

Ambient Temperature	Lumen Multiplier
0°C	1.02
10°C	1.01
25°C	1.00
40°C	0.99
50°C	0.97

CONTROL OPTIONS

0-10V

This fixture is offered standard with 0-10V dimming driver(s). The DIM option provides 0-10V dimming wire leads for use with a lighting control panel or other control method.

Photocontrol (P, R and PER7)

Optional button-type photocontrol (P) and photocontrol receptacles (R and PER7) provide a flexible solution to enable "dusk-to-dawn" lighting by sensing light levels. Advanced control systems compatible with NEMA 7-pin standards can be utilized with the PER7 receptacle.

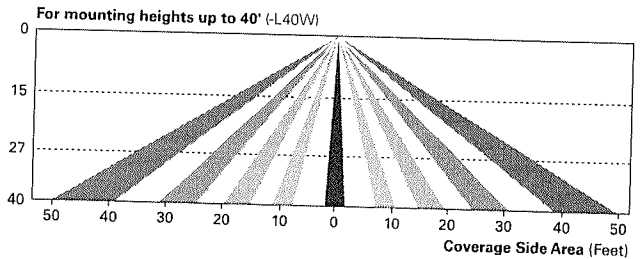
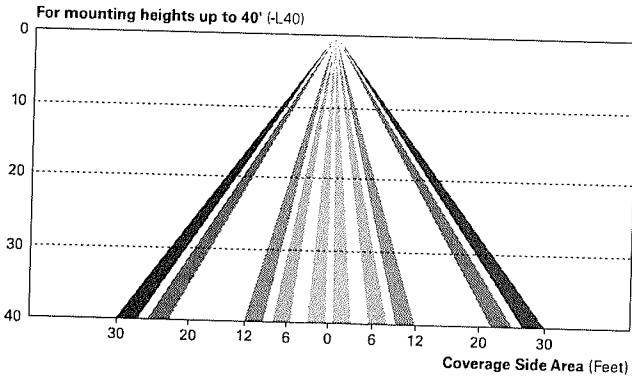
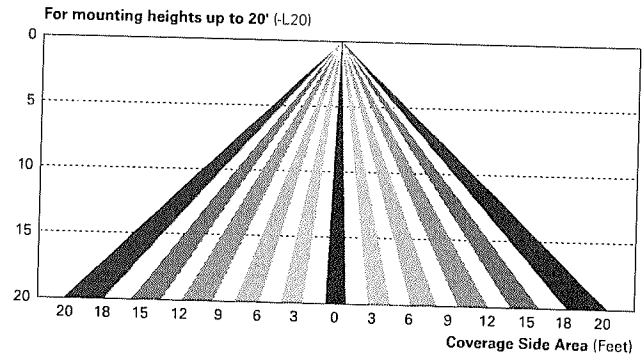
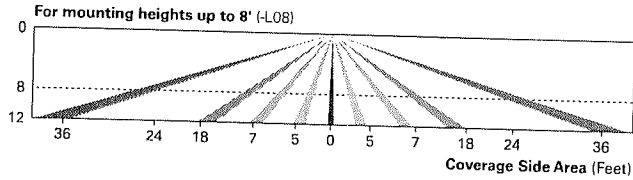
After Hours Dim (AHD)

This feature allows photocontrol-enabled luminaires to achieve additional energy savings by dimming during scheduled portions of the night. The dimming profile will automatically take effect after a "dusk-to-dawn" period has been calculated from the photocontrol input. Specify the desired dimming profile for a simple, factory-shipped dimming solution requiring no external control wiring. Reference the After Hours Dim supplemental guide for additional information.

Dimming Occupancy Sensor (MS/DIM-LXX and MS-LXX)

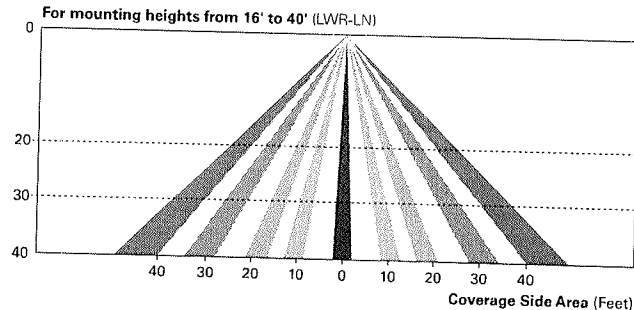
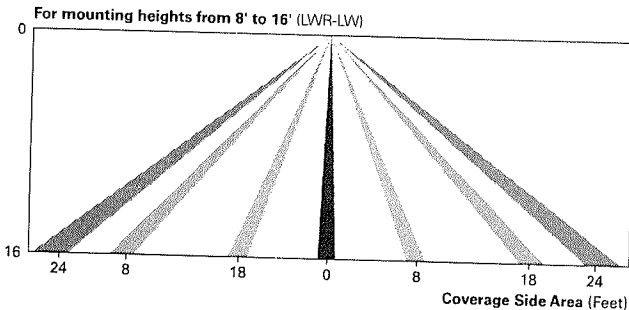
These sensors are factory installed in the luminaire housing. When the MS/DIM-LXX sensor option is selected, the occupancy sensor is connected to a dimming driver and the entire luminaire dims when there is no activity detected. When activity is detected, the luminaire returns to full light output. The MS/DIM sensor is factory preset to dim down to approximately 50 percent power with a time delay of five minutes. The MS-LXX sensor is factory preset to turn the luminaire off after five minutes of no activity. The MS/X-LXX is also preset for five minutes and only controls the specified number of light engines to maintain steady output from the remaining light engines.

These occupancy sensors includes an integral photocell that can be activated with the FSIR-100 accessory for "dusk-to-dawn" control or daylight harvesting - the factory preset is OFF. The FSIR-100 is a wireless tool utilized for changing the dimming level, time delay, sensitivity and other parameters. A variety of sensor lens are available to optimize the coverage pattern for mounting heights from 8'-40'.



LumaWatt Pro Wireless Control and Monitoring System (LWR-LW and LWR-LN)

The Eaton's LumaWatt Pro powered by Enlighted is a connected lighting solution that combines a broad selection of energy-efficient LED luminaires with a powerful integrated wireless sensor system. The sensor controls the lighting system in compliance with the latest energy codes and collects valuable data about building performance and use. Software applications turn the granular data into information through energy dashboards and specialized apps that make it simple and help optimize the use of building resources, beyond lighting.



WaveLinX Wireless Outdoor Lighting Control Module (WOLC-7P-10A)

The 7-pin wireless outdoor lighting control module enables WaveLinX to control outdoor area, site and flood lighting. WaveLinX controls outdoor lighting using schedules to provide ON, OFF and dimming controls based on astronomic or time schedules based on a 7 day week.

ORDERING INFORMATION

Sample Number: GWC-AF-02-LED-E1-T3-GM

Product Family ¹	Light Engine	Number of Light Squares ²	Lamp Type	Voltage	Distribution	Color	Mounting Options
GWC=Galleon Wall	AF=1A Drive Current	01=1 02=2 ³	LED=Solid State Light Emitting Diodes	E1=120-277V 347=347V ⁴ 480=480V ^{4,5}	T2=Type II T3=Type III T4FT=Type IV Forward Throw T4W=Type IV Wide SL2=Type II w/Spill Control SL3=Type III w/Spill Control SL4=Type IV w/Spill Control SLL=90° Spill Light Eliminator Left SLR=90° Spill Light Eliminator Right RW=Rectangular Wide Type I 5NQ=Type V Square Narrow 5MQ=Type V Square Medium 5WQ=Type V Square Wide	AP=Grey BZ=Bronze BK=Black DP=Dark Platinum GM=Graphite Metallic WH=White CC=Custom Color ⁶	[BLANK]=Surface Mount
Options (Add as Suffix)					Accessories (Order Separately)		
<p>7030=70 CRI / 3000K ⁷ 8030=80 CRI / 3000K ⁷ 7050=70 CRI / 5000K ⁷ 7060=70 CRI / 6000K ⁷ 600=Drive Current Factory Set to 600mA 800=Drive Current Factory Set to 800mA 1200=Drive Current Factory Set to 1200mA ⁸ F=Single Fused (120, 277 or 347V. Must Specify Voltage) FF=Double Fused (208, 240 or 480V. Must Specify Voltage) 10K=10kV Surge Module DIM=0-10V Dimming Leads ^{9,10} DALI=DALI Driver ¹¹ HA=50°C High Ambient ¹² UPL=Uplight Housing ¹³ BBB=Battery Pack with Back Box ^{3,8,9,14} CWB=Cold Weather Battery Pack with Back Box ^{3,8,9,14} P=Button Type Photocontrol (120, 208, 240 or 277V. Must Specify Voltage) R=NEMA Twistlock Photocontrol Receptacle PER7=NEMA 7-PIN Twistlock Photocontrol Receptacle ¹⁵ AHD145=After Hours Dim, 5 Hours ¹⁶ AHD245=After Hours Dim, 6 Hours ¹⁶ AHD255=After Hours Dim, 7 Hours ¹⁶ AHD355=After Hours Dim, 8 Hours ¹⁶ MS-LXX=Motion Sensor for On/Off Operation ^{17,18,19} MS/DIM-LXX=Motion Sensor for Dimming Operation ^{17,18,19} LWR-LW=LumaWatt Wireless Sensor, Wide Lens for 8' - 16' Mounting Height ^{18,20,21} LWR-LN=LumaWatt Wireless Sensor, Narrow Lens for 16' - 40' Mounting Height ^{18,20,21} L90=Optics Rotated 90° Left R90=Optics Rotated 90° Right MT=Factory Installed Mesh Top LCF=Light Square Trim Plate Painted to Match Housing ²² HSS=Factory Installed House Side Shield ²³ CE=CE Marking and Small Terminal Block ²⁴</p>					<p>OA/RA1013=Photocontrol Shorting Cap OA/RA1016=NEMA Photocontrol - Multi-Tap 105-285V OA/RA1201=NEMA Photocontrol - 347V OA/RA1027=NEMA Photocontrol - 480V MA1252=10kV Circuit Module Replacement MA1059XX=Thru-branch Back Box (Must Specify Color) FSIR-100=Wireless Configuration Tool for Occupancy Sensor ¹⁷ LS/HSS=Field Installed House Side Shield ^{22,25} WOLC-7P-10A=WaveLinx Outdoor Control Module (7-pin) ²⁶</p>		

NOTES:

- DesignLight Consortium™ Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details.
- Standard 4000K CCT and minimum 70 CRI.
- Two light squares with BBB or CWB options limited to 25°C, 120-277V only.
- Requires the use of a step down transformer. Not available in combination with sensor options at 1200mA.
- Only for use with 480V Wye systems. Per NEC, not for use with ungrounded systems, impedance grounded systems or corner grounded systems (commonly known as Three Phase Three Wire Delta, Three Phase High Leg Delta and Three Phase Corner Grounded Delta systems).
- Custom colors are available. Setup charges apply. Paint chip samples required. Extended Lead times apply.
- Extended lead times apply. Use dedicated IES files when performing layouts.
- Not available with HA option.
- Cannot be used with other control options.
- Low voltage control lead brought out 18" outside fixture.
- Only available with BBB or CWB in single light square. HA option available for single light square only. Limited to 1A and below.
- Not available with 1200, UPL, BBB and CWB options. Available for single light square only.
- Not available with SL2, SL3, SL4, HA, BBB, CWB, R, or PER7 options.
- Operates as a single light square only. Cold weather option operates -20°C to +40°C. standard 0°C to +40°C. Backbox is non-IP rated.
- Compatible with standard 3-PIN photocontrols, 5-PIN or 7-PIN ANSI controls.
- Requires the use of P photocontrol or the PER7 or R photocontrol receptacle with photocontrol accessory. See After Hours Dim supplemental guide for additional information.
- The FSIR-100 configuration tool is required to adjust parameters including high and low modes, sensitivity, time delay, cutoff and more. Consult your lighting representative at Eaton for more information.
- Replace LXX with the available mounting height options: L08, L20, L40 or L40W are the only choices.
- Includes integral photosensor.
- LumaWatt wireless sensors are factory installed requiring network components in appropriate quantities. See www.eaton.com/lighting for LumaWatt application information.
- Bronze sensor is shipped with Bronze fixtures. White sensor shipped on all other housing color options.
- Not available with HSS option.
- Only for use with SL2, SL3 and SL4 distributions. The light square trim plate is painted black when the HSS option is selected.
- CE is not available with the 1200, DALI, LWR, MS, MS/DIM, P, R or PER7 options. Available in 120-277V only.
- One required for each light square.
- Requires 7-pin NEMA twistlock photocontrol receptacle.



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Specifications and dimensions subject to change without notice.