



**Planning & Community Dev.**  
315 Kennel Avenue  
PO Box 248  
Molalla, Oregon 97038  
Phone: (503) 759-0205  
[communityplanner@cityofmolalla.com](mailto:communityplanner@cityofmolalla.com)

**AGENDA**  
**Molalla Planning Commission**  
**6:30 PM, August 3, 2022**

**Meeting Location: Molalla Civic Center**  
**315 Kennel Avenue.**  
**Molalla, OR 97038**

The Planning Commission Meeting will begin at 6:30pm. The Planning Commission has adopted Public Participation Rules. Copies of these rules and public comment cards are available at the entry desk. Public comment cards must be turned in prior to the start of the Commission meeting. The City will endeavor to provide a qualified bilingual interpreter, at no cost, if requested at least 48 hours prior to the meeting. To obtain services call the City Recorder at (503) 829-6855.

**I. CALL TO ORDER**

**II. FLAG SALUTE AND ROLL CALL**

**III. PUBLIC COMMENT** – Limited to 3 minutes per person

**IV. MINUTES:**

- July 6, 2022, Planning Commission Meeting

**V. QUASI-JUDICIAL HEARING:**

- SDR01-2022/CUP03-2022 – 720 W Main St
- SDR03-2022/CUP01-2022 – 820 W Main St

**VI. REPORTS AND ANNOUNCEMENTS**

- Planners Report

**VII. ADJOURNMENT**



**Molalla Planning Commission  
MINUTES  
Molalla Civic Center  
315 Kennel Ave.  
Molalla, OR97038  
July 6, 2022**

---

The July 6<sup>th</sup>, 2022, meeting of the Molalla Planning Commission was called to order by Chair Rae Botsford at 6:32pm.

**COMMISSIONER ATTENDANCE:**

Chair Rae Lynn Botsford – Present  
Commissioner Rick Deaton – Present  
Commissioner Doug Eaglebear – Present  
Commissioner Jennifer Satter – Absent  
Commissioner Connie Sharp – Present  
Commissioner Clint Ancell – Present

**STAFF IN ATTENDANCE:**

Mac Corthell, Planning Director - Absent  
Dan Zinder, Associate Planner – Present  
Ronda Lee, Support Specialist - Present  
Sam Miller, Engineer - Present

**AGENDA:**

- I. CALL TO ORDER**
- II. FLAG SALUTE AND ROLL CALL**
- III. PUBLIC COMMENT** – Limited to 3 minutes per person

No Public Comment

**IV. MINUTES:**

- June 1, 2022, Planning Commission Meeting – APPROVED  
Planning Commission approves minutes 5-0
-

**QUASI-JUDICIAL HEARING:**

Senior Planner, Dan Zinder, presented the staff report and material for planning files SDR04-2022/CUP02-2022 a proposal for a Fueling station and convenience store at 710 W Main St.

After discussion, Commissioner Sharp, made a motion to approve SDR04-2022/CUP02-2022, with the exhibit numbers and staff recommended changes presented, Commissioner Ancell made a second motion. Motion passes 5-0.

**V. DISCUSSION ITEM:**

- Horn of Molalla construction traffic on Vick Rd.

**VI. REPORTS AND ANNOUNCEMENTS:**

- None

**VII. ADJOURNMENT**

Meeting adjourned at 7:30 pm.

**PLANNING COMMISSION MEETING CAN BE VIEWED IN ITS ENTIRIETY HERE:**

[https://www.youtube.com/results?search\\_query=molalla+planning+commission](https://www.youtube.com/results?search_query=molalla+planning+commission)

\_\_\_\_\_  
Chair, Rae Lynn Botsford

\_\_\_\_\_  
Date

ATTEST: \_\_\_\_\_  
Mac Corthell, Planning Director



**Planning & Community Dev.**

117 N Molalla Avenue

PO Box 248

Molalla, Oregon 97038

Phone: (503) 759-0205

communityplanner@cityofmolalla.com

## CITY OF MOLALLA STAFF REPORT

# Consolidated Review for SDR01-2022 and CUP03-2022 – New Bank Building and Drive Through Window

**Date:** July 27, 2022 for the August 3, 2022 Planning Commission Meeting

**File No.:** Consolidated Review for SDR01-2022 and CUP03-2022

**Proposal:** Construction of a New 2815 SF New Bank Building and Drive Through Teller Window

**Address:** 720 W Main ST (OR-211)

**Tax Lot:** Taxlot 5000 of Clackamas County Taxmap 52E08C

**Owner/Applicant:** Clackamas Federal Credit Union – Warren Lenox  
15045 SE McLaughlin BLVD  
Oak Grove, Oregon 97267

**Applicable Standards:** **Applicable Standards: Molalla Municipal Code, Title 17, Development Code**

### **Division II, Zoning Regulations**

*Section 17-2.2.030 Allowed Uses*

*Section 17-2.2.040 Lot and Development Standards*

### **Division III, Community Design Standards**

*Section 17-3.2.040 Non-Residential Buildings*

*Section 17-3.2.060 Drive-Up and Drive-Through Uses and Facilities*

*Chapter 17-3.3 Access and Circulation*

*Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting*

*Chapter 17-3.5 Parking and Loading*

*Chapter 17-3.6 Public Facilities*

### **Division IV, Application Review Procedures and Approval Standards**

*Section 17-4.1.040 Type III Procedure (Quasi-Judicial Review – Public Hearing)*

*Section 17-4.2.050 Approval Standards (Site Design Review)*

*Section 17-4.4.040 Criteria, Standards, and Conditions of Approval (Conditional Use)*

---

TABLE OF CONTENTS:

- I. Executive Summary
- II. Recommendations
- III. Conditions of Approval

EXHIBITS:

EXHIBIT A: Findings of Fact for SDR01-2022

EXHIBIT B: Findings of Fact for CUP03-2022

EXHIBIT C: Consolidated Application Package SDR01-2022, AND  
CUP03-2022

EXHIBIT E: Molalla Public Works Comments

EXHIBIT F: Molalla Fire Department Comments

EXHIBIT G: Oregon Department of Transportation Comments

---

## I. EXECUTIVE SUMMARY

### **Proposal:**

The Applicants seek land use approval for the construction of a new 2815 SF bank building with a drive-through teller window on a 0.87 acre lot. The applicant proposes vehicle access to the site from a new shared private drive from OR-211 that extend along the eastern portion of the property and western portion of the adjacent property (710 W Main ST). This access connects the property to the private drive network through Cascade Center. Frontage improvements and dedication requirements have already been met through the Cascade Center development. Per Molalla Municipal Code (MMC) 17-2.2.030 H a Conditional Use Permit is required in conjunction with the Site Design Review because the proposed use includes an outdoor/unenclosed use (drive through window). No change to the existing C-2 zoning designation is proposed as part of these applications.

### **Site Description:**

The subject site is located on a 0.87 acre parcel of General Commercial (C-2) zoned land on the south side of OR-211 between S Leroy Ave and Ridings Ave. The parcel is within the Cascade Center subdivision. The lot is currently vacant. The property has a slight slope from northeast to southwest.

### **Surrounding Zoning and Land Uses:**

The subject parcel is surrounded by general commercially zoned (C-2) land. Surrounding uses include an approved apartment complex to the south, and approved gas station to the east, a vacant commercially zoned parcel to the west, and assorted commercial retail, service, and non-conforming residential uses to the north.

### **Public Agency Responses:**

Staff circulated notice of the project to the City's Public Works Director, Fire Marshal, and Oregon Department of Transportation on June 30, 2022. The City has included responses from the Fire Marshal and Molalla Public Works as Exhibits D and E respectively and integrated their comments into the proposed findings and conditions of this decision. ODOT declined the opportunity to comment.

### **Public Notice and Comments:**

Per MMC 17-4.1.040, notice of the public hearing was sent to all property owners within 300 feet of the subject properties and to a group of interested parties on July 6, 2022. Notice was published in the Molalla Pioneer on July 13, 2022. Signage containing public notice information was posted on the property on July 13, 2022. As of July 28, 2022 Staff had received no written public comment on the application.

## I. Recommendation

Based on the application materials and findings demonstrating present or conditioned compliance with the applicable standards, staff recommends approval of Site Design Review SDR01-2022 and Conditional Use Permit CUP03-2022 pending consideration of the question posed to Planning Commission in response to MMC 17-3.5.030 C and D. This recommendation is subject to the conditions of approval that follow and is based on the Applicant's written narrative, site plans, and supplemental application materials. Any modifications to the approved plans other than those required by the conditions of this decision will require a new land use application and approval.

## II. Conditions of Approval

### 1. Building Permits, Engineering Plan Approvals, and Certificate of Occupancy Required:

- a. Per Molalla Municipal Code (hereinafter MMC) 17-4.2.070 and the State of Oregon Structural Specialty Code, upon approval of this Site Design Review, the applicant must submit for building permit authorization from Molalla Planning Staff and Engineering Plan Review from Molalla Public Works. Per MMC 17-4.2.070, this site design review has an approval period of 1-year from the date of approval. As a condition of approval, the Applicant/owner shall submit for both Building Permit Authorization for all proposed improvements through the City of Molalla Planning Department and Civil Plan Review through the City of Molalla Public Works Department within the 1-year approval period. Extension requests for the 1-year period are subject to the Code provisions of MMC 17-4.2.070, B.
- b. Per MMC 17-4.9.020 and the State of Oregon Structural Specialty Code, upon approval of this Site Design Review (change of use), the applicant must obtain a Certificate of Occupancy from the Clackamas County Building Official. As a condition of approval, the Applicant/owner shall obtain a Certificate of Occupancy through the Clackamas County Building Official for all onsite occupants prior to operation of the new, proposed use/occupancy.

Note: City approval is required for all Certificates of Occupancy.

### 2. Conditions Requiring Resolution Prior To Receiving Building Permit Authorization From The Molalla Planning Department:



- a. The Applicant shall provide an architectural elevation plan with their building permit authorization submissions showing articulation and detailing that provide additional visual relief to the east facing façade. Examples would include shadow boxes that are similar in texture and appearance to window boxes or other similar articulation.
- b. The Applicant shall provide an architectural elevation plan with their building permit authorization submissions showing window detailing meeting the standards of MMC 17-3.2.040 D, 10 for stand-alone windows (i.e. those windows on wall faces not associated with the entrance window complexes) along the north, west, and south facing facades. Trim is not required for the windows associated with the entryway.
- c. The Applicant shall provide a change of materials defining the bottom of the building on the northern and eastern facades. This change may be mimicked by color change on the eastern facing façade as it does not face a public street. Material changes shall at least wrap to the adjoining facade.
- d. Canopies above walkways shall be designed to shelter pedestrian traffic from inclement (rainy) weather.
- e. The applicant shall revise their building permit authorization plans to include a pedestrian connection to the walkway along the proposed drive access to the south of the subject site within Cascade Center. It is understood that relocation of the trash receptacle may be necessary to facilitate this connection. Crosswalks will be required, as applicable, to conditioned walkway additions.
- f. Applicant shall submit a revised landscaping plan showing that all tree plantings shall be at least 2" caliper, all ground plantings shall be from at least 2 gallon containers, and that plantings along the southern row of parking spaces shall be 5-gallon plantings for screening purposes.
- g. The applicant shall submit a revised lighting photometrics plan with their building permit authorization showing illumination levels greater than 2 foot-candles for the northern entrance.
- h. The Applicant shall submit a revised photometrics plan with their building permit authorizations showing a min/max illumination ratio and average illumination level meeting standards of MMC 17-3.4.050 C, 9 and clearly defining calculation areas.
- i. Per table 17-3.040.A the Applicant shall identify bicycle parking spaces on their building permit authorization showing that a minimum of one stall per 5 vehicular stalls provided.

- j. Separate engineering drawings reflecting the installation of public utilities will be required. Civil plans must be accepted prior to building permit authorization by the City. All public improvements shall be completed and accepted by the Public Works Department prior to issuance of any occupancy (MMC 17-3.6.080). No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, bonding, right-of-way and easements have been obtained and approved by staff.

For commercial and industrial development projects, no building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provision of the Code and the Public Works Design Standards in accordance with MMC 17-3.6 Public Facilities. All public facilities shall be completed and accepted by the Public Works Department prior to issuance of final occupancy. Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements if additional modifications or expansion of the sight distance onto adjacent streets is required (MMC 17-3.6.080).

- I. The Applicant shall confirm that emergency apparatus have appropriate access to the site prior with engineering submittals.
- II. Access to public streets shall be limited to the location identified on the application materials or as required by ODOT. All accesses shall be constructed in such a manner as to eliminate turning conflicts. The proposed width for access shall meet ODOT requirements (MMC 17-3.6.020).
- III. All driveway approaches shall be designed and constructed consistent with the current version of the Molalla Public Works Design Standards, Molalla Transportation Systems Plan, and ODOT standards.
- IV. In the event the Cascade Place project (see Molalla Planning File SDR04-2021) does not move forward, Applicant will be required to extend the sewer stub-in to Cascade Center on the west side of the property to the southern edge of the property and dedicate a 15-foot-wide sewer line easement per City requirements. Applicant will be required to connect to sewer along the aforementioned extended sewer main.
- V. Project will be required to connect to 8-inch main from existing water stub in to Cascade Center on the west side of the property and provide new Fire Hydrant on

W Main Street (HWY 211) meeting fire code spacing and to Molalla Public Works Standards. In the event the Cascade Place project (see Molalla Planning File SDR04-2021) does not move forward, Applicant will be required to extend the water stub-in to Cascade Center on the west side of the property to the southern edge of the property and dedicate a 15-foot-wide water line easement per City requirements.

- VI. Should Fire Department regulations require additional fire flow that results in looping the water line through the site, then applicants engineer shall coordinate with Public Works for the extension of a public water line, and dedication of easements.
- VII. Applicant shall connect to Storm Utility Extension within the Cascade Center Development. In the event the Cascade Place project (see Molalla Planning File SDR04-2021) does not move forward, Applicant will be required to extend the storm stub-in to Cascade Center on the west side of the property to the southern edge of the property.
- VIII. Onsite private storm system shall comply with plumbing code requirements. The detention and flow control facilities shall be reviewed, permitted, and inspected by Public Works. The onsite storm conveyance system shall be reviewed and inspected by Clackamas County Building under a plumbing permit, in Accordance with MMC 13.13 Surface Water Management.
- IX. Plans submitted for review shall meet the requirements described in Section 1 of the Molalla Standard Specifications for Public Works Construction (MMC 17-3.6.080).
- X. Onsite private storm system shall comply with plumbing code requirements. The detention and flow control facilities shall be reviewed, permitted, and inspected by Molalla Public Works. The onsite storm conveyance system shall be reviewed and inspected by Clackamas County Building under a plumbing permit, in accordance with MMC 13.13 Surface Water Management.
- XI. All utilities to the project shall be served underground services. No overhead crossings of public right of way shall be approved by the city (MMC 17-3.6.060).
- XII. Roadway lighting is required on all new development. Applicant shall be required to install roadway lighting. Location and number shall be determined during design review (MMC 17-3.6.020).

- XIII. All public improvement designs shall meet the requirements of the Molalla Standard Specifications for Public Works Construction as amended by the Public Works Director (MMC 17-3.6.080).
- XIV. All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Molalla Public Work's Standards (MMC 17-3.6.080).
- XV. Plans submitted for review shall meet the requirements described in Section 1 of the Molalla Standard Specifications for Public Works Construction.
- XVI. All survey monuments on the subject site or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated, or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff (MMC 17-3.6.080).
- XVII. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards and supply the City with a copy of the final document (MMC 17-3.6.080).
- XVIII. General Erosion Control – The applicant shall install, operate, and maintain adequate erosion control measures in conformance with the standards adopted by the City of Molalla and DEQ during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed. Applicant or Applicant's Contractor shall be responsible for all erosion control requirements under the 1200-C permit and shall coordinate directly with DEQ for questions related to 1200-C permit compliance (MMC 17-3.6.080).

### 3. Conditions To Be Met Prior To Construction

- a. The Applicant or entity responsible for the construction of the access shall obtain an approach permit from ODOT prior to construction.
- b. Temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets (MMC 17-3.3.030 D 20).

#### 4. Conditions To Be Met Prior To Occupancy:

- a. All landscaping, parking, lighting, and other improvements shall be installed and approved by the Planning Official prior to occupancy (MMC 17-3.5.020 B).
- b. The Applicant shall record cross access easements and maintenance agreements between the subject parcel and Cascade Center parcels west of S Leroy Ave for utilization of the proposed access to OR-211 and the private drive networks to the west prior to occupancy. The Applicant shall also record joint access easement agreements with the gas station parcel to the east.
- c. Access to public streets shall be limited to the location identified on the application materials or as required by ODOT. All accesses shall be constructed in such a manner as to eliminate turning conflicts. The proposed width for access shall meet ODOT requirements.
- d. All tree plantings shall be at least 2" caliper and all ground plantings shall be from at least 2 gallon containers.
- e. Plantings along the southern row of parking spaces shall be 5-gallon plantings for screening purposes.
- f. Applicant will be required to relocate existing east access on the west side of the property, as proposed, and take access from a shared connection off OR 211 (W Main Street) between the subject site and the commercial development to the east. Driveway access shall extend to the southern edge of the parcel and connect to adjacent Multi-Family development and other points west within the Cascade Center Development.

## 5. Ongoing Conditions:

- a. All contractors and subcontractors performing work on this property shall obtain and maintain a valid, current business license with the City of Molalla.
- b. Access to public streets shall be limited to the location identified on the application materials or as required by ODOT. All accesses shall be constructed in such a manner as to eliminate turning conflicts. The proposed width for access shall meet ODOT requirements.
- c. All primary building entrances shall open to the sidewalk and shall conform to Americans with Disabilities Act (ADA) requirements, as applicable (MMC 17-3.2.040 D). All approaches and driveways shall meet ADA accessibility requirements where they coincide with an accessible route (MMC 17-3.3.030 D 15). Parking shall be provided consistent with ADA requirements (MMC 17-3.5.030 H).
- d. No visual obstructions shall be placed in vision clearance areas (MMC 17-3.3.030 G).
- e. No proposed fencing shall be made of prohibited materials, as detailed in MMC 17-3.4
- f. All landscaping shall be maintained in good condition, or otherwise replaced by the property owner (MMC 17-3.4.030 G).
- g. Fences and walls shall be maintained in good condition, or otherwise replaced by the property owner (MMC 17-3.4.040 F).

As an ongoing condition of approval, all outdoor lighting shall be maintained in good condition, or otherwise replaced by the property owner (MMC 17-3.4.050 C).



**Exhibit B:**

*City Staff's Findings of Fact for SDR04-2022*



Per MMC 17-4.2.050, an application for Site Design Review shall be approved if the proposal meets all of the following criteria. The Planning Official, in approving the application, may impose reasonable conditions of approval, consistent with the applicable criteria;

A. The application is complete, in accordance with Section 17-4.2.040;

**Findings:** The City received the Applicant's proposal on January 31, 2022 and deemed it complete in accordance with Section 17-4.2.040 on June 14, 2022.

B. The application complies with all of the applicable provisions of the underlying Zoning District (Division II), including, but not limited to, building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards;

### 17-2.2.030 Allowed Uses

**Findings:** The Applicant proposes new uses of a bank with drive through window. The bank is consistent with the "Commercial Retail Sales and Services" use category and the drive-through window is an accessory use with the same categorization. This use is allowed outright in the C-2 General Commercial zone. Because the drive-through window is an unenclosed use a Conditional Use Permit is required in conjunction with the Site Design Review per MMC 17-2.2.030 H. The Applicant submitted a Conditional Use Permit in concurrence with this application. The Standard is met.

### 17-2.2.040 Lot and Development Standards

**Findings:**

**Minimum Lot Area** – There is no minimum lot size in commercial zones. The proposed site is on a 0.87 ac lot, which is of adequate size to accommodate commercial development. This standard is met.

**Minimum Lot Width and Depth** – There is no minimum lot width or depth in commercial zones. The proposed lot is of adequate size to accommodate commercial development. This standard is met.

**Building and Structure Height** – Maximum building height in the C-2 zone is 55ft. The maximum height of the proposed structure is 22ft. This standard is met.

**Maximum Lot Coverage** - Maximum foundation plane coverage in the C-2 zone is 100%. The proposed uses cover approximately 7.5% of the subject parcel. This standard is met.

**Minimum Landscape Area % (includes required parking lot, landscaping, and required screening)**  
Minimum landscaped area in the C-2 zone is 5%. The proposed site plan provides shows that 38% of the lot is proposed as landscaped area. This standard is met.

#### **Minimum Setbacks - 6**

**Front Setback Requirement: 0ft** – This standard is met.

**Garage Setback Requirement: 20ft** – No garages are proposed. This standard does not apply.

**Alley: 3ft** - This property does not abut an alley. This standard does not apply.

**Adjacent to R Districts: 10ft** – This proposal is not adjacent to any residential districts. This standard does not apply.

**Build to Line: 0ft** – The site abuts the OR-211 right-of-way. The primary entrance of the proposed bank is connected to the public right-of-way via a pedestrian pathway and crosswalk extending from the existing sidewalk along OR-211. Additionally, a required Public Utility Easement prohibits building within 10ft of the ROW line. Build-to-line criteria are therefore met under exceptions c and f (MMC 17-3.2.040 B 1).

### **C. The proposal includes required upgrades, if any, to existing development that does not comply with the applicable zoning district standards, pursuant to Chapter 17-1.4 Nonconforming Situations;**

The subject parcel is currently vacant. There are no non-conforming situations that require upgrading. This standard does not apply.

### **D. The proposal complies with all the Development and Design Standards of Division III, as applicable:**

**Findings:** Applicable Standards under Division III. Community Design Standards for this project include:

Section 17-3.2.040 Non-Residential Buildings  
Section 17-3.2.060 Drive-Up and Drive-Through Uses and Facilities  
Chapter 17-3.3 Access and Circulation  
Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting  
Chapter 17-3.5 Parking and Loading  
Chapter 17-3.6 Public Facilities

## 17-3.2.040 Non-Residential Buildings

- A. **Purpose and Applicability.** The following requirements apply to non-residential development, including individual buildings and developments with multiple buildings such as shopping centers, office complexes, mixed-use developments, and institutional campuses. The standards are intended to create and maintain a built environment that is conducive to pedestrian accessibility, reducing dependency on the automobile for short trips, while providing civic space for employees and customers, supporting natural surveillance of public spaces, and creating human-scale design. The standards require buildings placed close to streets, with storefront windows (where applicable), with large building walls divided into smaller planes, and with architectural detailing.

**Findings:** This section applies to the proposed commercial development.

- B. **Building Orientation.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.
1. Buildings subject to this section shall conform to the applicable build-to line standard in Table 17-2.2.040.E, as generally illustrated in Figure 17-3.2-6. The standard is met when at least 50 percent of the abutting street frontage has a building placed no farther from at least one street property line than the build-to line in Table 17-2.2.040.E; except in the Central Commercial C-1 zone, at least 80 percent of the abutting street frontage shall have a building placed no farther from at least one street property line than the required build-to-line. The Planning Official, through Site Design Review, may waive the build to line standard where it finds that one or more of the conditions in subdivisions a through g occurs.
    - a. A proposed building is adjacent to a single-family dwelling, and an increased setback promotes compatibility with the adjacent dwelling.
    - b. The standards of the roadway authority preclude development at the build-to line.

- c. The applicant proposes extending an adjacent sidewalk or plaza for public use, or some other pedestrian amenity is proposed to be placed between the building and public right-of-way, pursuant to Section 17-3.2.050 and subject to Site Design Review approval.
- d. The build-to line may be increased to provide a private open space (e.g., landscaped forecourt), pursuant to Section 17-3.2.050, between a residential use in a mixed-use development (e.g., live-work building with ground floor residence) and a front or street property line.
- e. A significant tree or other environmental feature precludes strict adherence to the standard and will be retained and incorporated in the design of the project.
- f. A public utility easement or similar restricting legal condition that is outside the applicant's control makes conformance with the build-to line impracticable. In this case, the building shall instead be placed as close to the street as possible given the legal constraint, and pedestrian amenities (e.g., plaza, courtyard, landscaping, outdoor seating area, etc.) shall be provided within the street setback in said location pursuant to Section 17-3.2.050.
- g. An existing building that was lawfully created but does not conform to the above standard is proposed to be expanded and compliance with this standard is not practicable.

**Findings:** The site abuts the OR-211 right-of-way. The primary entrance of the proposed bank is connected to the public right-of-way via a pedestrian pathway and crosswalk extending from the existing sidewalk along OR-211. Additionally, a required Public Utility Easement prohibits building within 10ft of the ROW line. Build-to-line criteria are therefore met under exceptions c and f (MMC 17-3.2.040 B 1).

- 2. Except as provided in subsections C.5 and 6, all buildings shall have at least one primary entrance (i.e., tenant entrance, lobby entrance, breezeway entrance, or courtyard entrance) facing an abutting street (i.e., within 45 degrees of the street property line); or if the building entrance must be turned more than 45 degrees from the street (i.e., front door is on a side or rear elevation) due to the configuration of the site or similar constraints, a pedestrian walkway must connect the primary entrance to the sidewalk in conformance with Section 17-3.3.040.

**Findings:** The proposed building has a primary entrance on the northern façade, facing OR-211. This standard is met.

- 3. Off-street parking, trash storage facilities, and ground-level utilities (e.g., utility vaults), and similar obstructions shall not be placed between building entrances and the street(s) to which they are oriented. To the extent practicable, such facilities shall be oriented internally to the block and accessed by alleys or driveways.

**Findings:** The Applicant's submitted proposal does not include any parking, trash, or ground level utilities between the building or building entrance and street. Parking is proposed on

the west and southern portions of the property. Trash facilities are sited south of the proposed building. This standard is met.

4. Off-street parking shall be oriented internally to the site to the extent practicable, and shall meet the Access and Circulation requirements of Chapter 17-3.3, the Landscape and Screening requirements of Chapter 17-3.4, and the Parking and Loading requirements of Chapter 17-3.5.

**Findings:** The Applicant's submitted application shows parking located internally along the west side of the proposed building and south of the proposed building. This standard is met. Standards pertaining to further chapters will be evaluated in Staff responses to those Chapters respectively.

5. Where a development contains multiple buildings and there is insufficient street frontage to meet the above building orientation standards for all buildings on the subject site, a building's primary entrance may orient to plaza, courtyard, or similar pedestrian space containing pedestrian amenities and meeting the requirements under Section 17-3.2.050, subject to Site Design Review approval. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a pedestrian walkway conforming to Section 17-3.3.040.

**Findings:** The proposal is for a single building. This standard does not apply.

- C. **Large-Format Developments.** Plans for new developments, or any phase thereof, with a total floor plate area (ground floor area of all buildings) greater than 35,000 square feet, shall meet all of the following standards in subsections C.1 through 9, as generally illustrated in Figure 17-3.2-7. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

**Findings:** The proposed development does not include a total floor plate area greater than 35,000 square feet. These standards do not apply.

- D. **Primary Entrances and Windows.** The following standards, as generally illustrated in Figures 17-3.2-8 and 17.3.2-9, apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

1. **All Elevations of Building.** Architectural designs shall address all elevations of a building. Building forms, detailing, materials, textures, and color shall contribute to a unified design with architectural integrity. Materials used on the front façade must

turn the building corners and include at least a portion of the side elevations, consistent with the overall composition and design integrity of the building.

**Findings:** The Applicant's submitted architectural plans show all elevations of the proposed building and show a cohesive design. Materials from the western, street facing, façade turn the corner to side elevations and extend through those elevations. This standard is met.

2. **Pedestrian Entrances.** Ground level entrances oriented to a street shall be at least partly transparent for natural surveillance and to encourage an inviting and successful business environment. This standard may be met by providing a door with a window or windows, a transom window above the door, or sidelights beside the door. Where ATMs or other kiosks are proposed on any street-facing elevation, they shall be visible from the street for security and have a canopy, awning, or other weather protection shelter.

**Findings:** The Applicant's submitted architectural plans show ground level entrances with at least partial transparency. This standard is met.

3. **Corner Entrances.** Buildings on corner lots are encouraged to have corner entrances. Where a corner entrance is not provided, the building plan shall provide an architectural element or detailing (e.g., tower, beveled corner, art, special trim, etc.) that accentuates the corner location.

**Findings:** The Applicant's proposal is not for a corner lot. This standard does not apply.

4. **Street Level Entrances.** All primary building entrances shall open to the sidewalk and shall conform to Americans with Disabilities Act (ADA) requirements, as applicable. Primary entrances above or below grade may be allowed where ADA accessibility is provided.

**Findings:** This standard is met subject to a condition of approval. Proposed building entrances open to the proposed pedestrian walkway, a required. As a condition of approval all primary building entrances shall open to the sidewalk and shall conform to Americans with Disabilities Act (ADA) requirements, as applicable.

5. **Windows—General.** Except as approved for parking structures or accessory structures, the front/street-facing elevations of buildings shall provide display windows, windowed doors, and where applicable, transom windows to express a storefront character.

**Findings:** Windows and transparent entrances are provided on the street facing façade. This standard is met.

6. **Storefront Windows.** Storefront windows shall consist of framed picture or bay windows, which may be recessed. Framing shall consist of trim detailing such as piers or pilasters (sides), lintels or hoods (tops), and kick plates or bulkheads (base)—or similar detailing—consistent with a storefront character. The ground floor, street-facing elevation(s) of all buildings shall comprise at least 60 percent transparent windows, measured as a section extending the width of the street-facing elevation between the building base (or 30 inches above the sidewalk grade, whichever is less) and a plane 72 inches above the sidewalk grade.

**Findings:** The Applicant's submitted architectural drawings show transparency/windows that account for greater than 60% of the frontage between 30" and 72" from grade on the street facing elevation. This standard is met.

7. **Defined Upper Story(ies).** Building elevations shall contain detailing that visually defines street level building spaces (storefronts) from upper stories. The distinction between street level and upper floors shall be established, for example, through the use of awnings, canopies, belt course, or similar detailing, materials, or fenestration. Upper floors may have less window area than ground floors, but shall follow the vertical lines of the lower level piers and the horizontal definition of spandrels and any cornices. Upper floor window orientation shall primarily be vertical, or have a width that is no greater than height. Paired or grouped windows that, together, are wider than they are tall, shall be visually divided to express the vertical orientation of individual windows.

**Findings:** The Applicant's submitted architectural plans are for a one-story building. This standard does not apply.

8. **Buildings Not Adjacent to a Street.** Buildings that are not adjacent to a street or a shopping street, such as those that are setback behind another building and those that are oriented to a civic space (e.g., internal plaza or court), shall meet the 60 percent transparency standard on all elevations abutting civic space(s) and on elevations containing a primary entrance.

**Findings:** The proposed building is adjacent to a street and meets the 60% transparency requirement. This standard does not apply.

9. **Side and Rear Elevation Windows.** All side and rear elevations, except for zero lot line or common wall elevations, where windows are not required, shall provide not less than 30 percent transparency.

**Findings:** This standard is met subject to a condition of approval. The Applicant's proposal meets the 30% transparency requirement on the west and south facing facades. Per the Applicant's submitted narrative, the Applicant has not proposed transparent features on the

east facing elevation due to security concerns. As a condition of approval, the Applicant shall provide an architectural elevation plan with their building permit authorization submissions showing articulation and detailing that provide additional visual relief to the east facing façade. Examples would include shadow boxes that are similar in texture and appearance to window boxes or other similar articulation.

10. **Window Trim.** At a minimum, windows shall contain trim, reveals, recesses, or similar detailing of not less than four inches in width or depth as applicable. The use of decorative detailing and ornamentation around windows (e.g., corbels, medallions, pediments, or similar features) is encouraged.

**Findings:** This standard is met subject to a condition of approval. “Storefront” style windows that create the multiple entrances for the building provide sufficient detailing to meet these standards. Stand-alone windows along the fall faces that are not associated with the entrances do not. As a condition of approval, the Applicant shall provide an architectural elevation plan with their building permit authorization submissions showing window detailing meeting the standards of MMC 17-3.2.040 D, 10 for stand-alone windows (i.e. those windows on wall faces not associated with the entrance window complexes) along the north, west, and south facing facades.

11. **Projecting Windows, Display Cases.** Windows and display cases shall not break the front plane of the building (e.g., projecting display boxes are discouraged). For durability and aesthetic reasons, display cases, when provided, shall be flush with the building façade (not affixed to the exterior) and integrated into the building design with trim or other detailing. Window flower boxes are allowed, provided they do not encroach into the pedestrian through-zone.

**Findings:** The Applicant has not proposed any projecting windows or display cases. This standard does not apply.

12. **Window Exceptions.** The Planning Official may approve an exception to the above standards where existing topography makes compliance impractical. Where it is not practicable to use glass, windows for parking garages or similar structures, the building design must incorporate openings or other detailing that resembles window patterns (rhythm and scale).

**Findings:** The Applicant has not proposed any window exceptions. Staff has provided necessary adjustments to window design for building permit authorization submissions as conditions in responses above.

- E. **Articulation and Detailing.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve



adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

1. **Articulation.** All building elevations that orient to a street or civic space shall have breaks in the wall plane (articulation) of not less than one break for every 30 feet of building length or width, as applicable, pursuant to the following standards, which are generally illustrated in Figures 17-3.2-10, 17-3.2-11, and 17-3.2-12.
  - a. A “break” for the purposes of this subsection is a change in wall plane of not less than 24 inches in depth. Breaks may include, but are not limited to, an offset, recess, window reveal, pilaster, frieze, pediment, cornice, parapet, gable, dormer, eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee, or similar architectural feature.
  - b. The Planning Official through Site Design Review may approve detailing that does not meet the 24-inch break-in-wall-plane standard where it finds that proposed detailing is more consistent with the architecture of historically significant or historic-contributing buildings existing in the vicinity.
  - c. Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features, do not meet the 24-inch break-in-wall-plane standard.
  - d. Building elevations that do not orient to a street or civic space need not comply with the 24-inch break-in-wall-plane standard but should complement the overall building design.

**Findings:** The Applicant’s submitted architectural plans show articulation breaks through canopies, a massing break for the south and west entrance areas, material breaks, and the extension of a wall for a seating area on the north facade. These standards are met.

2. **Change in Materials.** Elevations should incorporate changes in material that define a building’s base, middle, and top, as applicable, and create visual interest and relief. Side and rear elevations that do not face a street, public parking area, pedestrian access way, or plaza may utilize changes in texture and/or color of materials, provided that the design is consistent with the overall composition of the building.

**Findings:** This standard is met subject to a condition of approval. Canopies and building entrance design incorporate change of materials on the eastern and southern facades. The east and north facing facades do not have a change in materials that define the bottom, middle, and top of the building and the north façade faces OR-211. As a condition of approval, the Applicant shall provide a change of materials defining the bottom of the building on the northern and eastern facades. This change may be mimicked by color change on the eastern facing façade as it does not face a public street. Material changes shall at least wrap to the adjoining facade.

3. **Horizontal Lines.** New buildings and exterior remodels shall generally follow the prominent horizontal lines existing on adjacent buildings at similar levels along the street frontage. Examples of such horizontal lines include, but are not limited to: the base below a series of storefront windows, an awning or canopy line, a belt course between building stories, a cornice, or a parapet line. Where existing adjacent buildings do not meet the City's current building design standards, a new building may establish new horizontal lines.

**Findings:** The Applicant's submitted architectural plans show horizontal lines through the proposed and already conditioned window, material change, and canopy profiles. This standard is met.

4. **Ground Floor and Upper Floor Division.** A clear visual division shall be maintained between the ground level floor and upper floors, for example, through the use of a belt course, transom, awning, canopy, or similar division.

**Findings:** The Applicant's proposal is for a single-story building. This standard does not apply.

5. **Vertical Rhythms.** New construction or front elevation remodels shall reflect a vertical orientation, either through breaks in volume or the use of surface details

**Findings:** The Applicant's submitted application shows vertical rhythms in the window configuration and canopy profile. This standard is met.

- F. **Pedestrian Shelters.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

1. **Minimum Pedestrian Shelter Coverage.** Permanent awnings, canopies, recesses, or similar pedestrian shelters shall be provided along at least 75 percent of the ground floor elevation(s) of a building where the building abuts a sidewalk, civic space, or pedestrian access way. Pedestrian shelters used to meet the above standard shall extend at least five feet over the pedestrian area; except that the Planning Official, through Site Design Review, may reduce the above standards where it finds that existing right-of-way dimensions, easements, or building code requirements preclude standard shelters. In addition, the above standards do not apply where a building has a ground floor dwelling, as in a mixed-use development or live-work building, and the dwelling has a covered entrance. The Planning Official shall waive the above standards if the pedestrian shelter would extend into the right-of-way and the roadway authority does not allow encroachments in the right-of-way.

**Findings:** This standard is met subject to a condition of approval. The Applicant's submitted architectural plans shows a canopy along the entire southern frontage where the walkway abuts, and covering the northern entrance to the building. This meets the standard as the remainder of the walkway along the northern frontage does not abut the building. The canopy along the southern frontage appears to have open slotting and would not prevent pedestrian traffic from getting wet in rainy conditions. As a condition of approval, canopies above walkways shall be designed to shelter pedestrian traffic from inclement (rainy) weather.

2. **Pedestrian Shelter Design.** Pedestrian shelters shall comply with applicable building codes, and shall be designed to be visually compatible with the architecture of a building. If mezzanine or transom windows exist, the shelter shall be below such windows where practical. Where applicable, pedestrian shelters shall be designed to accommodate pedestrian signage (e.g., blade signs), while maintaining required vertical clearance.

**Findings:** Staff finds that the Applicant's proposed pedestrian shelters are designed in visual concert with the design of the building. This standard is met.

#### **G. Mechanical Equipment.**

1. **Building Walls.** Where mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, is permitted on a building wall that abuts a public right-of-way or civic space, it shall be screened pursuant to Chapter 17-3.4. Standpipes, meters, vaults, and similar equipment need not be screened but shall not be placed on a front elevation when other practical alternatives exist; such equipment shall be placed on a side or rear elevation where practical.
2. **Rooftops.** Except as provided below, rooftop mechanical units shall be set back or screened behind a parapet wall so that they are not visible from any public right-of-way or civic space. Where such placement and screening is not practicable, the Planning Official may approve painting of mechanical units in lieu of screening; such painting may consist of colors that make the equipment visually subordinate to the building and adjacent buildings, if any.
3. **Ground-Mounted Mechanical Equipment.** Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The City may require additional setbacks and noise attenuating equipment for compatibility with adjacent uses.

**Findings:** The Applicant proposes to screen rooftop mechanical equipment by parapet. There is no proposed ground mounted mechanical equipment. These standards are met.

H. **Civic Space.** Commercial development projects shall provide civic space pursuant to Section 17-3.2.050.

**Findings:** The Applicant proposes less than 10,000 SF of leasable floor area. These standards do not apply to this application.

I. **Drive-Up and Drive-Through Facilities.** Drive-up and drive-through facilities shall comply with the requirements of Section 17-3.2.060. (Ord. 2017-08 §1)

**Findings:** The applicant has proposed a drive-through teller window. These standards apply and are addressed below.

### 17-3.2.060 Drive-Up and Drive-Through Uses and Facilities

B. **Standards.** Drive-up and drive-through facilities (i.e., driveway queuing areas, customer service windows, teller machines, kiosks, drop-boxes, or similar facilities) shall meet all of the following standards, as generally illustrated in Figure 17-3.2-13:

1. The drive-up or drive-through facility shall orient to and receive access from a driveway that is internal to the development and not a street, as generally illustrated.

**Findings:** The Applicant's submitted site plan shows a drive aisle that is internal to the site. This standard is met.

2. The drive-up or drive-through portion of the establishment or drive-through window shall not be oriented to street corner.

**Findings:** The subject site is not on a street corner. This standard does not apply.

3. The entry into a drive-up or drive-through portion of the establishment or drive-through window shall be located a sufficient distance from a street right-of-way so as not to allow for queue into a street right-of-way during any time of the year. Applicant shall provide a section within the Traffic Impact Analysis or supply the City with a traffic engineer's report demonstrating that the drive-up or drive-through will have no impact to the street right-of-way.
4. Drive-up and drive-through queuing areas shall be designed so that vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk.

**Findings:** The Applicant's submitted Traffic Impact Analysis includes analysis of the drive-through location and queue and demonstrates there will be no adverse impacts to the right-of-way or any bike lanes, walkways, or sidewalks.

These standards are met.

5. In the General Commercial C-2 district, a new drive-up or drive-through facility must comply with the access control distance requirements identified in the City's Transportation System Plan in relation to existing drive-up or drive-through facilities.

**Findings:** The Applicant's proposed project is within the C-2 zoning district. The Applicant's submitted TIA looks at the proposed drive-throughs compliance with transportation related regulations and has found no issues. This standard is met.

### 17-3.3.030 Vehicular Access and Circulation

- A. **Purpose and Intent.** Section 17-3.3.030 implements the street access policies of the City of Molalla Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. "Safety," for the purposes of this chapter, extends to all modes of transportation.
- B. **Permit Required.** Vehicular access to a public street (e.g., a new or modified driveway connection to a street or highway) requires an approach permit approved by the applicable roadway authority.

**Findings:** This condition is met subject to a condition of approval. The Applicant's submitted application shows that the applicant proposes access from OR-211 and is under the jurisdiction of the Oregon Department of Transportation (ODOT). As a condition of approval, the Applicant or entity responsible for the construction of the access shall obtain an approach permit from ODOT prior to construction.

- C. **Traffic Study Requirements.** The City, in reviewing a development proposal or other action requiring an approach permit, may require a traffic impact analysis, pursuant to Section 17-3.6.020, to determine compliance with this Code.

**Findings:** The Applicant submitted a Traffic Impact Study prepared by a Registered Engineer and addressing the appropriate standards as part of the application package. This standard is met.

D. **Approach and Driveway Development Standards.** Approaches and driveways shall conform to all of the following development standards:

1. The number of approaches on higher classification streets (e.g., collector and arterial streets) shall be minimized; where practicable, access shall be taken first from a lower classification street.

**Findings:** The subject property's only street frontage is to OR-211, from which the Applicant proposes a single access. This access also serves a lot associated with a recently approved gas station and convenience store to the east and with Cascade Center subdivision. This standard is met.

2. Approaches shall conform to the spacing standards of subsections E and F, below, and shall conform to minimum sight distance and channelization standards of the roadway authority.

**Findings:** The subject property is adjacent to OR-211, which is under ODOT jurisdiction. Due to existing access placements on neighboring properties to the east, there is no possible placement for the proposed approach within the subject site that would meet required access separation requirements on all sides. In pre-application meetings, ODOT recommended a shared access location straddling the border of the subject parcel and adjacent parcel to the east as proposed, concurrently abandoning an approved access to Cascade Center between the subject parcel and 740 W Main ST. ODOT has concurred on the proposed location in comments provided to the City on this application. This standard is met.

3. Driveways shall be paved and meet applicable construction standards. Where permeable paving surfaces are allowed or required, such surfaces shall conform to applicable Public Works Design Standards.

**Findings:** The Applicant has proposed a paved driveway and shall be designed to meet all Molalla Public Works Design Standards. This standard is met.

4. The City Engineer may limit the number or location of connections to a street, or limit directional travel at an approach to one-way, right-turn only, or other restrictions, where the roadway authority requires mitigation to alleviate safety or traffic operations concerns.

**Findings:** Only one access from OR-211 is proposed by the Applicant. The proposed access also connects to a recently approved gas station and other points within the Cascade Center development by way of a private drive along the northern portion of the subject parcel. ODOT comments (see exhibit G) did not recommend limitations to directional travel or other mitigation measures. This standard is met.

5. Where the spacing standards of the roadway authority limit the number or location of connections to a street or highway, the City Engineer may require a driveway extend to one or more edges of a parcel and be designed to allow for future extension and inter-parcel circulation as adjacent properties develop. The City Engineer may also require the owner(s) of the subject site to record an access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s).

**Findings:** This standard is met subject to a condition of approval. The Applicant's submitted application shows that the proposed driveway extends to the private drive on the south side of the parcel that connects westward to points within Cascade Center. As a condition of approval, the Applicant shall record cross access easements and maintenance agreements between the subject parcel and Cascade Center parcels west of S Leroy Ave for utilization of the proposed access to OR-211 and the private drive networks to the west prior to occupancy. The Applicant shall also record joint access easement agreements with the gas station parcel to the east. These easements shall be recorded prior to occupancy.

6. Where applicable codes require emergency vehicle access, approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus and shall conform to applicable fire protection requirements. The City Engineer may restrict parking, require signage, or require other public safety improvements pursuant to the recommendations of an emergency service provider.

**Findings:** This standard is met subject to a condition of approval. As a condition of approval, the Applicant shall confirm that emergency apparatus have appropriate access to the site prior with engineering submittals.

7. As applicable, approaches and driveways shall be designed and constructed to accommodate truck/trailer-turning movements.

**Findings:** The Applicant's submitted narrative states that the largest truck that would visit the site would be a garbage truck. The proposed access is designed to accommodate that movement.

8. Except where the City Engineer and roadway authority, as applicable, permit an open access with perpendicular or angled parking, driveways shall accommodate all projected vehicular traffic on-site without vehicles stacking or backing up onto a street.

**Findings:** All proposed parking is onsite and served by private drives. This standard is met.

9. Driveways shall be designed so that vehicle areas, including, but not limited to, drive-up and drive-through facilities and vehicle storage and service areas, do not obstruct any public right-of-way.

**Findings:** All proposed driveways and drive-through facilities are interior to the site and the submitted TIA shows that no queuing will enter the right-of-way. This standard is met.

10. Approaches and driveways shall not be wider than necessary to safely accommodate projected peak hour trips and turning movements, and shall be designed to minimize crossing distances for pedestrians.

**Findings:** The Applicant's submitted application shows a 30' wide approach from the new proposed access from OR-211, which is designed to accommodate trucks and emergency vehicles and is consistent with Molalla Public Works Standards. This standard is met.

11. As it deems necessary for pedestrian safety, the City Engineer, in consultation with the roadway authority, as applicable, may require that traffic-calming features, textured driveway surfaces (e.g., pavers or similar devices), curb extensions, signage or traffic control devices, or other features, be installed on or in the vicinity of a site as a condition of development approval.

**Findings:** Neither the City Engineer nor the roadway authority recommend any traffic calming features, nor are any proposed. This standard is met.

12. Construction of approaches along acceleration or deceleration lanes, and along tapered (reduced width) portions of a roadway, shall be avoided; except where no reasonable alternative exists and the approach does not create safety or traffic operations concern.

**Findings:** The Applicant's proposal does not include construction of approaches along acceleration or deceleration lanes or along tapered portions of the roadway. This standard does not apply.

13. Approaches and driveways shall be located and designed to allow for safe maneuvering in and around loading areas, while avoiding conflicts with pedestrians, parking, landscaping, and buildings.

**Findings:** No loading areas are proposed with this application and no conflicts are created by driveway placement. In the location where the pedestrian way crosses the drive aisle, a crosswalk is proposed. This standard is met.

14. Where sidewalks or walkways occur adjacent to a roadway, driveway aprons constructed of concrete shall be installed between the driveway and roadway edge. The roadway authority may require the driveway apron be installed outside the



required sidewalk or walkway surface, consistent with Americans with Disabilities Act (ADA) requirements, and to manage surface water runoff and protect the roadway surface.

**Findings:** The Applicant's proposal includes a new sidewalk within the right-of-way that meets City and ODOT standards for materials and width. This standard is met.

15. Where an accessible route is required pursuant to ADA, approaches and driveways shall meet accessibility requirements where they coincide with an accessible route.

**Findings:** This standard is met subject to a condition of approval. As a condition of approval, all approaches and driveways shall meet ADA accessibility requirements where they coincide with an accessible route.

16. The City Engineer may require changes to the proposed configuration and design of an approach, including the number of drive aisles or lanes, surfacing, traffic-calming features, allowable turning movements, and other changes or mitigation, to ensure traffic safety and operations.

**Findings:** No changes are required to the proposed configuration and design of the approach. This standard is met.

17. Where a new approach onto a state highway or a change of use adjacent to a state highway requires ODOT approval, the applicant is responsible for obtaining ODOT approval. The City Engineer may approve a development conditionally, requiring the applicant first obtain required ODOT permit(s) before commencing development, in which case the City will work cooperatively with the applicant and ODOT to avoid unnecessary delays.

**Findings:** This condition is met subject to a condition of approval. The Applicant's submitted application shows that the applicant proposes access from OR-211 and is under the jurisdiction of the Oregon Department of Transportation (ODOT). As a condition of approval, the Applicant and/or the developer of the access shall obtain an approach permit from ODOT prior to construction.

18. Where an approach or driveway crosses a drainage ditch, canal, railroad, or other feature that is under the jurisdiction of another agency, the applicant is responsible for obtaining all required approvals and permits from that agency prior to commencing development.

19. Where a proposed driveway crosses a culvert or drainage ditch, the City Engineer may require the developer to install a culvert extending under and beyond the edges of the driveway on both sides of it, pursuant to applicable Public Works Design Standards.

**Findings:** The Applicants proposed approach does not cross a feature under the jurisdiction of another agency, including a drainage culvert or ditch. These criteria do not apply.

20. Except as otherwise required by the applicable roadway authority or waived by the City Engineer temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets.

**Findings:** These standards are met subject to a condition of approval. As a condition of approval, temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets.

21. Development that increases impervious surface area shall conform to the storm drainage and surface water management requirements of Section 17-3.6.050.

**Findings:** These standards are met subject to conditions of approval. Applicant submitted a stormwater drainage plan with their application package. Onsite private storm system shall comply with plumbing code requirements. The detention and flow control facilities shall be reviewed, permitted, and inspected by Molalla Public Works. The onsite storm conveyance system shall be reviewed and inspected by Clackamas County Building under a plumbing permit, in accordance with MMC 13.13 Surface Water Management. Additional stormwater analysis is provided in Staff responses to Section 17-3.6.050.

E. **Approach Separation from Street Intersections.** Except as provided by subsection H, minimum distances shall be maintained between approaches and street intersections consistent with the current version of the Public Works Design Standards and Transportation System Plan.

F. **Approach Spacing.** Except as provided by subsection H or as required to maintain street operations and safety, the following minimum distances shall be maintained between approaches consistent with the current version of the Public Works Design Standards and Transportation System Plan.

**Findings:** These standards are met subject to a condition of approval. The subject property is adjacent to OR-211, which is under ODOT jurisdiction. Due to existing access placements on neighboring properties to the east, there is no possible placement for the proposed approach within the subject site that would meet required access separation requirements on all sides. In pre-application meetings, ODOT recommended a shared access location straddling the border of the subject parcel and adjacent parcel to the east as proposed, concurrently abandoning an approved access to Cascade Center between the subject parcel and 740 W Main ST. ODOT has concurred on the proposed location in comments provided to

the City on this application. This standard is met. As a condition of approval, all driveway approaches shall be designed and constructed consistent with the current version of the Molalla Public Works Design Standards, Molalla Transportation Systems Plan, and ODOT standards.

G. **Vision Clearance.** No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) greater than 2.5 feet in height shall be placed in “vision clearance areas” at street intersections.. The minimum vision clearance area may be modified by the Planning Official through a Type I procedure, upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). Placement of light poles, utility poles, and tree trunks should be avoided within vision clearance areas.

**Findings:** This standard is met subject to conditions of approval. No items are currently proposed in the vision clearance area. As an ongoing condition of approval, no visual obstructions shall be placed in vision clearance areas.

H. **Exceptions and Adjustments.** The City Engineer may approve adjustments to the spacing standards of subsections E and F, above, where an existing connection to a City street does not meet the standards of the roadway authority and the proposed development moves in the direction of code compliance. The Planning Official through a Type II procedure may also approve a deviation to the spacing standards on City streets where it finds that mitigation measures (removal of one access), joint use driveways (more than one property uses same access), directional limitations (e.g., one-way), turning restrictions (e.g., right-in/ right-out only), or other mitigation alleviate all traffic operations and safety concerns.

**Findings:** The Applicant has not submitted any requests for exceptions and adjustment to access and spacing standards and none are requested by City Staff or ODOT. This standard is met.

I. **Joint Use Access Easement and Maintenance Agreement.** Where the City approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between adjacent properties. The owners of the properties agreeing to joint use of the driveway shall record a joint maintenance agreement with the deed, defining maintenance responsibilities of property owners. The applicant shall provide a fully executed copy of the agreement to the City for its records, but the City is not responsible for maintaining the driveway or resolving any dispute between property owners.

**Findings:** This condition is met subject to a condition of approval. The Applicant’s submitted application shows that the applicant proposes access from OR-211 and is under the jurisdiction of the Oregon Department of Transportation (ODOT). This proposed access serves properties on the eastern side of Cascade Center in addition to the proposed development. As a condition of approval, the Applicant shall record joint use access and

maintenance agreements with adjacent properties within the Cascade Center development and the approved gas station property at 710 W Main ST to the east prior to occupancy.

### 17-3.3.040 Pedestrian Access and Circulation

B. **Standards.** Developments shall conform to all of the following standards for pedestrian access and circulation as generally illustrated in Figure 17-3.3-3:

1. **Continuous Walkway System.** A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, if any, and to all future phases of the development, as applicable.

**Findings:** This standard is met subject to a condition of approval. The Applicant's submitted site plan shows a walkway connecting the sidewalk along the OR-211 to all entrances of the proposed building. The proposed walkway does not connect the proposed building to the proposed private walkway along the east-west drive access to the south, connecting to points within Cascade Center. As a condition of approval, the applicant shall revise their building permit authorization plans to include a pedestrian connection to the walkway along the proposed drive access to the south of the subject site within Cascade Center. It is understood that relocation of the trash receptacle may be necessary to facilitate this connection.

2. **Safe, Direct, and Convenient.** Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas, playgrounds, and public rights-of-way conforming to the following standards:
  - a. The walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.
  - b. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The Planning Official may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
  - c. The walkway network connects to all primary building entrances, consistent with the building design standards of Chapter 17-3.2 and, where required, Americans with Disabilities Act (ADA) requirements.

**Findings:** These standards are met subject to a condition of approval. Proposed sidewalks form a direct connection between the roadway, building, and parking. An additional connection is required per condition to connect to points within Cascade Center. Proposed walkways promote vehicle/pedestrian separation to the extent practicable and are free of hazards.

As a condition of approval, all walkways connecting to primary building entrances shall be designed consistent with ADA requirements.

3. **Vehicle/Walkway Separation.** Except as required for crosswalks, per subsection 4, below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the Planning Official may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.

**Findings:** The Applicant's submitted narrative states that the proposed walkway shall be raised from vehicle maneuvering areas and curbed with the exception of drive aisle crossings. This standard is met.

4. **Crosswalks.** Where a walkway crosses a parking area or driveway ("crosswalk"), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material). The crosswalk may be part of a speed table to improve driver-visibility of pedestrians. Painted or thermo-plastic striping and similar types of non-permanent applications are discouraged, but may be approved for lesser used crosswalks not exceeding 24 feet in length.

**Response:** The Applicant's submitted site plan shows crosswalks at all intersections with the proposed drive aisles and proposes striping as all drive aisles exceed 24'. Crosswalks will be required, as applicable, to conditioned walkway additions. This standard is met.

5. **Walkway Width and Surface.** Walkways, including access ways required for subdivisions pursuant to Chapter 17-4.3, shall be constructed of concrete, asphalt, brick or masonry pavers, or other durable surface, as approved by the City Engineer, and not less than six feet wide. Multi-use paths (i.e., designed for shared use by bicyclists and pedestrians) shall be concrete or asphalt and shall conform to the current version of the Public Works Design Standards and Transportation System Plan.
6. **Walkway Construction (Private).** Walkway surfaces may be concrete, asphalt, brick or masonry pavers, or other City-approved durable surface meeting ADA requirements. Walkways shall be not less than six feet in width in commercial and mixed use developments and where access ways are required for subdivisions under Division IV.

**Findings:** The Applicant's submitted site plan shows proposed sidewalks and walkways that are at least 6ft in width and the submitted narrative states that they will be designed with appropriate materials to meet standards of this code. These standards are met.

7. **Multi-Use Pathways.** Multi-use pathways, where approved, shall be a minimum width and constructed of materials consistent with the current version of the Public Works Design Standards and Transportation System Plan.

**Findings:** No multi-use pathway are proposed. This standard does not apply.

## Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting

### 17-3.4.030 Landscaping and Screening

- A. **General Landscape Standard.** All portions of a lot not otherwise developed with buildings, accessory structures, vehicle maneuvering areas, or parking shall be landscaped.

**Findings:** The Applicant's submitted landscaping plan shows that all areas of the subject parcel that are not developed with buildings, vehicular areas or pedestrian areas will be landscaped. This standard is met.

- B. **Minimum Landscape Area.** All lots shall conform to the minimum landscape area standards of the applicable zoning district, as contained in Tables 17-2.2.040.D and 17-2.2.040.E. The Planning Official, consistent with the purposes in Section 17-3.4.010, may allow credit toward the minimum landscape area for existing vegetation that is retained in the development.

**Findings:** The Applicant's submitted landscaping plan shows 14,867 SF of landscaped area for approximately 38% of the subject parcel. This exceeds the 5% standard for commercial zones in Tables 17-2.2.040.E. This standard is met.

- C. **Plant Selection.** A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions, among other factors. When new vegetation is planted, soils shall be amended and irrigation shall be provided, as necessary, to allow for healthy plant growth. The selection of plants shall be based on all of the following standards and guidelines:

1. Use plants that are appropriate to the local climate, exposure, and water availability. The presence of utilities and drainage conditions shall also be considered.
2. Plant species that do not require irrigation once established (naturalized) are preferred over species that require irrigation.
3. Trees shall be not less than two-inch caliper for street trees and one and one-half-inch caliper for other trees at the time of planting. Trees to be planted under or near power lines shall be selected so as to not conflict with power lines at maturity.
4. Shrubs shall be planted from five-gallon containers, minimum, where they are for required screens or buffers, and two-gallon containers minimum elsewhere.
5. Shrubs shall be spaced in order to provide the intended screen or canopy cover within two years of planting.
6. All landscape areas, whether required or not, that are not planted with trees and shrubs or covered with allowable non-plant material, shall have ground cover plants that are sized and spaced to achieve plant coverage of not less than 75 percent at maturity.
7. Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover not more than 35 percent of any landscape area. Non-plant ground covers cannot be a substitute for required ground cover plants.
8. Where stormwater retention or detention, or water quality treatment facilities are proposed, they shall meet the requirements of the current version of the Public Works Design Standards.
9. Existing mature trees that can thrive in a developed area and that do not conflict with other provisions of this Code shall be retained where specimens are in good health, have desirable aesthetic characteristics, and do not present a hazard.
10. Landscape plans shall avoid conflicts between plants and buildings, streets, walkways, utilities, and other features of the built environment.
11. Evergreen plants shall be used where a sight-obscuring landscape screen is required.
12. Deciduous trees should be used where summer shade and winter sunlight is desirable.
13. Landscape plans should provide focal points within a development, for example, by preserving large or unique trees or groves or by using flowering plants or trees with fall color.
14. Landscape plans should use a combination of plants for seasonal variation in color and yearlong interest.
15. Where plants are used to screen outdoor storage or mechanical equipment, the selected plants shall have growth characteristics that are compatible with such features.
16. Landscape plans shall provide for both temporary and permanent erosion control measures, which shall include plantings where cuts or fills, including berms, swales, stormwater detention facilities, and similar grading, is proposed.

17. When new vegetation is planted, soils shall be amended and irrigation provided, as necessary, until the plants are naturalized and able to grow on their own.

**Findings:** These standards are met subject to a condition of approval. Applicant's submitted narrative specifies 1.5 caliper tree plantings and gallon container plantings. This does not meet the requirements of the landscaping code. As a condition of approval, all tree plantings shall be at least 2" caliper and all ground plantings shall be from at least 2 gallon containers.

**D. Central Commercial C-1 District Streetscape Standard.** Developers of projects within the Central Commercial C-1 zoning district can meet the landscape area requirement of subsection B, in part, by installing street trees in front of their projects. The Planning Official shall grant credit toward the landscape area requirement using a ratio of 1:1, where one square foot of planted area (e.g., tree well or planter surface area) receives one square foot of credit. The Planning Official may grant additional landscape area credit by the same ratio where the developer widens the sidewalk or creates a plaza or other civic space pursuant to Section 17-3.2.050.

**Findings:** The subject property is not in the C-1 zone. These standards do not apply.

**E. Parking Lot Landscaping.** All of the following standards shall be met for parking lots. If a development contains multiple parking lots, then the standards shall be evaluated separately for each parking lot.

1. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of shade trees distributed throughout the parking area. A combination of deciduous and evergreen trees, shrubs, and ground cover plants is required. The trees shall be planned so that they provide a partial canopy cover over the parking lot within five years. At a minimum, one tree per 12 parking spaces on average shall be planted over and around the parking area.

**Findings:** The Applicant's submitted landscaping plan shows over 10% landscaping within parking and vehicle maneuvering areas. 5 (five) trees are proposed within the parking area meeting the two required trees for 21 proposed parking spaces. This standard is met.

2. All parking areas with more than 20 spaces shall provide landscape islands with trees that break up the parking area into rows of not more than 10 contiguous parking spaces. Landscape islands and planters shall have dimensions of not less than 48 square feet of area and no dimension of less than six feet, to ensure adequate soil, water, and space for healthy plant growth.



**Findings:** The Applicant's submitted site plans shows 20 proposed parking spaces. These standards apply. The applicant has proposed islands containing trees and no row of greater than 10 contiguous spaces. This standard is met.

3. All required parking lot landscape areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within two years of planting, not less than 50 percent of that area is covered with living plants.

**Findings:** The Applicant's submitted landscaping plan shows that parking landscaping areas not planted with trees are proposed with shrubs and groundcover that cover at least 50% of the landscaping area. This standard is met.

4. Wheel stops, curbs, bollards, or other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted not less than two feet from any such barrier.

**Findings:** The Applicant's submitted narrative states that landscaped areas around the proposed southern parking stalls will have wheel stops to protect landscaping areas. This standard is met.

5. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.

**Findings:** The Applicant does not proposed tree wells within sidewalks/walkways. This standard does not apply.

F. **Screening Requirements.** Screening is required for outdoor storage areas, unenclosed uses, and parking lots, and may be required in other situations as determined by the Planning Official. Landscaping shall be provided pursuant to the standards of subsections F.1 through 3. (See also Figure 17-3.4-4.)

1. **Outdoor Storage and Unenclosed Uses.** All areas of a site containing or proposed to contain outdoor storage of goods, materials, equipment, and vehicles (other than required parking lots and service and delivery areas, per Site Design Review), and areas containing junk, salvage materials, or similar contents, shall be screened from view from adjacent rights-of-way and residential uses by a sight-obscuring fence, wall, landscape screen, or combination of screening methods. See also Section 17-3.4.040 for related fence and wall standards.

**Findings:** The Applicant has not proposed outdoor storage areas. This standard does not apply.

2. **Parking Lots.** The edges of parking lots shall be screened to minimize vehicle headlights shining into adjacent rights-of-way and residential yards. Parking lots abutting a sidewalk or walkway shall be screened using a low-growing hedge or low garden wall to a height of between three feet and four feet.

**Findings:** This standard is met subject to a condition of approval. A residential apartment complex has been approved to the south of the proposed development. The Applicant has proposed verbinum tinus along the southernmost parking spots. This is an appropriate screening plant for the approved residential use to the south, however 5-gallon plantings are required for screening purposes. As a condition of approval, plantings along the southern row of parking spaces shall be 5-gallon plantings for screening purposes.

3. **Other Uses Requiring Screening.** The Planning Official may require screening in other situations as authorized by this Code, including, but not limited to, outdoor storage areas, blank walls, Special Uses pursuant to Chapter 17-2.3, flag lots, and as mitigation where an applicant has requested an adjustment pursuant to Chapter 17-4.7.

**Findings:** Staff does not propose additional requirements for screening with this application.

- G. **Maintenance.** All landscaping shall be maintained in good condition, or otherwise replaced by the property owner.

**Findings:** This standard can be met with a condition of approval. As an ongoing condition of approval all landscaping shall be maintained in good condition, or otherwise replaced by the property owner.

#### 17-3.4.040 Fences and Walls

- A. **Purpose.** This section provides general development standards for fences, and walls that are not part of a building, such as screening walls and retaining walls.
- B. **Applicability.** Section 17-3.4.040 applies to all fences, and to walls that are not part of a building, including modifications to existing fences and walls.

**Findings:** The Applicant's proposal includes a fence around the proposed trash enclosure to which this section applies.

**C. Height.**

**1. Residential Zones.**

**Findings:** The Applicant's proposal is in a non-residential zone. These standards do not apply.

**2. Non-Residential Zones.** Fences and freestanding walls (i.e., exclusive of building walls) for non-residential uses shall not exceed the following height above grade, where grade is measured from the base of the subject fence or wall.

a. Within Front or Street-Facing Side Yard Setback. Four feet, except the following additional height is allowed for properties located within an industrial, public, or institutional zone:

(1) Where approved by the City Planning Official, a fence constructed of open chain link or other "see-through" composition that allows 90 percent light transmission may reach a height of up to eight feet.

b. Within an Interior Side or Rear Yard Setback. Eight feet; except the fence or wall height, as applicable, shall not exceed the distance from the fence or wall line to the nearest primary structure on an adjacent property.

**Findings:** The Applicant does not propose any fences or walls within setback areas. These standards do not apply.

**3. All Zones.** Fences and walls shall comply with the vision clearance standards of Section 17-3.3.030.G. Other provisions of this Code, or the requirements of the roadway authority, may limit allowable height of a fence or wall below the height limits of this section.

**Findings:** No fences and walls are proposed in vision clearance areas as a part of this application. This standard is met.

**D. Materials.** Prohibited fence and wall materials include straw bales, tarps, barbed or razor wire (except in the M-2 Heavy Industrial zone); scrap lumber, untreated wood (except cedar or redwood), corrugated metal, sheet metal, scrap materials; dead, diseased, or dying plants; and materials similar to those listed herein.

**Findings:** No prohibited materials are proposed in the construction of the proposed fence. This standard is met.

- E. **Permitting.** A Type I approval is required to install a fence of six feet or less in height, or a wall that is four feet or less in height. All other walls and fences require review and approval by the Planning Official through a Type II procedure. The Planning Official may require installation of walls or fences as a condition of approval for development, as provided by other Code sections. A building permit may be required for some fences and walls, pursuant to applicable building codes. Walls greater than four feet in height shall be designed by a Professional Engineer licensed in the State of Oregon.

**Findings:** Staff recommends approval of the proposed trash enclosure fence as part of this site design review.

- F. **Maintenance.** Fences and walls shall be maintained in good condition, or otherwise replaced by the property owner. (Ord. 2017-08 §1)

**Findings:** This standard is met subject to a condition of approval. As an ongoing condition of approval, fences and walls shall be maintained in good condition, or otherwise replaced by the property owner.

### 17-3.4.050 Outdoor Lighting

- A. **Purpose.** This section contains regulations requiring adequate levels of outdoor lighting while minimizing negative impacts of light pollution.
- B. **Applicability.** All outdoor lighting shall comply with the standards of this section.
- C. **Standards.**
1. Light poles, except as required by a roadway authority or public safety agency, shall not exceed a height of 20 feet; pedestal- or bollard-style lighting shall be used to illuminate walkways. Flag poles, utility poles, and streetlights are exempt from this requirement.

**Findings:** The Applicant's submitted lighting specifications show no proposed poles over 20 feet in height. This standard is met.

2. Where a light standard is placed over a sidewalk or walkway, a minimum vertical clearance of eight feet shall be maintained.

**Findings:** The Applicant's submitted lighting plan shows no proposed poles over walkways with less than 8 feet of clearance. This standard is met.

3. Outdoor lighting levels shall be subject to review and approval through Site Design Review. As a guideline, lighting levels shall be no greater than necessary to provide for pedestrian safety, property or business identification, and crime prevention.

**Findings:** Outdoor lighting levels are considered as part of the site design review for SDR01-2022.

4. Except as provided for up-lighting of flags and permitted building-mounted signs, all outdoor light fixtures shall be directed downward, and have full cutoff and full shielding to preserve views of the night sky and to minimize excessive light spillover onto adjacent properties.

**Findings:** The Applicant's submitted lighting specifications show fixtures that direct light downwards with cutoff and shielding toward the night sky and adjacent properties. This standard is met.

5. Lighting shall be installed where it will not obstruct public ways, driveways, or walkways.

**Findings:** The Applicant's submitted lighting plan shows that proposed locations do not obstruct public ways, driveways, or walkways. This standard is met.

6. Walkway lighting in private areas shall have a minimum average illumination of not less than 0.2 foot-candles. Lighting along public walkways shall meet the current version of the Public Works Design Standards and AASHTO lighting requirements.

**Findings:** The Applicant's submitted lighting plan shows that all planned walkways have lighting levels greater than 0.2 foot-candles. This standard is met.

7. Active building entrances shall have a minimum average illumination of not less than two foot-candles.

**Findings:** This standard is met subject to a condition of approval. The southern entrance meets this standard. The northern entrance shows lighting levels below 2 foot-candles. As a condition of approval, the applicant shall submit a revised lighting photometrics plan with their building permit authorization showing illumination levels greater than 2 foot-candles for the northern entrance.

8. Surfaces of signs shall have an illumination level of not more than two foot-candles.

**Findings:** The Applicant has not submitted signage with this application. This standard does not apply. Proposed signs will be held to this standard as submitted.

9. Parking lots and outdoor services areas, including quick vehicle service areas, shall have a minimum illumination of not less than 0.2 foot-candles, average illumination of approximately 0.8 foot-candles, and a uniformity ratio (maximum-to-minimum ratio) of not more than 20:1.

**Findings:** This standard is met subject to a condition of approval. From the Applicant's submitted photometrics plan it appears that "Calc Zone #1" refers to the parking lot and outdoor service area. For this zone, the illumination min/max ratio is substantially over 20:1 and the average illumination substantially greater than 1.7 foot-candles. As a condition of approval the Applicant shall submit a revised photometrics plan with their building permit authorizations showing a min/max illumination ratio and average illumination level meeting standards of MMC 17-3.4.050 C, 9 and clearly defining calculation areas.

10. Where illumination grid lighting plans cannot be reviewed or if fixtures do not provide photometrics and bulbs are under 2,000 lumens, use the following guidelines:
  - a. Poles should be no greater in height than four times the distance to the property line.
  - b. Maximum lumen levels should be based on fixture height.
  - c. Private illumination shall not be used to light adjoining public right-of-way.

**Findings:** The Applicant has submitted a photometrics plan. These standards do not apply.

11. Where a light standard is placed within a walkway, an unobstructed pedestrian through zone not less than 48 inches wide shall be maintained.

**Findings:** The Applicant's submitted lighting plan does not include lighting standards within the pedestrian walkway. This standard is met.

12. Lighting subject to this section shall consist of materials approved for outdoor use and shall be installed according to the manufacturer's specifications.

**Findings:** This Applicant's submitted lighting specifications show lighting that are intended for outdoor use. Applicant states in their narrative that they will install lighting to manufacturers specifications. This standard is met.

- D. Permitting. A Type I approval is required to install or replace outdoor lighting. The Planning Official may require lighting as a condition of approval for some projects, pursuant to other Code requirements.

- E. **Maintenance.** For public health and safety, outdoor lighting shall be maintained in good condition, or otherwise replaced by the property owner. (Ord. 2017-08 §1)

**Findings:** These standards are met subject to a condition of approval. As an ongoing condition of approval, all outdoor lighting shall be maintained in good condition, or otherwise replaced by the property owner.

## Chapter 17-3.5 Parking and Loading

### Section 17-3.5.020 Applicability and General Regulations

- A. **Where the Regulations Apply.** The regulations of this chapter apply to all parking areas in all zones, at all times, whether parking is required by this Code or put in for the convenience of property owners or users.
- B. **Occupancy.** All required parking areas must be developed in accordance with the requirements of this Code prior to occupancy of any structure on the subject site. Where landscaping, screening, or other improvements are required pursuant to this Code, all such improvements must be installed and approved by the Planning Official prior to occupancy.

**Findings:** These standards are met subject to a condition of approval. As a condition of approval, all landscaping, parking, lighting, and other improvements shall be installed by the Applicant and approved by the Planning Official prior to occupancy.

- C. **Calculations of Amounts of Required and Allowed Parking.**
  1. When computing parking spaces based on floor area, parking structures and non-leasable floor spaces, such as storage closets, mechanical equipment rooms, and similar spaces, are not counted.
  2. The number of parking spaces is computed based on the primary uses on the site except as stated in subsection C.3. When there are two or more separate primary uses on a site, the minimum and maximum parking for the site is the sum of the required or allowed parking for the individual primary uses. For shared parking, see Section 17-3.5.030.D.
  3. When more than 50 percent of the floor area on a site is in an accessory use, the required or allowed parking is calculated separately for the accessory use. An example would be a 10,000 square foot building with a 7,000 square foot warehouse

and a 3,000 square foot accessory retail area. The minimum and maximum parking would be computed separately for the retail and warehouse uses.

4. Required parking spaces periodically used for the storage of equipment or goods may be counted toward meeting minimum parking standards, provided that such storage is an allowed use under Section 17-2.2.030, and is permitted as a Temporary Use under Section 17-2.3.160.

**Findings:** Parking is considered for the bank use. No parking is required for the drive-through teller window. Parking spaces are intended for temporary vehicle storage uses only.

- D. **Use of Required Parking Spaces.** Except as otherwise provided by this section, required parking spaces must be available for residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for shared parking pursuant to Section 17-3.5.030.D.
- E. **Proximity of Parking to Use.** Required parking spaces for residential uses must be located on the site of the use or on a parcel or tract owned in common by all the owners of the properties that will use the parking area. Required parking spaces for nonresidential uses must be located on the site of the use or in a parking area that has its closest pedestrian access point within 800 feet of the site.

**Findings:** Staff finds that the proposed parking spaces are provided for customers and employees of the site and that the proposed parking lot is on site and closer than 800 ft from primary pedestrian entrances. These standards are met.

- F. **Improvement of Parking Areas.** Motorized vehicle parking is allowed only on streets with an improved shoulder of sufficient width; within garages, carports, and other approved structures; and on driveways or parking lots that have been developed in conformance with this Code. For applicable design standards, see Chapter 17-3.2 Building Orientation and Design; Chapter 17-3.3 Access and Circulation; Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting and Chapter 17-3.6 Public Facilities. (Ord. 2017-08 §1)

**Findings:** There is no proposed parking within the right-of-way. All parking is onsite. This standard is met.

## Section 17-3.5.030 Automobile Parking

- A. **Minimum Number of Off-Street Automobile Parking Spaces.** Except as provided by this subsection A, or as required for Americans with Disabilities Act compliance under



subsection G, off-street parking shall be provided pursuant to one of the following three standards:

1. The standards in Table 17-3.5.030.A;
2. A standard from Table 17-3.5.030.A for a use that the Planning Official determines is similar to the proposed use; or
3. Subsection B Exceptions, which includes a Parking Demand Analysis option.

**Findings:** Staff finds that the Applicant is providing parking for 2,815 SF of retail space. Minimum parking requirements for bank buildings are 1 space per 300 SF. The minimum parking allowance for the site is 9 vehicular stalls. The Applicant's proposal includes 21 vehicular stalls. These standards are met.

#### **B. Carpool and Vanpool Parking Requirements.**

2. Carpool and vanpool parking spaces shall be identified for the following uses:
  - a. New commercial and industrial developments with 50 or more parking spaces;
  - b. New institutional or public assembly uses; and
  - c. Transit park-and-ride facilities with 50 or more parking spaces.
3. Of the total spaces available for employee, student, and commuter parking, at least five percent, but not fewer than two, shall be designated for exclusive carpool and vanpool parking.
4. Carpool and vanpool parking spaces shall be located closer to the main employee, student or commuter entrance than all other parking spaces with the exception of ADA parking spaces.
5. Required carpool/vanpool spaces shall be clearly marked "Reserved—Carpool/Vanpool Only."

**Findings:** The submitted proposal is for a commercial use with fewer than 50 parking spaces. No carpool or vanpool spaces have been proposed. This standard does not apply.

#### **C. Exceptions and Reductions to Off-Street Parking.**

1. There is no minimum number of required automobile parking spaces for uses within the Central Commercial C-1 zone.
2. The applicant may propose a parking standard that is different than the standard under subsections A.1 and 2, for review and action by the Planning Official through a Type I or II procedure. The applicant's proposal shall consist of a written request and a parking analysis prepared by a qualified professional. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site;

opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent bus service, carpools, or private shuttles; and other relevant factors. This parking analysis applies to a request in the reduction or an increase in parking ratios.

**Findings:** The Applicant requested a parking adjustment in their response to subsection D but did not submit a parking analysis by a qualified professional. Staff cannot process the request as submitted. See response to subsection D below for additional details.

**D. Maximum Number of Off-Street Automobile Parking Spaces.** The maximum number of off-street automobile parking spaces allowed per site equals the minimum number of required spaces for the use pursuant to Table 17-3.5.030.A, times a factor of:

1. 1.2 spaces for uses fronting a street with adjacent on-street parking spaces; or
2. 1.5 spaces, for uses fronting no street with adjacent on-street parking; or
3. A factor based on applicant's projected parking demand, subject to City approval.

**Findings:** Staff finds that the proposal has no available adjacent on-street parking, which allows for a maximum number of parking stalls that is 1.5x minimum requirements. Maximum parking standards for the proposed development are 1.5x the minimum standard or 14 vehicular stalls. The Applicant proposed 21 vehicular stalls; 7 (seven) more spaces than are allowed by the maximum parking standard. The Applicant submitted a request to adjust the maximum standard but did not submit a parking analysis with this request subject to MMC 17-3.5.030 that would provide justification for increasing the standard.

Staff hereby refers this question to the Planning Commission and advises five potential options to consider:

1. Approve the modification as written
2. Approve the project with a condition that the Applicant reduce the number of onsite parking spaces to meet the maximum standard.
3. Approve the project with a condition that the Applicant submit a separate submission subject to the requirements MMC 17-3.5.030 C requesting an increase in the parking standard.
4. Condition that the Applicant either do Option 2 OR 3.
5. Deny the project based on not meeting the standard.

Staff's recommendation would be for Option 4, which provides the most flexibility while still adhering to the guidelines of the code.

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

**Findings:** The Applicant has not requested any shared parking arrangements. This standard does not apply.

- F. **Parking Stall Design and Minimum Dimensions.** Where a new off-street parking area is proposed, or an existing off-street parking area is proposed for expansion, the entire parking area shall be improved in conformance with this Code. At a minimum the parking spaces and drive aisles shall be paved with asphalt, concrete, or other City-approved materials, provided the Americans with Disabilities Act requirements are met, and shall conform to the minimum dimensions in Table 17-3.5.030.F and the figures below. All off-street parking areas shall contain wheel stops, perimeter curbing, bollards, or other edging as required to prevent vehicles from damaging buildings or encroaching into walkways, sidewalks, landscapes, or the public right-of-way. Parking areas shall also provide for surface water management, pursuant to Section 17-3.6.050.

**Findings:** All proposed stalls are at a 90 degree angle from the drive aisle. MMC Table 17-3.5.030 F requires that 90 degree angled spaces, as proposed, have at least:

18' stall depth.

8.5' stall curb width

30' drive aisle (2 way).

The Applicant's submitted site plan shows 18' stall depths, 9' stall widths, and a 23' drive aisle. This standard is met.

- G. **Adjustments to Parking Area Dimensions.** The dimensions in subsection E are minimum standards. The Planning Official, through a Type II procedure, may adjust the dimensions based on evidence that a particular use will require more or less maneuvering area. For example, the Planning Official may approve an adjustment where an attendant will be present to move vehicles, as with valet parking. In such cases, a form of guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation.

**Findings:** The Applicant has not requested any modifications to parking area dimensions and Staff finds that no adjustments are necessary to meet compliance with this code. This standard does not apply.

H. **Americans with Disabilities Act (ADA).** Parking shall be provided consistent with ADA requirements, including, but not limited to, the minimum number of spaces for automobiles, van-accessible spaces, location of spaces relative to building entrances, accessible routes between parking areas and building entrances, identification signs, lighting, and other design and construction requirements.

**Findings:** This standard is met subject to a condition of approval. As a condition of approval, parking shall be provided consistent with ADA requirements.

I. **Electric Charging Stations.** Charging stations for electric vehicles are allowed as an accessory use to parking areas developed in conformance with this Code, provided the charging station complies with applicable building codes and any applicable state or federal requirements.

**Findings:** No electric charging stations are proposed. This standard does not apply.

### 17-3.5.040 Bicycle Parking

A. **Standards.** Bicycle parking spaces shall be provided with new development and, where a change of use occurs, at a minimum, shall follow the standards in Table 17-3.5.040.A. Where an application is subject to Conditional Use Permit approval or the applicant has requested a reduction to an automobile-parking standard, pursuant to Section 17-3.5.030.C, the Planning Official may require bicycle parking spaces in addition to those in Table 17-3.5.040.A.

B. **Design.** Bicycle parking shall consist of staple-design steel racks or other City-approved racks, lockers, or storage lids providing a safe and secure means of storing a bicycle, consistent with the Public Works Design Standards.

C. **Exemptions.** This section does not apply to single-family and duplex housing, home occupations, and agricultural uses.

D. **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians or vehicles and shall be located to not conflict with the vision clearance standards of Section 17-3.3.030.G.

**Findings:** These standards are met subject to a condition of approval. The Applicant's submitted site plan shows staple racks near the entrance on the south side of the building. The proposed location is out of the way of pedestrian and vehicular traffic and does not block vision clearance areas. The shown design apparently meets the requirement of one rack per 5 vehicular spaces but the number of racks is not specified. Additionally, given other conditions within this Staff Report, the number of provided onsite parking spaces may change. As a condition of approval, Per table 17-3.040.A the Applicant shall identify bicycle parking spaces on their building permit authorization showing that a minimum of one stall per 5 vehicular stalls provided.

### 17-3.5.040 Loading Areas

- A. **Purpose.** The purpose of Section 17-3.5.050 is to provide adequate loading areas for commercial and industrial uses that do not interfere with the operation of adjacent streets.
- B. **Applicability.** Section 17-3.5.050 applies to uses that are expected to have service or delivery truck visits. It applies only to uses visited by trucks with a 40-foot or longer wheelbase, at a frequency of one or more vehicles per week. The Planning Official shall determine through a Type I review the number, size, and location of required loading areas, if any.
- C. **Standard.** Where an off-street loading space is required, it shall be large enough to accommodate the largest vehicle that is expected to serve the use without obstructing vehicles or pedestrian traffic on adjacent streets and driveways. The Planning Official may restrict the use of other public rights-of-way, so applicants are advised to provide complete and accurate information about the potential need for loading spaces.
- D. **Placement, Setbacks, and Landscaping.** Loading areas shall conform to the standards of Chapter 17-3.2 Building Orientation and Design; Chapter 17-3.3 Access and Circulation; and Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting. Where parking areas are prohibited between a building and the street, loading areas are also prohibited.
- E. **Exceptions and Adjustments.** The Planning Official, through a Type I Review, may approve a loading area adjacent to or within a street right-of-way where it finds that loading and unloading operations are short in duration (i.e., less than one hour), infrequent, do not obstruct traffic during peak traffic hours, do not interfere with emergency response services, and are acceptable to the applicable roadway authority. (Ord. 2017-08 §1)

**Findings:** The Applicant has not proposed loading areas with this application. These standards do not apply.

## Chapter 17-3.6 Public Facilities

### 17-3.6.020 Transportation Standards

**Findings:** Transportation standards are met subject to conditions of approval.

1. The Applicant submitted a Traffic Impact Analysis analyzing all warrants for the OR-211 and Leroy Ave Intersection. The Applicant's submitted Traffic Impact Analysis for the proposed development has been analyzed and accepted by the City and ODOT. The Proposed development does not meet signal threshold at the OR 211/Leroy intersection and therefore no signal improvements have been recommended or approved by ODOT.
2. OR 211 (W Main Street): OR 211 (W Main Street) is an arterial street under Oregon Department of Transportation (ODOT) jurisdiction. Applicant will be required to relocate existing east access on the west side of the property, as proposed, and take access from a shared connection off OR 211 (W Main Street) between the subject site and the commercial development to the east. Driveway access shall extend to the southern edge of the parcel and connect to adjacent Multi-Family development and other points west within the Cascade Center Development.
3. Access to the State highway is regulated by OAR 734.51. Applicant is required to obtain a State Highway Approach Road Permit and obtain permits for work in the ODOT right of way.
4. Right-of-way Dedications/Donations: Sufficient right-of-way and frontage improvements exist fronting the proposed development. No additional frontage improvements or dedications are required.
5. Access to public streets shall be limited to the location identified on the application materials or as required by ODOT. All accesses shall be constructed in such a manner as to eliminate turning conflicts. The proposed width for access shall meet ODOT requirements.
6. Roadway lighting is required on all new development. Applicant shall be required to install roadway lighting. Location and number shall be determined during design review (MMC 17-3.6.020).

### 17-3.6.030 Public Use Areas

**Findings:** No public use areas are proposed with this application. These standards do not apply.

### 17-3.6.040 Sanitary Sewer and Water Service Improvements

#### Sanitary:

A 8-inch sanitary main exists on the west side of the property within City Utility Easement. Sanitary main is 9 feet deep near proposed Lot and will serve the site and some development to the south by gravity system. II. In the event the Cascade Place project (see Molalla Planning File SDR04-2021) does not move forward, Applicant will be required to extend the sewer stub-in to Cascade Center on the west side of the property to the southern edge of the property and dedicate a 15-foot-wide sewer line easement per City requirements. Applicant will be required to connect to sewer along the aforementioned extended sewer main.

#### Water:

Project will be required to connect to 8-inch main from existing water stub in to Cascade Center on the west side of the property and provide new Fire Hydrant on W Main Street (HWY 211) meeting fire code spacing and to Molalla Public Works Standards. Project will be required to connect to 8-inch main from existing water stub in to Cascade Center on the west side of the property and provide new Fire Hydrant on W Main Street (HWY 211) meeting fire code spacing and to Molalla Public Works Standards. In the event the Cascade Place project (see Molalla Planning File SDR04-2021) does not move forward, Applicant will be required to extend the water stub-in to Cascade Center on the west side of the property to the southern edge of the property and dedicate a 15-foot-wide water line easement per City requirements.

Should Fire Department regulations require additional fire flow that results in looping the water line through the site, then applicants engineer shall coordinate with Public Works for the extension of a public water line, and dedication of easements.

### 17-3.6.050 Storm Drainage and Surface Water Management Facilities

**Findings:** Applicant proposes to collect and detain all stormwater onsite and shall connect to Storm Utility Extension within the Cascade Center Development. In the event the Cascade Place project (see Molalla Planning File SDR04-2021) does not move forward, Applicant will be required to extend the storm stub-in to Cascade Center on the west side of the property to the southern edge of the property.

Any storm connection to ODOT right of way shall meet ODOTs requirements. Onsite private storm system shall comply with plumbing code requirements. The detention and flow control facilities shall be reviewed, permitted, and inspected by Public Works. The onsite storm conveyance system shall be reviewed and inspected by Clackamas County Building under a plumbing permit, in Accordance with MMC 13.13 Surface Water Management.

### **17-3.6.060 Utilities**

**Findings:** Utilities standards are met subject to a condition of approval. All utilities to the project shall be served underground services. No overhead crossings of public right of way shall be approved by the city.

### **17-3.6.070 Easements**

**Findings:** Cross access easements between the subject parcels and parcels to the east and west. The Applicant will be required to dedicate 15' water and sewer easements to extend the water and sewer mains on the west side of the property to the southern edge of the site.

### **17-3.6.80 Construction Plan Approval**

**Findings:** Construction Plan Approval standards are met subject to conditions of approval. From the materials submitted, it appears that the storm drain, domestic water, and sanitary sewer facilities will be obtained from main line connections and/or extensions. Separate engineering drawings reflecting the installation of public utilities will be required. Civil plans must be accepted prior to building permit authorization by the City. All public improvements shall be completed and accepted by the Public Works Department prior to issuance of any occupancy. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, bonding, right-of-way and easements have been obtained and approved by staff.

For commercial and industrial development projects, no building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provision of the Code and the Public Works Design Standards in accordance with MMC 17-3.6 Public Facilities. All public facilities shall be completed and accepted by the Public Works Department prior to issuance of final occupancy.

City of Molalla Construction plan approval requirements include:



- A. Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements if additional modifications or expansion of the sight distance onto adjacent streets is required.
- B. All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Molalla Public Work's Standards.
- C. All survey monuments on the subject site or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated, or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
- D. Plans submitted for review shall meet the requirements described in Section 1 of the Molalla Standard Specifications for Public Works Construction.
- E. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards and supply the City with a copy of the final document.
- F. All public improvement designs shall meet the requirements of the Molalla Standard Specifications for Public Works Construction as amended by the Community Development Director.
- G. General Erosion Control – The applicant shall install, operate, and maintain adequate erosion control measures in conformance with the standards adopted by the City of Molalla and DEQ during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed. Applicant or Applicant's Contractor shall be responsible for all erosion control requirements under the 1200-C permit and shall coordinate directly with DEQ for questions related to 1200-C permit compliance.

- E. For non-residential uses, all adverse impacts to adjacent properties, such as light, glare, noise, odor, vibration, smoke, dust, or visual impact, are avoided; or where impacts cannot be avoided, they are minimized; and

**Findings:** The proposed bank and drive-through window uses are not anticipated to create adverse impacts to adjacent properties, which are also commercial uses. The Applicant has proposed vegetative screening on all property borders adjacent to existing uses to prevent headlight glare from the parking lot.

- F. The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable. Note: Compliance with other City codes and requirements, though not applicable land use standards, may be required prior to issuance of building permits. (Ord. 2017-08 §1)

**Findings:** This application is preceded by the Cascade Center Subdivision, Molalla Planning File DRW01-2019. All conditions from this project are met.

**Exhibit B:**

*Findings of Fact for CUP02-2022*

## 17-4.4.040 Criteria, Standards, and Conditions of Approval

**Findings:** The Applicant's submitted application included a proposed drive through window, which met the criteria for an outdoor per MMC 17-2.2.030 Allowed Uses H Outdoor Uses and Unenclosed Activities. Outdoor uses and unenclosed activities require a conditional use permit. The Applicant's conditional use permit may be granted approval in conjunction with the site design review. Applicable criteria for inclusion and staff responses are as follows:

The Planning Commission shall approve, approve with conditions, or deny an application for a conditional use, including requests to enlarge or alter a conditional use, based on findings of fact with respect to all of the criteria and standards in subsections A and B.

### A. Use Criteria.

1. The site size, dimensions, location, topography, and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;

**Findings:** The Applicant's proposed design met all applicable zoning and design criteria subject to the conditions found in Exhibit A of this staff report. Staff finds the site suitable for the proposed development.

2. The negative impacts of the proposed use, if any, on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval;

**Findings:** The Applicant has proposed vegetative screening between vehicle maneuvering areas and parking areas and adjacent properties to limit impacts of glare. The Applicant submitted a Traffic Impact Analysis showing that the proposed development would not cause substantial stress to existing roadways and intersections. Staff does not anticipate additional impacts from this use but recommends "as necessary" review after one year of issuance of this conditional use permit to address concerns that may arise within the community.

3. All required public facilities, including water, sanitary sewer, and streets, have adequate capacity or are to be improved to serve the proposal, consistent with City standards; and

**Findings:** The Applicant's proposed public improvements met all applicable criteria for utilities and streets subject to the conditions found in Exhibit A of this staff report.

4. A conditional use permit shall not allow a use that is prohibited or not expressly allowed under Division II; nor shall a conditional use permit grant a variance without a variance application being reviewed with the conditional use application.

**Findings:** The Applicant's proposed use of a credit union bank (retail sales and services) is an allowed use under MMC Chapter 17, Division II within the General Commercial, C-2 zone.

- B. **Conditions of Approval.** The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, one or more of the following:

**Findings:** The subject property is surrounded by general commercial (C-2) zoned land and Staff does not anticipate that the proposed unenclosed drive through window uses will create adverse effects on existing land uses that would require additional mitigation to conditions required through the site design review process (Exhibit B) and mitigation measures proposed by the Applicant.

**Exhibit C:**

*Consolidated Application Package For SDR01-  
2022 and CUP03-2022*



**Planning & Community Development**  
 315 N. Kennel Avenue  
 Molalla, OR. 97038  
 (503) 759-0205

communityplanner@cityofmolalla.com

<i>FOR OFFICE USE ONLY:</i>	
Planning File No. : _____	City Approval: _____
Date Received: _____	Title: _____
_____ Fee: _____	Date: _____
Land Use Type: II	Fee Paid: _____
Received by: _____	

## APPLICATION FOR LAND USE ACTION

**Type of Land Use Action Requested: (check all that apply)**

- Annexation
- Plan Amendment (Proposed Zone \_\_\_\_\_)
- Planned Unit Development
- Site Design Review
- Variance (list standards to be varied in description)
- Conditional Use
- Partition (# of lots \_\_\_\_\_)
- Subdivision (# of lots \_\_\_\_\_)
- Other: \_\_\_\_\_

**Owner/Applicant:**

Applicant: Clackamas Federal Credit Union / Contact Warren Lenox - 503-656-0671 x 3009 Phone: \_\_\_\_\_

Applicant Address: 15045 SE McLoughlin Blvd, Oak Grove, Oregon 97267 / warren.lenox@clackamasfcu.org

Owner: \_\_\_\_\_ Phone: \_\_\_\_\_

Owner Address: \_\_\_\_\_ Email: \_\_\_\_\_

Contact for additional info: Land Use Application Contact: Will Grimm, Land Use Planner, First Forty Feet LLC. 802-595-9448 / will@firstfortyfeet.com.

**Property Information:**

Address: Parcel D of Cascade Center / West Main Street

Assessors Map/Taxlot #: Tax Lot 5000 / Tax Map 52E08C

Current Use of Site: Undeveloped Grasslands Zoning Designation: General Commercial (C-2)

Intended Use: Retail Sales and Service

**Proposed Action:**

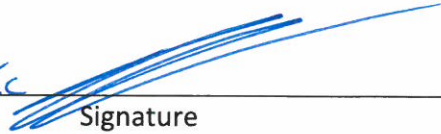
Proposed Use: The proposed development scope will be a 2,815 SF Clackamas Federal Credit Union Bank branch with drive through teller.

Proposed No. of Phases (one each year): 1

**Authorizing Signatures:**

*I hereby certify that the information on this application and attachments are correct and that the property affected by this application is in the exclusive ownership or control of the applicant, or that the applicant has the consent of all partners in ownership of the affected property. An authorization letter from the property owner has been attached in the event that the owner's signature has not been provided below.*

**Property Owner(s):**

Cascade Center Mobilia, LLC  as member  
Print or Type Signature

\_\_\_\_\_  
Print or Type Signature

**Applicant(s) or Authorized Agent:**

\_\_\_\_\_  
Print or Type Signature

\_\_\_\_\_  
Print or Type Signature

**The following materials must be submitted with your application or it will not be accepted at the counter.** Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review. Applicant can verify submittal includes specific materials necessary for the application per checklist.

- 3 Copies of Application Form\*** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc.
- At least 3 folded** sets of plans\*
- At least 3 copies** of narrative addressing application criteria\*
- Fee** (along with calculations utilized to determine fee if applicable)

**\*Please Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.



# *Land Use Application*

## **PROJECT NARRATIVE: *Clackamas Federal Credit Union***

Date: January 25, 2022

### **Applicant:**

Clackamas Federal Credit Union  
15045 SE McLoughlin Blvd  
Oak Grove, Oregon 97267  
Contact: Warren Lenox  
Warren.lenox@clackamasfcu.org

### **Development Location:**

Parcel D of Cascade Center  
720 West Main Street

### **Prepared for:**

City of Molalla  
117 N. Molalla Ave  
Molalla, Oregon 97038  
503-829-6855

### **Prepared by:**

First Forty Feet  
1716 SE 29<sup>th</sup> Ave  
Portland, Oregon 97214  
Contact: Will Grimm, [will@firstfortyfeet.com](mailto:will@firstfortyfeet.com)  
Phone - 802-595-9448

### ***In collaboration with:***

Mildren Design Group  
4875 SW Griffith Drive, Suite 300  
Beaverton, Oregon 97005  
Jeff Wilder - [jeff@mdgpc.com](mailto:jeff@mdgpc.com)  
Phone - 503-244-0552

**PROJECT SUMMARY**

The proposed development scope will be a 2,815 SF Clackamas Federal Credit Union Bank branch with drive through teller. The bank branch will include financial and banking services, including member services, tellers, private offices, and lounge spaces. The project anticipates new street improvements along the South and East property boundary with the goal to develop a network of street connectivity. The eastern access has been approved and expect to shared future access with adjacent property owners.

**The project is requesting a Conditional Use for a drive-through service bank teller.**

**The project is requesting a modification to the maximum parking code provision.**

**LOT DESCRIPTION**

Tax Lot 5000 / Tax Map 52E08C  
Lot 720

**EXISTING CONDITIONS**

The property is undeveloped grasslands within the growing Cascade Center, currently fronting the Oregon State Highway -211 or Woodburn Estacada Highway.

**ZONING**

Parcel D of Cascade Center  
• General Commercial (C-2)

**SITE DESIGN**

Existing Area: 114,127 SF or 2.62 Acres  
Proposed Site Area: 39,204 SF or 0.90 Acres  
Total Building Footprint: 2,815 SF  
Building Coverage: 2,815 SF / 39,204 SF (Site, 0.9 Ac) = 7.18%  
Impervious Area Coverage: 2,815 SF (Bldg) + 21,522 SF = 24,337 SF / 39,204 SF = 62%  
Landscaped Coverage: 39,204 SF - 24,337 SF = 14,867 SF / 39,204 SF = 38%  
Overall Building Heights: 22'-0"  
Construction: III-B  
Occupancy: B  
Proposed Parking: 20 standard vehicle parking stalls, 1 ADA accessible parking stall.



Zoning Map - C-2



Aerial Map

## APPLICABLE CODE CRITERIA

### Title 17 Development Code

Chapter 17, Division 2  
Section 17-2.2.030 Allowed Uses  
Section 17-2.2.040 Lot and Development Standards  
Section 17-2.3.050 Drive-Through Service

Chapter 17, Division 3  
Section 17-3.2.040 Non-Residential Buildings  
Section 17-3.2.060 Drive-Up and Drive-Through Uses and Facilities  
Chapter 17-3.3 Access and Circulation  
Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting,  
Chapter 17-3.5 Parking and Loading  
Chapter 17-3.6 Public Facilities

Chapter 17, Division 4  
Section 17-4.1.040 A Type III Procedure Submittal Information  
Section 17-4.2.040 (Site Design Review) Submission Requirements  
Section 17-4.2.050 (Site Design Review)  
Section 17-4.4.030 (Conditional Use Permit) Application Submission Requirements  
Section 17-4.4.040 A (Conditional Use Permit) Use Criteria

### 17-2.2.030 ALLOWED USES

A. **Uses Allowed in Base Zones.** Allowed uses include those that are permitted, those that are permitted subject to special use standards, and those that are allowed subject to approval of a conditional use permit, as identified by Table 17-2.2.030. Allowed uses fall into four general categories: Residential, Public and Institutional, Commercial, and Other. If Table 17-2.2.030 does not list a specific use, and Division V Definitions does not identify the use or include it as an example of an allowed use, the City may find that use is allowed, or is not allowed, by following the procedures of Section 17-1.5.010 Code Interpretations. Uses not listed in Table 17-2.2.030 and not found to be similar to an allowed use are prohibited.

H. **Outdoor Uses and Unenclosed Activities.** Notwithstanding the provisions of Table 17-2.2.030, any use, except for an allowed accessory use, that occurs primarily outside (i.e., not within a permitted building) requires a Conditional Use Permit under Chapter 17-4.4. Examples of outdoor uses and unenclosed activities that may or may not be considered accessory uses, depending on their location and size relative to other uses on the same property, include, but are not limited to, automotive services, vehicle and equipment repair, fueling, drive-in restaurants, drive-up windows and similar drive-through facilities, automatic teller machines, kiosks, outdoor assembly and theaters, outdoor markets, and similar uses.

Bars and Taverns (those established after 2010 shall not be located within 500 feet of another bar or tavern)	N	N	N	N	CU	CU	CU	N	N	
Bed and Breakfast Inn	N	S/CU	S/CU	S/CU	S/CU	N	N	N	N	Ch. 17-2.3
Breweries, Distilleries and Wineries (Small Scale)	N	N	N	N	S	S	S	S	N	Ch. 17-2.3
Commercial Retail Sales and Services	N	N	N	N	P	P	N	N	N	
Commercial Retail Sales and Services, in Conjunction with a Permitted Industrial Use, as an accessory use	N	N	N	N	N	P	P	P	N	
Customer Call Center	N	N	N	N	P	P	P	CU	N	
Drive-Through Service, accessory to primary use, not including restaurants	N	N	N	N	N	S/CU	N	N	N	Ch. 17-2.3
Hotels, Motels, and Similar Overnight Accommodations	N	N	N	N	P	P	N	N	N	
Kennel (See also "Veterinary Clinic")	N	N	N	N	N	N	P	P	N	
Lumber Yard and Similar Sales of Building or Contracting Supplies, or Heavy Equipment	N	N	N	N	N	N	P	P	N	
Medical Clinic, Outpatient	N	N	N	N	P	P	N	N	N	
Medical or Recreational Marijuana Dispensary	N	N	N	N	S	S	N	N	N	
Mobile Food Units, Permanent	N	N	N	N	S	S	S	N	N	Ch. 17-2.3
Mobile Food Units, Temporary	N	N	N	N	N	S	S	S	N	Ch. 17-2.3
Offices	N	N	N	N	P	P	P	CU	N	
Recreational Vehicle Park	N	N	N	N	N	N	N	N	N	
Self-Service Storage, Commercial	N	N	N	N	N	P	P	CU	N	

Table 17-2.2.030 Uses Allowed by Zoning District

**Response:** The proposed development is considered C. Commercial Uses--Commercial Retail Sales and Services. This use is permitted outright. The development also has a component of Office as a permitted use and Drive-through service as an accessory to the primary use.

**17-2.2.040 LOT AND DEVELOPMENT STANDARDS**

Standard	C Zones
<b>Minimum Lot Area (square feet)</b> *Development must conform to lot width, depth, yard setback, and coverage standards.	None
<b>Minimum Lot Width and Depth</b>	None
<b>Building and Structure Height</b>	
<u>Standard</u> maximum height	55 ft
* <u>Height Increase</u> . The City may increase the standard height, above, for specific projects with approval of a Conditional Use Permit (CUP), per Chapter 17-4.4.]	Yes
<b>Fences and Non-Building Walls</b>	
Maximum Height – Front Yard	4 ft
Maximum Height – Interior Side	6 ft
Maximum Height – Rear Yard	6 ft
Maximum Height – Street-Side or Reverse Frontage Lot (rear) (See also Section 17-3.4.040.)	4 ft, or 6 ft with 5 ft landscape buffer
<b>Lot Coverage</b> . Maximum Lot Coverage (foundation plane as % of site area)	100%
<b>Minimum Landscape Area (% site area)</b> , includes required parking lot landscaping and any required screening. This standard does not apply to individual, detached single-family dwellings. Landscape area may include street trees and civic space improvements in some zones, per Sections 17-3.2.050 and 17-3.4.030.	5%

Table 17-2.2.040.D Lot and Development Standards for Non-Residential Zones

Standard	C Zones
<p><b>Minimum Setback Yards (feet):</b> (See also Section 17-2.2.050)</p> <p><u>Front, Street-Side, Interior Side, and Rear</u> property lines, except garage or carport, or as required by other code provisions</p> <p><u>Garage or Carport Entry</u>, set back from street</p> <p><u>Alley</u></p> <p><u>Adjacent to R Districts</u></p>	<p>0 ft</p> <p>20 ft</p> <p>3 ft</p> <p>10 ft</p>
<p><b>Build-To Line (feet):</b></p> <p><u>New Buildings Only:</u> At least one primary building entrance shall be built no farther from the street right-of-way than the build-to line; except where a greater setback is required for a Planned Street Improvement, then the build-to line increases proportionately. The build-to line may also be increased through Site Design Review when pedestrian amenities are provided between a primary building entrance and the street right-of-way. To avoid encroachment into the right-of-way, doorways are not required to be flush with the build-to line.</p>	<p>0 ft; may be increased when pedestrian amenities are provided between a primary building entrance and street</p>
<p><b>Special Setback for Planned Street Improvements:</b> Except as waived by the City Engineer, new structures or additions on lots abutting an existing public street that does not meet the right-of-way stand sufficient to allow for the future planned right-of-way, plus the minimum required yard setback.</p>	

Table 2.2.040.E Lot and Development for Non-Residential Zones

**Response:** The building height varies along the elevation, ranging from 20'-0" to 22'-0". The site does not require minimum lot area or lot width and depth. The proposed landscape area is greater than 5% of site area. Details provided under Section 17-3.2.050 and 17-3.4.030.

The setback dimensions are as follows:

- Front: 150'-0"
- Street-side: 31'-6"
- Interior-side: 56'-6"
- Rear: 44'-0"

**Response:** The standards of the OR-211 State Highway precludes development at the build-to-line. The south elevation is considered the main pedestrian entry due to the nature of development where most visitors will be traveling by vehicle. The proposal has provided two areas of pedestrian amenities between the primary building entry and the future street.

**17-2.3.050 DRIVE-THROUGH SERVICES**

Drive-through service uses shall comply with the design standards of Section 17-3.2.060.

**Response:** The drive-up and drive-through facility is oriented to receive vehicles from two access points and common driveway from an internal drive isle. One access point from the south/southwest section of the property and second from the east/southeast section of the property. The drive-up teller is located away from the street corner and a sufficient distance from the street right-of-way (access easement) to avoid queuing into the future street right-of-way. The proposed site design ensures queuing vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk. Please see Section 17-3.2.060 for further narrative and details.

### 17-3.2.040 NON-RESIDENTIAL BUILDINGS

A. Purpose and Applicability. The following requirements apply to non-residential development, including individual buildings and developments with multiple buildings such as shopping centers, office complexes, mixed-use developments, and institutional campuses. The standards are intended to create and maintain a built environment that is conducive to pedestrian accessibility, reducing dependency on the automobile for short trips, while providing civic space for employees and customers, supporting natural surveillance of public spaces, and creating human-scale design. The standards require buildings placed close to streets, with storefront windows (where applicable), with large building walls divided into smaller planes, and with architectural detailing.

**Response:** The proposed site design establishes pedestrian accessibility and continuity to promote safe and convenient ease of movement. The proposal provides an entry plaza on the north and south side of the building with direct connections to the right-of-way through a pedestrian walkway connecting Woodburn Estacada Hwy (OR 211) to the main entry of the building. The building proposes large transparent storefronts along the north face and south face of the building that will provide natural surveillance of public spaces and create human scale design. The building has been divided into smaller planes and volumes to avoid monothetic architectural expression.

B. Building Orientation. The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

1. Buildings subject to this section shall conform to the applicable build-to line standard in Table 17-2.2.040.E, as generally illustrated in Figure 17-3.2-6. The standard is met when at least 50 percent of the abutting street frontage has a building placed no farther from at least one street property line than the build-to line in Table 17-2.2.040.E; except in the Central Commercial C-1 zone, at least 80 percent of the abutting street frontage shall have a building placed no farther from at least one street property line than the required build-to-line.

The Planning Official, through Site Design Review, may waive the build to line standard where it finds that one or more of the conditions in subdivisions a through g occurs.

- o A proposed building is adjacent to a single-family dwelling, and an increased setback promotes compatibility with the adjacent dwelling.
- o The standards of the roadway authority preclude development at the build-to line.

- The applicant proposes extending an adjacent sidewalk or plaza for public use, or some other pedestrian amenity is proposed to be placed between the building and public right-of-way, pursuant to Section 17-3.2.050 and subject to Site Design Review approval.
- The build-to line may be increased to provide a private open space (e.g., landscaped forecourt), pursuant to Section 17-3.2.050, between a residential use in a mixed-use development (e.g., live-work building with ground floor residence) and a front or street property line.
- A significant tree or other environmental feature precludes strict adherence to the standard and will be retained and incorporated in the design of the project.
- A public utility easement or similar restricting legal condition that is outside the applicant's control makes conformance with the build-to line impracticable. In this case, the building shall instead be placed as close to the street as possible given the legal constraint, and pedestrian amenities (e.g., plaza, courtyard, landscaping, outdoor seating area, etc.) shall be provided within the street setback in said location pursuant to Section 17-3.2.050.
- An existing building that was lawfully created but does not conform to the above standard is proposed to be expanded and compliance with this standard is not practicable.

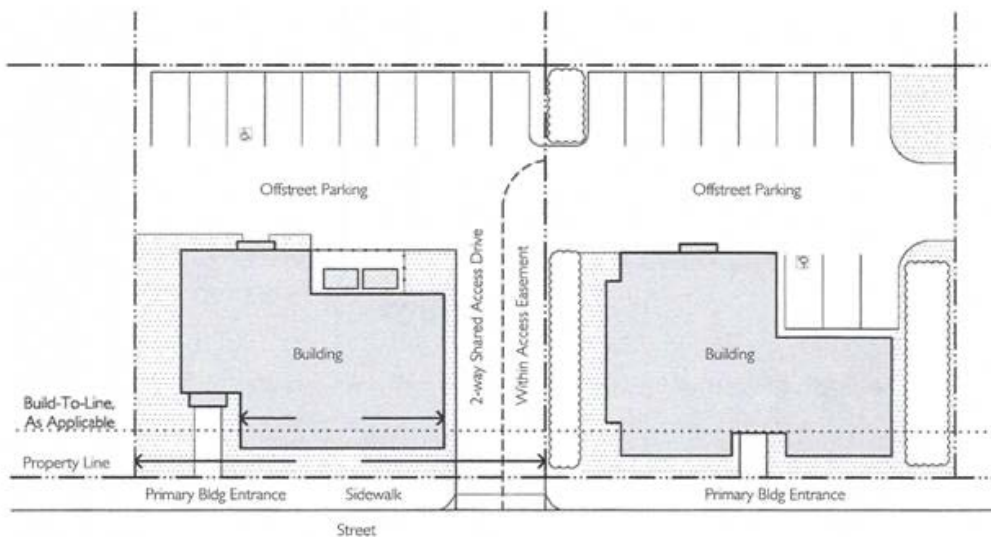


Figure 17-3.2-6 Non-Residential Building Orientation

**Response:** The standards of the OR-211 State Highway precludes development at the build-to-line. The south elevation is considered the main pedestrian entry due to the nature of development where most visitors will be traveling by vehicle. The proposal has provided two areas of pedestrian amenities between the primary building entry and the future street.



2. Except as provided in subsections C.5 and 6, all buildings shall have at least one primary entrance (i.e., tenant entrance, lobby entrance, breezeway entrance, or courtyard entrance) facing an abutting street (i.e., within 45 degrees of the street property line); or if the building entrance must be turned more than 45 degrees from the street (i.e., front door is on a side or rear elevation) due to the configuration of the site or similar constraints, a pedestrian walkway must connect the primary entrance to the sidewalk in conformance with Section 17-3.3.040.

**Response:** The south elevation is considered the main pedestrian entry due to the nature of development where most visitors will be traveling by vehicle. The proposal has provided two areas of pedestrian amenities between the primary building entry and the future street.

3. Off-street parking, trash storage facilities, and ground-level utilities (e.g., utility vaults), and similar obstructions shall not be placed between building entrances and the street(s) to which they are oriented. To the extent practicable, such facilities shall be oriented internally to the block and accessed by alleys or driveways.

**Response:** Off-street parking has been located along the eastside of the development to hide vehicle parking from view of major arterial streets and pedestrian walkways. The trash storage facilities have been located within two parking bays along the south to allow easy access for service trucks and not to interrupt banking operations.

4. Off-street parking shall be oriented internally to the site to the extent practicable and shall meet the Access and Circulation requirements of Chapter 17-3.3, the Landscape and Screening requirements of Chapter 17-3.4, and the Parking and Loading requirements of Chapter 17-3.5.

**Response:** All off-street parking has been oriented internally to the site as much as possible, located along the east and south property boundary.

D. Primary Entrances and Windows. The following standards, as generally illustrated in Figures 17-3.2-8 and 17.3.2-9, apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

1. All Elevations of Building. Architectural designs shall address all elevations of a building. Building forms, detailing, materials, textures, and color shall contribute to a unified design with architectural integrity. Materials used on the front façade must turn the building corners and include at least a portion of the

side elevations, consistent with the overall composition and design integrity of the building.

**Response:** All elevations of the building have been designed to address each face with each façade having equal weight of form, detailing, material, color, and texture.

2. Pedestrian Entrances. Ground level entrances oriented to a street shall be at least partly transparent for natural surveillance and to encourage an inviting and successful business environment. This standard may be met by providing a door with a window or windows, a transom window above the door, or sidelights beside the door. Where ATMs or other kiosks are proposed on any street-facing elevation, they shall be visible from the street for security and have a canopy, awning, or other weather protection shelter.

**Response:** Pedestrian entry proposes a transparent storefront system to provide clear view and natural surveillance of the property. The entry also provides an inviting business environment through an entry plaza, pedestrian seating, and stormwater gardens.

4. Street Level Entrances. All primary building entrances shall open to the sidewalk and shall conform to Americans with Disabilities Act (ADA) requirements, as applicable. Primary entrances above or below grade may be allowed where ADA accessibility is provided.

**Response:** The street level entrance opens to the sidewalk and conforms with ADA requirements, providing a clear 5' width to allow turning and maneuvering.

5. Windows—General. Except as approved for parking structures or accessory structures, the front/street-facing elevations of buildings shall provide display windows, windowed doors, and where applicable, transom windows to express a storefront character.

**Response:** The building's windows have been designed to provide natural daylight throughout the interior of the space while offering a variety of glazing openings and expressing character with large storefront systems.

6. Storefront Windows. Storefront windows shall consist of framed picture or bay windows, which may be recessed. Framing shall consist of trim detailing such as piers or pilasters (sides), lintels or hoods (tops), and kick plates or bulkheads (base)—or similar detailing—consistent with a storefront character. The ground floor, street-facing elevation(s) of all buildings shall comprise at least 60 percent transparent windows, measured as a section extending the width of the street-facing elevation between the building base (or 30 inches above the

sidewalk grade, whichever is less) and a plane 72 inches above the sidewalk grade.

**Response:** The ground floor street-facing storefront windows (north and south elevations) propose abundant transparent glazing measured from the ground up to 72" above the sidewalk. The window system consists of framed extruded aluminum and detailing consistent with storefront character.

9. Side and Rear Elevation Windows. All side and rear elevations, except for zero lot line or common wall elevations, where windows are not required, shall provide not less than 30 percent transparency.

**Response:** All elevations considered side and rear provide as much window transparency as possible; however, the east elevation and internal programming have security and privacy issues that impact the ability to provide greater than 30% glazing.

10. Window Trim. At a minimum, windows shall contain trim, reveals, recesses, or similar detailing of not less than four inches in width or depth as applicable. The use of decorative detailing and ornamentation around windows (e.g., corbels, medallions, pediments, or similar features) is encouraged.

**Response:** The building design is contemporary, thus eliminating extraneous detailing. However, the building provides recesses, pedestrian canopy detailing, and massing articulation to prioritize human scale and dimension for pedestrian comfort.

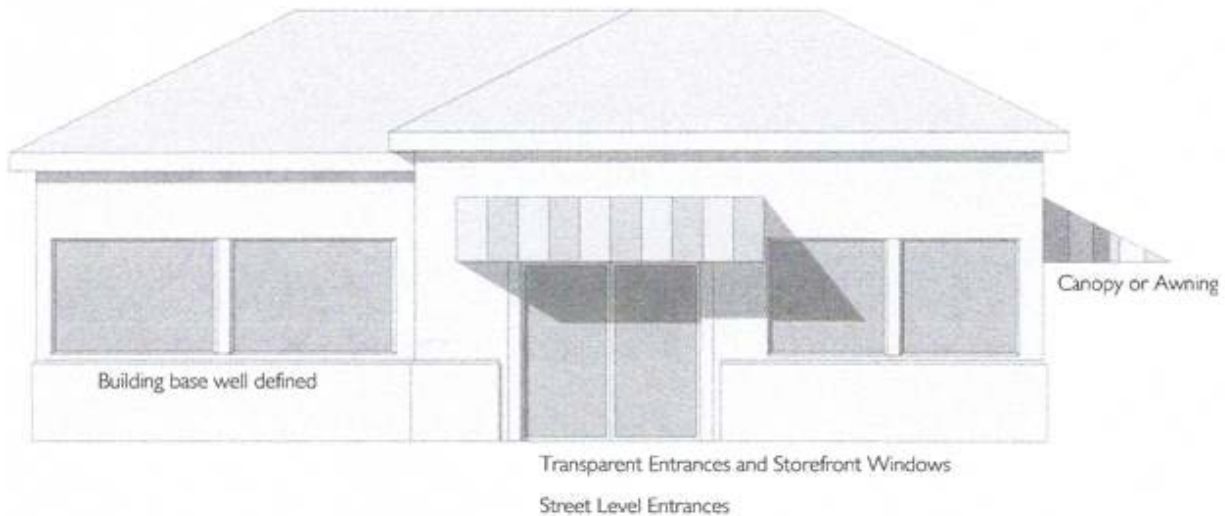


Figure 17-3.2-8 Small Commercial Building Design

E. Articulation and Detailing. The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

1. Articulation. All building elevations that orient to a street or civic space shall have breaks in the wall plane (articulation) of not less than one break for every 30 feet of building length or width, as applicable, pursuant to the following standards, which are generally illustrated in Figures 17-3.2-10, 17-3.2-11, and 17-3.2-12.

- A “break” for the purposes of this subsection is a change in wall plane of not less than 24 inches in depth. Breaks may include, but are not limited to, an offset, recess, window reveal, pilaster, frieze, pediment, cornice, parapet, gable, dormer, eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee, or similar architectural feature.
- The Planning Official through Site Design Review may approve detailing that does not meet the 24-inch break-in-wall-plane standard where it finds that proposed detailing is more consistent with the architecture of historically significant or historic-contributing buildings existing in the vicinity.
- Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features, do not meet the 24-inch break-in-wall-plane standard.
- Building elevations that do not orient to a street or civic space need not comply with the 24-inch break-in-wall-plane standard but should complement the overall building design.

**Response:** The proposed building design provides massing articulation and material contrast on the south and west elevations. The massing break occurs at the entry façade and outdoor seating area. The building design presents a change in the wall plane with breaks in materials from brick veneer to composite or fiber cement siding, unified with a wood soffit awning wrapping from the north façade around to the south façade. The massing also provides a raise in the parapet at the building entry. This helps with wayfinding and signage. Please see materials sheet A3.2.

2. Change in Materials. Elevations should incorporate changes in material that define a building's base, middle, and top, as applicable, and create visual interest and relief. Side and rear elevations that do not face a street, public parking area, pedestrian access way, or plaza may utilize changes in texture and/or color of materials, provided that the design is consistent with the overall composition of the building.

**Response:** The design incorporates change in material that defines the building entry. The south elevation is the most public face of the building design and provides the most articulation, material change, and massing hierarchy.

3. Horizontal Lines. New buildings and exterior remodels shall generally follow the prominent horizontal lines existing on adjacent buildings at similar levels along the street frontage. Examples of such horizontal lines include but are not limited to: the base below a series of storefront windows, an awning or canopy line, a belt course between building stories, a cornice, or a parapet line. Where existing adjacent buildings do not meet the City's current building design standards, a new building may establish new horizontal lines.

**Response:** The building provides horizontal articulation through the use of a awning and canopy wrapping from the north façade to the south façade. The canopy aims to break down the scale of the building.

5. Vertical Rhythms. New construction or front elevation remodels shall reflect a vertical orientation, either through breaks in volume or the use of surface details.

**Response:** The windows and storefront provide vertical articulation. The building also provides vertical hierarchy in the massing at the entry. See West and South elevation.

F. Pedestrian Shelters. The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

1. Minimum Pedestrian Shelter Coverage. Permanent awnings, canopies, recesses, or similar pedestrian shelters shall be provided along at least 75 percent of the ground floor elevation(s) of a building where the building abuts a sidewalk, civic space, or pedestrian access way. Pedestrian shelters used to meet the above standard shall extend at least five feet over the pedestrian area; except that the Planning Official, through Site Design Review, may reduce the above standards where it finds that existing right-of-way dimensions, easements, or building code requirements preclude standard shelters. In addition, the above standards do not apply where a building has a ground floor dwelling, as in a

mixed-use development or live-work building, and the dwelling has a covered entrance. The Planning Official shall waive the above standards if the pedestrian shelter would extend into the right-of-way and the roadway authority does not allow encroachments in the right-of-way.

**Response:** The roadway authority does not allow encroachment in the right-of-way along OR-211; however, the building design does incorporate a pedestrian canopy and pedestrian shelter along most of the south, west, and north façade. The majority of the building entry façade provides a canopy that extends at least five feet over the pedestrian area

2. Pedestrian Shelter Design. Pedestrian shelters shall comply with applicable building codes, and shall be designed to be visually compatible with the architecture of a building. If mezzanine or transom windows exist, the shelter shall be below such windows where practical. Where applicable, pedestrian shelters shall be designed to accommodate pedestrian signage (e.g., blade signs), while maintaining required vertical clearance.

**Response:** The building design does provide several transom windows integrated with the pedestrian canopies.

G. Mechanical Equipment.

1. Building Walls. Where mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, is permitted on a building wall that abuts a public right-of-way or civic space, it shall be screened pursuant to Chapter 17-3.4. Standpipes, meters, vaults, and similar equipment need not be screened but shall not be placed on a front elevation when other practical alternatives exist; such equipment shall be placed on a side or rear elevation where practical.

2. Rooftops. Except as provided below, rooftop mechanical units shall be set back or screened behind a parapet wall so that they are not visible from any public right-of-way or civic space. Where such placement and screening is not practicable, the Planning Official may approve painting of mechanical units in lieu of screening; such painting may consist of colors that make the equipment visually subordinate to the building and adjacent buildings, if any.

**Response:** The building has minimal roof top mechanical equipment and will be visibly screened by the parapet. The rooftop mechanical unit will also have integrated screening.

3. Ground-Mounted Mechanical Equipment. Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The City may require additional setbacks and noise attenuating equipment for compatibility with adjacent uses.

**Response:** The building has minimal roof top mechanical equipment and will be visibly screened by the parapet. The rooftop mechanical unit will also have integrated screening.

H. Civic Space. Commercial development projects shall provide civic space pursuant to Section 17-3.2.050.

**Response:** Civic space provision pursuant to 17-3.2.050 will not be required.

I. Drive-Up and Drive-Through Facilities. Drive-up and drive-through facilities shall comply with the requirements of Section 17-3.2.060.

**Response:** See narrative under next section 17-3.2-060.

#### 17-3.2.050 CIVIC SPACE AND PEDESTRIAN AMENITIES

**Response:** Civic space provision pursuant to 17-3.2.050 will not be required.

#### 17-3.2.060 DRIVE-UP AND DRIVE-THROUGH USES AND FACILITIES

A. Purpose. Where drive-up or drive-through uses and facilities are allowed, they shall conform to all of the following standards, which are intended to calm traffic, provide for adequate vehicle queuing space, prevent automobile turning movement conflicts, and provide for pedestrian comfort and safety.

B. Standards. Drive-up and drive-through facilities (i.e., driveway queuing areas, customer service windows, teller machines, kiosks, drop-boxes, or similar facilities) shall meet all of the following standards, as generally illustrated in Figure 17-3.2-13:

1. The drive-up or drive-through facility shall orient to and receive access from a driveway that is internal to the development and not a street, as generally illustrated.
2. The drive-up or drive-through portion of the establishment or drive-through window shall not be oriented to street corner.
3. The entry into a drive-up or drive-through portion of the establishment or drive-through window shall be located a sufficient distance from a street right-of-way so as not to allow for queue into a street right-of-way during any time of the year. Applicant shall provide a section within the Traffic Impact Analysis or

supply the City with a traffic engineer's report demonstrating that the drive-up or drive-through will have no impact to the street right-of-way.

4. Drive-up and drive-through queuing areas shall be designed so that vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk.
5. In the General Commercial C-2 district, a new drive-up or drive-through facility must comply with the access control distance requirements identified in the City's Transportation System Plan in relation to existing drive-up or drive-through facilities.

**Response:** The drive-up and drive-through facility is oriented to receive vehicles from two access points and common driveway from an internal drive isle. One access point from the south/southwest section of the property and second from the east/southeast section of the property. The drive-up teller is located away from the street corner and a sufficient distance from the street right-of-way (access easement) to avoid queuing into the future street right-of-way. The proposed site design ensures queuing vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk. Please see Section 17-3.2.060 for further narrative and details.



Figure 17-3.2-13 Drive-Up and Drive-Through Uses



### 17-3.3 ACCESS AND CIRCULATION

A. Purpose and Intent. Section 17-3.3.030 implements the street access policies of the City of Molalla Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. "Safety," for the purposes of this chapter, extends to all modes of transportation.

C. Traffic Study Requirements. The City, in reviewing a development proposal or other action requiring an approach permit, may require a traffic impact analysis, pursuant to Section 17-3.6.020, to determine compliance with this Code.

**Response:** Please see Cascade Center Traffic Impact Analysis conducted by Kittelson & Associates..

D. Approach and Driveway Development Standards. Approaches and driveways shall conform to all of the following development standards:

1. The number of approaches on higher classification streets (e.g., collector and arterial streets) shall be minimized; where practicable, access shall be taken first from a lower classification street.

**Response:** Access is prohibited along OR-211. The proposal anticipated street improvements along the East and South property line. The site plan indicates a reciprocal access easement to accommodate street improvements.

2. Approaches shall conform to the spacing standards of subsections E and F, below, and shall conform to minimum sight distance and channelization standards of the roadway authority.

**Response:** The future street connection to Woodburn Estacada Highway is assumed spacing standards conform with sight distances and channelization. Please see Cascade Center Traffic Impact Analysis conducted by Kittelson & Associates..

3. Driveways shall be paved and meet applicable construction standards. Where permeable paving surfaces are allowed or required, such surfaces shall conform to applicable Public Works Design Standards.

**Response:** All driveways within the proposal development will be paved and meet applicable construction standards. The material will be concrete.

6. Where applicable codes require emergency vehicle access, approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus and shall conform to applicable fire protection requirements. The City Engineer may restrict parking, require signage, or require other public safety improvements pursuant to the recommendations of an emergency service provider.

**Response:** The proposed site design provides adequate emergency vehicle access around the building and emergency vehicle apparatus access and maneuvering.

7. As applicable, approaches and driveways shall be designed and constructed to accommodate truck/trailer-turning movements.

**Response:** The site design and driveways allow access of garbage truck access and truck movement.

8. Except where the City Engineer and roadway authority, as applicable, permit an open access with perpendicular or angled parking, driveways shall accommodate all projected vehicular traffic on-site without vehicles stacking or backing up onto a street.

**Response:** The site design provides open access with 90-degree parking with 23'-6" clear drive isles to prevent vehicles from stacking or backing up onto streets.

9. Driveways shall be designed so that vehicle areas, including, but not limited to, drive-up and drive-through facilities and vehicle storage and service areas, do not obstruct any public right-of-way.

**Response:** All driveways for the drive-through facilities have been designed to accommodate vehicle queuing distance to prevent obstruct of future public-rights-of-way.

10. Approaches and driveways shall not be wider than necessary to safely accommodate projected peak hour trips and turning movements, and shall be designed to minimize crossing distances for pedestrians.

**Response:** Driveway widths dimensions are all greater than 23'-0"

14. Where sidewalks or walkways occur adjacent to a roadway, driveway aprons constructed of concrete shall be installed between the driveway and roadway edge. The roadway authority may require the driveway apron be installed outside the required sidewalk or walkway surface, consistent with Americans with Disabilities Act (ADA) requirements, and to manage surface water runoff and protect the roadway surface.

**Response:** The site design has one location where pedestrian walkways cross a drive-through isle. The pedestrian walkway connecting the OR-211 right-of-way to the building entry does cross over the drive-through exit approach.

15. Where an accessible route is required pursuant to ADA, approaches and driveways shall meet accessibility requirements where they coincide with an accessible route.

**Response:** All pedestrian sidewalks and walkways are ADA accessible.

21. Development that increases impervious surface area shall conform to the storm drainage and surface water management requirements of Section 17-3.6.050.

**Response:** Please see Stormwater Plan. The development will increase impervious surface area and will conform to the storm drainage and surface water management requirements. The site design includes an on-site detention system to prevent stormwater from migrating off site.

G. Vision Clearance. No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) greater than 2.5 feet in height shall be placed in “vision clearance areas” at street intersections.. The minimum vision clearance area may be modified by the Planning Official through a Type I procedure, upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). Placement of light poles, utility poles, and tree trunks should be avoided within vision clearance areas.

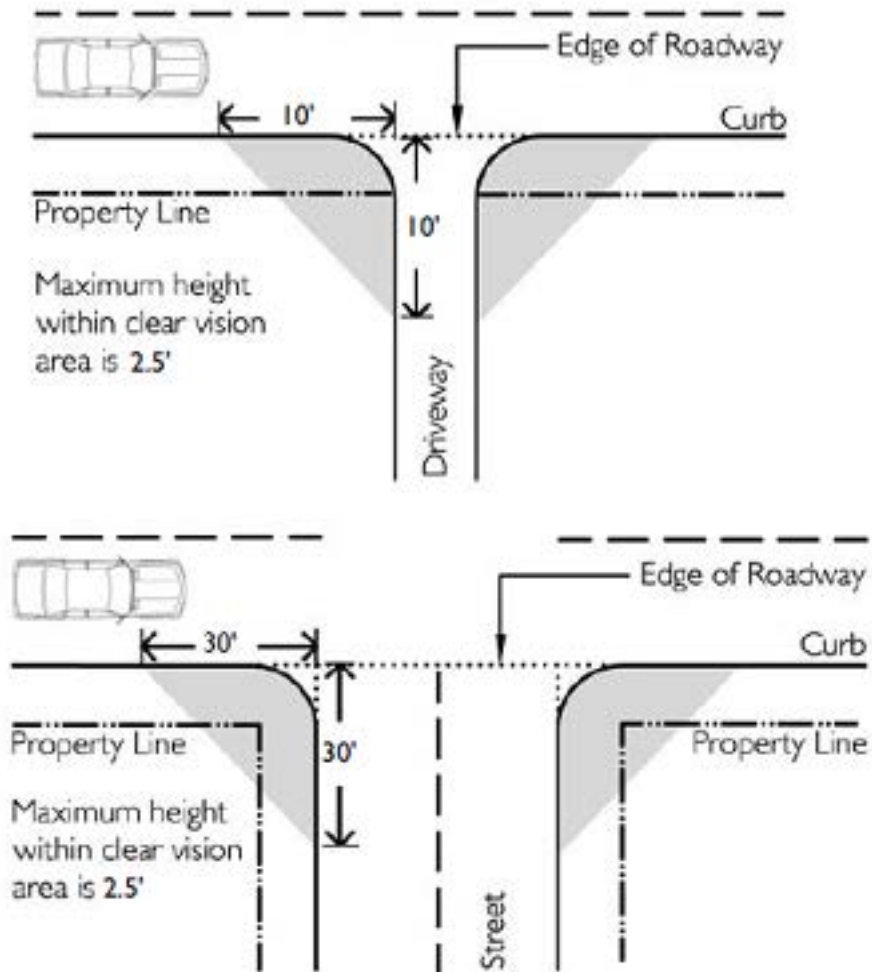


Figure 17-3.3-2 Vision Clearance

**Response:** The building height, location, and orientation ensures no visual obstruction from the future street improvements at the intersection of OR-211 and future access.

### 17-3.3.040 PEDESTRIAN ACCESS AND CIRCULATION

A. Purpose and Intent. Section 17-3.3.040 implements the pedestrian access and connectivity policies of the City of Molalla Transportation System. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.

B. Standards. Developments shall conform to all of the following standards for pedestrian access and circulation as generally illustrated in Figure 17-3.3-3:

1. Continuous Walkway System. A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, if any, and to all future phases of the development, as applicable.

**Response:** The pedestrian walkway system extends from OR-211 to the building entrance.

2. Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas, playgrounds, and public rights-of-way conforming to the following standards:

- The walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.
- The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The Planning Official may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
- The walkway network connects to all primary building entrances, consistent with the building design standards of Chapter 17-3.2 and, where required, Americans with Disabilities Act (ADA) requirements.

**Response:** All walkways within the development provide safe, direct, convenient connections to the primary building entrance. The network of pathways will be ADA accessible and conform to all ADA requirements.

3. Vehicle/Walkway Separation. Except as required for crosswalks, per subsection 4, below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the Planning Official may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.

**Response:** All walkways abutting driveways have been raised six inches and curbed.

4. Crosswalks. Where a walkway crosses a parking area or driveway (“crosswalk”), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material). The crosswalk may be part of a speed table to improve driver-visibility of pedestrians. Painted or thermo-plastic striping and similar types of non-permanent applications are discouraged but may be approved for lesser used crosswalks not exceeding 24 feet in length.

**Response:** The site design includes a pedestrian crossing connecting the Or-211 right-of-way to the building. This walkway crosses the drive-through exit and will be clearly marked with contrasting paving materials.

5. Walkway Width and Surface. Walkways, including access ways required for subdivisions pursuant to Chapter 17-4.3, shall be constructed of concrete, asphalt, brick or masonry pavers, or other durable surface, as approved by the City Engineer, and not less than six feet wide. Multi-use paths (i.e., designed for shared use by bicyclists and pedestrians) shall be concrete or asphalt and shall conform to the current version of the Public Works Design Standards and Transportation System Plan.

**Response:** All walkways will be constructed of concrete.

#### 17-3.4 LANDSCAPING, FENCES, AND WALLS, OUTDOOR LIGHTING

A. General Landscape Standard. All portions of a lot not otherwise developed with buildings, accessory structures, vehicle maneuvering areas, or parking shall be landscaped.

B. Minimum Landscape Area. All lots shall conform to the minimum landscape area standards of the applicable zoning district, as contained in Tables 17-2.2.040.D and 17-2.2.040.E. The Planning Official, consistent with the purposes in Section 17-3.4.010, may allow credit toward the minimum landscape area for existing vegetation that is retained in the development.

**Response:** The Building Coverage is 7.18% of the site area. (2,815 SF / 39,204 SF). This exceeds the required 5% per Table 17-2.2.040 E.

Impervious Area Coverage is 62% (2,815 SF + 21,522 SF = 24,337 SF / 39,204 SF)

Landscaped Coverage is 38% (39,204 SF – 24,337 SF = 14,867 SF / 39,204 SF)

C. Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions, among other factors. When new vegetation is planted, soils shall be amended and irrigation shall be provided, as necessary, to allow for healthy plant growth.

**Response:** The Landscape Plan incorporates climate appropriate planting species, including trees of maples, redbuds, ironwoods, pines, cherry and groundcover of viburnum, abelia, inkberry, nandina, and spirea. The trees will be greater than 1.5 inch caliper.

**Response:** Groundcover and shrubs will be planted in accordance with gallon container per location and achieve plant coverage of not less than 75 percent at maturity.

**Response:** The stormwater retention facility meets current standards and Public Works Design Standards.

**Response:** The Landscape Plan includes a perimeter of Persian Ironwood trees, screening the West parking and drive isle. The interior parking stalls include Sunset Maple trees and Viburnum groundcover every 5-7 parking stalls. The plan also includes a collection of evergreen and deciduous street trees and shrubs at each corner and access point.

E. Parking Lot Landscaping. All of the following standards shall be met for parking lots. If a development contains multiple parking lots, then the standards shall be evaluated separately for each parking lot.

1. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of shade trees distributed throughout the parking area. A combination of deciduous and evergreen trees, shrubs, and ground cover plants is required. The trees shall be planned so that they provide a partial canopy cover over the parking lot within five years. At a minimum, one tree per 12 parking spaces on average shall be planted over and around the parking area.

**Response:** The Landscape Plan distributes a variety of trees, shrubs, and groundcover throughout the property, including the perimeter, parking areas, and building edges. The landscape plan provides 38% of total surface area.

2. All parking areas with more than 20 spaces shall provide landscape islands with trees that break up the parking area into rows of not more than 10 contiguous parking spaces. Landscape islands and planters shall have dimensions of not less than 48 square feet of area and no dimension of less than six feet, to ensure adequate soil, water, and space for healthy plant growth.

**Response:** The Landscape Plan provides landscaped islands with trees that break up every 5-7 parking stalls. The dimensions of the landscape islands are 6' X 18' = 108 sf.

4. Wheel stops, curbs, bollards, or other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted not less than two feet from any such barrier.

**Response:** Wheel stops will be provided along the southern parking bay where parking is located along landscaped edges.

5. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.

**Response:** No trees are planted in tree wells.

F. Screening Requirements. Screening is required for outdoor storage areas, unenclosed uses, and parking lots, and may be required in other situations as determined by the Planning Official. Landscaping shall be provided pursuant to the standards of subsections F.1 through 3.

**Response:** No outdoor storage areas.

### 17-3.5 PARKING AND LOADING

A. Minimum Number of Off-Street Automobile Parking Spaces. Except as provided by this subsection A, or as required for Americans with Disabilities Act compliance under subsection G, off-street parking shall be provided pursuant to one of the following three standards:

1. The standards in Table 17-3.5.030.A;
2. A standard from Table 17-3.5.030.A for a use that the Planning Official determines is similar to the proposed use; or
3. Subsection B Exceptions, which includes a Parking Demand Analysis option.

**Response:** Required parking for Retail Sales and Commercial Service: Bank = 1 space per 300sf floor area. The building square footage is 2,814 sf / 300 = 9.38 = 9 spaces.

D. Maximum Number of Off-Street Automobile Parking Spaces. The maximum number of off-street automobile parking spaces allowed per site equals the minimum number of required spaces for the use pursuant to Table 17-3.5.030.A, times a factor of:

1. 1.2 spaces for uses fronting a street with adjacent on-street parking spaces; or
2. 1.5 spaces, for uses fronting no street with adjacent on-street parking; or
3. A factor based on applicant's projected parking demand, subject to City approval.

**Response:** The maximum number of parking stalls is  $9.38 \times 1.5$  (for uses fronting no street with adjacent on-street parking). = 14.07. We would like to request an increase in the maximum number of parking stalls due to the nature of banking operations and level of service. The proposal provides 20 standard parking stalls with 1 ADA accessible parking stall.

**Response:** The project team requests a code modification of the maximum parking stalls due to projected staff and customer demand.

F. Parking Stall Design and Minimum Dimensions. Where a new off-street parking area is proposed, or an existing off-street parking area is proposed for expansion, the entire parking area shall be improved in conformance with this Code. At a minimum the parking

spaces and drive aisles shall be paved with asphalt, concrete, or other City-approved materials, provided the Americans with Disabilities Act requirements are met, and shall conform to the minimum dimensions in Table 17-3.5.030.F and the figures below. All off-street parking areas shall contain wheel stops, perimeter curbing, bollards, or other edging as required to prevent vehicles from damaging buildings or encroaching into walkways, sidewalks, landscapes, or the public right-of-way. Parking areas shall also provide for surface water management, pursuant to Section 17-3.6.050.

**Response:** All parking stalls are 90 degrees and 9' width X 18' length.

H. Americans with Disabilities Act (ADA). Parking shall be provided consistent with ADA requirements, including, but not limited to, the minimum number of spaces for automobiles, van-accessible spaces, location of spaces relative to building entrances, accessible routes between parking areas and building entrances, identification signs, lighting, and other design and construction requirements.

**Response:** The ADA parking stall is located very close to the building entrance and will following all ADA parking, signage, access, and design requirements.

17-3.5.040 Bicycle Parking

A. Standards. Bicycle parking spaces shall be provided with new development and, where a change of use occurs, at a minimum, shall follow the standards in Table 17-3.5.040.A. Where an application is subject to Conditional Use Permit approval or the applicant has requested a reduction to an automobile-parking standard, pursuant to Section 17-3.5.030.C, the Planning Official may require bicycle parking spaces in addition to those in Table 17-3.5.040.A.

**Response:** The minimum number of bicycle spaces for Commercial use is 2 bike spaces per primary uses or 1 per 5 vehicle spaces, whichever is greater. The site design accommodates parking spaces for 4 bicycles located east of the main entry and north of the stormwater features.

Use	Minimum Number of Spaces
Multifamily Residential (not required for parcels with fewer than 4 dwelling units)	2 bike spaces per 4 dwelling units
Commercial	2 bike spaces per primary use or 1 per 5 vehicle spaces, whichever is greater
Industrial	2 bike spaces per primary use or 1 per 10 vehicle spaces, whichever is greater
Community Service	2 bike spaces
Parks (active recreation areas only)	4 bike spaces



Use	Minimum Number of Spaces
Schools (all types)	2 bike spaces per classroom
Institutional Uses and Places of Worship	2 bike spaces per primary use or 1 per 10 vehicle spaces, whichever is greater
Transit Transfer Stations and Park-and-Ride Lots	5 bike spaces per acre
Other Uses	2 bike spaces per primary use or 1 per 10 vehicle spaces, whichever is greater

B. Design. Bicycle parking shall consist of staple-design steel racks or other City-approved racks, lockers, or storage lids providing a safe and secure means of storing a bicycle, consistent with the Public Works Design Standards.

**Response:** The site design provides staple-design steel racks located close to the building entry.

**17-3.6 PUBLIC FACILITIES**

A. General Requirements.

1. Except as provided by subsection A.5, existing substandard streets and planned streets within or abutting a proposed development shall be improved in accordance with the standards of Chapter 17-3.6 as a condition of development approval.
2. All street improvements, including the extension or widening of existing streets and public access ways, shall conform to Section 17-3.6.020, and shall be constructed consistent with the City of Molalla Public Works Design Standards.
3. All new streets shall be contained within a public right-of-way. Public access ways (e.g., pedestrian ways) may be contained within a right-of-way or a public access easement, subject to review and approval of the City Engineer.
4. The purpose of this subsection is to coordinate the review of land use applications with roadway authorities and to implement Section [660-012-0045\(2\)\(e\)](#) of the State Transportation Planning Rule, which requires the City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts; when a Transit Analysis Letter (TAL) or Traffic Impact Analysis (TIA) must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; the required contents of a TAL/TIA; and who is qualified to prepare the analysis.

**Response:** The proposed development anticipates future street improvements along the South and East property with an access connecting to OR-211 at the Northeast corner of the property. The site design includes the Reciprocal Access Easement along the South and East boundary. The improvements will include a public right-of-way and Public Utility Easement (PUE) along the northern property boundary.

**Response:** Our team has submitted a TIA prepared by Kittelson & Associates, which contains aspects of our site and provides analysis and recommendations for the OR-211 @ West Main Street access.

#### 17-3.6.040 SANITARY SEWER AND WATER SERVICE IMPROVEMENTS

A. Sewers and Water Mains Required. All new development is required to connect to City water and sanitary sewer systems. Sanitary sewer and water system improvements shall be installed to serve each new development and to connect developments to existing mains in accordance with the adopted facility master plans and applicable Public Works Design Standards. Where streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements and other utilities shall also be stubbed with the streets, except as may be waived by the City Engineer where alternate alignment(s) are provided.

**Response:** The proposal intends to connect to city water and sanitary sewer systems. Please see Preliminary Utility Plans illustrating new sanitary line and new water line systems.

#### 17-3.6.050 Storm Drainage and Surface Water Management Facilities

A. General Provisions. The City shall issue a development permit only where adequate provisions for stormwater runoff have been made in conformance with the requirements of the current version of the Public Works Design Standards and Stormwater Master Plan.

B. Accommodation of Upstream Drainage. Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the City Engineer.

C. Effect on Downstream Drainage. Where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards.

D. Over-Sizing. The City may require as a condition of development approval that sewer, water, or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable facility master plan, provided that the City may grant the developer credit toward any

required system development charge for the same pursuant to the System Development Charge.

E. Existing Watercourse. Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, the City may require a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety.

**Response:** The proposal intends to address and accommodate site drainage. Please see Preliminary Utility Plans illustrating new stormwater drainage and detention systems.

### 17-3.6.060 UTILITIES

The following standards apply to new development where extension of electric power, gas, or communication lines is required:

- A. General Provision. The developer of a property is responsible for coordinating the development plan with the applicable utility providers and paying for the extension and installation of utilities not otherwise available to the subject property.
- B. Underground Utilities.
  - 1. General Requirement. The requirements of the utility service provider shall be met. All utility lines in new subdivisions, including, but not limited to, those required for electric, communication, and lighting, and related facilities, shall be placed underground, except where the City Engineer determines that placing utilities underground would adversely impact adjacent land uses. The Planning Official may require screening and buffering of above ground facilities to protect the public health, safety, or welfare.
  - 2. Subdivisions. In order to facilitate underground placement of utilities, the following additional standards apply to all new subdivisions:
    - a. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that no aboveground equipment obstructs vision clearance areas for vehicular traffic, per Chapter 17-3.3 Access and Circulation.
    - b. The City Engineer reserves the right to approve the location of all surface-mounted facilities.
    - c. All underground utilities installed in streets must be constructed and approved by the applicable utility provider prior to the surfacing of the streets.
    - d. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.
- C. Exception to Undergrounding Requirement. The City Engineer may grant exceptions to the undergrounding standard where existing physical constraints, such

as geologic conditions, streams, or existing development conditions make underground placement impractical.

**Response:** The proposal intends to provide all utility service, including power communications, lighting, and related facilities. Please see Preliminary Utility Plans illustrating new stormwater drainage and detention systems.

#### 17-3.6.070 EASEMENTS

A. Provision. The developer shall make arrangements with the City and applicable utility providers for each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development.

B. Standard. Utility easements shall conform to the requirements of the utility service provider. All other easements shall conform to the City of Molalla Public Works Design Standards.

C. Recordation. All easements for sewers, storm drainage and water quality facilities, water mains, electric lines, or other utilities shall be recorded and referenced on a survey or final plat, as applicable.

**Response:** The proposed development anticipates future street improvements along the South and East property with an access connecting to OR-211 at the Northeast corner of the property. The site design includes the Reciprocal Access Easement along the South and East boundary. The improvements will include a public right-of-way and Public Utility Easement (PUE) along the northern property boundary.

#### 17-4.1.040 PURPOSE

A. **Purpose.** The purpose of this chapter is to establish standard decision-making procedures that will enable the City, the applicant, and the public to reasonably review applications and participate in the local decision-making process in a timely and effective way. Table 17-4.1.010 provides a key for determining the review procedure and the decision-making body for particular approvals.

B. **Applicability of Review Procedures.** All land use and development permit applications and approvals, except building permits, shall be decided by using the procedures contained in this chapter. The procedure “type” assigned to each application governs the decision-making process for that permit or approval. There are four types of permit and approval procedures as described in subsections B.1 through 4. Table 17-4.1.010 lists the City’s land use and development approvals and corresponding review procedure(s).

3. **Type III Procedure (Quasi-Judicial Review—Public Hearing).** Type III `opportunity for appeal to the City Council; or in the case of a Quasi-Judicial zone change (e.g., a change in zoning on one property to comply with the Comprehensive Plan), a Type III decision is made by the City Council on recommendation of the Planning Commission. Quasi-Judicial decisions involve discretion but implement established policy.

**Response:** Per Molalla Municipal Code Section 17-4.2.020 site design review is required. Per Molalla Municipal Code Section 17-2.2.030 Allowed Uses Item H “Outdoor Uses and Unenclosed Activities” a conditional use permit is required. Per Molalla Municipal Code Section 17-4.2.030 the proposed project meets thresholds for Type III Review: Quasi-Judicial Review with a Public Hearing due to Conditional Use Permit.

#### 17-4.1.070 NEIGHBORHOOD CONTACT

A. **Purpose and Applicability.** Applicants for master planned development, subdivision, or site design review on projects involving parcels or lots larger than one acre and located adjacent to any residential zone, and property owner-applicants for zone changes, are recommended to contact neighboring property owners and offer to a hold meeting with them prior to submitting an application. This is to ensure that affected property owners are given an opportunity to preview a proposal and offer input to the applicant before a plan is formally submitted to the City, thereby raising any concerns about the project and the project’s compatibility with surrounding uses early in the design process when changes can be made relatively inexpensively.

**Response:** The proposed development is under site design review; however, the parcel is less than one acre and not located adjacent to any residential zone.

# Conditional Use Permit

## 17-4.4 CONDITIONAL USE PERMITS

### 17-4.4.010 Purpose

There are certain uses which, due to the nature of their impacts on surrounding land uses and public facilities, require a case-by-case review and analysis. Conditional uses are identified in Chapter 17-2.2 Zoning District Regulations. The purpose of this chapter is to provide procedures and standards for permitting conditional uses.

**Response:** Table 17-2.2.030 Uses Allowed by Zoning District lists Drive-through service as accessory to primary and is ‘permitted with special use standards’ under conditional use permit. The development proposal will be a branch bank with a drive-through bank teller service.

Drive-Through Service, accessory to primary use, not including restaurants	N	N	N	N	N	S/CU
--	---	---	---	---	---	------

### 17-4.4.040 Criteria, Standards, and Conditions of Approval

The Planning Commission shall approve, approve with conditions, or deny an application for a conditional use, including requests to enlarge or alter a conditional use, based on findings of fact with respect to all the criteria and standards in subsections A and B.

#### A. Use Criteria.

1. The site size, dimensions, location, topography, and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations.

**Response:** The drive-through dimension is 14’ height X 15-8” depth X 28’ wide, located on the East elevation to allow for safe and proper access that prevents stacking into the public right-of-way. The structure is an open canopy to allow for protection of vehicles from the weather. The structure does not present a large massing or present impacts to parking, traffic, noise, light, glare or safety. The canopy is designed to be consistent with architecture elements, color, and material.

2. The negative impacts of the proposed use, if any, on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval.

**Response:** The proposed development compliments existing and future adjacent properties. The Cascade Center is a growing civic node with a mix of uses and services. The development aims to provide essential banking services to the surrounding communities. The design looks to provide a balance of pedestrian-focused design elements with safe and convenient vehicles access.

3. All required public facilities, including water, sanitary sewer, and streets, have adequate capacity or are to be improved to serve the proposal, consistent with City standards; and

**Response:** The site has adequate capacity to improve public facilities; proposed stormwater, utility, lighting, and landscape design will enhance the community and placemaking of this area.

4. A conditional use permit shall not allow a use that is prohibited or not expressly allowed under Division II; nor shall a conditional use permit grant a variance without a variance application being reviewed with the conditional use application.

**Response:** The 'drive-through service' is considered S/CU and allowable with conditions.

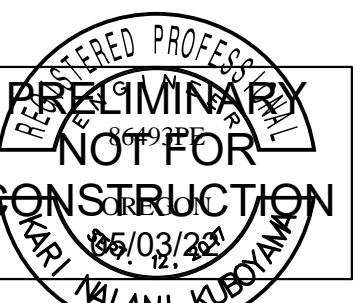
B. Conditions of Approval. The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, one or more of the following:

1. Limiting the hours, days, place, and/or manner of operation;
2. Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor, and/or dust;
3. Requiring larger setback areas, lot area, and/or lot depth or width;
4. Limiting the building or structure height, size, lot coverage, and/or location on the site;
5. Designating the size, number, location, and/or design of vehicle access points or parking and loading areas;
6. Requiring street right-of-way to be dedicated and street improvements made, or the installation of pathways or sidewalks, as applicable;
7. Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;
8. Limiting the number, size, location, height, and/or lighting of signs;
9. Limiting or setting standards for the location, type, design, and/or intensity of outdoor lighting;
10. Requiring berms, screening, or landscaping and the establishment of standards for their installation and maintenance;
11. Requiring and designating the size, height, location, and/or materials for fences;

12. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands;
13. Requiring improvements to water, sanitary sewer, or storm drainage systems, in conformance with City standards; and
14. The Planning Commission may require review and renewal of conditional use permits annually or in accordance with another timetable. Where applicable, the timetable shall provide for periodic review and renewal, or expiration, of the conditional use permit to ensure compliance with conditions of approval; such period review may occur through a Type III review process, except where the Planning Commission delegates authority to the Planning Official to issue renewals, who shall do so through a Type I or Type II procedure

**Response:** Our team is open to discuss conditions associated with the drive-through design, location, size, function, material, etc.





REVISIONS: 6-30-2023

STATEMENT - Civil Engineers

**WDY**  
Beverton-Hillsdale Hwy, Suite 210 Portland, OR 97221  
PH: 503.203.8111 | 503.203.8122 | www.wdy.com

Client/ Owner:

**CFCU**

4107 SE International  
Way, suite 703  
Milwaukie, OR 97222

Project:

**CFCU -  
CASCADE  
CENTER**

PARCEL D OF  
CASCADE CENTER  
ALONG W MAIN  
STREET

Sheet Title:

**UTILITY PLAN**

Revisions:

#	Description	Date

MILDREN DESIGN GROUP, P.C. 2022. ALL RIGHTS RESERVED ©

THESE DRAWINGS ARE THE PROPERTY OF MILDREN DESIGN GROUP, P.C. AND ARE NOT TO BE USED OR REPRODUCED IN ANY MANNER, EXCEPT WITH THE PRIOR WRITTEN PERMISSION OF MILDREN DESIGN GROUP, P.C.

Date: 01/12/2022

Drawn by: JR Checked by: KK

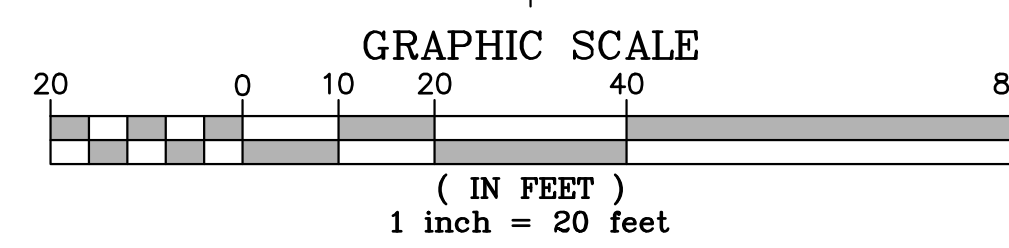
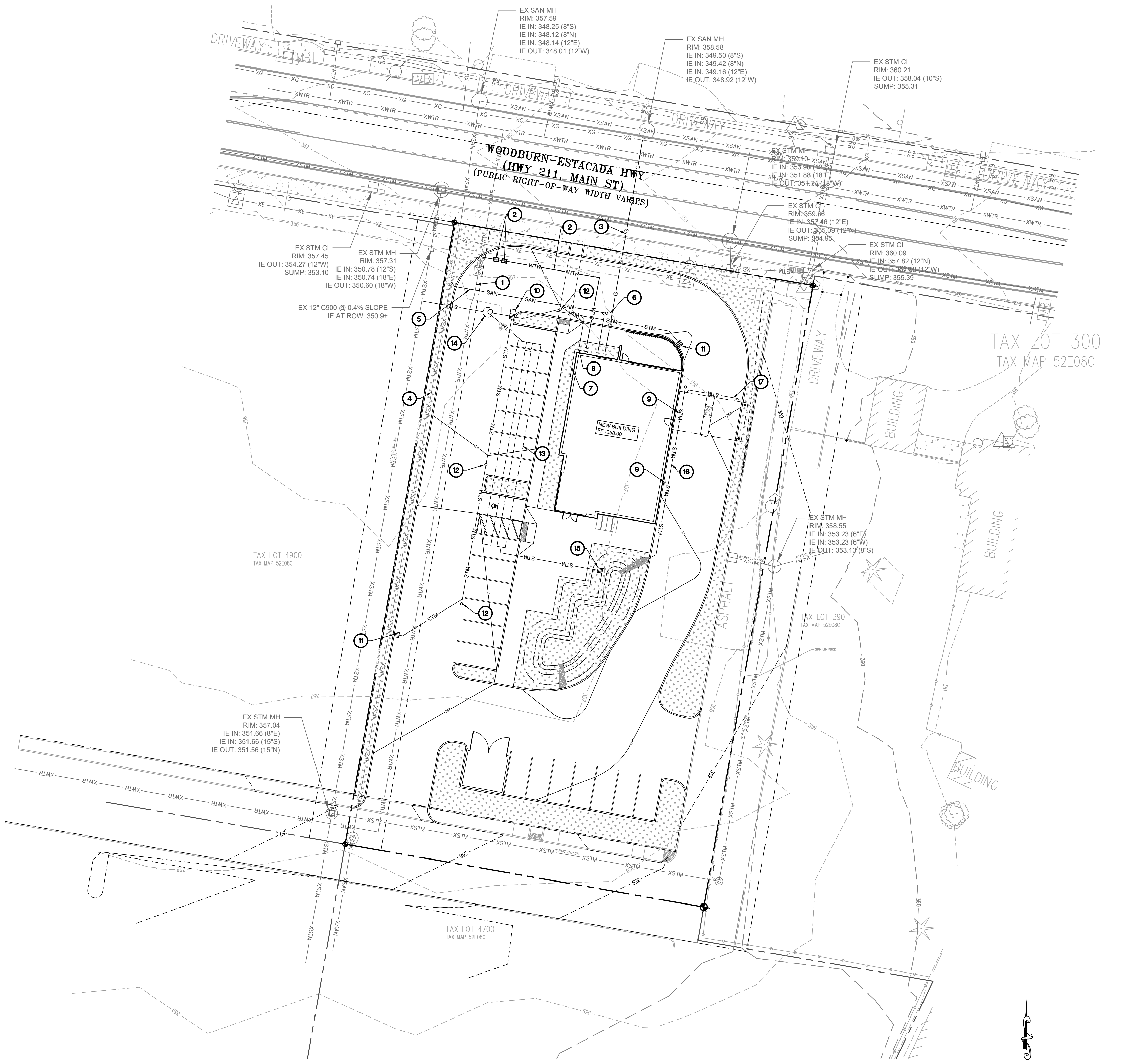
Job Number: 121080

Sheet

**KEYNOTES FOR THIS SHEET**

**MARK - DESCRIPTION**

- 1 PROTECT EXISTING DOMESTIC WATER LINE WITHIN EASEMENT. SIZE TO BE FIELD VERIFIED.
- 2 INSTALL NEW 1" WATER METER AND 1" DCVA W/ 1" DOMESTIC COPPER WATER SERVICE TO BLDG PER DETAIL XIC3.0 & MC3.0. SEE PLUMBING FOR CONTINUATION INTO BUILDING.
- 3 COORDINATE WITH SERVICE PROVIDER AND INSTALL NEW GAS SERVICE UNDER SEPARATE PERMIT. CONTRACTOR TO FILED VERIFY EXACT LOCATION OF EXIST GAS MAIN AND VALVE. SEE ARCH AND MECH DRAWINGS FOR METER LOCATION AND CONTINUATION INTO BUILDING.
- 4 EXISTING 8" DIA SANITARY LATERAL. EXISTING SIZE, MATERIAL, ELEVATION, AND LOCATION TO BE VERIFIED PRIOR TO CONSTRUCTION.
- 5 INSTALL NEW 6" DIA PVC ASTM D3034 SANITARY LINE AT 2% MIN SLOPE. CONNECT TO EXISTING SANITARY LATERAL. VERIFY ELEVATION AT CONNECTION. SEE PLUMBING FOR CONTINUATION INTO BUILDING.
- 6 INSTALL TYP. SANITARY CLEAN OUT PER DETAIL 13/C3.0.
- 7 INSTALL 4" DIA. PERFORATED PVC FOUNDATION DRAIN AROUND BUILDING FOUNDATIONS PER PLUMBING CODE TOWARDS B-W-V. SEE DETAIL 14/C3.0.
- 8 INSTALL FOUNDATION B-W-V PER DETAIL 11/C3.0. IE (4") = XX. FIELD VERIFY. CONNECT TO SITE STORM WITH 4" DIA. ABS SCHED 40 SOLID WALL PIPE AT 1.0% (MIN) SLOPE.
- 9 NEW STORM FROM BUILDING ROOF DOWNSPOUTS. CONNECT TO SITE STORM WITH 4" DIA ABS AT 1.0% MIN SLOPE. COORDINATE WITH ARCH FOR EXACT LOCATIONS.
- 10 INSTALL NEW SINGLE CARTRIDGE STORMFILTER CATCH BASIN FOR WATER QUALITY TREATMENT.  
RIM=355.00  
IE(6" OUT) = 352.35
- 11 INSTALL NEW CATCH BASIN PER DETAIL 15/C3.0. SEE GRADING PLAN FOR RIM ELEVATION.
- 12 INSTALL NEW STM CLEAN OUT ASSEMBLY PER DETAIL 12/C3.0.
- 13 INSTALL 135 LF OF 42" DIA DETENTION PIPE.  
BOTTOM OF PIPE = 352.00
- 14 INSTALL NEW DETENTION CONTROL MANHOLE.
- 15 INSTALL NEW DITCH INLET PER DETAIL 24/C3.0.
- 16 INSTALL 90 LF OF 4" DIA ABS STM PIPE AT 1.5% MIN SLOPE. OUTFALL INTO WOF=355.0. SWITCH TO D.I. PIPE WITHIN 5' OF OUTFALL. PROVIDE RIP RAP PAD AT OUTFALL.
- 17 CANOPY ROOF DRAIN DOWNSPOUT. SEE ARCH FOR EXACT LOCATION. INSTALL 24 LF OF 4" DIA ABS STM PIPE AT 1.0% SLOPE TO SITE STORM.



**1** **UTILITY PLAN**  
**C2.1** SCALE: 1" = 20'-0"



REVISIONS: 6-30-2023

Statement-Civil Engineers  
**WDY**  
6443 SW Beaverton-Hillsdale Hwy, Suite 210 Portland, OR 97221  
PH: 503.203.8111 FAX: 503.203.8122 www.wdy.com

Client/ Owner:

**CFCU**

4107 SE International Way, suite 703  
Milwaukie, OR 97222

Project:

**CFCU - CASCADE CENTER**

PARCEL D OF CASCADE CENTER ALONG W MAIN STREET

Sheet Title:

**GRADING PLAN**

Revisions:

#	Description	Date

MILDREN DESIGN GROUP, P.C., 2022. ALL RIGHTS RESERVED ©

THESE DRAWINGS ARE THE PROPERTY OF MILDREN DESIGN GROUP, P.C. AND ARE NOT TO BE USED OR REPRODUCED IN ANY MANNER, EXCEPT WITH THE PRIOR WRITTEN PERMISSION OF MILDREN DESIGN GROUP, P.C.

Date: 01/12/2022

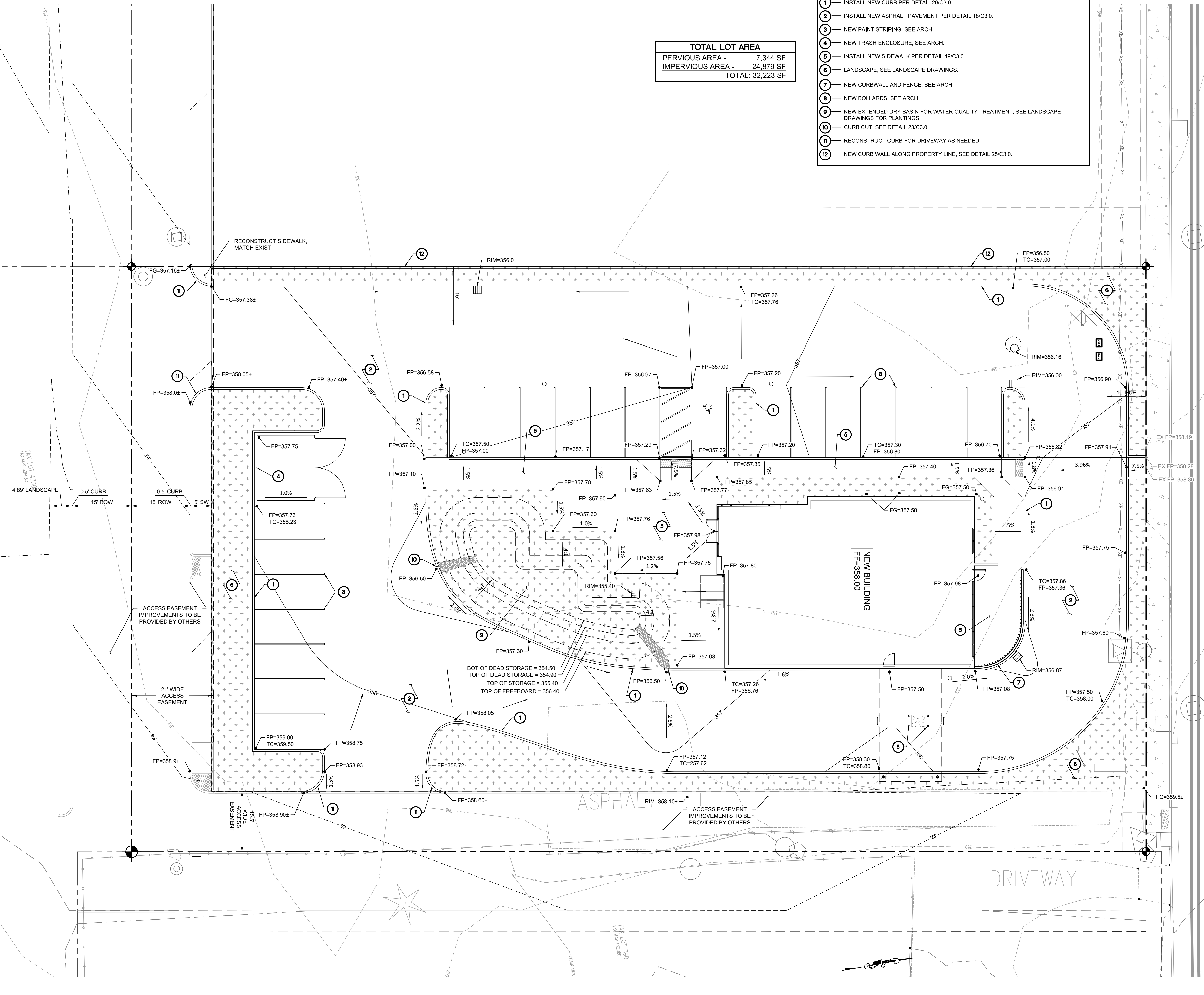
Drawn by: JR Checked by: KK

Job Number: 121080

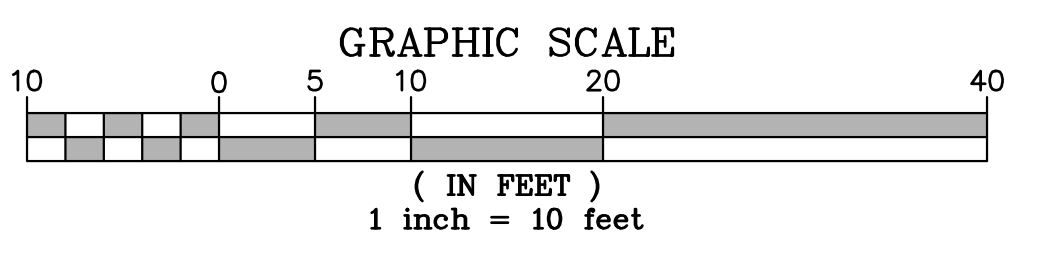
Sheet

KEYNOTES FOR THIS SHEET	
MARK	DESCRIPTION
1	INSTALL NEW CURB PER DETAIL 20/C3.0.
2	INSTALL NEW ASPHALT PAVEMENT PER DETAIL 18/C3.0.
3	NEW PAINT STRIPING, SEE ARCH.
4	NEW TRASH ENCLOSURE, SEE ARCH.
5	INSTALL NEW SIDEWALK PER DETAIL 19/C3.0.
6	LANDSCAPE, SEE LANDSCAPE DRAWINGS.
7	NEW CURB WALL AND FENCE, SEE ARCH.
8	NEW BOLLARDS, SEE ARCH.
9	NEW EXTENDED DRY BASIN FOR WATER QUALITY TREATMENT. SEE LANDSCAPE DRAWINGS FOR PLANTINGS.
10	CURB CUT, SEE DETAIL 23/C3.0.
11	RECONSTRUCT CURB FOR DRIVEWAY AS NEEDED.
12	NEW CURB WALL ALONG PROPERTY LINE, SEE DETAIL 25/C3.0.

TOTAL LOT AREA	
PERVIOUS AREA -	7,344 SF
IMPERVIOUS AREA -	24,879 SF
TOTAL:	32,223 SF



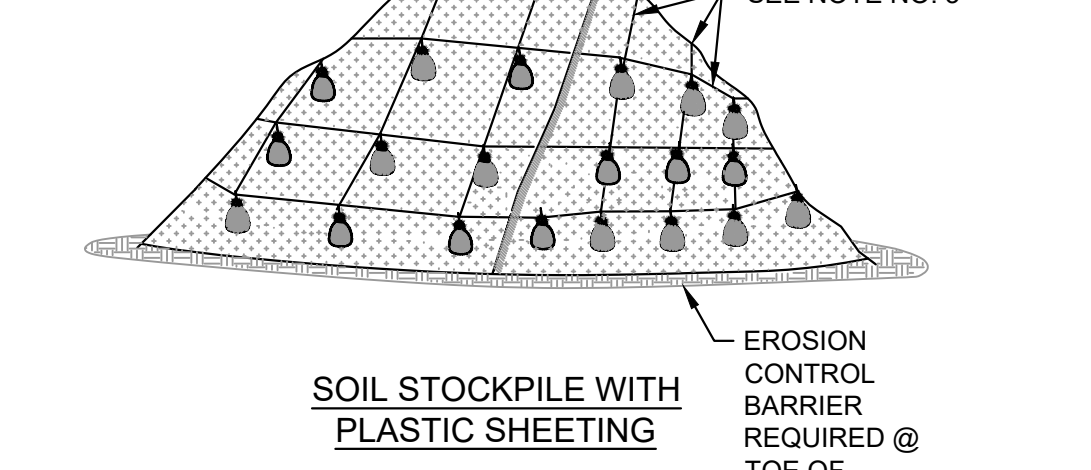
- GRADING NOTES:**
- CONTRACTOR IS RESPONSIBLE TO PERFORM CUT AND FILL EARTH WORK IN SUCH A MANNER TO PROTECT NATIVE SOILS FROM BEING OVER WORKED AND FROM BECOMING TOO SATURATED DURING WET WEATHER. DURING WET WEATHER PERFORM WORK IN AREAS SMALL ENOUGH TO CUT AND ROCK SITE AREAS UNDER PAVEMENT AND BUILDING TO PREVENT AREAS OF NATIVE SOIL BEING EXPOSED TO WET WEATHER. THIS SITE SHALL HAVE CEMENT DEEP SOIL MISSING COLUMNS DESIGNED, INSTALLED AND SHOWN BY OTHERS. COORDINATE SITE WORK AND ESC MEASURES ACCORDINGLY.
  - REFER TO ARCHITECTURAL SITE PLANS FOR ALL SITE LAYOUT DIMENSIONS INCLUDING WALKWAYS, BUILDING, AND RETAINING WALLS.
  - PROVIDE SEPARATE BID ADDITIVES IN SPEC SECTION 12.0 FOR WET WEATHER CONSTRUCTION OVER-EXCAVATION OF SUBGRADE AND REPLACEMENT WITH CRUSHED ROCK. PROVIDE FOR A 2 FOOT THICK OVER-EXCAVATION AND REPLACEMENT OF NATIVE SOIL UNDER THE BUILDING FOOTPRINT (EXTEND TO 5 FEET BEYOND OUTSIDE OF FOOTING) AND A 9 INCH THICK OVER-EXCAVATION AND REPLACEMENT UNDER ALL PARKING LOT AREAS (EXTEND 1.33 FEET BEYOND CURBS). VERIFY REQUIREMENTS WITH AND OBTAIN APPROVAL FROM PROJECT GEOTECHNICAL ENGINEER AND PROJECT ARCHITECT PRIOR TO EXECUTING.
  - CONTRACTOR TO CONFIRM WITH OWNER AND REMOVE AND DISPOSE OF OFFSITE ALL EXCESS SOIL, DEBRIS AND MATERIALS NOT RELIABLE FOR THIS PROJECT.
  - ON-SITE HANDICAP/DISABILITY ACCESS ROUTES SHALL COMPLY WITH THE FEDERAL AMERICANS WITH DISABILITIES ACT (ADA), STATE AND LOCAL REGULATIONS. IN GENERAL:
    - MAXIMUM CROSS SLOPE OF ANY PAVEMENT PERPENDICULAR TO DIRECTION OF TRAVEL IS 2.0%.
    - MAXIMUM SLOPE OF WALKWAYS WITHOUT HANDRAILS IN DIRECTION OF TRAVEL IS 5.0%.
    - FOR RAMP, THE MAXIMUM SLOPE IS 8.33% AND MAXIMUM RISE BETWEEN LANDINGS IS 30 INCHES. HANDRAILS ARE REQUIRED EACH SIDE OF ALL RAMP WITH SLOPE GREATER THAN 5%.
    - MAXIMUM SLOPE OF CURB RAMP AND WINGS OF CURB RAMP IS 8.33%. THE MAXIMUM LENGTH OF A CURB RAMP IS 6 FEET WITH A MAXIMUM 6-INCH RISE.
    - PROVIDE FINISH PAVEMENT SURFACE TEXTURES IN ACCORDANCE WITH ADA.
    - CONTACT ARCHITECT AND ENGINEER FOR INSTRUCTIONS PRIOR TO INSTALLING FINISH PAVEMENTS IN CONFLICT WITH ADA REQUIREMENTS.
  - STRAIGHT GRADE FINISH PAVEMENT BETWEEN CATCH BASIN AND SURROUNDING GUTTER ELEVATIONS. STRAIGHT GRADE BETWEEN GIVEN ELEVATION POINTS. BLEND FINISH GRADES BETWEEN GIVEN POINTS AND AT GRADE BREAKS.
  - SEE SHEET C1.0, SECTION 12.0 FOR CONSTRUCTION TESTING, INSPECTIONS, AND OBSERVATION REQUIREMENTS.
  - GRADING FOR PUBLIC IMPROVEMENTS IS SHOWN FOR CLARITY AND SHALL BE COORDINATED AND BUILT FROM THE PERMITTED PUBLIC IMPROVEMENT DRAWINGS. ON-SITE GRADES AND FINISH FLOOR ELEVATIONS ARE RELATIVE TO APPROVED PUBLIC WORKS DRAWINGS. CONTRACTOR TO VERIFY AND COORDINATE W/ PUBLIC IMPROVEMENT DRAWINGS PRIOR TO SETTING ON-SITE FINISH ELEVATIONS TYPICAL.



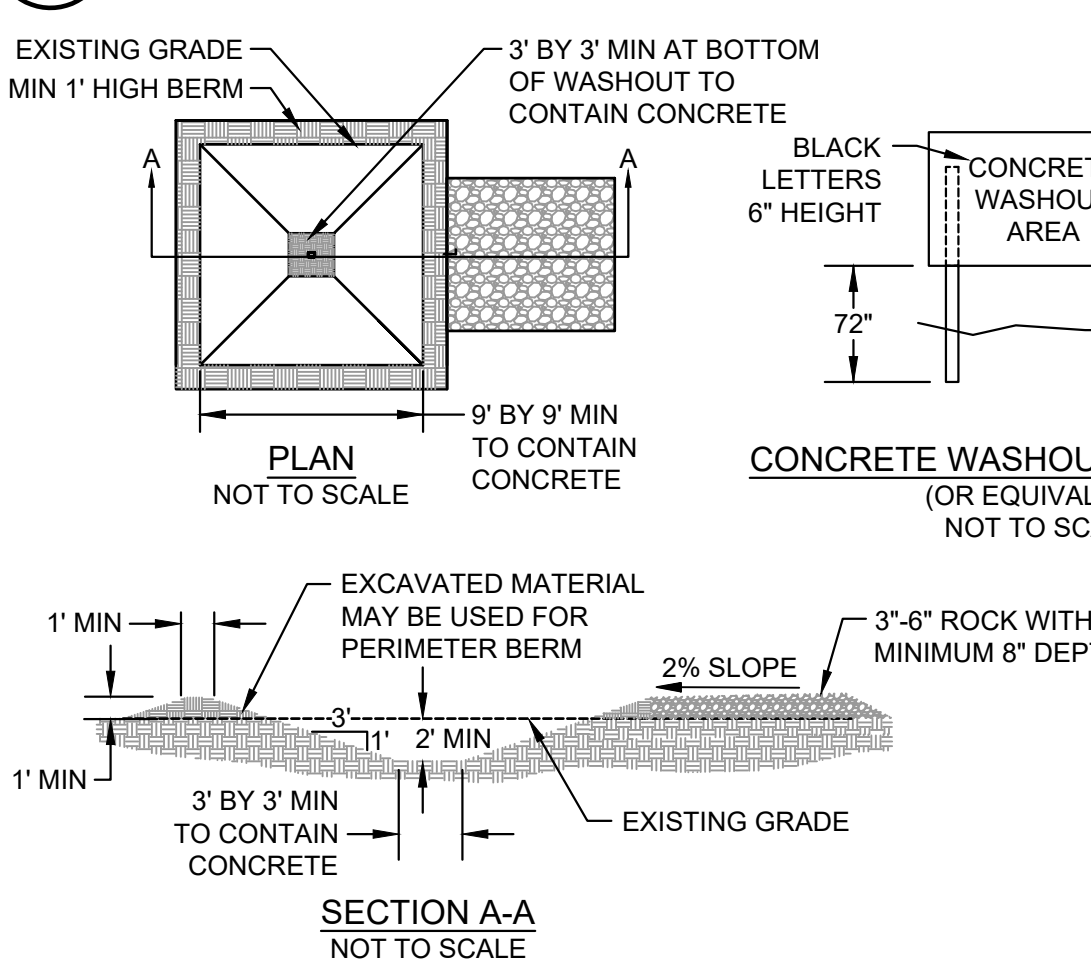
**1 GRADING PLAN**  
C2.2 SCALE: 1" = 10'-0"

NOTES:

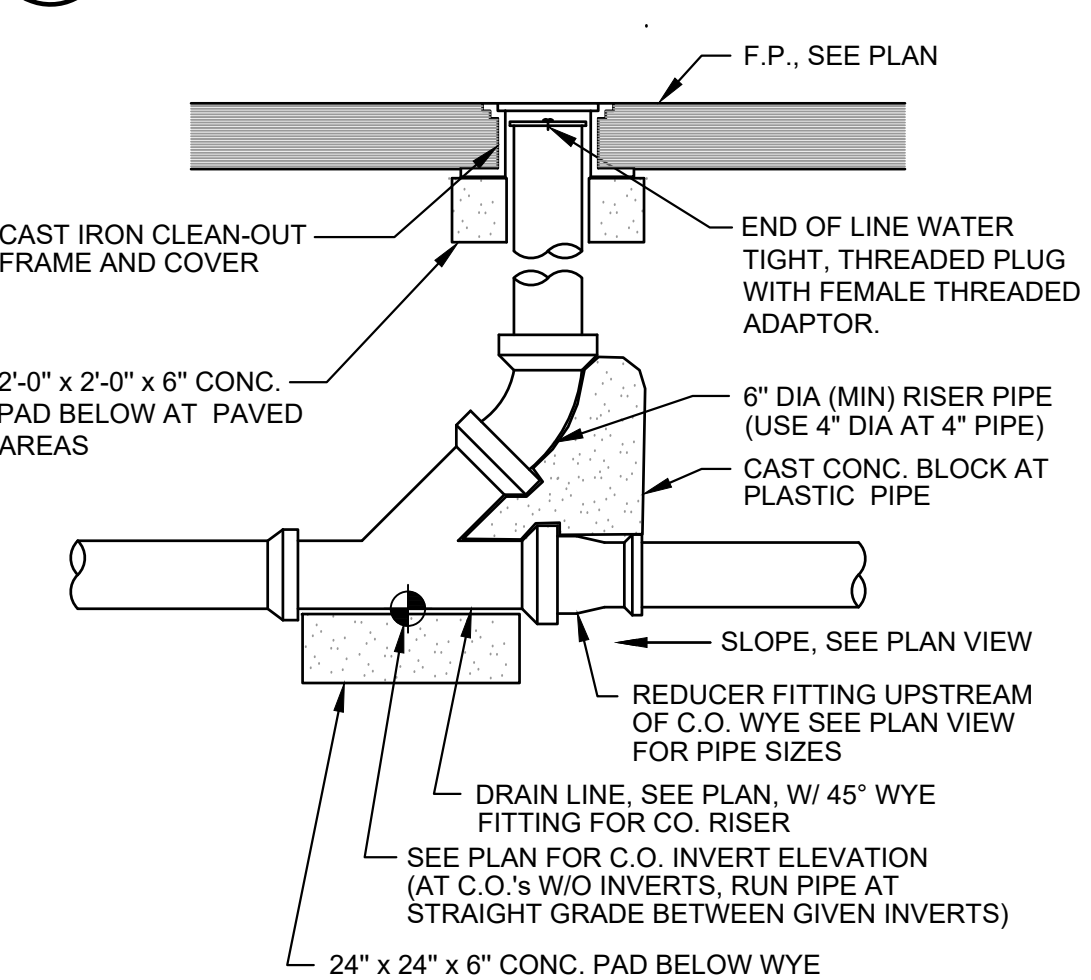
- 1. MINIMUM 12" OVERLAP OF ALL SEAMS REQUIRED
- 2. BARRIER REQUIRED @ TOE OF STOCKPILE
- 3. COVERING MAINTAINED TIGHTLY IN PLACE BY USING SANDBAGS OR APPROVED EQUAL ON ROPES WITH A MAXIMUM 10' GRID SPACING IN ALL DIRECTIONS. PLASTIC TO EXTEND MINIMUM 1' BEYOND TOE OF SLOPE.
- 4. MINIMUM 12" OVERLAP OF SEAMS. SEE NOTE NO. 3



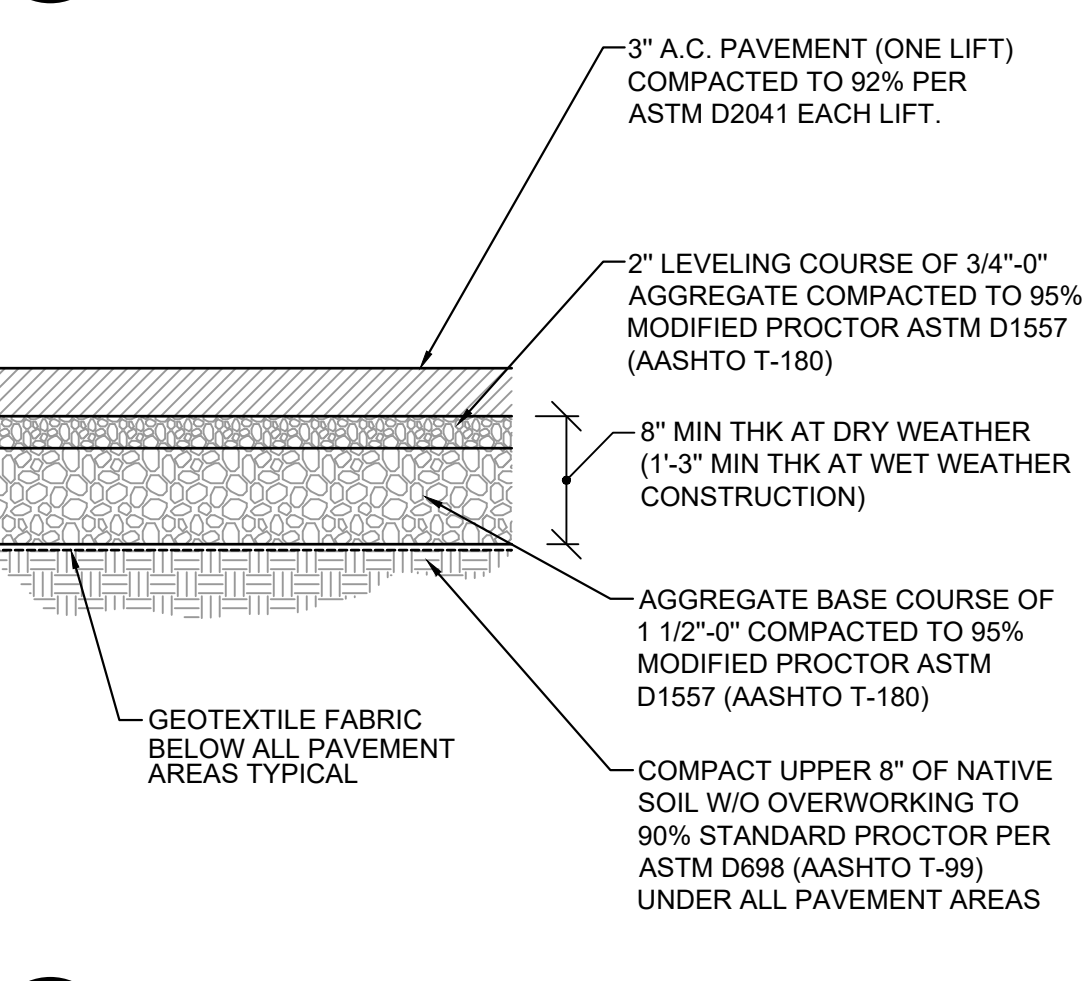
**1** SOIL STOCKPILE DETAIL  
N.T.S.



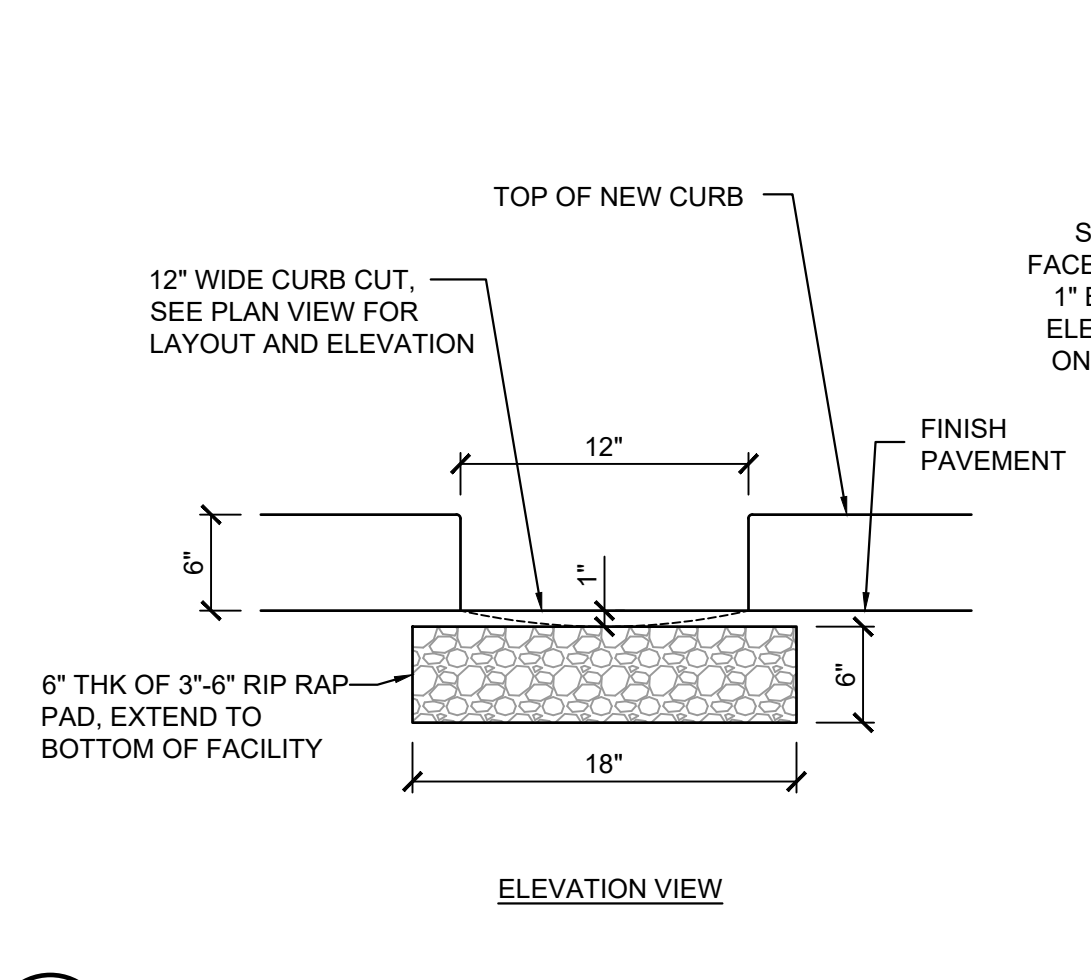
**7** CONCRETE WASHOUT  
N.T.S.



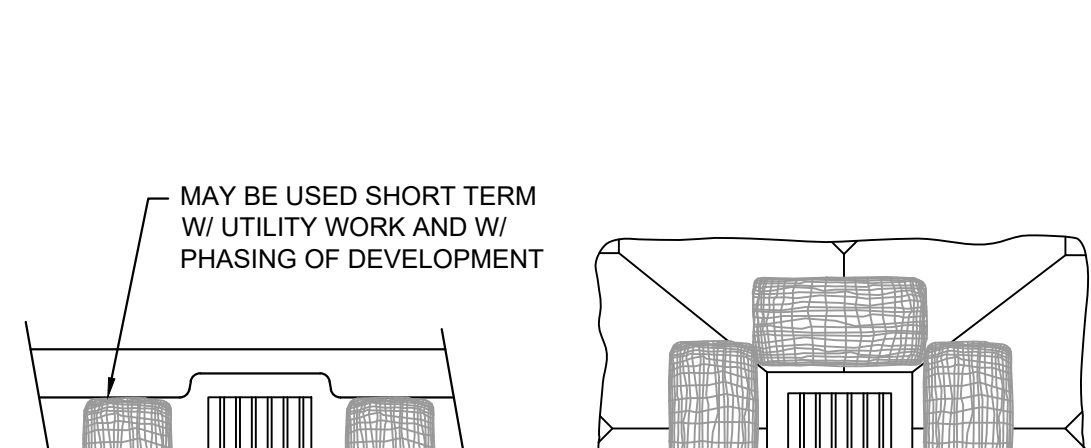
**12** TYP. CLEAN OUT AT VEHICLE PAVEMENT AREAS  
N.T.S.



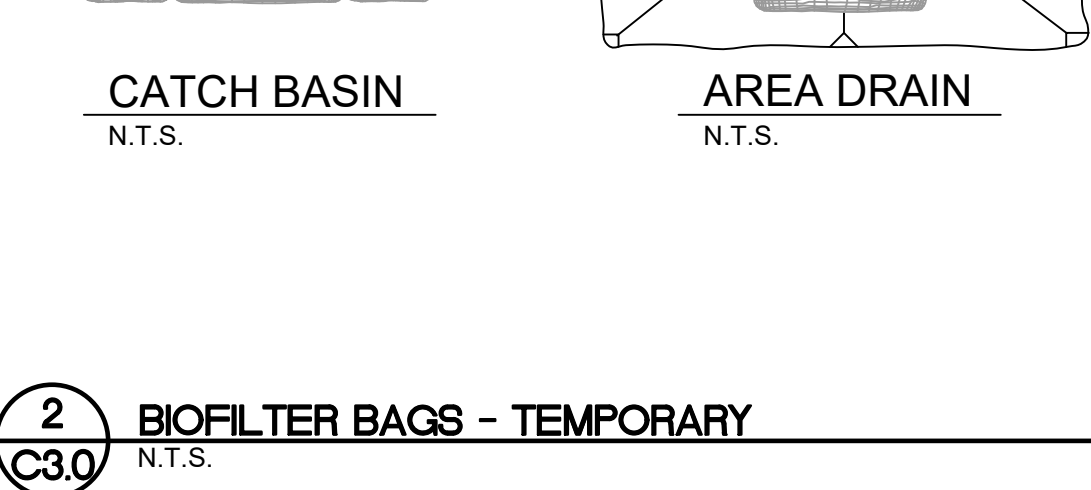
**17** TYPICAL ASPHALTIC PAVEMENT SECTION  
1" = 1'-0"



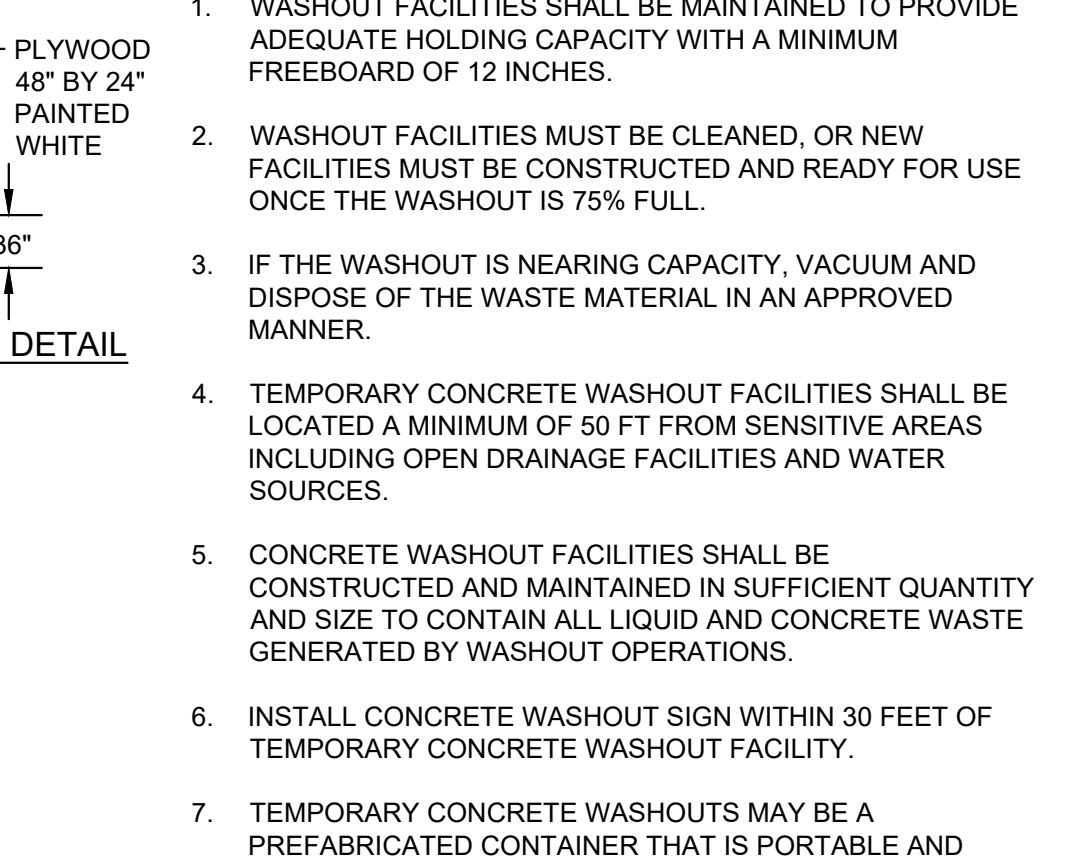
**23** CURB CUT AT LANDSCAPE  
N.T.S.



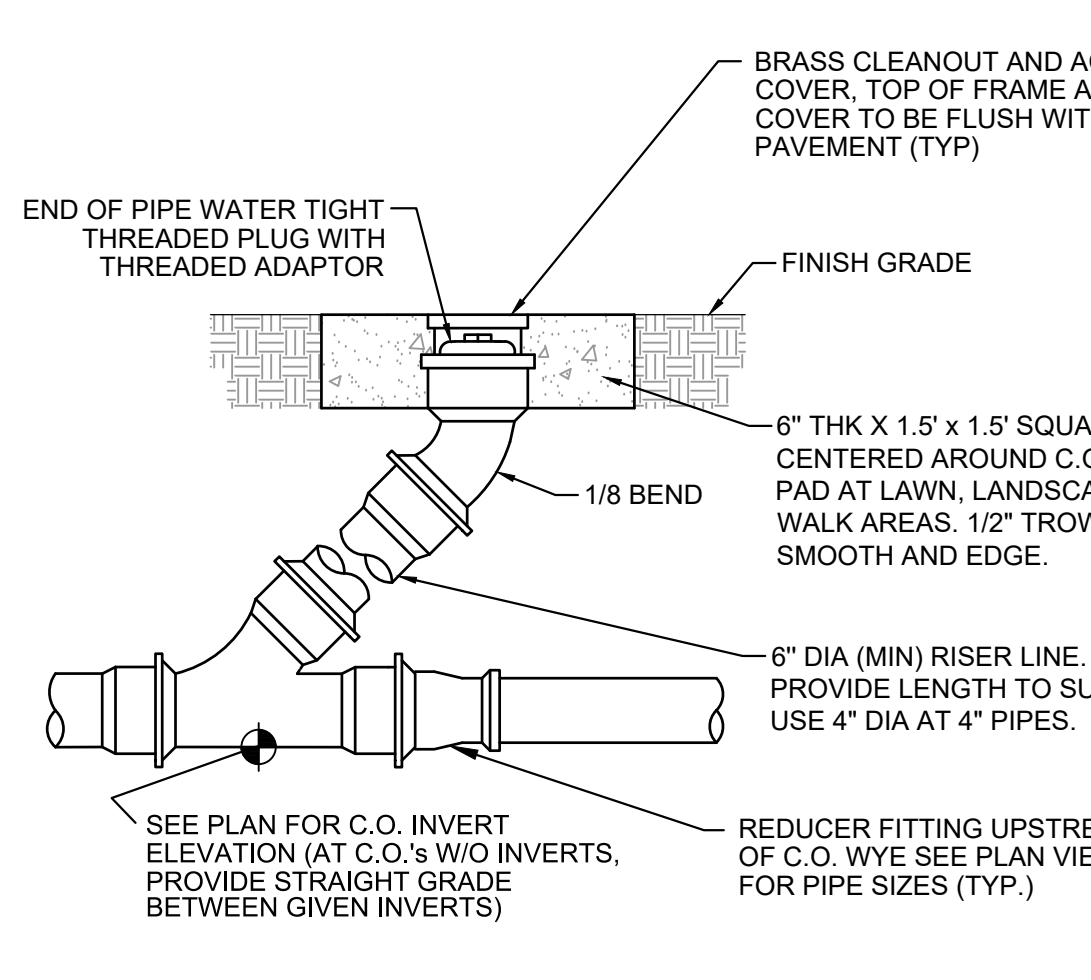
N.T.S.



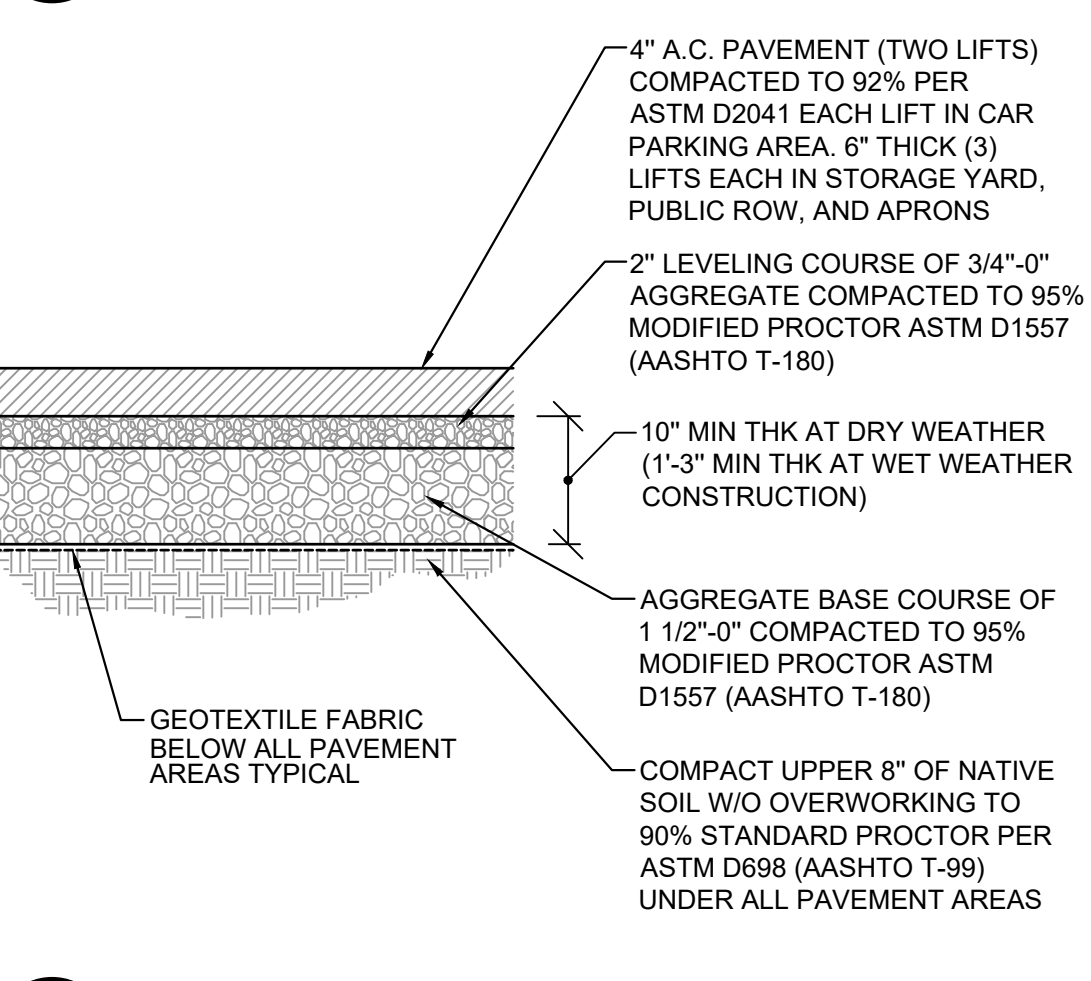
**2** N.T.S.



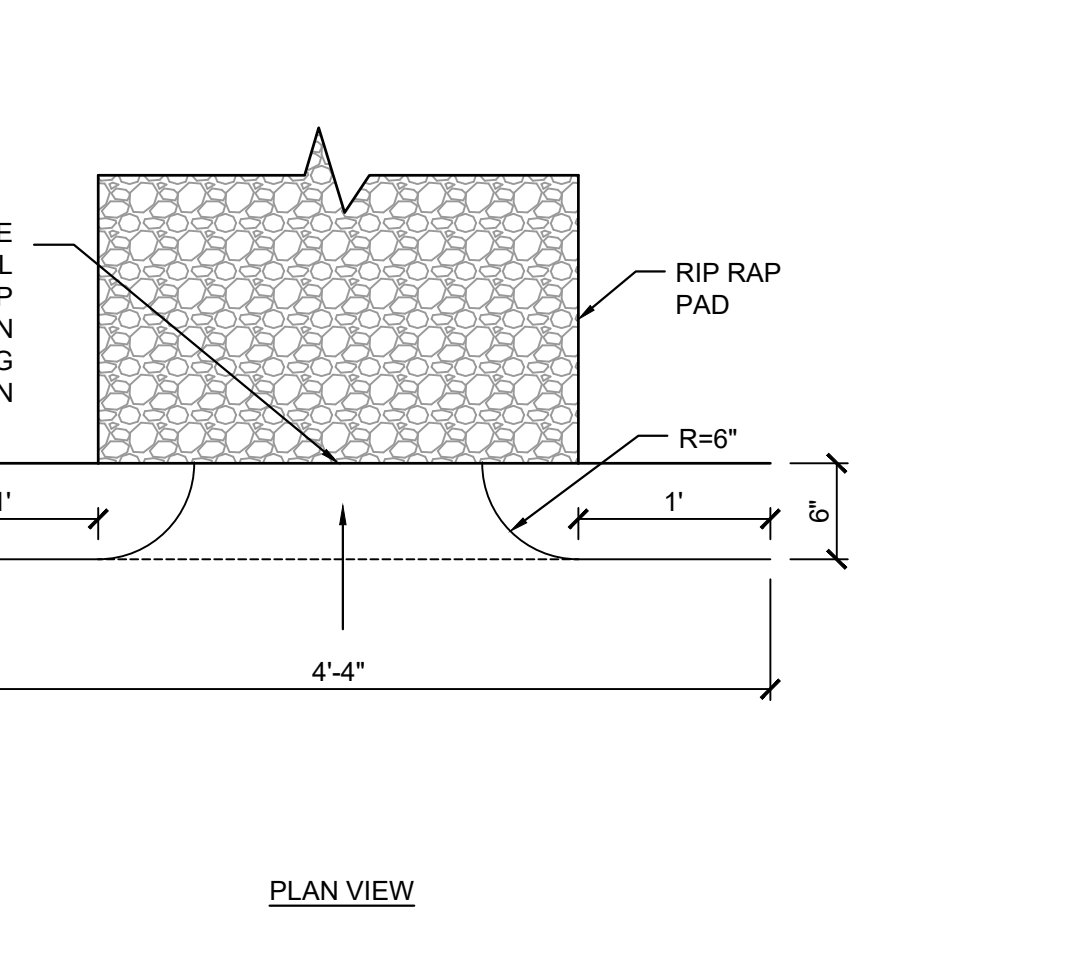
**3** N.T.S.



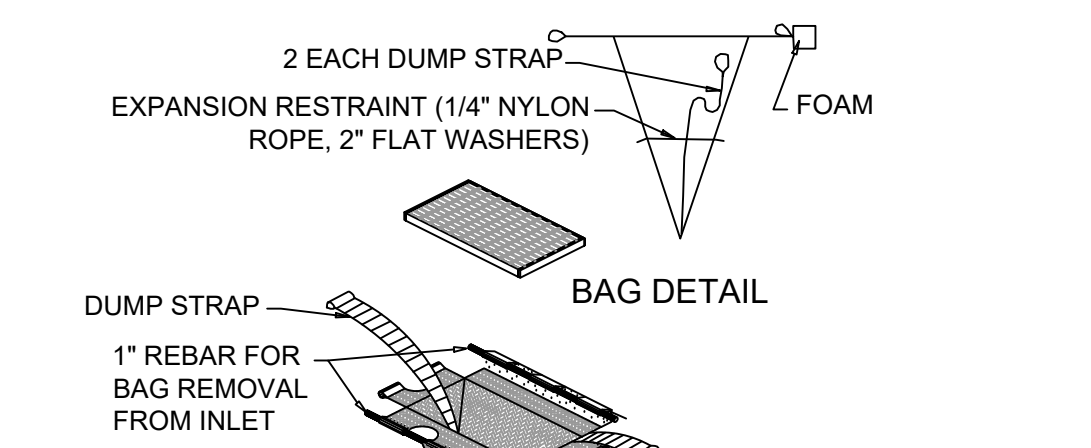
**8** 1" = 1'-0"



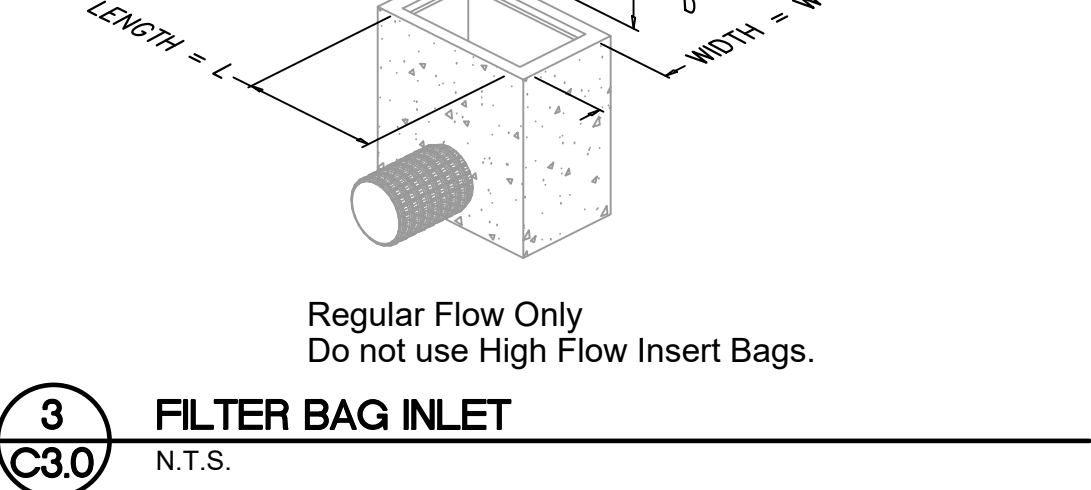
**14** 1" = 1'-0"



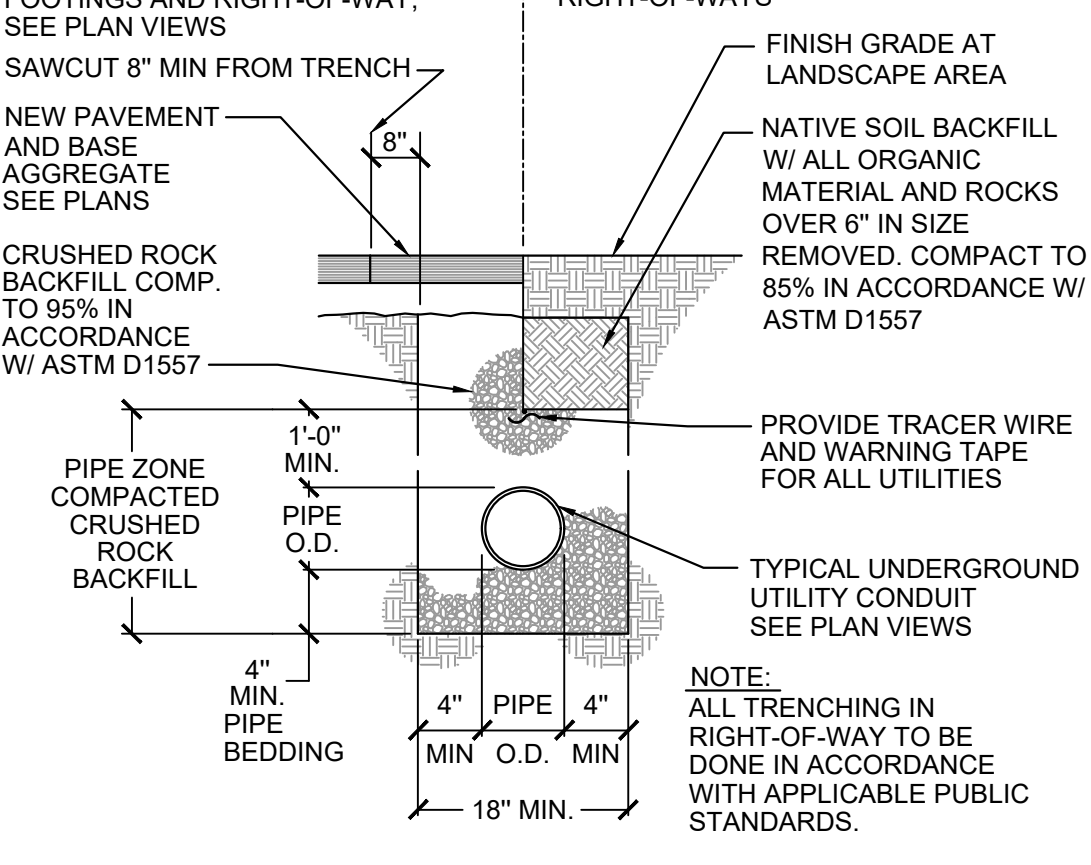
**18** 1" = 1'-0"



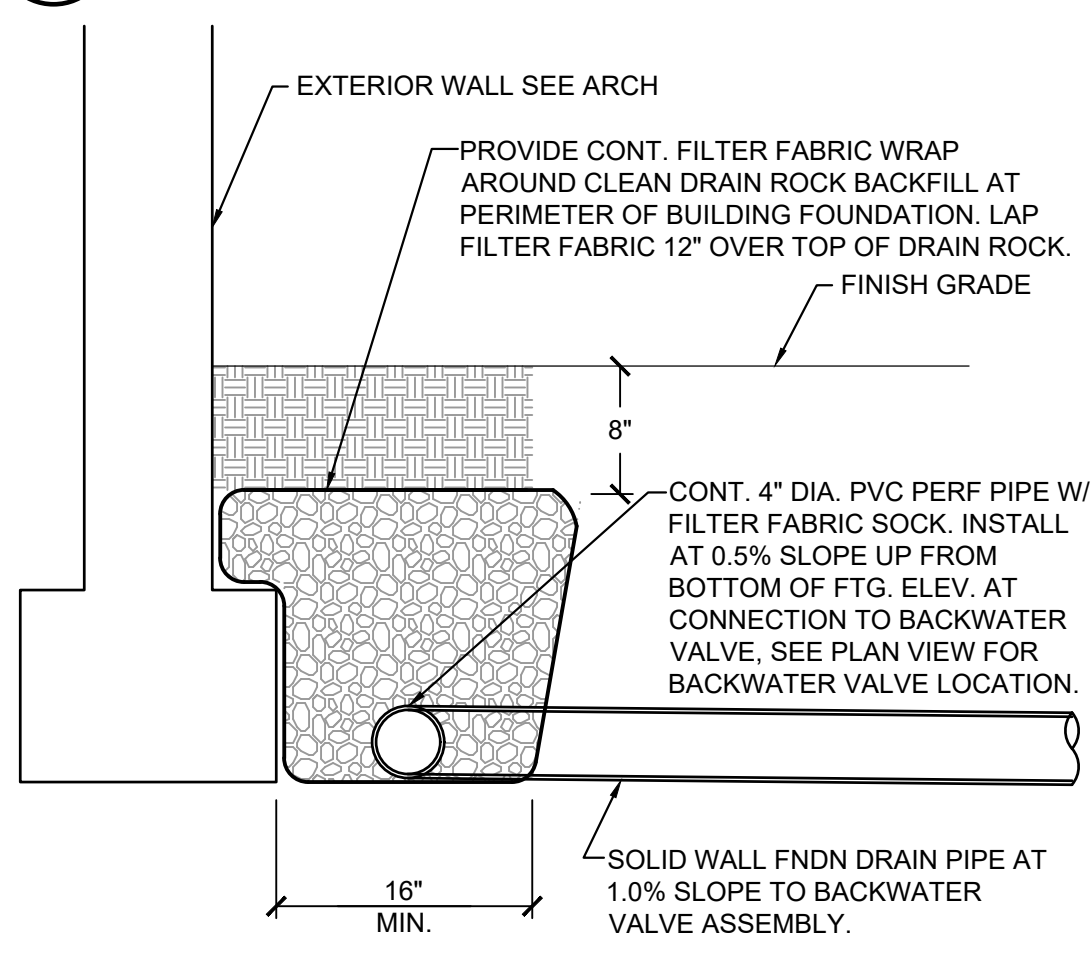
N.T.S.



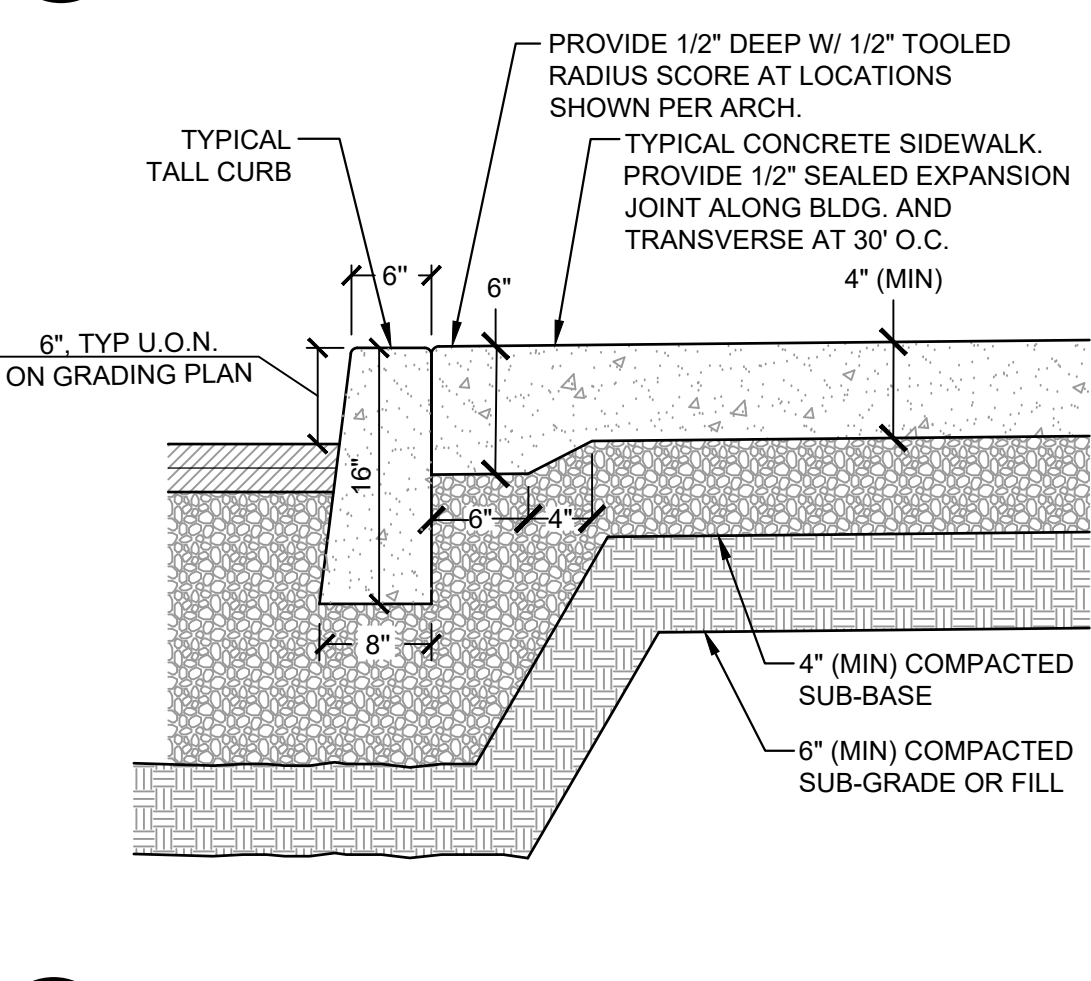
**9** N.T.S.



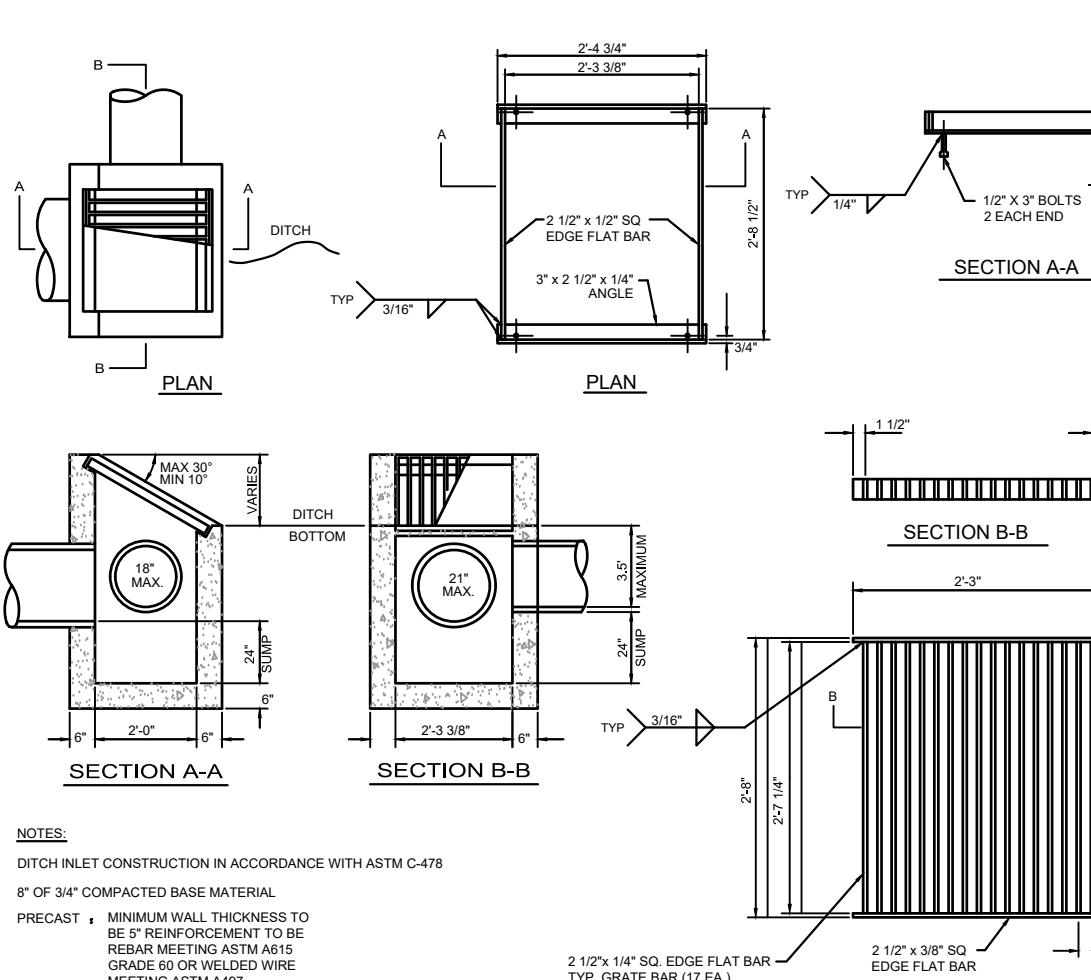
**15** N.T.S.



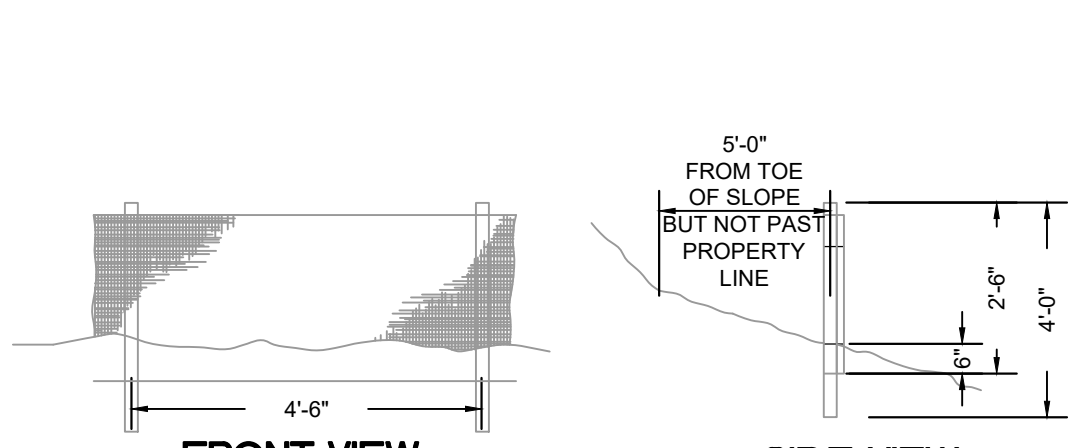
**20** N.T.S.



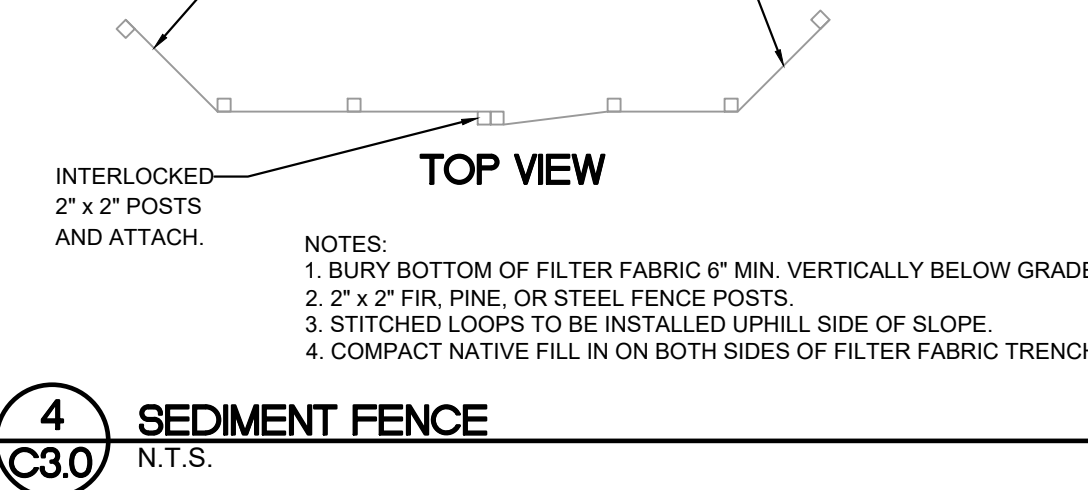
**25** N.T.S.



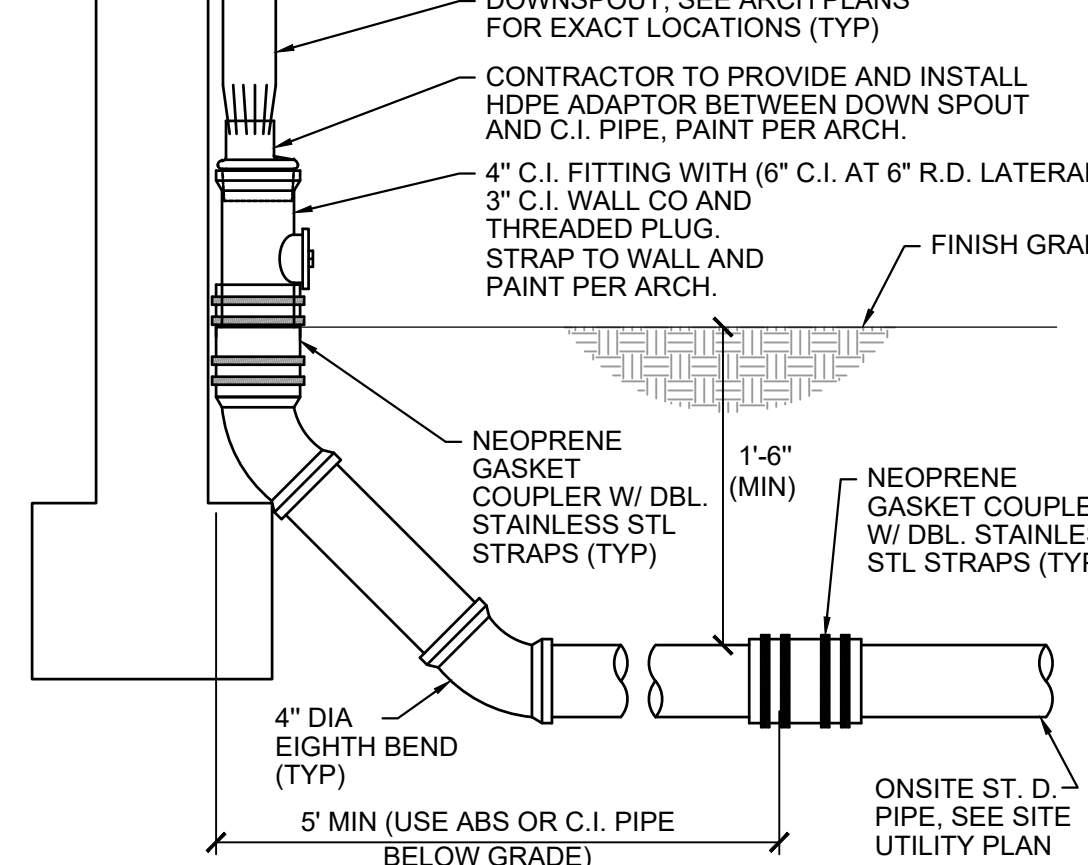
**24** N.T.S.



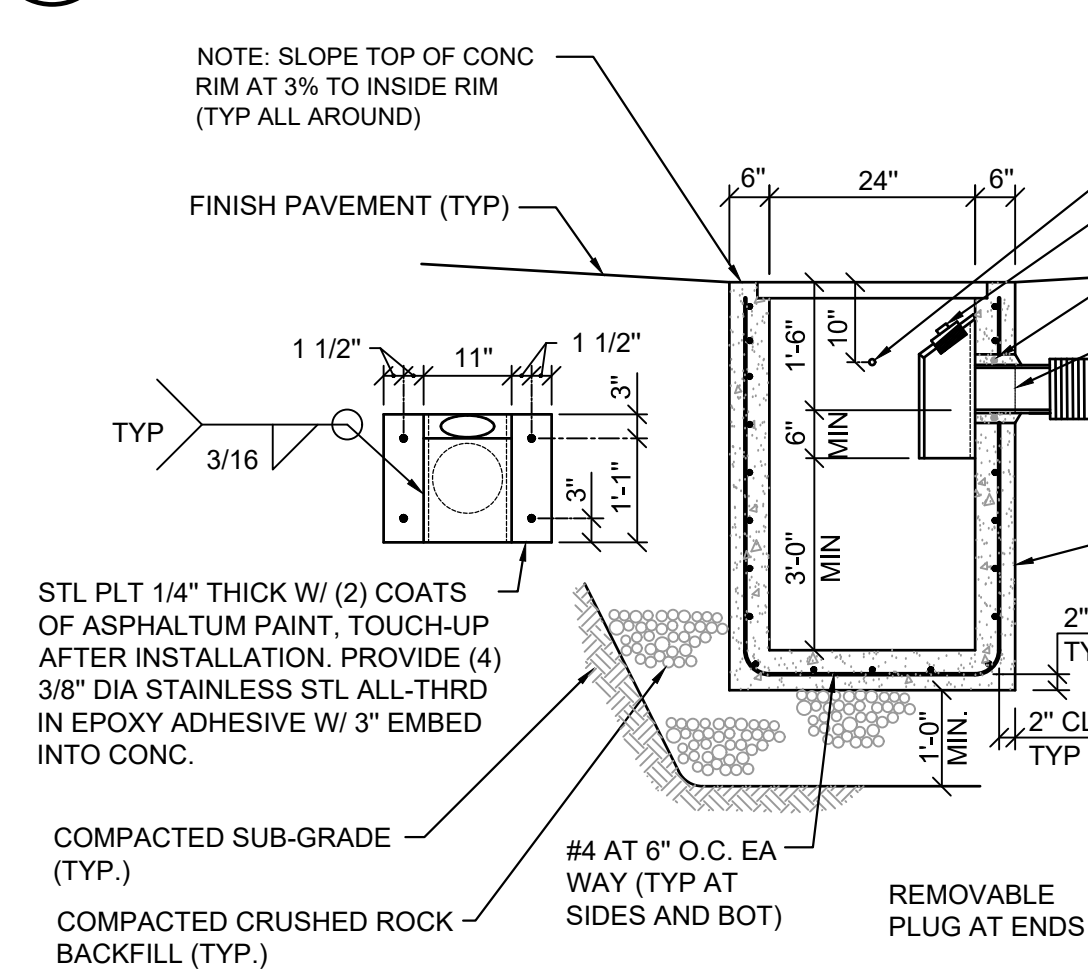
N.T.S.



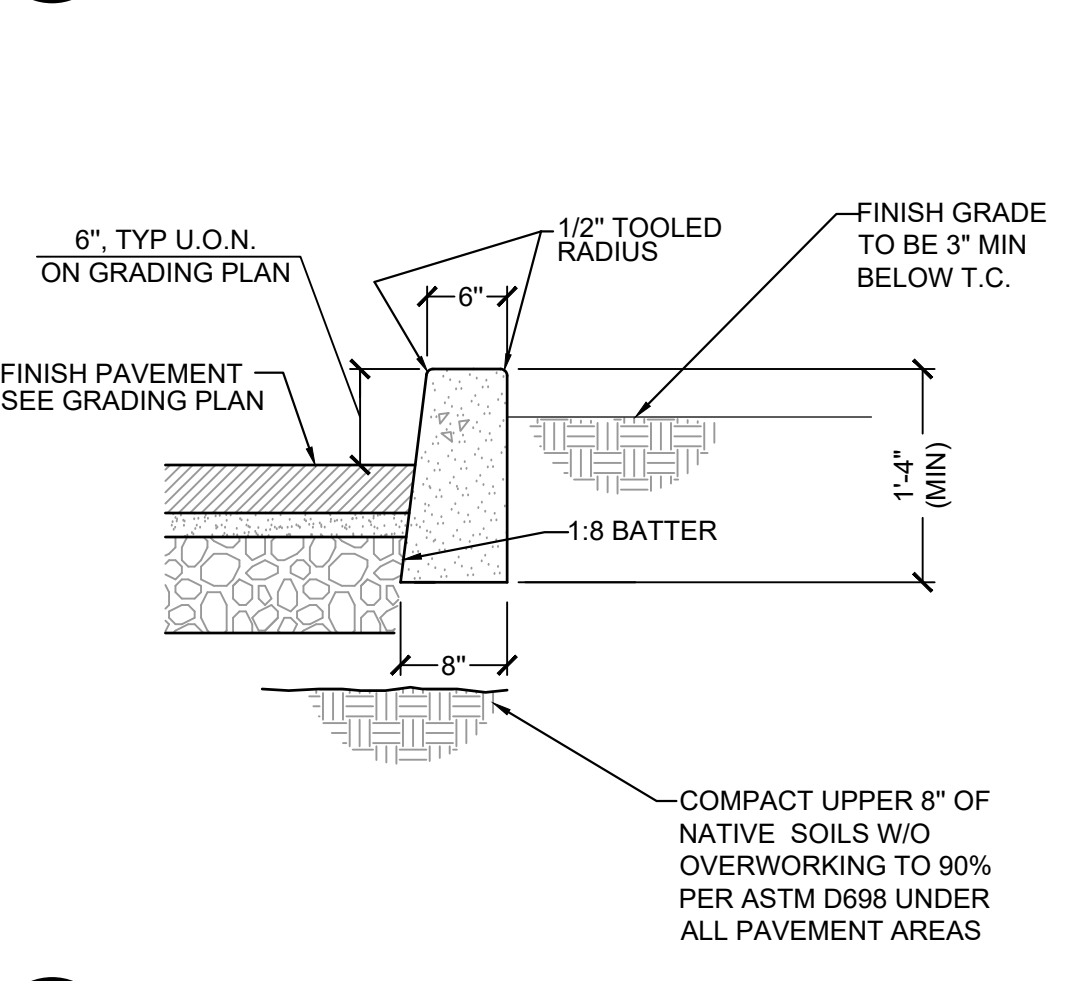
**5** N.T.S.



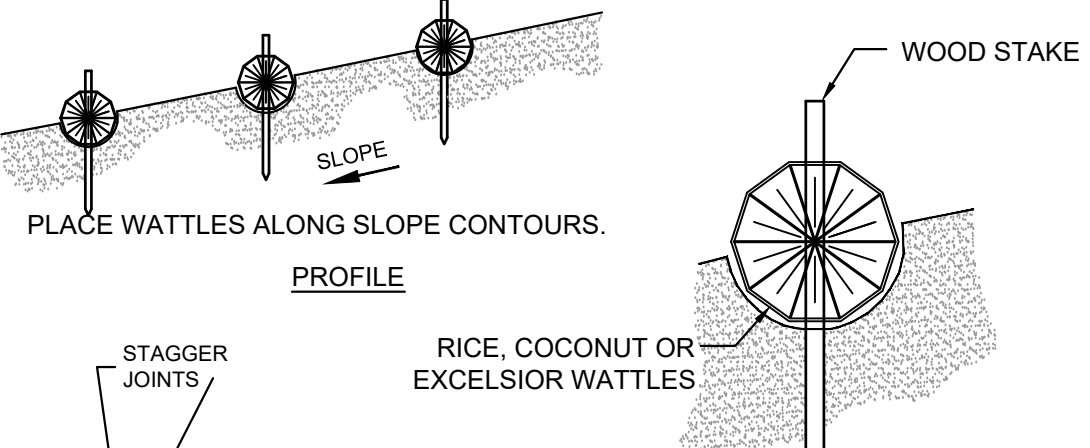
**10** N.T.S.



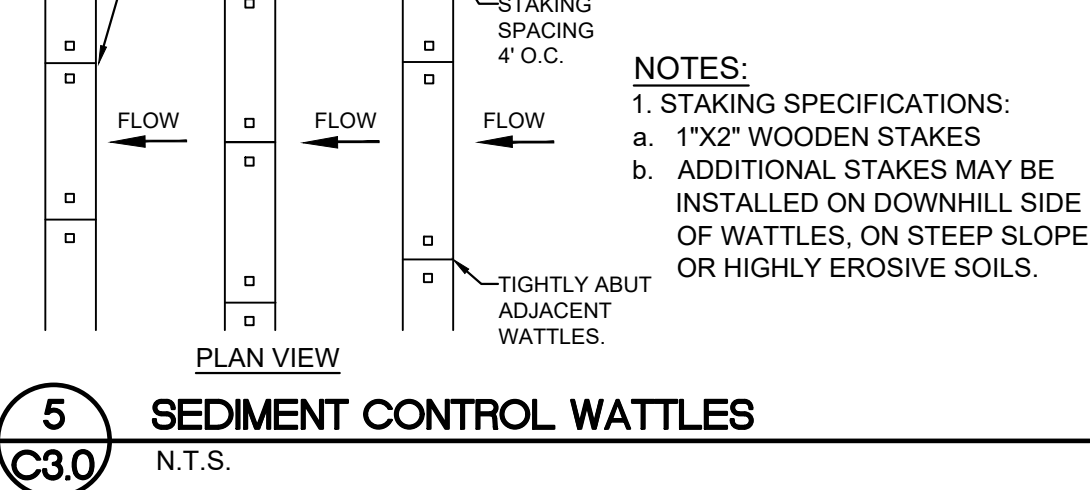
**16** REF: AWP4 STD DETAIL #305B



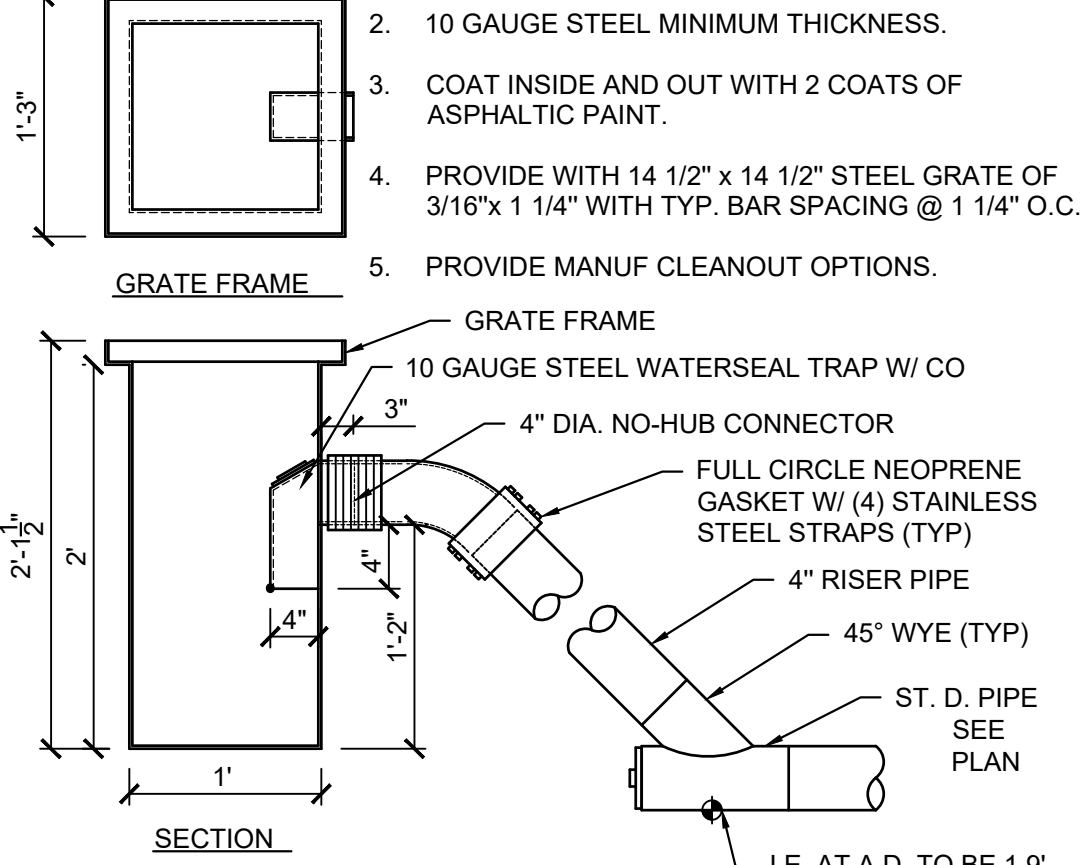
**22** 1" = 1'-0"



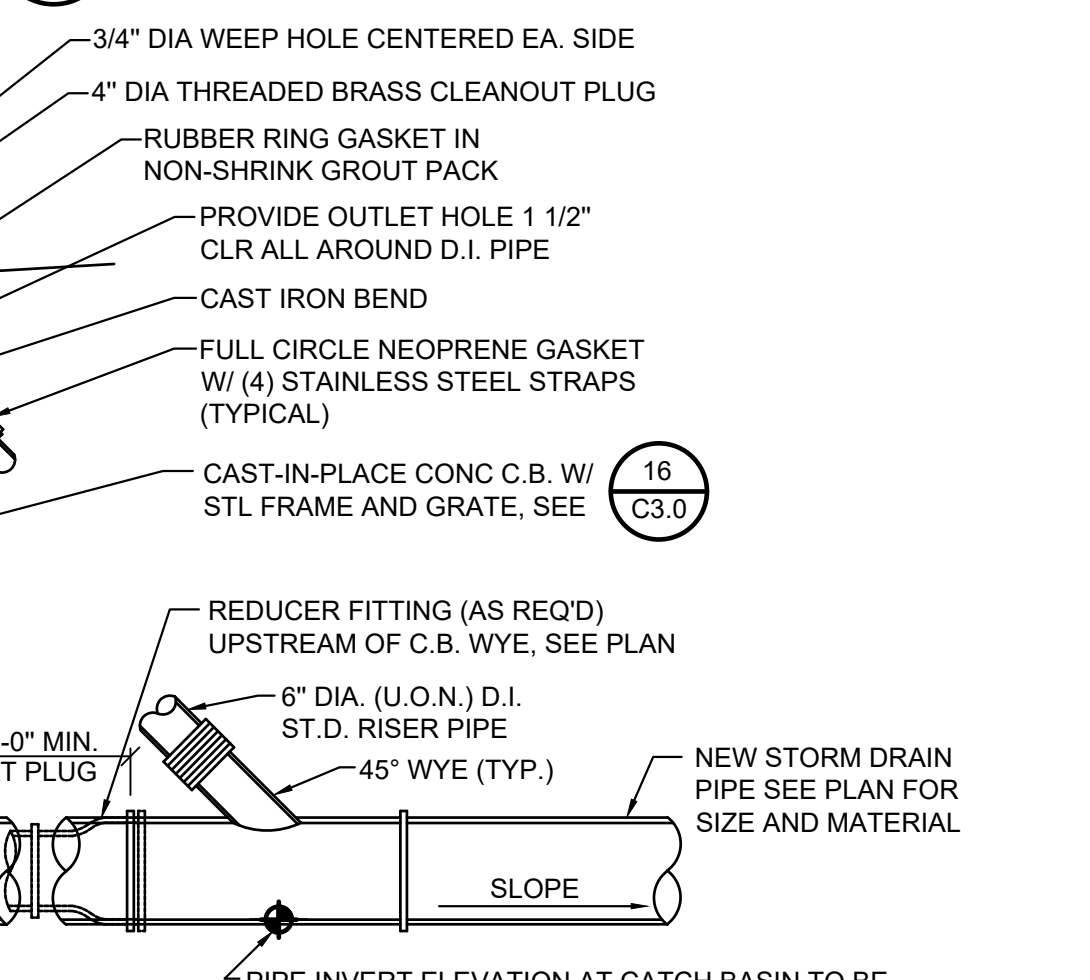
N.T.S.



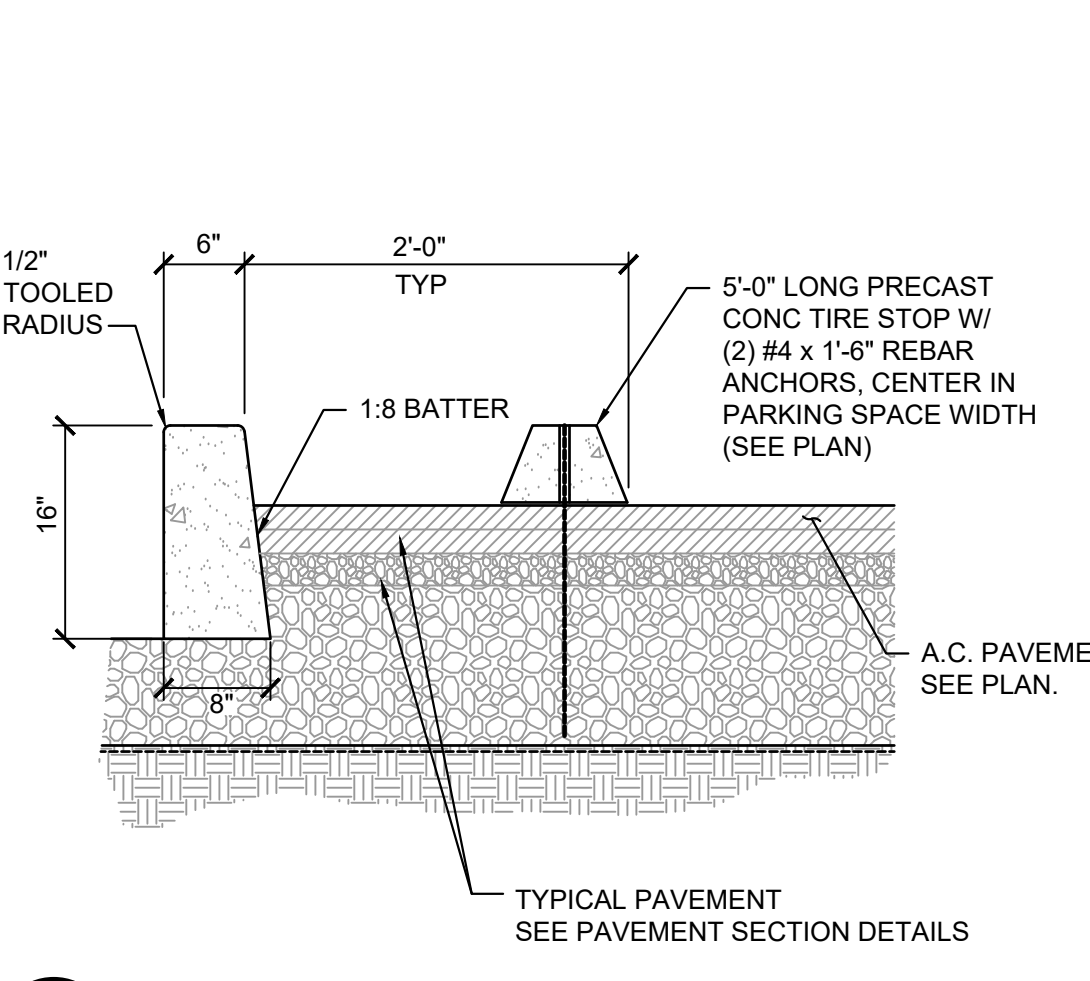
**25** N.T.S.



**25** N.T.S.



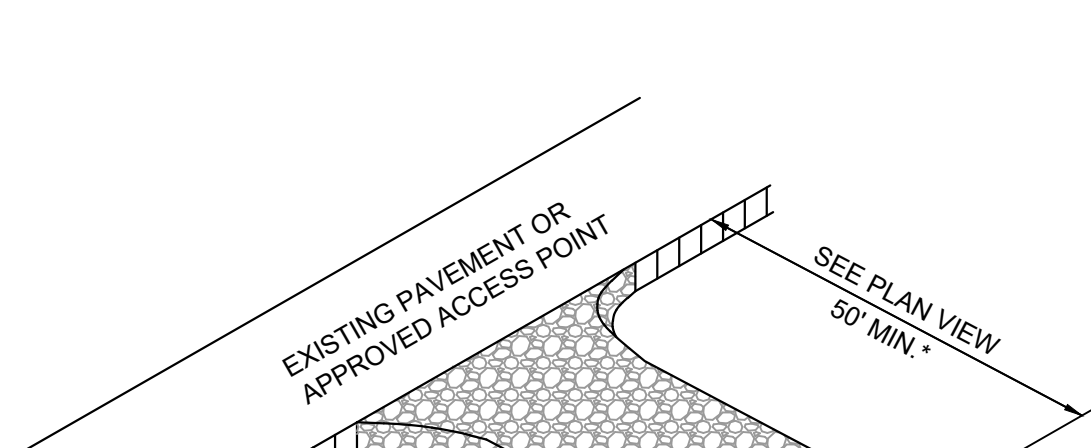
**25** N.T.S.



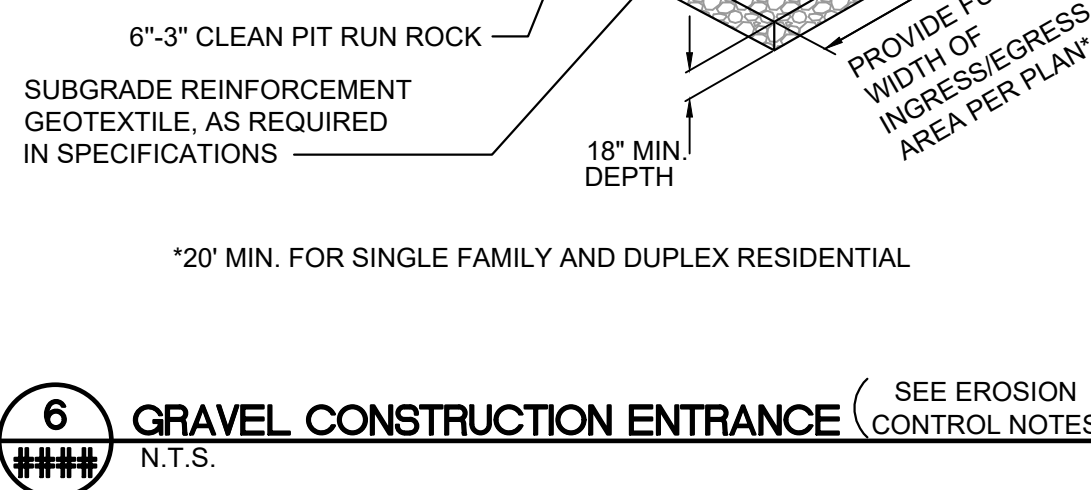
**25** N.T.S.



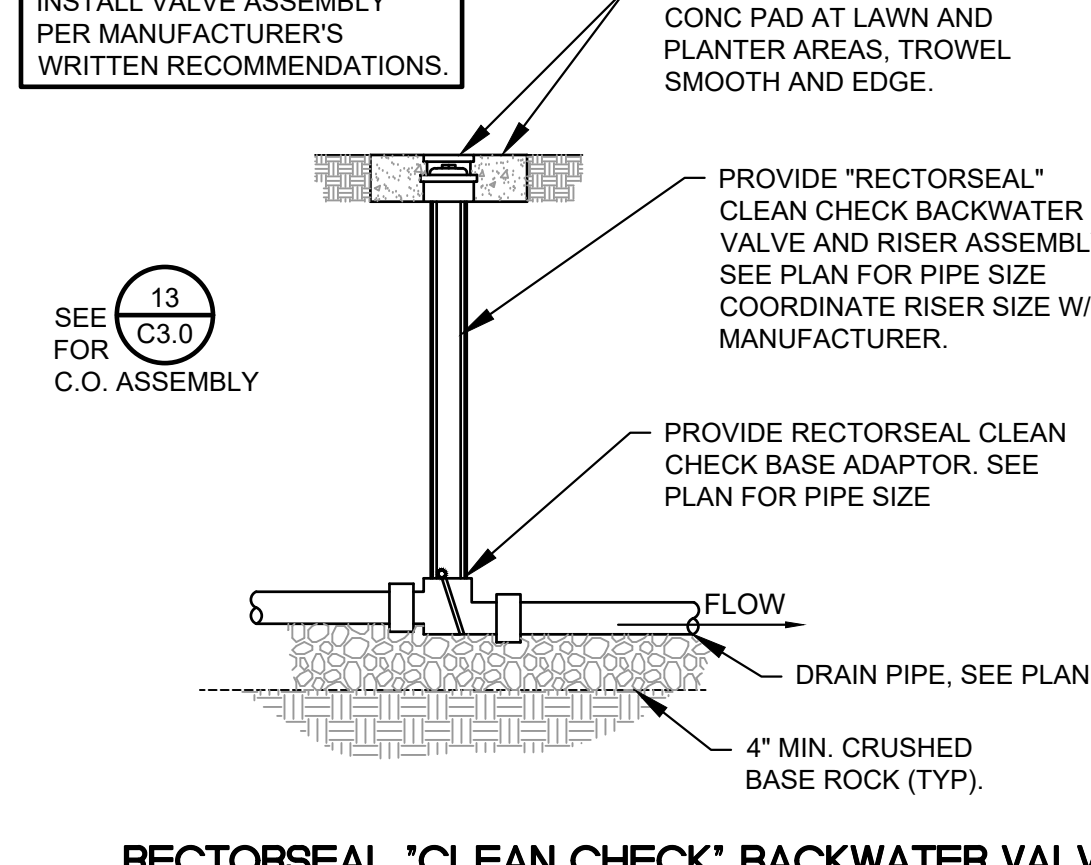
**25** N.T.S.



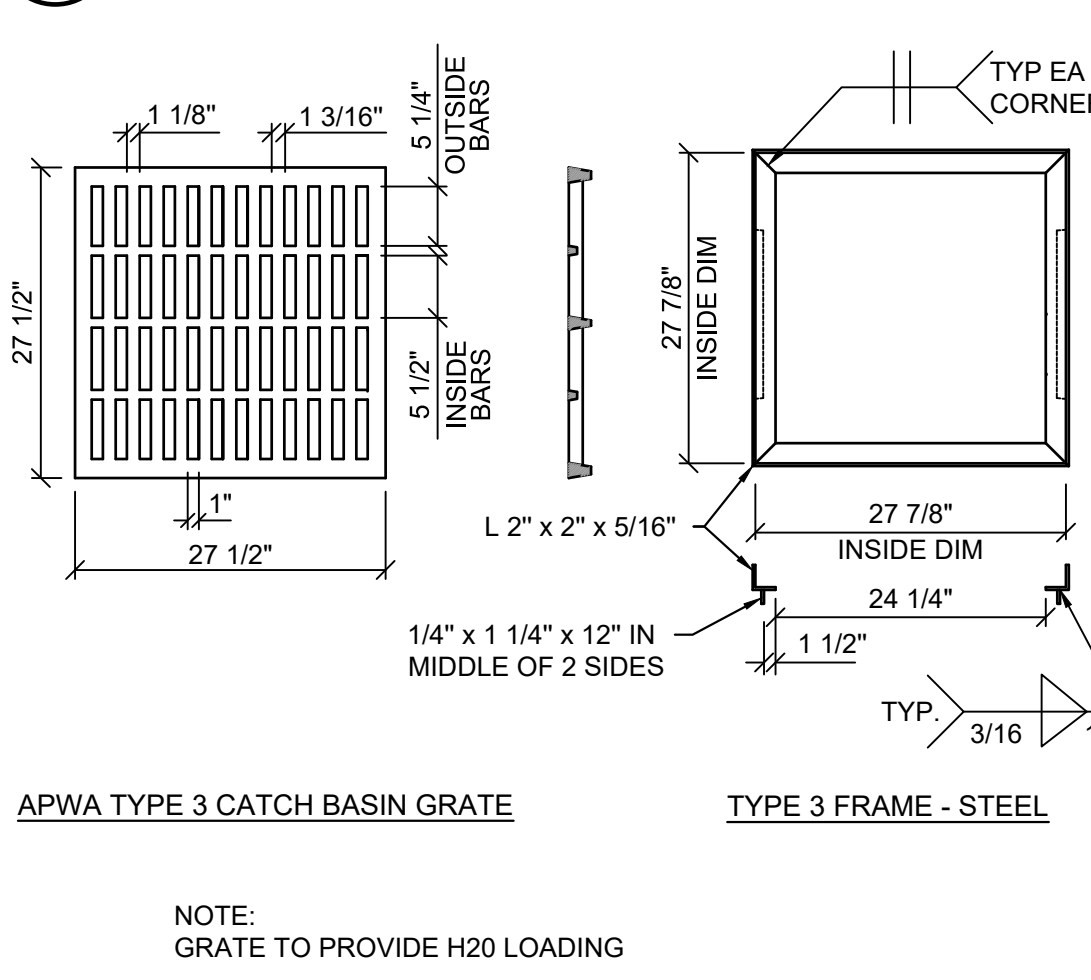
N.T.S.



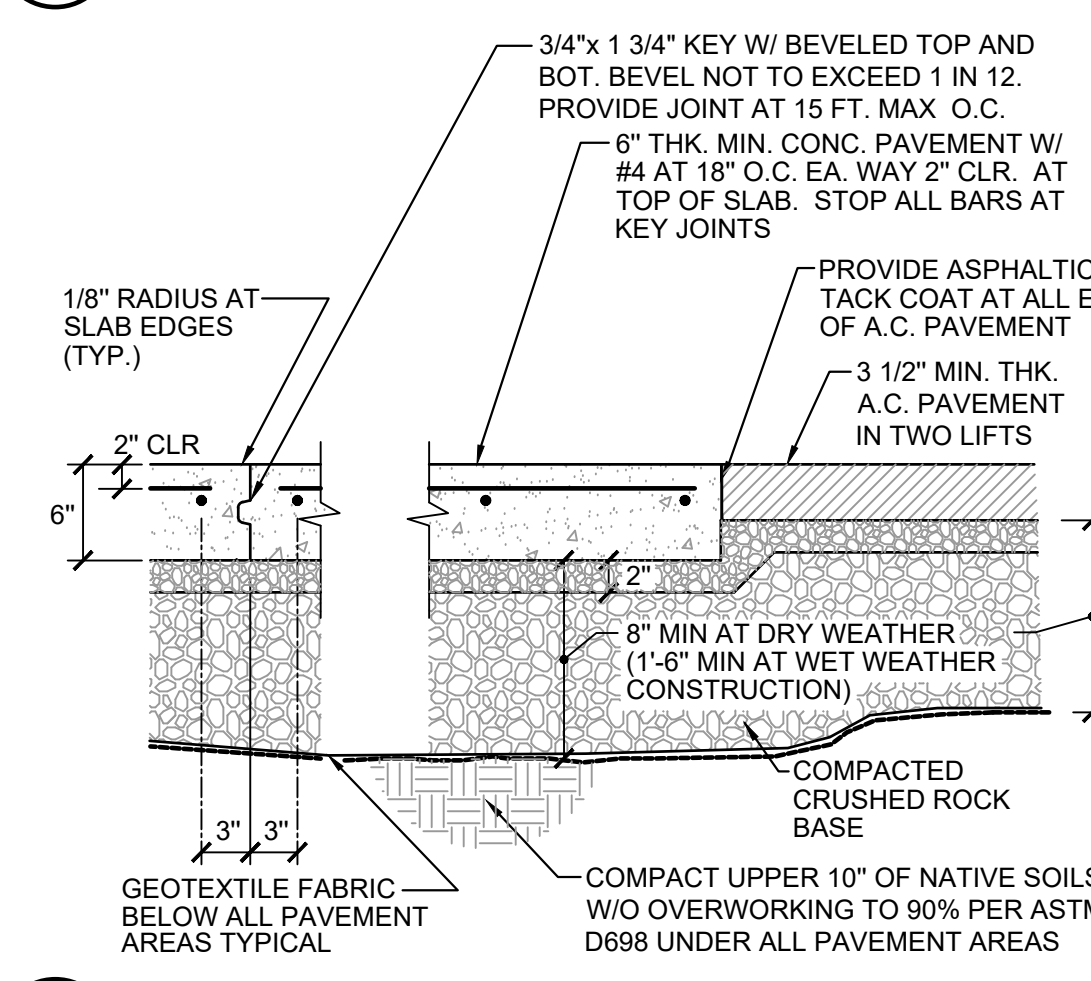
**11** 1/2" = 1'-0"



**14** 1" = 1'-0"



**14** 1" = 1'-0"



**14** 1" = 1'-0"



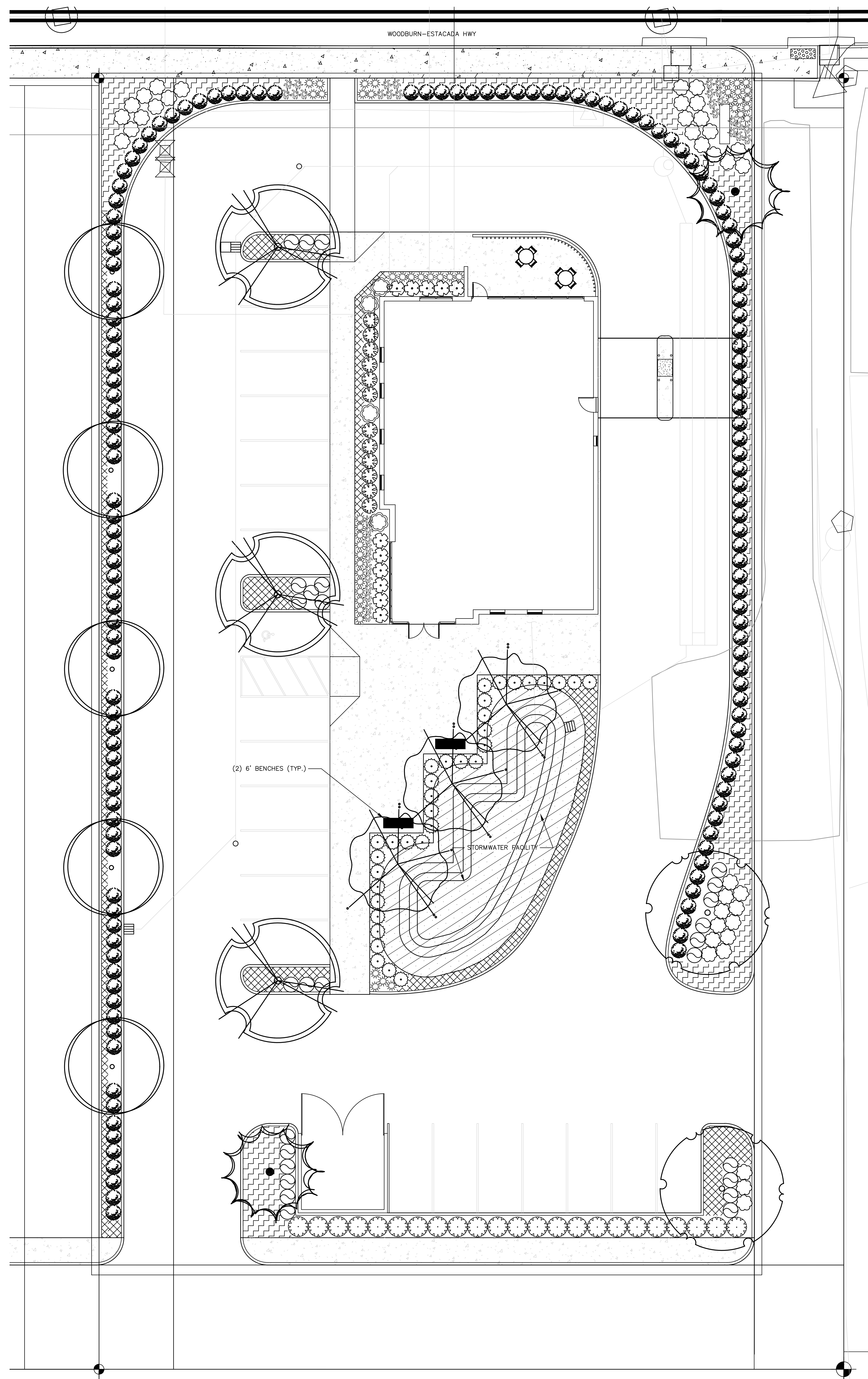
**14** 1" = 1'-0"

PLANT LIST:

SYMBOL	QTY.	LATIN NAME / Common Name	SIZE	SPACING
<b>TREES</b>				
	3	ACER TRUNCATUM 'WARRENRED' Pacific Sunset Maple	1.5" cal.	As shown
	3	CERCIS CANADENSIS Eastern Redbud	1.5" cal.	As shown
	5	PARROTTIA PERSICA Persian Ironwood	2" cal.	As shown
	2	PINUS FLEXILIS 'VANDERWOLF'S PYRAMID' Vanderwolf's Pyramid Limber Pine	6" ht.	As shown
	2	PRUNUS YEDOENSIS 'AKEBONO' Akebono Flowering Cherry	1.5" cal.	As shown
<b>SHRUBS</b>				
	11	ABELIA CHINENSIS 'ROSE CREEK' Rock Creek Abelia	5 gal.	3' o.c.
	4	CISTUS LADANIFER Crimson Spot Rock Rose	5 gal.	4' o.c.
	148	ILEX GLABRA 'SHAMROCK' Shamrock Inkberry	2 gal.	3' o.c.
	34	ESCALLONIA 'COMPAKTA' Compact Escallonia	2 gal.	3' o.c.
	12	NANDINA DOMESTICA 'MOON BAY' Moon Bay Nandina	5 gal.	3' o.c.
	38	SPIRAEA JAPONICA 'LITTLE PRINCESS' Little Princess Spirea	2 gal.	3' o.c.
	18	VIBURNUM DAVIDII David Viburnum	3 gal.	3' o.c.
	23	VIBURNUM TINUS 'SPRING BOUQUET' Spring Bouquet Laurustinus	5 gal.	4' o.c.
<b>GRASSES, PERENNIALS &amp; GROUND COVER</b>				
	34	SALVIA 'MAY NIGHT' May Night Flowering Salvia	1 gal.	2' o.c.
	45	CAREX OSHIMENSIS 'EVERGOLD' Evergold Sedge	1 gal.	2' o.c.
	120	ARCTOSTAPHYLOS UVA-URSI 'MASS.' Massachusetts Kinnikinnick	1 gal.	3' o.c.
	117	MAHONIA REPENS Creeping Oregon Grape	1 gal.	3' o.c.
<b>STORMWATER PLANTINGS PER CLACKAMAS COUNTY STANDARDS</b>				

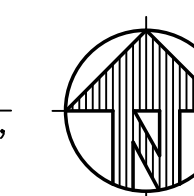
GENERAL NOTES:

- Contractor is to verify all plant quantities.
- Adjust plantings in the field as necessary.
- Project is to be irrigated by an automatic, underground system, which will provide full coverage for all plant material. System is to be design/build by Landscape Contractor. Guarantee system for a minimum one year. Show drip systems as alternate bid only.
- All plants are to be fully foliated, well branched and true to form.
- Contractor is to notify Landscape Architect or Owner's Representative of any site changes or unforeseen conditions that may be detrimental to plant health, or cause future problems to any structural elements of the project.

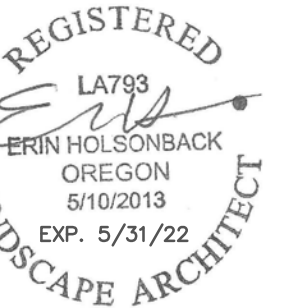


LANDSCAPE PLAN

SCALE 1" = 10'-0"



DRAFT DESIGN REVIEW - 1/14/2022



Client/ Owner:

CFCU

4107 SE International  
Way, suite 703  
Milwaukie, OR 97222

Project:

CFCU -  
CASCADE  
CENTER

PARCEL D OF  
CASCADE CENTER  
ALONG W MAIN  
STREET

Sheet Title:

LANDSCAPE  
PLAN

Revisions:

#	Description	Date

MILDREN DESIGN GROUP P.C. 2021. ALL RIGHTS RESERVED.

THESE DRAWINGS ARE THE PROPERTY OF MILDREN DESIGN GROUP P.C. AND ARE NOT TO BE USED OR REPRODUCED IN ANY MANNER EXCEPT WITH THE WRITTEN PERMISSION OF MILDREN DESIGN GROUP P.C.

Date: 01/21/2022

Drawn by: LH Checked by: EH

Author:                      Checker:

Job Number: 121080

Sheet

**OUTLINE SPECIFICATIONS PLANTING AND SEEDING:**

**GENERAL:** All plants shall conform to all applicable standards of the latest edition of the "American Association of Nurserymen Standards", A.N.S.I. Z60.1 – 1973. Meet or exceed the regulations and laws of Federal, State, and County regulations, regarding the inspection of plant materials, certified as free from hazardous insects, disease, and noxious weeds, and certified fit for sale in Oregon.

The apparent silence of the Specifications and Plans as to any detail, or the apparent omission from them of a detailed description concerning any point, shall be regarded as meaning that only the best general practice is to prevail and that only material and workmanship of first quality are to be used. All interpretations of these Specifications shall be made upon the basis above stated.

Landscape contractor shall perform a site visit prior to bidding to view existing conditions.

**PERFORMANCE QUALITY ASSURANCE:** Use adequate numbers of skilled workmen who are thoroughly trained and experienced in the necessary horticultural practices and who are completely familiar with the specified requirements and methods needed for the proper performance of the work of this section.

**NOTIFICATION:** Give Landscape Architect minimum of 2 days advance notice of times for inspections. Inspections at growing site does not preclude Landscape Architect's right of rejection of deficient materials at project site. Each plant failing to meet the above mentioned "Standards" or otherwise failing to meet the specified requirements as set forth shall be rejected and removed immediately from the premises by the Contractor and at his expense, and replaced with satisfactory plants or trees conforming to the specified requirements.

**SUBSTITUTIONS:** Only as approved by the Landscape Architect or the Owner's Representative.

**GUARANTEE AND REPLACEMENT:** All plant material shall be guaranteed from final acceptance for one full growing season or one year, whichever is longer. During this period the Contractor shall replace any plant material that is not in good condition and producing new growth (except that material damaged by severe weather conditions, due to Owner's negligence, normally unforeseen peculiarities of the planting site, or lost due to vandalism). Guarantee to replace, at no cost to Owner, unacceptable plant materials with plants of same variety, age, size and quality as plant originally specified. Conditions of guarantee on replacement plant shall be same as for original plant.

Landscape Contractor shall keep on site for Owner's Representative's inspection, all receipts for soil amendment and topsoil deliveries.

**PROTECTION** Protect existing roads, sidewalks, and curbs, landscaping, and other features remaining as final work. Verify location of underground utilities prior to doing work. Repair and make good any damage to service lines, existing features, etc. caused by landscaping installation.

**PLANT QUALITY ASSURANCE:** Deliver direct from nursery. Maintain and protect roots of plant material from drying or other possible injury. Store plants in shade and protect them from weather immediately upon delivery, if not to be planted within four hours.

Nursery stock shall be healthy, well branched and rooted, formed true to variety and species, full foliated, free of disease, injury, defects, insects, weeds, and weed roots. Trees shall have straight trunks, symmetrical tips, and have an intact single leader. Any trees with double leaders will be rejected upon inspection. All Plants: True to name, with one of each bundle or lot tagged with the common and botanical name and size of the plants in accordance with standards of practice of the American Association of Nurserymen, and shall conform to the Standardized Plant Names, 1942 Edition.

Container grown stock: Small container-grown plants, furnished in removable containers, shall be well rooted to ensure healthy growth. **Grow container plants in containers a minimum of one year** prior to delivery, with roots filling container but not root bound. Bare root stock: Roots well-branched and fibrous. Baled and burlapped (B&B): Ball shall be of natural size to ensure healthy growth. Ball shall be firm and the burlap sound. No loose or made ball will be acceptable.

**TOPSOIL AND FINAL GRADES:** Landscape Contractor is to supply and place 12" of topsoil in planting beds and 6" in lawn areas. Landscape Contractor is to verify with the General Contractor if the on-site topsoil is or is not conducive to proper plant growth. The topsoil shall be a sandy loam, free of all weeds and debris inimical to lawn or plant growth. Furnish soil analysis by a qualified soil testing laboratory stating percentages of organic matter; gradation of sand, silt and clay content; cation exchange capacity; deleterious material; pH; and plant nutrient content of the topsoil. Report suitability of topsoil for plant growth and recommended quantities of nitrogen, phosphorus and potash nutrients and soil amendments (including compost) to be added to produce satisfactory topsoil. If stockpiled topsoil on site is not conducive to proper plant growth, the Landscape Contractor shall import the required amount.

Landscape shall include finished grades and even distribution of topsoil to meet planting requirements. Grades and slopes shall be as indicated. Planting bed grades shall be approximately 3" below adjacent walks, paving, finished grade lines, etc., to allow for bark application. Finish grading shall remove all depressions or low areas to provide positive drainage throughout the area.

**PLANTING SPECIFICATIONS:**

**HERBICIDES:** Prior to soil preparation, all areas showing any undesirable weed or grass growth shall be treated with Round-up in strict accordance with the manufacturer's instructions.

**SOIL PREPARATION:** Work all areas by rototilling to a minimum depth of 8". Remove all stones (over 1 1/2" size), sticks, mortar, large clumps of vegetation, roots, debris, or extraneous matter turned up in working. Soil shall be of a homogeneous fine texture. Level, smooth and lightly compact area to plus or minus .10 of required grades.

In groundcover areas add 2" of compost (or as approved) and till in to the top 6" of soil.

**PLANTING HOLE:** Lay out all plant locations and excavate all soils from planting holes to 2 1/2 times the root ball or root system width. Loosen soil inside bottom of plant hole. Dispose of any "subsoil" or debris from excavation. Check drainage of planting hole with water, and adjust any area showing drainage problems.

**SOIL MIX:** Prepare soil mix in each planting hole by mixing:  
2 part native topsoil (no subsoil)  
1 part compost (as approved)

Thoroughly mix in planting hole and add fertilizers at the following rates:

- Small shrubs – 1/8 lb./ plant
- Shrubs – 1/3 to 1/2 lb./ plant
- Trees – 1/3 to 1 lb./ plant

**FERTILIZER:** For trees and shrubs use Commercial Fertilizer "A" Inorganic (5-4-3) with micro-nutrients and 50% slow releasing nitrogen. For initial application in fine seed lawn areas use Commercial Fertilizer "B" (8-16-8) with micro-nutrients and 50% slow-releasing nitrogen. For lawn maintenance use Commercial Fertilizer "C" (22-16-8) with micro-nutrients and 50% slow-releasing nitrogen. **DO NOT** apply fertilizer to Water Quality Swale.

**PLANTING TREES AND SHRUBS:** Plant upright and face to give best appearance or relationship to adjacent plants and structures. Place 6" minimum, lightly compacted layer of prepared planting soil under root system. Loosen and remove twine binding and burlap from top 1/2 of root balls. Cut off cleanly all broken or frayed roots, and spread roots out. Stagger Plants in rows. Backfill planting hole with soil mix while working each layer to eliminate voids.

When approximately 2/3 full, water thoroughly, then allow water to soak away. Place remaining backfill and dish surface around plant to hold water. Final grade should keep root ball slightly above surrounding grade, not to exceed 1". Water again until no more water is absorbed. Initial watering by irrigation system is not allowed.

**STAKING OF TREES:** Stake or guy all trees. Stakes shall be 2" X 2" (nom.) quality tree stakes with point. They shall be of Douglas Fir, clear and sturdy. Stake to be minimum 2/3 the height of the tree, not to exceed 8'-0". Drive stake firmly 1'-6" below the planting hole. Tree ties for deciduous trees shall be "Chainlock" (or better). For Evergreen trees use "Gro-Strait" Tree Ties (or a reinforced rubber hose and guy wires) with guy wires of a minimum 2 strand twisted 12 ga. wire. Staking and guying shall be loose enough to allow movement of tree while holding tree upright. Tree stakes shall be removed after one year.

**MULCHING OF PLANTINGS:** Mulch planting areas with dark, aged, medium grind fir or hemlock bark (aged at least 6 months) to a depth of 2" in ground cover areas and 2 1/2" in shrub beds. Apply evenly, not higher than grade of plant as it came from the nursery, and rake to a smooth finish. Water thoroughly, then hose down planting area with fine spray to wash leaves of plants.

**FINE LAWN AREAS:** In fine lawn area apply Commercial Fertilizer Mix "B" at 4.5 lbs. Per 1,000 sq.ft. and rake into soil surface. Establish an even, fine textured seedbed meeting grades, surfaces and texture. Sow seed with a mechanical spreader at the uniform rates as noted below. Rake seed lightly to provide cover.

**ROUGH SEED AREA:** In rough seeded area, establish an evenly graded seedbed. Sow seed with a mechanical spreader at the uniform rates as noted below. Rake seed lightly to provide cover.

**SEED:** Blue-tag grass seed conforming to applicable State laws. No noxious weed seeds. Submit Guaranteed analysis.

**Fine Lawn Seed Mix:** To contain 50% Top Hat Perennial Ryegrass, 30% Derby Supreme Ryegrass, 20% Longfellow Chewings Fescue (Hobbs and Hopkins Pro-Time 303 Lawn Mix or as approved) Sow Seed at 5 lbs. / 1000 sq. ft.

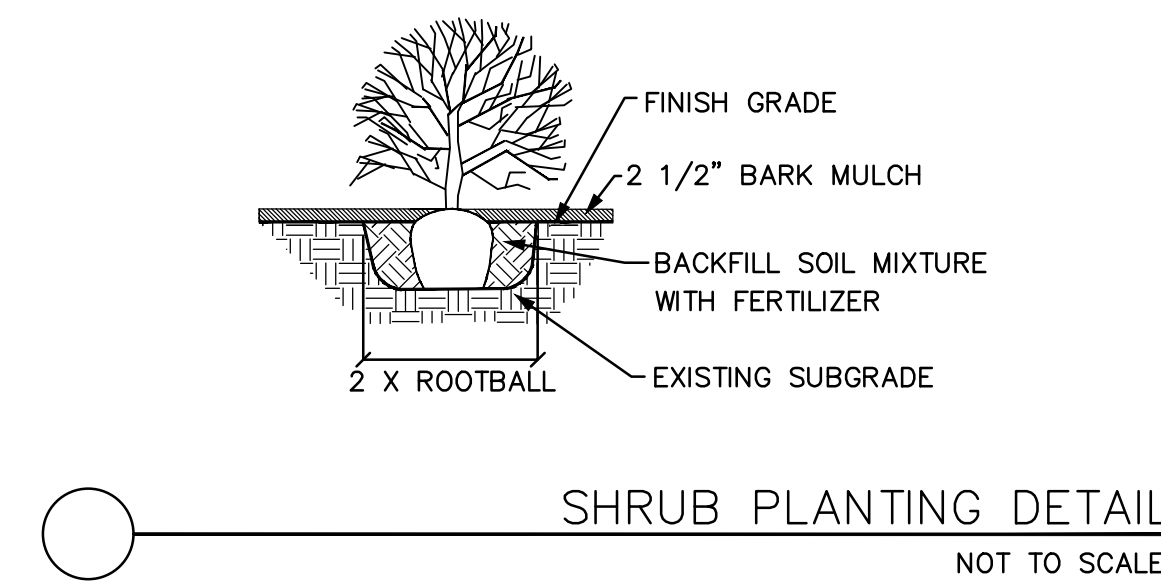
**Rough Seed Mix:** To Contain: 60% Perennial Ryegrass, 15% Eureka Hard Fescue, and 20% Herbaceous Plants and Clover (Hobbs and Hopkins Pro-Time 705 PDX, or approved equal). Sow at 2 lbs. Per 1,000 sq.ft.

**MAINTENANCE OF SEEDED AREAS:**

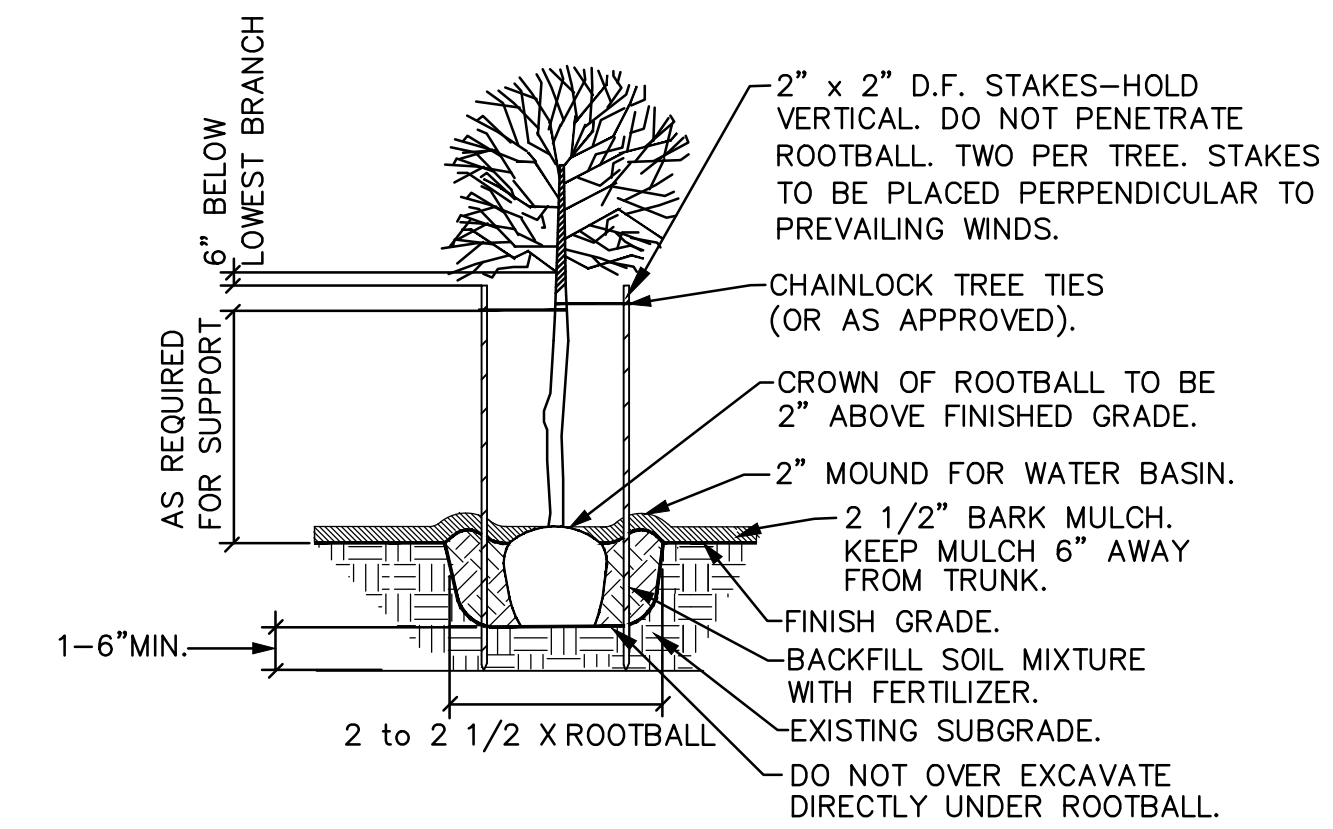
**Fine Lawn Areas:** The lawn areas shall be maintained by watering, mowing, reseeding, and weeding for a minimum of 60 days after seeding. After 30 days, or after the second mowing, apply Commercial Fertilizer Mix "C" at 5 lbs. per 1,000 sq. ft. Mow and keep at 1 1/2" to 2" in height. Remove clippings and dispose of off site.

**GENERAL MAINTENANCE:** Protect and maintain work described in these specifications against all defects of materials and workmanship, through final acceptance. Replace plants not in normal healthy condition at the end of this period. Water, weed, cultivate, mulch, reset plants to proper grade or upright position, remove dead wood and do necessary standard maintenance operations. Irrigate when necessary to avoid drying out of plant materials, and to promote healthy growth.

**CLEAN-UP:** At completion of each division of work all extra material, supplies, equipment, etc., shall be removed from the site. All walks, paving, or other surfaces shall be swept clean, mulch areas shall have debris removed and any soil cleared from surface. All areas of the project shall be kept clean, orderly and complete.

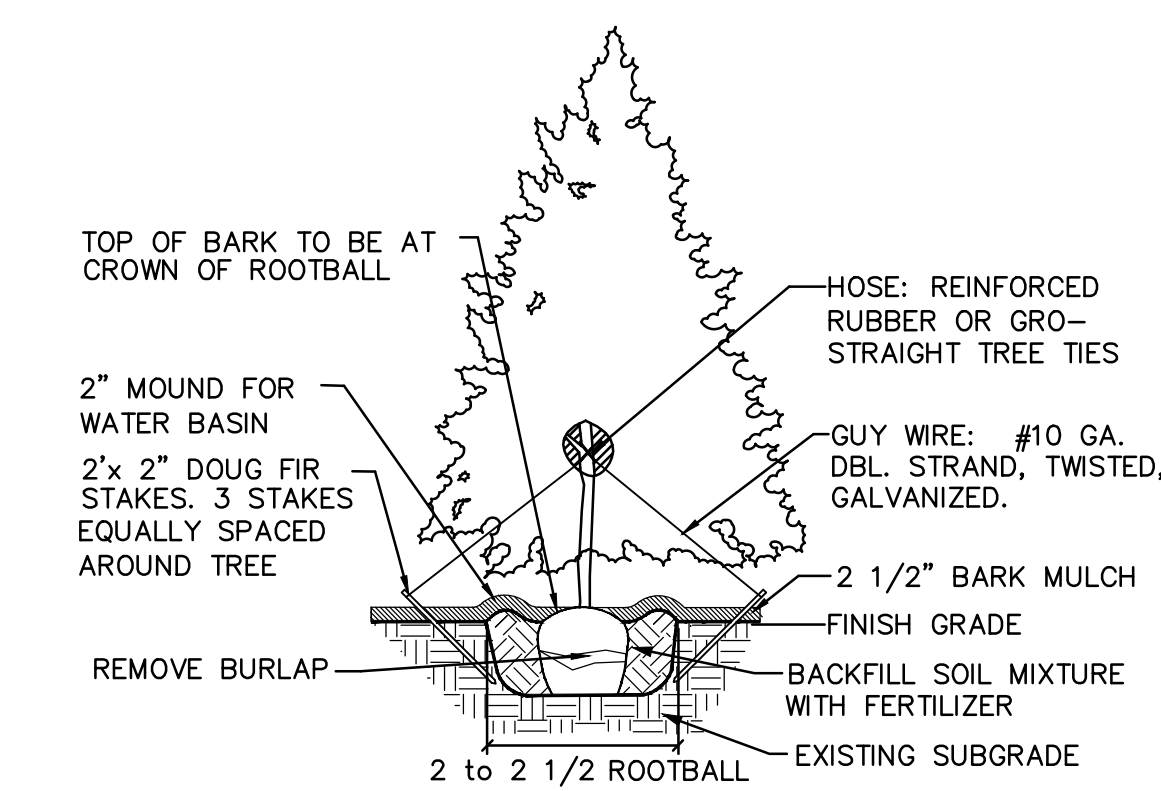


SHRUB PLANTING DETAIL  
NOT TO SCALE

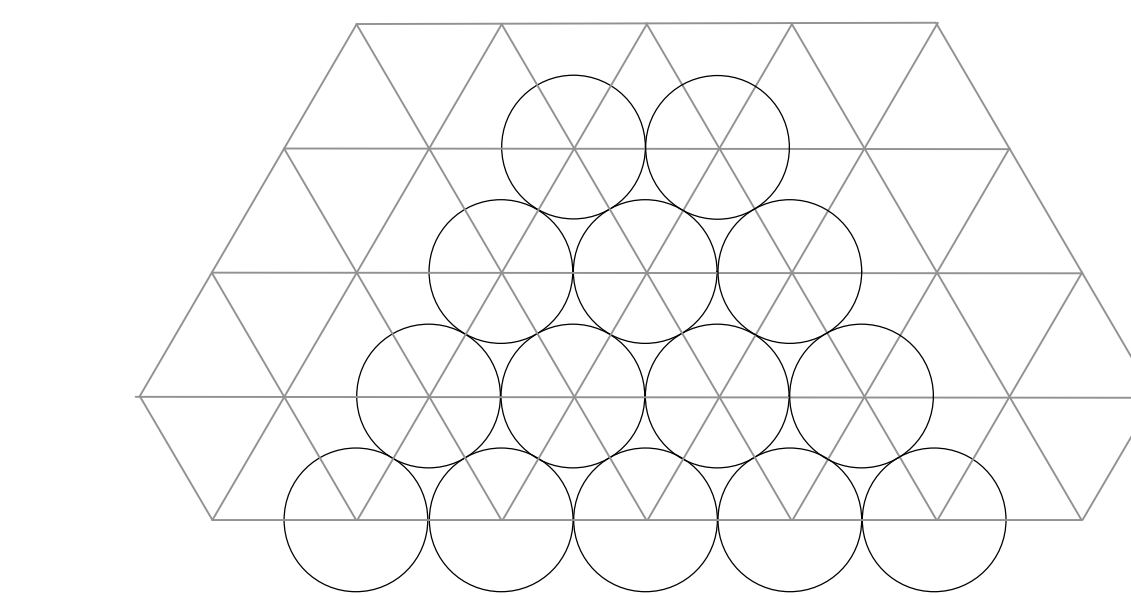


NOTE: ANY PROPOSED CHANGES TO OUR SPECIFICATION OR DETAIL SHOULD BE APPROVED BY THE LANDSCAPE ARCHITECT, LIKEWISE, IN ACCORDANCE WITH BEST PRACTICES OF LOCAL LANDSCAPE INSTALLATION, SHOULD THE LANDSCAPE CONTRACTOR FIND A PREFERRED ALTERNATE METHOD, THE LANDSCAPE ARCHITECT MAY BE SO ADVISED.

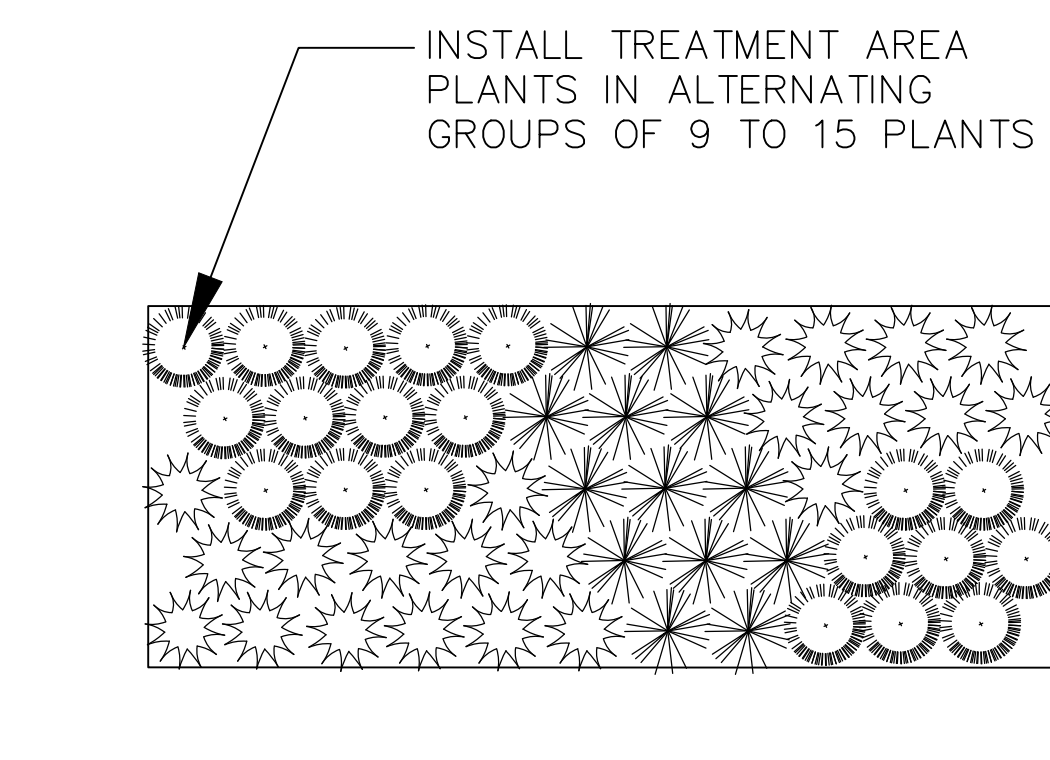
GENERAL DECIDUOUS TREE PLANTING DETAIL  
NOT TO SCALE



EVERGREEN TREE STAKING DETAIL  
NOT TO SCALE



GROUNDCOVER PLANTING DETAIL  
NOT TO SCALE



STORMWATER FACILITY PLANTING DETAIL  
NOT TO SCALE

Client/ Owner:

**CFCU**

4107 SE International Way, suite 703  
Milwaukie, OR 97222

Project:

**CFCU - CASCADE CENTER**

PARCEL D OF CASCADE CENTER ALONG W MAIN STREET

Sheet Title:

**LANDSCAPE SPECS & DETAILS**

Revisions:

#	Description	Date

MILDREN DESIGN GROUP P.C. 2021. ALL RIGHTS RESERVED ©

THESE DRAWINGS ARE THE PROPERTY OF MILDREN DESIGN GROUP P.C. AND ARE NOT TO BE USED OR REPRODUCED IN ANY MANNER EXCEPT WITH THE PRIOR WRITTEN PERMISSION OF MILDREN DESIGN GROUP, P.C.

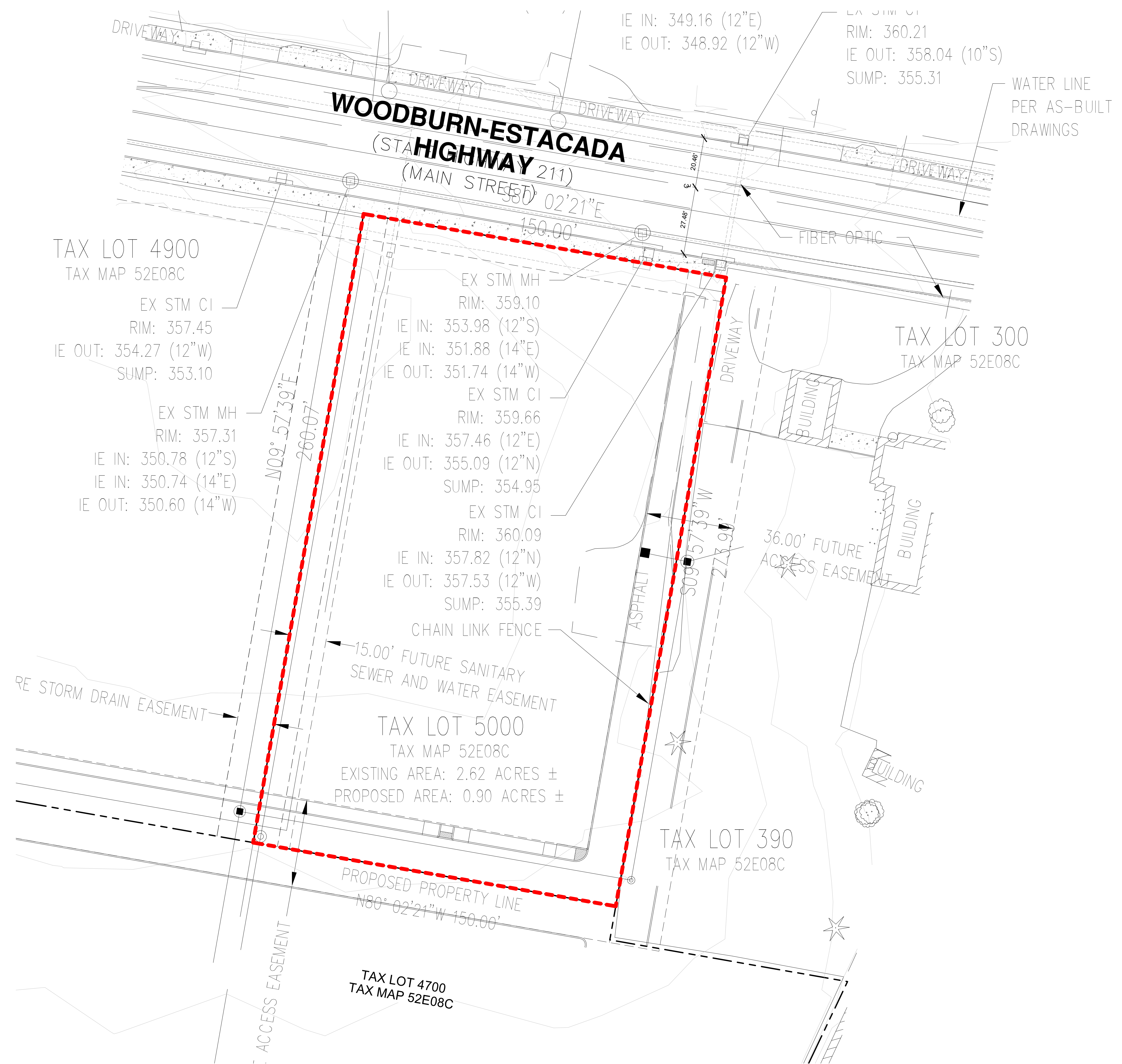
Date: 01/20/2022

Drawn by: LH Checked by: EH

Author: Checker

Job Number: 121080

Sheet



Client/ Owner:

**CFCU**

4107 SE International Way, suite 703  
Milwaukie, OR 97222

Project:

**CFCU - CASCADE CENTER**

PARCEL D OF CASCADE CENTER ALONG W MAIN STREET

Sheet Title:

**SITE SURVEY/ EXISTING CONDITIONS**

Revisions:

#	Description	Date

MILDREN DESIGN GROUP, P.C., 2022. ALL RIGHTS RESERVED ©.

THESE DRAWINGS ARE THE PROPERTY OF MILDREN DESIGN GROUP, P.C. AND ARE NOT TO BE USED OR REPRODUCED IN ANY MANNER, EXCEPT WITH THE PRIOR WRITTEN PERMISSION OF MILDREN DESIGN GROUP, P.C.

Date: 5/27/2022

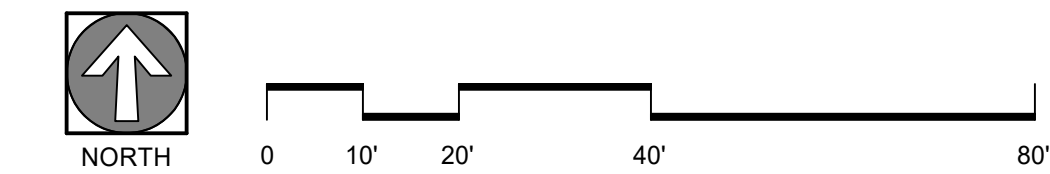
Drawn by: Checked by:

Author: JDW

Job Number: 121080

Sheet

**1 SITE SURVEY**  
1" = 20'-0"



DESIGN REVIEW REV 1 - MAY 2022

**G2.0**

**GENERAL NOTES - SITE PLAN**

- REFER TO SHEET G.01 FOR 'PROJECT NOTES' APPLICABLE TO ALL PORTIONS OF THE WORK.
- GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION. CONFLICTS ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO THE START OF CONSTRUCTION RELATED TO SUCH.
- REFER TO CIVIL DRAWINGS FOR GRADING AND UTILITY INFORMATION.
- CONTRACTOR SHALL VERIFY ALL LOCATIONS OF EXISTING UTILITIES. CARE SHOULD BE TAKEN TO AVOID DAMAGE TO OR DISTURBANCE OF EXISTING UTILITIES.
- THE CONSTRUCTION SHALL NOT RESTRICT A FIVE-FOOT CLEAR UNOBSTRUCTED ACCESS TO ANY WATER OR POWER DISTRIBUTION FACILITIES (POWER POLES, PULL BOXES, TRANSFORMERS, VAULTS, PUMPS, VALVES, METERS, APPURTENANCES, ETC.) OR THE LOCATION OF THE HOOK-UP.
- THE CONSTRUCTION SHALL NOT BE WITHIN 10' OF ANY POWER LINES - WHETHER OR NOT THE POWER LINES ARE LOCATED ON THE PROPERTY. FAILURE TO COMPLY MAY CAUSE CONSTRUCTION DELAYS OR ADDITIONAL EXPENSES.
- SLOPE GRADE AND FLATWORK AWAY FROM BUILDING 1/4" PER FT.

**LOT COVERAGE:**  
LOT AREA: 0.9 ACRE = 39,204 SF  
BUILDING COVERAGE = 2,815 SF / 39,204 SF = 7.18%  
LANDSCAPE COVERAGE = 14,867 SF / 39,204 SF = 38% > 5%, OKAY  
IMPERVIOUS AREA = 2,815 SF + 21,522 SF = 24,337 SF = 62%

**VEHICLE PARKING:**  
MIN PARKING = 1 SPACE PER 300 SF OFFICE AREA = 2,815 SF / 300 SF = 10 SPACES  
MAX PARKING = 1.5 x MIN = 10 x 1.5 = 15 SPACES  
PROPOSED PARKING = 21 SPACES BASED ON PROJECTED STAFF AND CUSTOMER DEMAND.

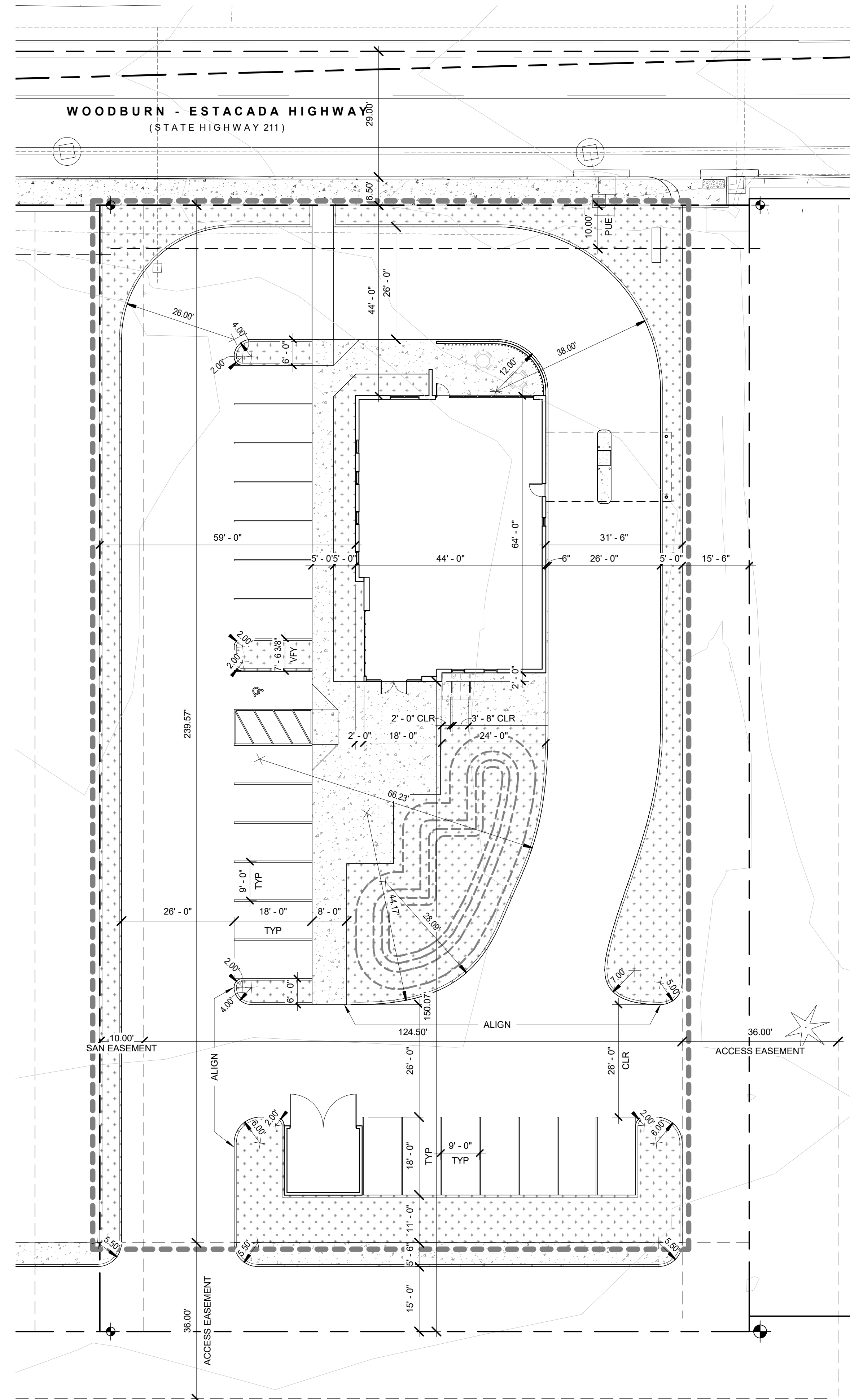
**BICYCLE PARKING:**  
MIN PARKING, COMMERCIAL = 2 SPACES PER PRIMARY USE OR 1 PER 5 VEHICLE SPACES, WHICHEVER IS GREATER. 21 SPACES / 5 = 4.2 = 4 BICYCLE SPACES

**KEYNOTES**

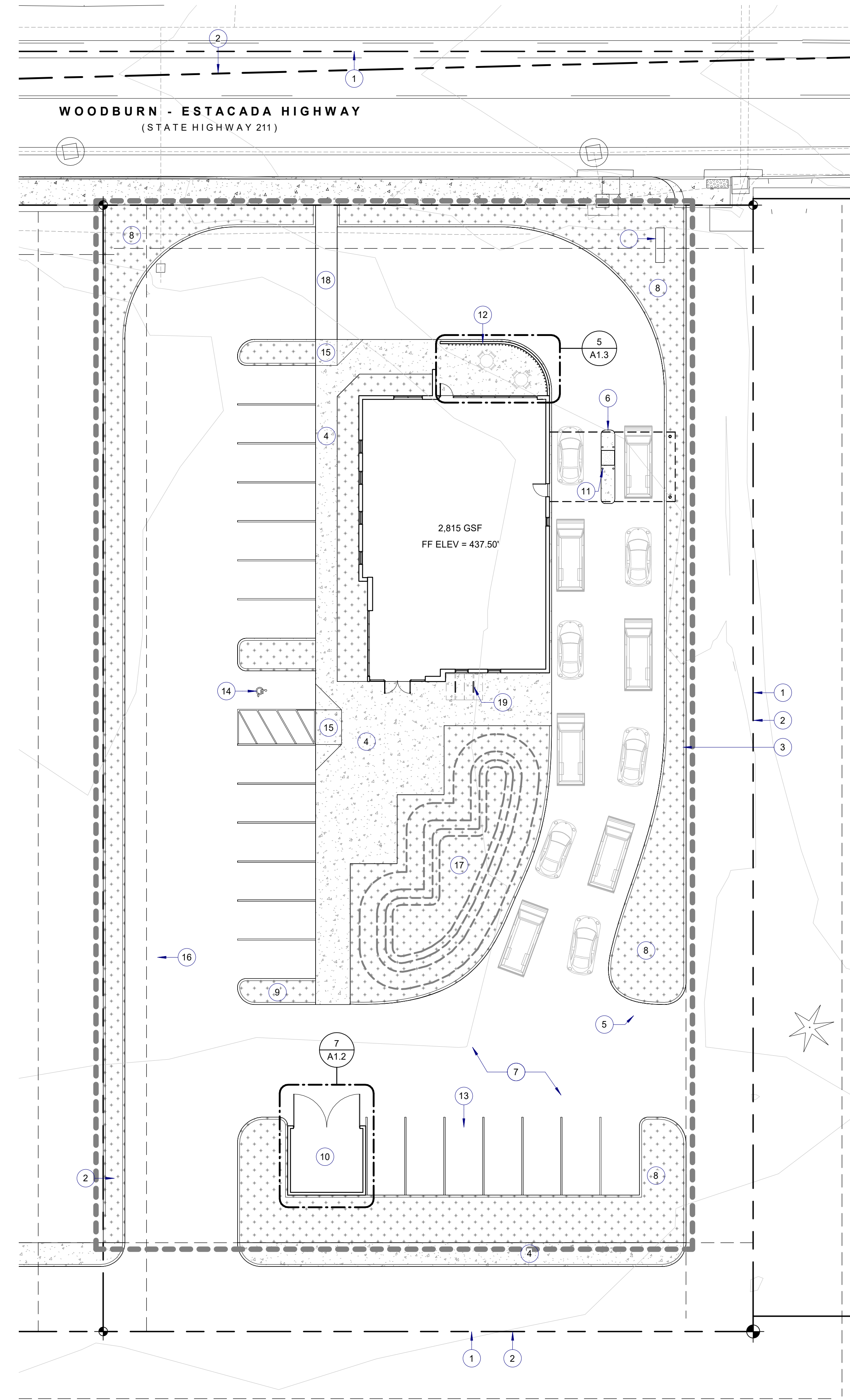
- FUTURE SIGNAGE UNDER SEPARATE PERMIT, CONTRACTOR COORD POWER & CONTROL
- ROAD CENTERLINE
- PROPERTY LINE
- LIMITS OF WORK
- CURB AND SIDEWALK, 6"H
- CURB, 6"H
- CURB AND ISLAND, 6"H
- ASPHALT PAVING
- LANDSCAPING
- LANDSCAPE ISLAND
- CMU TRASH AND RECYCLING ENCLOSURE, COVERED, CHAINLINK GATES WITH VINYL SLATS
- CONCRETE FILLED BOLLARD, 4"DIA, PAINTED HAZARD YELLOW
- CONCRETE SITE WALL, 6"W x 30"H
- PARKING STALL, TYP
- VAN ACCESSIBLE PARKING SPACE, AISLE, SIGNAGE AND RAMP - SEE DETAIL
- ACCESSIBLE SIDEWALK RAMP - SEE DETAIL
- SANITARY SEWER EASEMENT
- ONSITE STORM FACILITY
- PEDESTRIAN AMENITY, CROSSWALK, PAINTED
- BIKE RACK, QTY PER SITE PLAN

**LEGEND**

- △ DRIVE-IN DOOR
- LIMIT OF CONSTRUCTION



**2 SITE PLAN DIMENSIONS**  
1/16" = 1'-0"



**1 SITE PLAN**  
1/16" = 1'-0"

Client/ Owner:

**CFCU**

4107 SE International Way, suite 703  
Milwaukie, OR 97222

Project:

**CFCU - CASCADE CENTER**

PARCEL D OF CASCADE CENTER ALONG W MAIN STREET

Sheet Title:

**SITE PLAN**

Revisions:

#	Description	Date

MILDREN DESIGN GROUP, P.C., 2022. ALL RIGHTS RESERVED ©.

THESE DRAWINGS ARE THE PROPERTY OF MILDREN DESIGN GROUP, P.C. AND ARE NOT TO BE USED OR REPRODUCED IN ANY MANNER, EXCEPT WITH THE PRIOR WRITTEN PERMISSION OF MILDREN DESIGN GROUP, P.C.

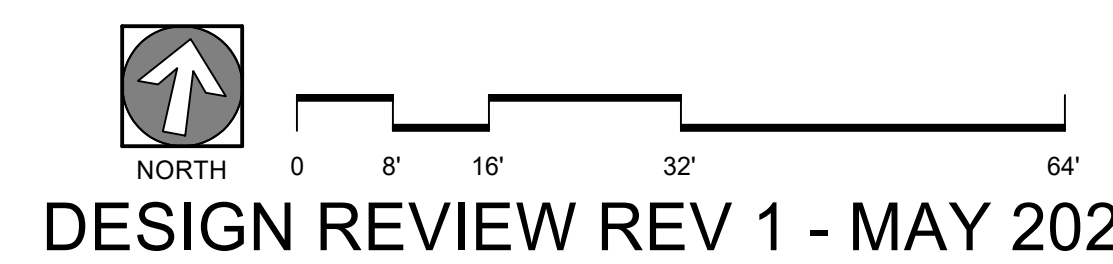
Date: 5/27/2022

Drawn by: Checked by:

Author: JDW

Job Number: 121080

Sheet



**A1.1**

May 26, 2022

Project #: 27631

Mr. Dan Zinder  
City of Molalla, OR  
117 N Molalla Ave  
Molalla, OR 97038

RE: *Cascade Center - Clackamas Federal Credit Union*

Dear Dan:

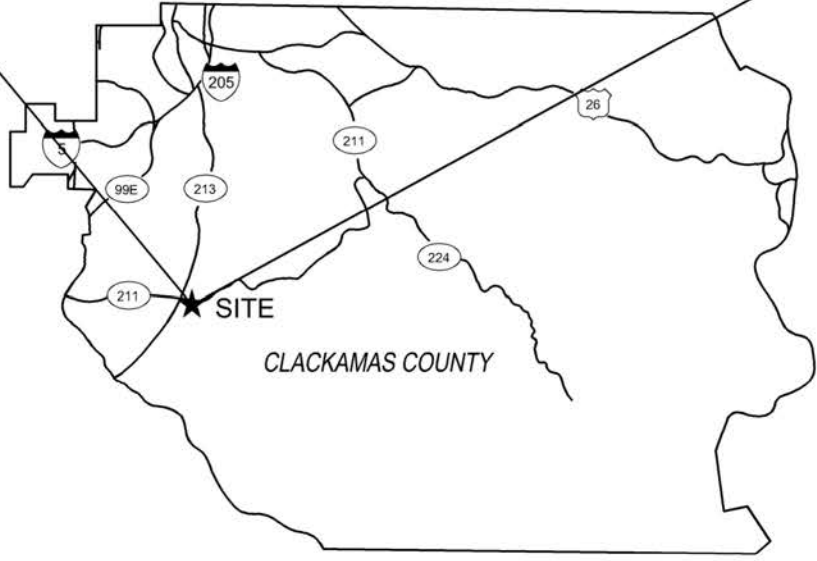
This document provides an update to the August 2019 Cascade Center Traffic Impact Analysis (TIA) to reflect the proposed Clackamas Federal Credit Union at 720 W Main Street (OR 211) in Molalla, Oregon. Figure 1 displays a map of the site vicinity, and Figure 2 displays the proposed site plan. As shown in Figure 2, the proposed credit union will be located on Parcel D of the Cascade Center commercial development and will consist of a 2,815 square-foot building with two drive-through lanes. The site will be accessed via a driveway on OR 211 bordering the site to the east (to be shared with the parcel to the east of the credit union, to be developed by others), as well as an access drive bordering the site to the south, which will connect to the OR 211/Leroy Avenue intersection to the west of the site via the internal roadways of Cascade Center. The proposed credit union is projected to be completed and fully occupied by 2023.

The following pages describe the additional trip generation and traffic analysis associated with the proposed credit union. As documented herein, while the OR 211/Leroy Avenue intersection is forecast to operate over-capacity and with long side street delays, development of the proposed credit union will not result in sufficient traffic volumes to warrant signalization of the intersection. Until full signalization can be warranted, north-south pedestrian crossings of OR 211 at the Leroy Avenue intersection are now facilitated by an enhanced pedestrian crossing installed on the west approach. The pedestrian crossing was constructed in conjunction with Cascade Center and features pedestrian-activated rectangular rapid flashing beacons (RRFBs).

Based on the analysis documented herein, we recommend the following mitigation measures in conjunction with site development:

- Given the stop-controlled northbound and southbound Leroy Avenue approaches at OR 211 are **forecast to operate at level of service "F" prior to and after build-out** of the proposed credit union, we recommend the applicant work with the City to determine what proportionate share contribution (if any) is appropriate to partially fund future signalization improvements at OR 211/Leroy Avenue, at a time when signalization is warranted.
- All landscaping, signage, and utilities near the site access points should be placed and maintained to provide adequate stopping and intersection sight distance.

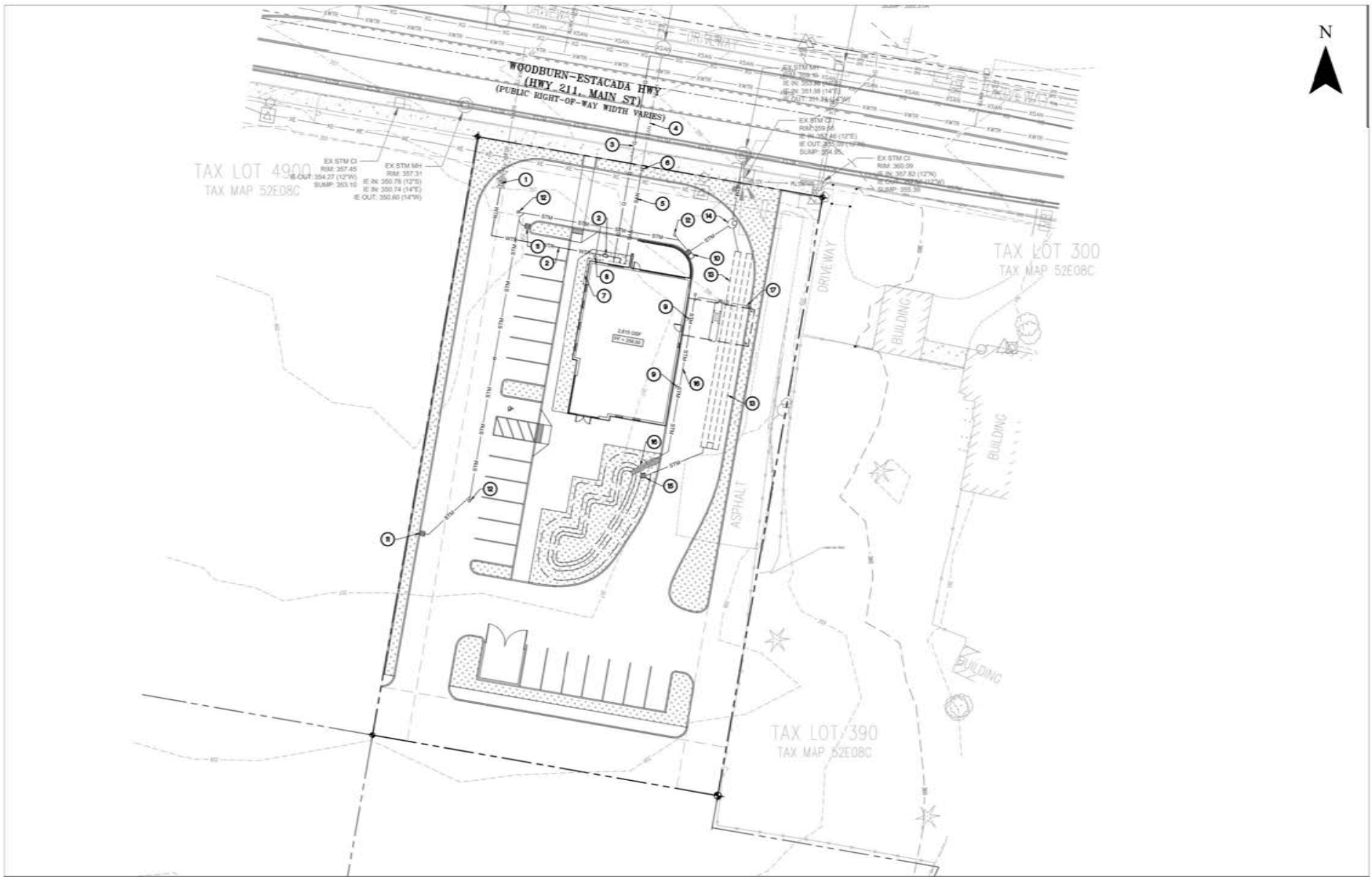




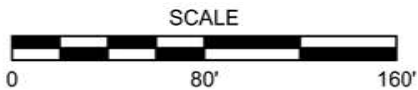
Site Vicinity Map  
Molalla, Oregon

Figure  
1

H:\27\27631 - Cascade Center Credit Union\figs\27631\_fig1.dwg May 09, 2022 - 9:11am - zbugg Layout Tab: 01 Sites Vicinity



Site plan provided by WDY on 3/7/2022



Proposed Site Plan  
Molalla, Oregon

Figure  
2

## Existing Conditions

The existing conditions analysis identifies the site conditions and current operational and geometric characteristics of the roadways within the study area. These conditions are compared with future conditions later in this traffic assessment. Kittelson & Associates, Inc. (Kittelson) staff visited and inventoried the proposed development site and surrounding study area in April 2022. At that time, Kittelson collected information regarding site conditions, adjacent land uses, existing traffic operations, and transportation facilities in the study area. Per discussions with City staff, two study intersections were identified for the analysis:

1. OR 211/Leroy Avenue
2. OR 211/Future Site Access (East of Leroy Avenue)

Figure 3 illustrates the existing lane configurations and traffic control devices at the study intersections, as well as the proposed site improvements. All access to the site will be provided via OR 211 (Main Street), and the main site access will be provided via a shared driveway on the east side of the proposed credit union. Additionally, the site will be accessible via internal roadways within the Cascade Center development, when completed, allowing access via the south leg of the OR 211/Leroy Avenue intersection.

## TRAFFIC COUNT DATA

Turning movement count data was collected at the OR 211/Leroy Avenue intersection on Tuesday, April 12, 2022, which was a typical weekday when school was in session. A 13-hour count was conducted (6:00 AM to 7:00 PM) in order to provide additional detailed analysis of traffic signal warrants (discussed later in this assessment). The AM peak hour was identified as 6:40 to 7:40 AM, and the PM peak hour was identified as 3:35 to 4:35 PM. *Appendix "A" contains the raw traffic count data for the 13-hour count.*

## SEASONAL ADJUSTMENT

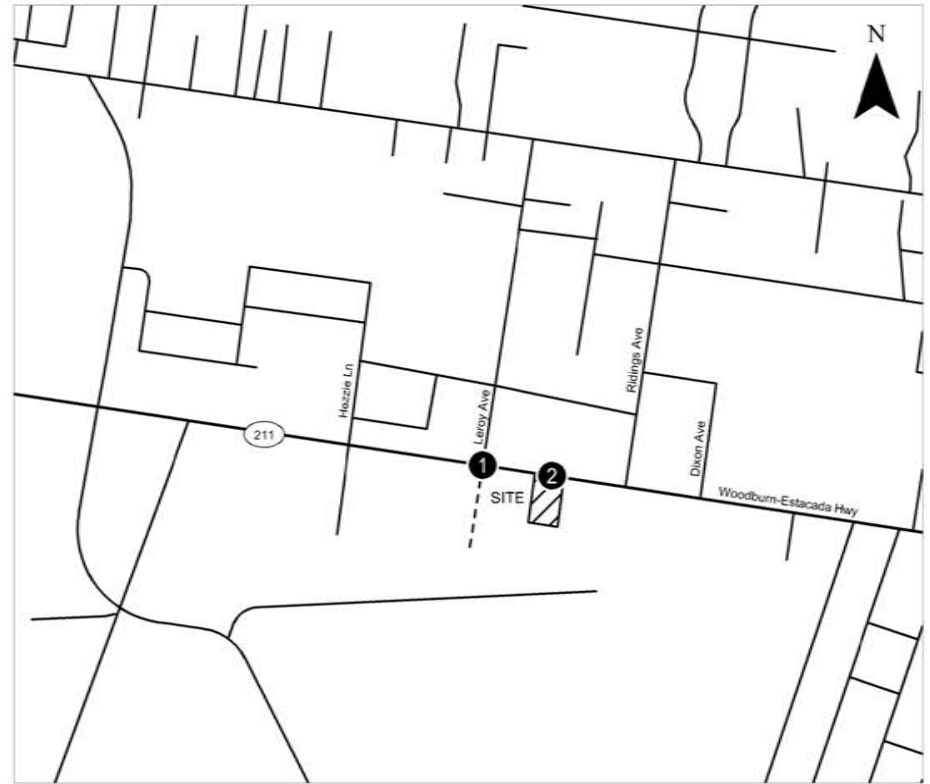
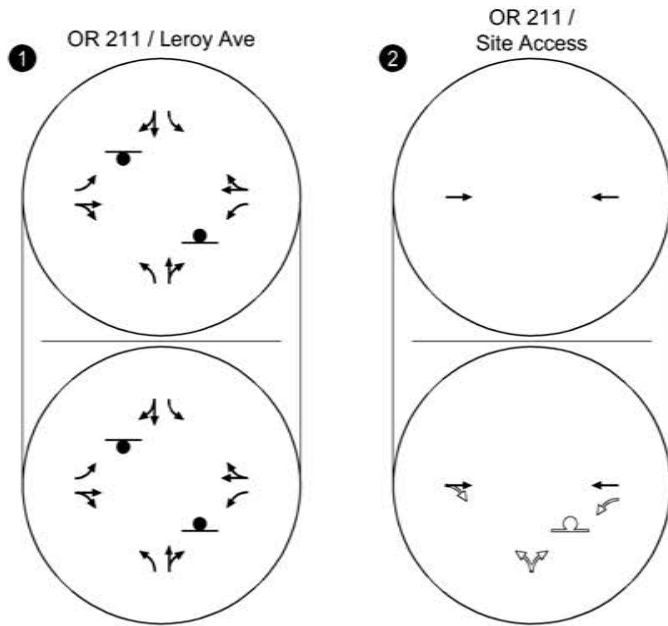
The Oregon Department of Transportation (ODOT) *Analysis Procedures Manual (APM)*, Chapter 5 describes how to develop existing year volumes (Reference 1). Consistent with previous traffic studies prepared for Cascade Center, the ODOT Automated Traffic Recorder (ATR) Characteristic Table was used to identify an ATR with a similar volume, geometry, and seasonal trend to the development site, ATR 24-001. Table 1 displays the percent of AADT experienced during the peak month (typically July through September) and the count month (April) for ATR 24-001. The years shaded in dark grey represent the highest and lowest values and were removed from the average percent of AADT calculation per the APM.

Table 1. Seasonal Adjustment Calculation for ATR 24-001

Year	2019	2018	2017	2016	2015
Peak Month	112	107	113	109	110
Count Month (April)	101	102	102	105	102

The seasonal adjustment was then calculated as  $(112 + 109 + 110) \div (102 + 102 + 102) = 1.082$  and applied to mainline traffic volumes along OR 211. Figure 4 provides a summary of the seasonally-adjusted turning movement counts at the study intersections.

H:\27\27631 - Cascade Center Credit Union\Figs\27631\_figs.dwg May 09, 2022 - 9:11am - zbugg Layout Tab: 03 Lane Config (2)

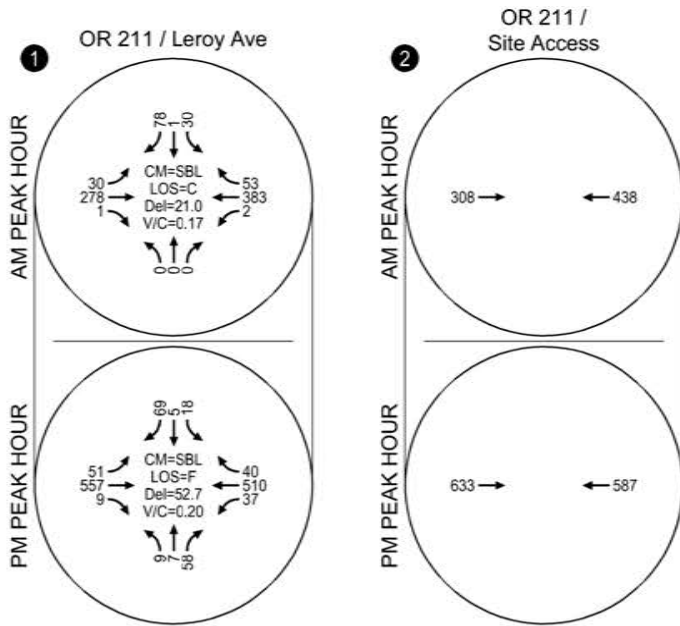


- - STOP SIGN
- ↔ - EXISTING
- ↔ - FUTURE

Existing and Future Lane Configurations  
and Traffic Control Devices  
Molalla, Oregon

Figure  
3

HA\27\7631 - Cascade Center Credit Union\Figs\27631\_figs.dwg May 13, 2022 - 7:45am - zbugg Layout Tab: 04 Existing (2)



CM = CRITICAL MOVEMENT  
 LOS = CRITICAL MOVEMENT LEVEL OF SERVICE  
 Del = CRITICAL MOVEMENT CONTROL DELAY  
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

Year 2022 Existing Traffic Conditions  
 Weekday AM and PM Peak Hours  
 Molalla, Oregon

Figure  
 4

## COVID-19 ADJUSTMENT

As of April 2022, all area schools have returned to fully in-person instruction, and stay-at-home orders related to the COVID-19 pandemic have been lifted. To assess whether area traffic volumes have returned to pre-pandemic levels, the seasonally-adjusted peak hour volumes from 2022 were compared with historical seasonally-adjusted peak hour volumes collected in 2018. Note the weekday afternoon peak hour shifted from 4:15-5:15 PM in 2018 to 3:35-4:35 PM in 2022. Table 2 compares the two sets of volumes at OR 211/Leroy Avenue intersection.

Table 2. Comparison of Weekday Peak Hour Volumes, 2018 to 2022

Peak Hour	Total Entering Volume (Seasonally-Adjusted)		% Change
	2018	2022	
3:35 PM to 4:35 PM	1,203	1,395	16%
4:15 PM to 5:15 PM	1,311	1,332	2%

As shown, seasonally-adjusted peak hour volumes have increased slightly since the historical counts were conducted in 2018. Therefore, no COVID-19 adjustment was applied.

## EXISTING TRAFFIC CONDITIONS

All traffic operations analysis described in this assessment were performed in accordance with the procedures stated in the *Highway Capacity Manual, 6<sup>th</sup> Edition* (Reference 2). The OR 211/Leroy Avenue intersection is under the maintenance and jurisdiction of ODOT. The Oregon Highway Plan (Reference 3), Policy 1F establishes mobility targets for state highways based on volume-to-capacity ratio (v/c). Within the study area, OR 211 is a Regional Highway with a posted speed limit of 35 mph or less, which corresponds to a mobility target of 0.90. To meet ODOT standards, signalized intersections must not exceed an overall v/c ratio of 0.90. At unsignalized intersections, approaches on OR 211 must not exceed a v/c ratio of 0.90, and minor street approaches must not exceed a v/c ratio of 0.95.

Figure 4 summarizes the operations analysis for the study intersection under the weekday AM and PM peak hour existing traffic conditions. As shown, the OR 211/Leroy Avenue intersection currently satisfies the ODOT mobility target during the weekday AM and PM peak hours despite long delays to the southbound left-turn during the PM peak hour. *Appendix "B" includes the existing conditions traffic analysis worksheets.*

## Year 2023 Background Traffic Conditions

The year 2023 background traffic conditions analysis identifies how the study area's transportation system will operate without the proposed credit union. This analysis includes traffic attributed to planned developments within the study area and to general growth in the region but does not include traffic from the proposed development.

## BACKGROUND GROWTH RATE

The year 2023 background traffic volumes were developed by applying a 2.5-percent annual growth rate to the existing (seasonally-adjusted) traffic volumes shown in Figure 4<sup>1</sup>. This growth rate was identified from population and employment data in the Molalla TSP and is consistent with the growth rate selected for previous developments in Cascade Center.

## IN-PROCESS VOLUMES

Additionally, traffic from the following approved in-process developments was added to the traffic volumes at the OR 211/Leroy Avenue intersection and the proposed site access on OR 211 at the request of the City of Molalla:

- Cascade Center Commercial Development<sup>2</sup>,
- Colima Apartments,
- Center Market,
- Cascade Center Multifamily Development, and
- 1000 W Main St Apartments.

## TRAFFIC ANALYSIS

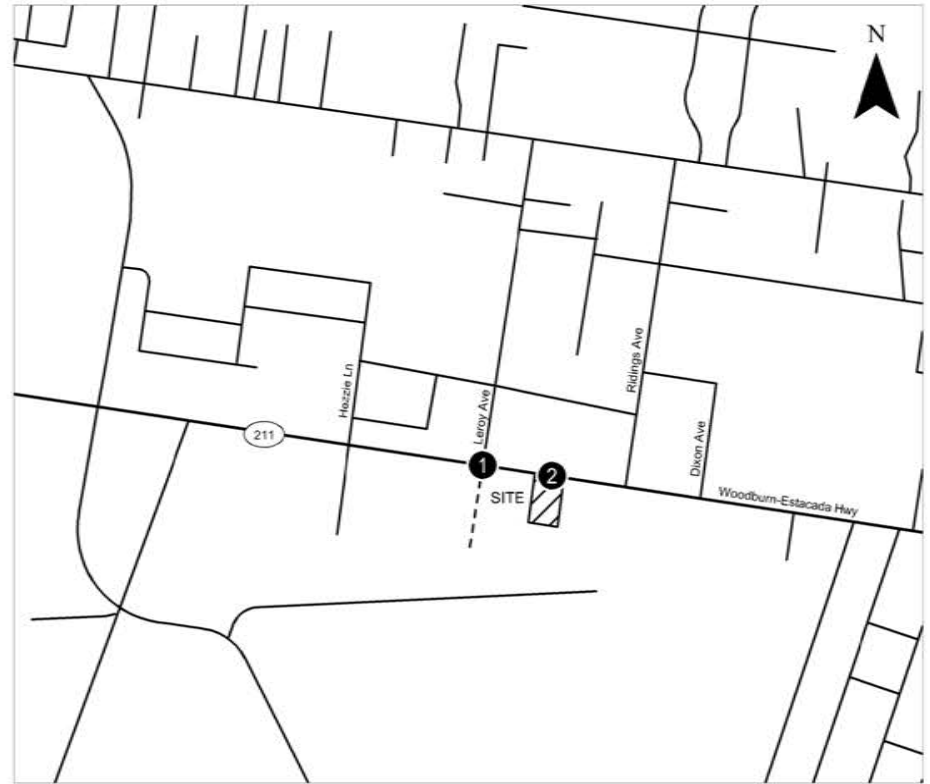
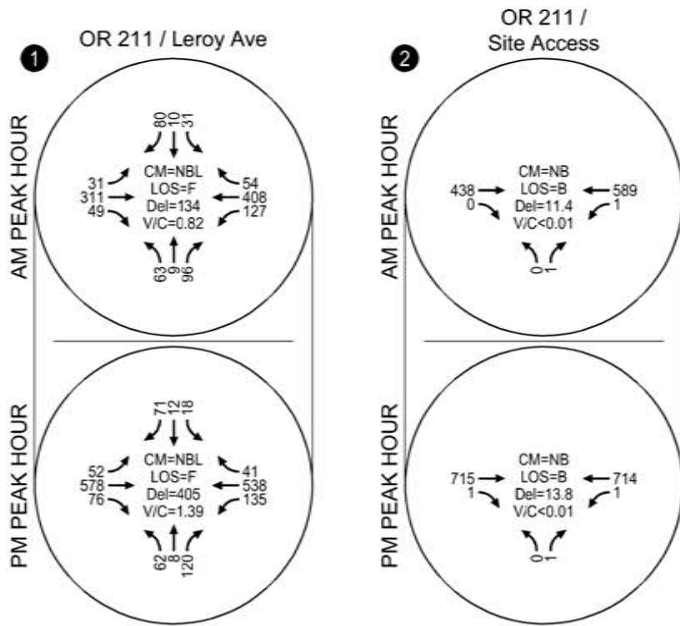
Figure 5 displays the resulting year 2023 background traffic volumes and the corresponding traffic operations. As shown, the northbound two-way stop-controlled Leroy Avenue approach at OR 211 is projected to operate at level of service (LOS) "F" during the weekday AM and PM peak hours and exceed the ODOT mobility target of 0.95 (projected V/C ratio of 1.39) during the weekday PM peak hour. The August 2019 Cascade Center TIA discusses potential improvements at the OR 211/Leroy Avenue, including signalization. An updated assessment of signal warrants is discussed later in this document. *Appendix "C" contains the year 2023 background traffic conditions worksheets.*

---

<sup>1</sup>Applied to all movements except those into/out of Cascade Center.

<sup>2</sup>As of April 2022, Dollar General, Dollar Tree and a Grocery Outlet were fully built-out and occupied within the Cascade Center commercial development. These land uses were accounted for in the August 2019 Cascade Center TIA. A total of four inbound weekday AM peak hour trips, 51 inbound weekday PM peak hour trips, and 74 outbound weekday PM peak hour trips were counted at the OR 211/Leroy Avenue intersection in 2022. To reflect the land uses within the Cascade Center TIA, these trips were subtracted from the assumed trip generation in the Cascade Center TIA before the in-process trips were added to the year 2023 background traffic volumes.

HA\27\27631 - Cascade Center Credit Union\Figs\27631\_figs.dwg May 13, 2022 - 8:24am - zbugg Layout Tab: 05 Background (2)



CM = CRITICAL MOVEMENT  
 LOS = CRITICAL MOVEMENT LEVEL OF SERVICE  
 Del = CRITICAL MOVEMENT CONTROL DELAY  
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

Year 2023 Background Traffic Conditions  
 Weekday AM and PM Peak Hours  
 Molalla, Oregon

Figure  
 5



## Proposed Development Plan

The proposed credit union will consist of up to 2,815 square feet of credit union space, with two drive-through teller/ATM lanes. The site will be accessed via a new north-south access roadway bordering the site to the east and connecting to OR 211 approximately 490 feet east of Leroy Avenue. This new north-south roadway will be a shared access with the parcel to the east, to be developed by others. Completion and occupancy of the credit union is projected in 2023.

### TRIP GENERATION

The number of site-generated trips from the proposed credit union was estimated from *Trip Generation, 11<sup>th</sup> Edition*, published by the Institute of Transportation Engineers (ITE, Reference 4). Pass-by trips were also estimated from the *Trip Generation Manual, 11<sup>th</sup> Edition*. Table 3 summarizes the estimated net new and pass-by trips.

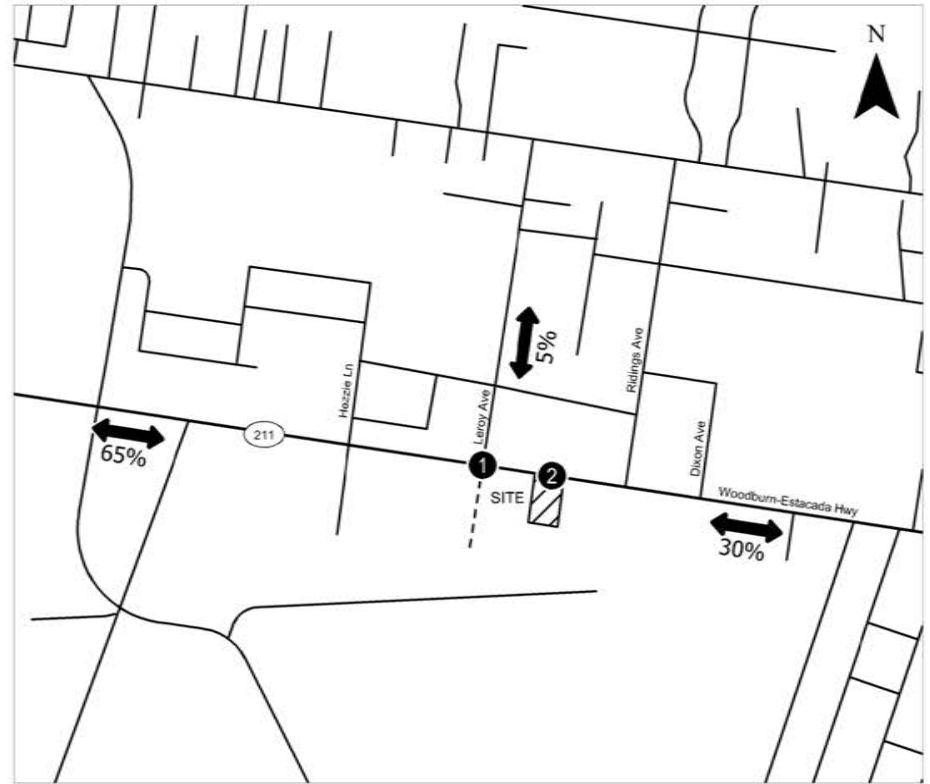
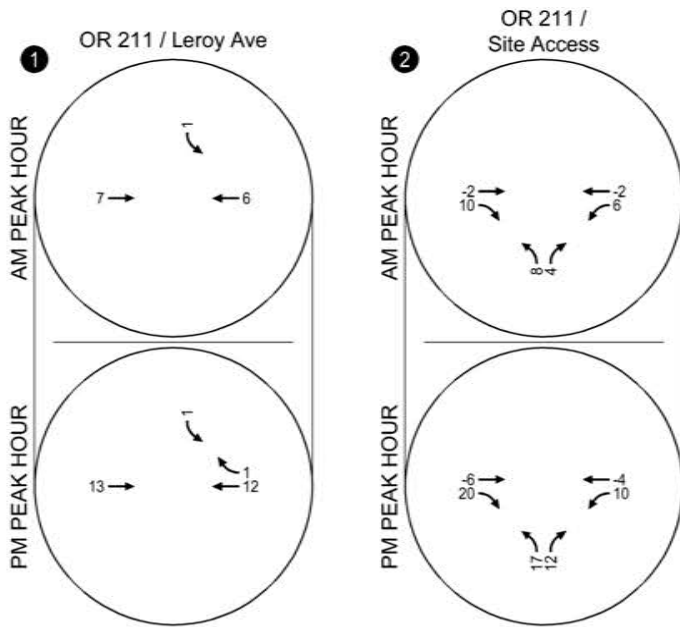
Table 3. Estimated Trip Generation

Land Use	ITE Code	Size	Weekday Trips	Weekday AM Peak Hour Trips			Weekday PM Peak Hour Trips		
				Total	In	Out	Total	In	Out
Drive-In Bank	912	2,815 ft <sup>2</sup>	282	28	16	12	59	30	29
<i>Less Pass-By (29% Daily, 29% AM, 35% PM)</i>			82	8	4	4	20	10	10
Net New Trips			200	20	12	8	39	20	19

As shown, the proposed credit union is projected to generate approximately 200 weekday net new trips, including 20 (12 in, 8 out) in the AM peak hour and 29 (20 in, 19 out) in the PM peak hour. The credit union is also projected to generate approximately 82 weekday pass-by trips, including 8 (4 in, 4 out) in the weekday AM peak hour and 20 (10 in, 10 out) in the PM peak hour.

The site-generated trips were distributed onto the study area roadways according to the existing traffic patterns, as well as general population centers within the area. The estimated site-generated trips were assigned to the surrounding roadway network by distributing the trips shown in Table 3 according to the trip distribution pattern shown in Figure 6. Figure 6 also illustrates the site-generated trips that are expected to use the roadway system during the weekday AM and PM peak hours. Given the heavy delays on northbound Leroy Avenue at OR 211 and the uncertainty of when the internal roadway network will be completed, all site-generated and pass-by trips were assigned to the site access on OR 211 east of Leroy Avenue. The following section explores this assumption further and presents a sensitivity analysis to assess the traffic operations and signal warrants impact of assigning more credit union trips to Leroy Avenue on.

H:\27\27631 - Cascade Center Credit Union\Figs\27631\_figs.dwg May 09, 2022 - 9:10am - zbugg Layout.Tib:06 TripGen (2)



Negative values indicate pass-by trips

Site-Generated Trips  
Weekday AM and PM Peak Hours  
Molalla, Oregon

Figure  
6

## Year 2023 Total Traffic Conditions

The total traffic conditions analysis forecasts how the two study intersections will operate with the traffic generated by the proposed credit union. The year 2023 background traffic volumes for the weekday AM and PM peak hours (shown in Figure 5) were added to the site-generated trips (shown in Figure 6) to arrive at the year 2023 total traffic volumes shown in Figure 7.

### TRAFFIC ANALYSIS

The year 2023 total traffic volumes shown in Figure 7 were used to conduct an operational analysis at the OR 211/Leroy Avenue intersection and at the new site access on OR 211 to estimate the year 2023 total traffic operations. As shown, the northbound two-way stop-controlled Leroy Avenue approach at OR 211 is projected to continue operating at level of service (LOS) "F" during the weekday AM and PM peak hours and exceeding the ODOT mobility target of 0.95 during the weekday PM peak hour. The northbound left turn demand is projected to exceed capacity even if a 60-minute analysis period (peak hour factor of 1.00) is assumed. The new shared bank access on OR 211 is projected to satisfy the ODOT mobility target during both analysis periods, though we note only bank site trips are shown at the access, as none of the adjacent development that may share the access is approved at the time this report was prepared. *Appendix "D" contains the year 2023 total traffic conditions worksheets.*

### 95<sup>TH</sup>-PERCENTILE QUEUEING ANALYSIS

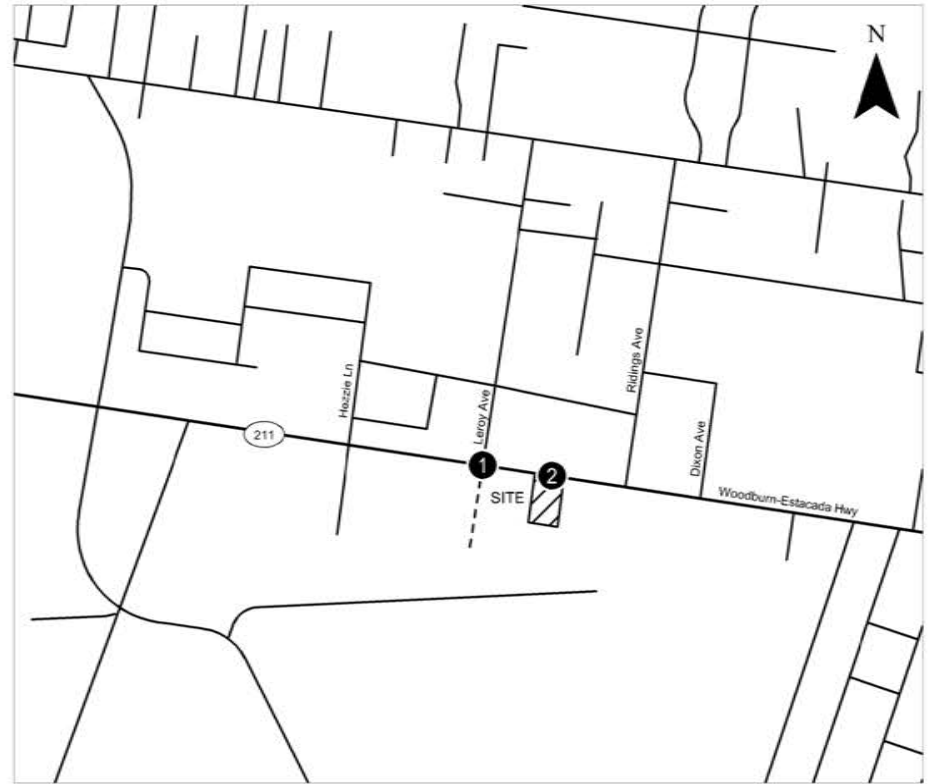
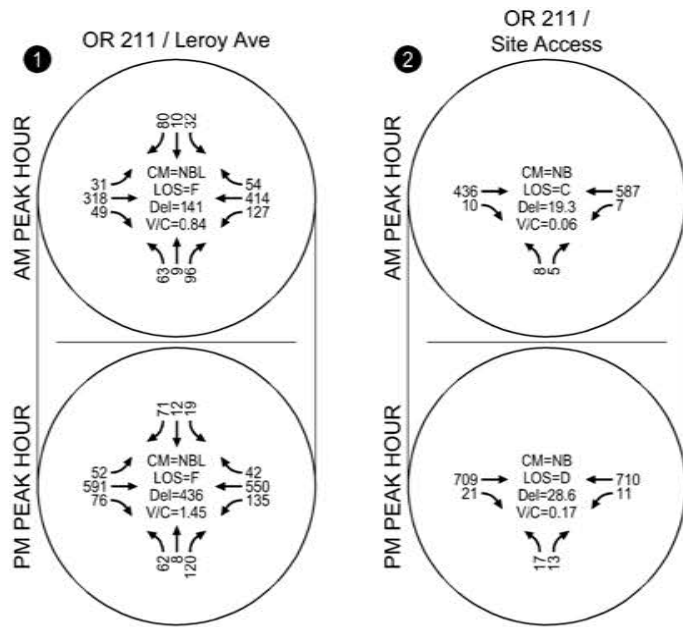
Queuing at the OR 211/Leroy Avenue intersection and at the site access on OR 211 was analyzed in Synchro for the weekday AM and PM peak hours for the existing, 2023 background, and 2023 total conditions. Table 4 displays the estimated 95<sup>th</sup>-percentile queues for each movement. Queues are rounded up to the next whole vehicle length (approximately 25 feet).

Table 4. Summary of 95th-percentile Queues

Intersection	Movement	Storage (ft)	AM Peak Hour 95 <sup>th</sup> -percentile Queue (ft)			PM Peak Hour 95 <sup>th</sup> -percentile Queue (ft)			Adequate Storage Provided?
			Existing	2023 Background	2023 Total	Existing	2023 Background	2023 Total	
1: OR 211/ Leroy Ave	EB L	100	25	25	25	25	25	25	Yes
	EB T/R	>500	-	-	-	-	-	-	Yes
	WB L	100	<25	25	25	25	25	25	Yes
	WB T/R	500	-	-	-	-	-	-	Yes
	NB L	250	<25	125	125	25	175	175	Yes
	NB T/R	>200	<25	25	25	25	50	50	Yes
	SB L	100	25	50	50	25	50	50	Yes
SB T/R	>500	25	50	50	25	50	50	Yes	
2: OR 211/ Site Access	WB L	100		<25	<25		<25	<25	Yes
	NB L/R	>200		<25	25		<25	25	Yes

EB=eastbound, WB=westbound, NB=northbound, SB=southbound, L=left, T=through, R=right, T/R=shared through/right, L/R=shared left/right

As shown, the 95<sup>th</sup>-percentile queue for each movement can be accommodated within the existing and proposed turn lane storage lengths.



CM = CRITICAL MOVEMENT  
 LOS = CRITICAL MOVEMENT LEVEL OF SERVICE  
 Del = CRITICAL MOVEMENT CONTROL DELAY  
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

Year 2023 Total Traffic Conditions  
 Weekday AM and PM Peak Hours  
 Molalla, Oregon

Figure  
 7

## ON-SITE CIRCULATION/SITE ACCESS OPERATIONS

The new driveway requires approval for a private approach as described in Oregon Administrative Rule (OAR) 734-051-4020. Given the highway's classification by ODOT as a district highway, the minimum spacing between access points is 350 feet at the posted speed of 35 miles per hour. The site access spacing shown on the proposed site plan satisfies this standard, as the proposed site access on OR 211 is approximately 490 feet east of Leroy Avenue.

Landscaping, signage, and utilities near the site accesses and frontage should be placed and maintained to allow adequate site distance per applicable City and ODOT standards.

## OR 211/LEROY AVENUE SIGNAL WARRANTS

The Molalla Transportation System Plan (TSP) identifies an anticipated need for future signalization of the OR 211/Leroy Avenue intersection (Reference 5). The following section provides an assessment of potential intersection signalization considerations associated with the proposed credit union. The *Manual on Uniform Traffic Control Devices* (MUTCD, Reference 6) identifies nine warrants for traffic signal installation. Table 5 identifies the results of the traffic signal warrant analysis for each of the nine MUTCD signal warrants.

Table 5. Signal Warrant Analysis Results – OR 211/Leroy Avenue Intersection

Warrant		Signal Warrant Met?	Assessment
#1	8-Hour Volume	No	This warrant is intended for application where a large volume of intersecting traffic is the principal reason to consider a traffic control signal. A review of the counted demand profile indicates there is an insufficient amount of intersecting traffic that exists at the intersection for the 8 highest hours of an average day.
#2	4-Hour Volume	No	This warrant is intended to be applied where the volume of intersecting traffic is the principal reason to consider installing a traffic control signal. A review of the counted demand profile indicates there is an insufficient amount of intersecting traffic demand during the four highest hours of an average day.
#3	Peak Hour	No	This warrant intended for use at a location where traffic conditions are such that for a minimum of 1 hour of an average day, the minor-street traffic suffers undue delay when entering or crossing the major street. A review of the counted demand profile indicates there is an insufficient amount of delay on the minor street approaches (Leroy Avenue and the Cascade Center northbound egress) for a minimum of one hour of an average day. Specifically, the critical peak hour (weekday PM peak) did not meet the warrant.
#4	Pedestrian Volume	No	This warrant is designed to be applied where pedestrians experience excessive delay trying to cross a street due to heavy traffic volumes. At the time the Cascade Center analysis was first conducted, full signalization of the OR 211/Leroy Avenue intersection was deemed unwarranted by ODOT. Accordingly, we prepared a memorandum to ODOT in August 2019 to document a pedestrian crossing analysis at the intersection and identified a red signal or beacon as the recommended interim pedestrian treatment for the intersection. A rectangular rapid flashing beacon (RRFB) has been installed and activated on the west leg of the intersection by Cascade Center in conjunction with development of the Center. Furthermore, the Cascade Place Apartments TIA provided a discussion of future demand at the crosswalk and projected an increase in demand of 10 pedestrians/hour during the AM peak hour and 6 pedestrians/hour during the PM peak hour. The newly-conducted counts in April 2022 identified a total of 30 pedestrian crossings of OR 211 over the course of the 13-hour weekday count period, which, when combined with the projected demand from Cascade Place, will remain well below the warrant threshold for full signalization but is appropriate with the RRFB.

Warrant		Signal Warrant Met?	Assessment
#5	School Crossing	No	This warrant is designed to be applied at locations where school children are trying to cross a major street and there are not adequate gaps in the major street traffic stream. The intersection's proximity to Molalla River Middle School to the north and the presence of the Stoneplace Apartments and other future residential developments to the south of OR 211 could create additional demand for school crossings across the intersection. As documented in the August 2019 memorandum noted in the Warrant #4 discussion above, we counted a total of seven pedestrian crossings at the existing crosswalk at OR 211/Hezzie Lane near the Stoneplace Apartments during the weekday morning school peak hour. Completion of the proposed credit union is not projected to impact the number of school crossings of OR 211 in the area. The recently installed pedestrian-activated RRFB on the west approach of the intersection will facilitate people crossing OR 211 at Leroy Avenue until a full traffic signal can be installed with ODOT's approval.
#6	Coordinated Signal System	N/A	This warrant is intended to facilitate progressed traffic flow within a coordinated traffic signal system and allows for installation of traffic control signals at intersections where they would otherwise not be needed in order to maintain proper platooning of vehicles. Warrant 6 does not appear applicable at this time due to the lack of signals along the OR 211 corridor in the vicinity of Cascade Center. The nearest signal is the OR 211/OR 213 intersection, located over 0.8 mile to the west. Signalization of the OR 211/Molalla Avenue intersection, located approximately 0.6 mile to the east, is underway in conjunction with Cascade Center development. Neither of these intersections is sufficiently close to the OR 211/Leroy Ave intersection for this warrant to apply.
#7	Crash Experience	No	This warrant is intended for application where the severity and frequency of crashes are the principal reasons to consider traffic signal installation. The OR 211/Leroy Avenue intersection has been completely reconstructed in conjunction with Cascade Center development including provision of the new south approach, turn lanes on all approaches, new street lighting and an enhanced pedestrian treatment (RRFB) on the west leg of the intersection. The intersection crash experience will need to be monitored post-implementation of the intersection reconstruction to assess whether a pattern of five or more crashes within a 12-month period occurs that would warrant signalization.
#8	Roadway Network	No	This warrant involves installing a traffic signal at an intersection to encourage concentration and organization of traffic flow on a roadway network. The warrant requires the intersection of two or more major routes that serve as the principal roadway network for through traffic flow. While OR 211 meets the criteria for a major route, Leroy Avenue does not so the warrant does not apply.
#9	Intersection Near a Grade Crossing	No	This warrant is intended for use at a location where the proximity to the intersection of a railroad grade crossing on an intersection approach controlled by a STOP or YIELD sign in the principal reason to consider installing a traffic signal. The warrant requires, among other criteria, an at-grade crossing that is located within 140 feet of the intersection stop line. As no at-grade crossing is present near the OR 211/Leroy Avenue intersection, this warrant is not applicable.

We note that the traffic volumes along OR 211 are high enough to support signalization; however the north-south volumes on Leroy Avenue are not projected to be consistently high enough to satisfy the warrant thresholds. Note that we evaluated Signal Warrants #1 and #2 assuming the north-south movements as the minor street, as well as an alternative option (as allowed by the MUTCD) where the westbound left turns are treated as the "minor street" and the eastbound opposing traffic is treated as the "major street."

## DRIVEWAY TRIP ASSIGNMENT SENSITIVITY ANALYSIS

As shown in Figure 7, the northbound stop-controlled movement at Leroy Avenue is projected to operate at LOS "F" during the PM peak hour, while the northbound movement from the site access on OR 211 is projected to operate at LOS "D". This supports the assumption that most bank-related vehicles will exit the site via the site access on OR 211, rather than utilizing the internal roadway network to be constructed by Cascade Center to access OR 211 via Leroy Avenue. Given the eventual need for signalization of the OR 211/Leroy Avenue intersection, we have provided a sensitivity analysis to test whether the volume-based signal warrants (#1, #2, and #3) would be met if 50 percent of the outbound left turns from the proposed credit union utilized Leroy Avenue to access OR 211 instead of the site access. As shown in Table 6 below, none of the volume-based signal warrants are expected to be met under this scenario.

**Table 6. Signal Warrant Assessment with Trip Assignment Sensitivity Analysis**

Scenario	Signal Warrant Met?		
	#1	#2	#3
Base Trip Assignment (Shown in Figure 6, all trips use site access on OR 211)	No	No	No
Sensitivity Analysis (50% of outbound left turns use Leroy Ave./OR 211)	No	No	No

Despite traffic signal warrants not yet being satisfied, the eventual need for signalization remains apparent. We continue to recommend that applicants whose land use proposals impact the intersection work with the City to determine what proportionate share contribution (if any) is appropriate to partially fund future signalization improvements at OR 211/Leroy Avenue. Appendix "E" contains the traffic analysis worksheets for the volume-related traffic signal warrants.

### Summary

As documented herein, the proposed credit union will not result in sufficient traffic volumes to warrant signalization of the OR 211/Leroy Avenue intersection. Based on the analysis documented herein, we recommend the following mitigation measures in conjunction with site development:

- Given the stop-controlled northbound and southbound Leroy Avenue approaches at OR 211 are forecast to operate at level of service "F" prior to and after build-out of the proposed credit union, we recommend the applicant work with the City to determine what proportionate share contribution (if any) is appropriate to partially fund future signalization improvements at OR 211/Leroy Avenue at a time when signalization is warranted.
- All landscaping, signage, and utilities near the site access points should be placed and maintained to provide adequate stopping and intersection sight distance.

We trust this document adequately addresses the transportation-related incompleteness comments received from the City of Molalla. If you have any questions, please call us at 910.399.5699.

Sincerely,  
**KITTELSON & ASSOCIATES, INC.**



Zachary Bugg, PhD  
 910.399.5699  
[zbugg@kittelson.com](mailto:zbugg@kittelson.com)



Chris Brehmer, PE  
 503.535.7433  
[cbrehmer@kittelson.com](mailto:cbrehmer@kittelson.com)



EXPIRES: 12/31/23

## References

1. Oregon Department of Transportation (ODOT). *Analysis Procedures Manual, Version 2*. 2018.
2. Transportation Research Board of the National Academies. *Highway Capacity Manual, 6<sup>th</sup> Edition*. Transportation Research Board of the National Academies: Washington, DC, 2015.
3. Oregon Department of Transportation (ODOT). *Oregon Highway Plan*. 1999.
4. Institute of Transportation Engineers. *Trip Generation, 11<sup>th</sup> Edition*. Institute of Transportation Engineers: Washington, DC, 2021.
5. City of Molalla, OR. *City of Molalla Transportation System Plan*. 2018.
6. Federal Highway Administration: *Manual on Uniform Traffic Control Devices*. 2009 Edition. USDOT: Washington, DC, 2009.

## Appendix

- A. Turning movement counts
- B. Existing conditions traffic analysis worksheets
- C. Year 2023 background conditions traffic analysis worksheets
- D. Year 2023 total conditions traffic analysis worksheets
- E. MUTCD signal warrants traffic analysis worksheets

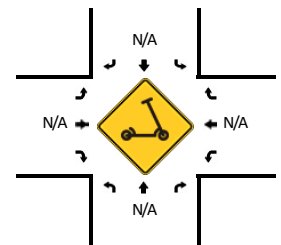
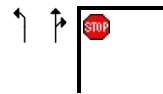
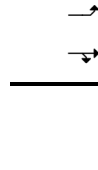
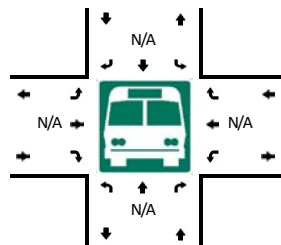
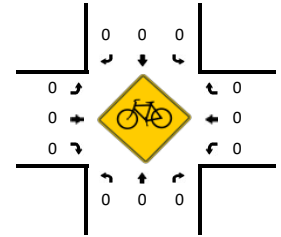
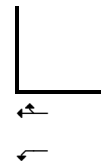
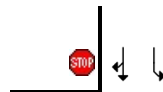
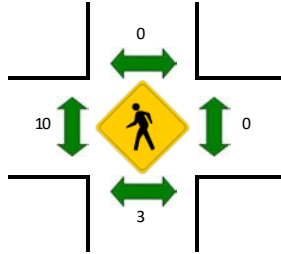
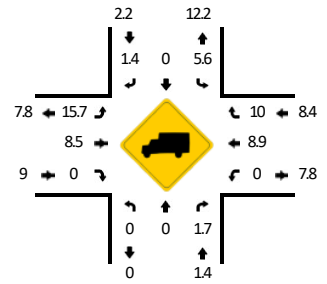
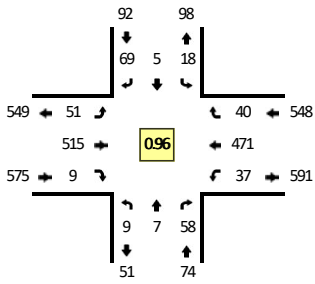


## Appendix A. Turning Movement Counts

**LOCATION:** Leroy Ave -- OR 211  
**CITY/STATE:** Molalla, OR

**QC JOB #:** 15775501  
**DATE:** Tue, Apr 12 2022

**Peak-Hour: 3:35 PM -- 4:35 PM**  
**Peak 15-Min: 3:55 PM -- 4:10 PM**



5-Min Count Period Beginning At	Leroy Ave (Northbound)				Leroy Ave (Southbound)				OR 211 (Eastbound)				OR 211 (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
6:00 AM	0	0	0	0	0	0	3	0	0	9	0	0	0	21	0	0	33	
6:05 AM	0	0	0	0	0	0	2	0	0	10	0	0	0	22	1	0	36	
6:10 AM	0	0	0	0	0	0	3	0	0	9	0	0	0	32	1	0	47	
6:15 AM	0	0	0	0	0	0	2	0	0	7	0	0	0	31	2	0	42	
6:20 AM	0	0	0	0	0	0	4	0	0	15	0	0	0	26	1	0	47	
6:25 AM	0	0	0	0	1	0	0	0	0	13	0	0	0	23	0	0	37	
6:30 AM	0	0	0	0	1	0	1	0	0	7	0	0	0	33	1	0	43	
6:35 AM	0	0	0	0	2	0	1	0	0	23	1	0	0	32	1	0	61	
6:40 AM	0	0	0	0	1	0	3	0	0	16	0	0	0	32	4	0	58	
6:45 AM	0	0	0	0	1	0	1	0	0	27	0	0	0	29	2	0	61	
6:50 AM	0	0	0	0	1	0	2	0	0	23	0	0	0	25	3	0	58	
6:55 AM	0	0	0	0	0	0	5	0	0	16	0	0	0	31	3	0	59	582
7:00 AM	0	0	0	0	0	0	3	0	0	22	1	0	0	20	5	0	54	603
7:05 AM	0	0	0	0	5	0	7	0	0	9	0	0	0	29	5	0	58	625
7:10 AM	0	0	0	0	1	1	6	0	0	20	0	0	0	31	3	0	63	641
7:15 AM	0	0	0	0	4	0	14	0	0	21	0	0	0	32	5	0	81	680
7:20 AM	0	0	0	0	8	0	10	0	0	17	0	0	0	31	11	0	79	712
7:25 AM	0	0	0	0	7	0	18	0	0	31	0	0	0	37	4	0	103	778
7:30 AM	0	0	0	0	1	0	5	0	0	24	0	0	0	28	6	0	65	800
7:35 AM	0	0	0	0	1	0	4	0	0	31	0	0	0	29	2	0	67	806
7:40 AM	0	0	0	0	2	0	6	0	0	19	1	0	0	46	0	0	74	822
7:45 AM	0	0	0	0	1	0	3	0	0	25	0	0	0	25	0	0	57	818
7:50 AM	0	0	0	0	0	1	0	0	0	25	0	0	0	31	0	0	59	819
7:55 AM	0	0	1	0	0	0	2	0	0	17	1	0	0	33	2	0	58	818
8:00 AM	0	0	0	0	0	1	2	0	0	19	0	0	0	34	3	0	61	825
8:05 AM	0	0	0	0	0	1	3	0	0	19	0	0	0	35	1	0	60	827
8:10 AM	0	0	2	0	1	0	1	0	0	12	0	0	0	30	0	0	47	811
8:15 AM	1	0	2	0	1	0	1	0	0	12	0	0	0	32	2	0	51	781
8:20 AM	1	0	1	0	1	0	4	0	0	21	0	0	0	23	0	0	55	757
8:25 AM	1	0	1	0	1	0	0	0	0	16	0	0	0	21	4	0	49	703
8:30 AM	1	0	1	0	1	1	4	0	0	17	1	0	0	33	4	0	65	703
8:35 AM	0	0	0	0	1	0	5	0	0	19	0	0	0	24	2	0	55	691
8:40 AM	0	1	1	0	1	0	1	0	0	19	0	0	0	36	3	0	63	680
8:45 AM	0	0	1	0	1	0	4	0	0	20	1	0	0	32	1	0	62	685
8:50 AM	0	0	0	0	1	0	6	0	0	23	0	0	0	27	2	0	62	688
8:55 AM	0	0	0	0	2	0	5	0	0	36	0	0	0	25	0	0	71	701
9:00 AM	0	0	0	0	4	0	2	0	0	29	1	0	0	14	1	0	53	693
9:05 AM	0	0	1	0	0	0	0	0	0	25	2	0	0	31	3	0	65	698
9:10 AM	1	0	0	0	0	0	2	0	0	33	0	0	0	26	3	0	66	717



5-Min Count Period Beginning At	Leroy Ave (Northbound)				Leroy Ave (Southbound)				OR 211 (Eastbound)				OR 211 (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:30 PM	4	0	7	0	2	0	5	0	3	46	0	0	4	39	2	0	112	1289
4:35 PM	0	0	2	0	0	0	5	0	4	43	1	0	2	33	4	0	94	1277
4:40 PM	2	0	3	0	0	0	4	0	2	44	1	0	4	30	3	0	93	1263
4:45 PM	0	0	3	0	1	0	4	0	4	50	0	0	4	38	2	0	106	1258
4:50 PM	0	1	7	0	0	0	4	0	6	48	1	0	2	37	2	0	108	1258
4:55 PM	1	1	3	0	1	0	4	0	5	45	2	0	2	45	6	0	115	1265
5:00 PM	0	0	4	0	4	0	6	0	3	39	0	0	1	37	1	0	95	1243
5:05 PM	0	0	3	0	1	1	5	0	2	41	3	0	0	42	2	0	100	1233
5:10 PM	1	0	2	0	0	2	5	0	3	48	1	0	5	33	2	0	102	1231
5:15 PM	1	0	6	0	2	0	2	0	4	44	2	0	0	48	1	0	110	1243
5:20 PM	1	1	3	0	0	1	6	0	6	36	1	0	1	47	1	0	104	1245
5:25 PM	3	0	7	0	1	0	3	0	6	40	0	0	2	37	3	0	102	1241
5:30 PM	2	0	6	0	0	0	6	0	6	43	1	0	5	34	2	0	105	1234
5:35 PM	0	0	5	0	3	1	7	0	4	41	1	0	6	32	2	0	102	1242
5:40 PM	1	2	2	0	2	0	4	0	0	33	0	0	2	36	1	0	83	1232
5:45 PM	1	0	4	0	0	0	4	0	4	47	1	0	5	17	4	0	87	1213
5:50 PM	2	0	6	0	0	1	2	0	2	32	1	0	1	32	4	0	83	1188
5:55 PM	1	2	3	0	3	1	4	0	3	41	2	0	1	35	3	0	99	1172
6:00 PM	1	1	4	0	2	1	2	0	3	38	1	0	2	36	6	0	97	1174
6:05 PM	2	0	5	0	1	2	5	0	2	36	2	0	1	30	2	0	88	1162
6:10 PM	3	1	1	0	0	0	5	0	4	41	2	0	4	27	4	0	92	1152
6:15 PM	1	3	2	0	1	2	2	0	3	32	0	0	2	18	3	1	70	1112
6:20 PM	0	0	3	0	1	0	0	0	1	42	0	0	1	22	1	0	71	1079
6:25 PM	0	0	5	0	1	0	6	0	6	27	0	0	2	23	2	0	72	1049
6:30 PM	0	2	6	0	3	0	6	0	2	28	1	0	3	30	4	0	85	1029
6:35 PM	1	0	2	0	2	0	10	0	2	28	2	0	2	21	2	0	72	999
6:40 PM	1	0	3	0	0	1	2	0	2	27	0	0	0	23	0	0	59	975
6:45 PM	1	0	2	0	1	0	4	0	1	22	1	0	3	20	2	0	57	945
6:50 PM	1	0	1	0	4	1	2	0	0	32	1	0	6	16	2	0	66	928
6:55 PM	2	0	4	0	0	2	1	0	2	29	0	0	3	17	4	0	64	893
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	0	64	0	28	8	72	0	48	500	12	0	28	528	52	0	1340	
Heavy Trucks	0	0	0		0	0	0		4	40	0		0	64	8		116	
Buses																		
Pedestrians		0				0				0				0			0	
Bicycles		0				0				0				0			0	
Scooters																		

Comments:

Appendix B. Existing Conditions Traffic Analysis Worksheets

Intersection												
Int Delay, s/veh	2.2											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↶	↷		↶	↷		↶	↷		↶	↷	
Traffic Vol, veh/h	30	278	1	2	383	53	0	0	0	30	1	78
Future Vol, veh/h	30	278	1	2	383	53	0	0	0	30	1	78
Conflicting Peds, #/hr	3	0	0	0	0	3	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	-	100	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	86	86	86	86	86	86	86	86	86	86	86	86
Heavy Vehicles, %	3	14	100	0	9	2	0	0	0	3	0	26
Mvmt Flow	35	323	1	2	445	62	0	0	0	35	1	91

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	510	0	0	324	0	0	920	908	324	877	877	479
Stage 1	-	-	-	-	-	-	394	394	-	483	483	-
Stage 2	-	-	-	-	-	-	526	514	-	394	394	-
Critical Hdwy	4.13	-	-	4.1	-	-	7.1	6.5	6.2	7.13	6.5	6.46
Critical Hdwy Stg 1	-	-	-	-	-	-	6.1	5.5	-	6.13	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.1	5.5	-	6.13	5.5	-
Follow-up Hdwy	2.227	-	-	2.2	-	-	3.5	4	3.3	3.527	4	3.534
Pot Cap-1 Maneuver	1050	-	-	1247	-	-	254	277	722	268	289	541
Stage 1	-	-	-	-	-	-	635	609	-	563	556	-
Stage 2	-	-	-	-	-	-	539	539	-	629	609	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1047	-	-	1247	-	-	205	266	722	260	278	539
Mov Cap-2 Maneuver	-	-	-	-	-	-	205	266	-	260	278	-
Stage 1	-	-	-	-	-	-	614	589	-	543	553	-
Stage 2	-	-	-	-	-	-	447	536	-	608	589	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.8	0	0	15.3
HCM LOS			A	C

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	-	-	1047	-	-	1247	-	-	260	533
HCM Lane V/C Ratio	-	-	0.033	-	-	0.002	-	-	0.134	0.172
HCM Control Delay (s)	0	0	8.6	-	-	7.9	-	-	21	13.2
HCM Lane LOS	A	A	A	-	-	A	-	-	C	B
HCM 95th %tile Q(veh)	-	-	0.1	-	-	0	-	-	0.5	0.6

Intersection												
Int Delay, s/veh	3.2											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↶	↷		↶	↷		↶	↷		↶	↷	
Traffic Vol, veh/h	51	557	9	37	510	40	9	7	58	18	5	69
Future Vol, veh/h	51	557	9	37	510	40	9	7	58	18	5	69
Conflicting Peds, #/hr	2	0	0	0	0	2	1	0	0	0	0	1
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	-	100	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	16	9	0	0	9	10	0	0	2	6	0	1
Mvmt Flow	54	586	9	39	537	42	9	7	61	19	5	73

Major/Minor	Major1		Major2		Minor1		Minor2					
Conflicting Flow All	581	0	0	595	0	0	1375	1358	591	1371	1341	561
Stage 1	-	-	-	-	-	-	699	699	-	638	638	-
Stage 2	-	-	-	-	-	-	676	659	-	733	703	-
Critical Hdwy	4.26	-	-	4.1	-	-	7.1	6.5	6.22	7.16	6.5	6.21
Critical Hdwy Stg 1	-	-	-	-	-	-	6.1	5.5	-	6.16	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.1	5.5	-	6.16	5.5	-
Follow-up Hdwy	2.344	-	-	2.2	-	-	3.5	4	3.318	3.554	4	3.309
Pot Cap-1 Maneuver	928	-	-	991	-	-	124	150	507	121	154	529
Stage 1	-	-	-	-	-	-	434	445	-	458	474	-
Stage 2	-	-	-	-	-	-	446	464	-	406	443	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	926	-	-	991	-	-	96	135	507	94	139	527
Mov Cap-2 Maneuver	-	-	-	-	-	-	96	135	-	94	139	-
Stage 1	-	-	-	-	-	-	409	419	-	431	455	-
Stage 2	-	-	-	-	-	-	365	445	-	330	417	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	0.8		0.6		19.9		22.3	
HCM LOS					C		C	

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	96	391	926	-	-	991	-	-	94	443
HCM Lane V/C Ratio	0.099	0.175	0.058	-	-	0.039	-	-	0.202	0.176
HCM Control Delay (s)	46.6	16.2	9.1	-	-	8.8	-	-	52.7	14.9
HCM Lane LOS	E	C	A	-	-	A	-	-	F	B
HCM 95th %tile Q(veh)	0.3	0.6	0.2	-	-	0.1	-	-	0.7	0.6

Appendix C. Year 2023 Background Conditions Traffic Analysis  
Worksheets



HCM 6th TWSC  
1: Leroy Ave & OR 211

05/13/2022

Intersection												
Int Delay, s/veh	11.9											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↶	↷		↶	↷		↶	↷		↶	↷	
Traffic Vol, veh/h	31	311	49	127	408	54	63	9	96	31	10	80
Future Vol, veh/h	31	311	49	127	408	54	63	9	96	31	10	80
Conflicting Peds, #/hr	3	0	0	0	0	3	10	0	0	0	0	10
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	-	100	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	86	86	86	86	86	86	86	86	86	86	86	86
Heavy Vehicles, %	3	14	100	0	9	2	0	0	0	3	0	26
Mvmt Flow	36	362	57	148	474	63	73	10	112	36	12	93

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	540	0	0	419	0	0	1327	1299	391	1329	1296	519
Stage 1	-	-	-	-	-	-	463	463	-	805	805	-
Stage 2	-	-	-	-	-	-	864	836	-	524	491	-
Critical Hdwy	4.13	-	-	4.1	-	-	7.1	6.5	6.2	7.13	6.5	6.46
Critical Hdwy Stg 1	-	-	-	-	-	-	6.1	5.5	-	6.13	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.1	5.5	-	6.13	5.5	-
Follow-up Hdwy	2.227	-	-	2.2	-	-	3.5	4	3.3	3.527	4	3.534
Pot Cap-1 Maneuver	1023	-	-	1151	-	-	134	163	662	131	164	512
Stage 1	-	-	-	-	-	-	583	568	-	375	398	-
Stage 2	-	-	-	-	-	-	352	385	-	535	552	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1020	-	-	1151	-	-	89	137	662	90	137	506
Mov Cap-2 Maneuver	-	-	-	-	-	-	89	137	-	90	137	-
Stage 1	-	-	-	-	-	-	563	548	-	361	345	-
Stage 2	-	-	-	-	-	-	240	334	-	421	533	-

Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.7			1.9			59.5			30.9		
HCM LOS							F			D		

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	89	498	1020	-	-	1151	-	-	90	389
HCM Lane V/C Ratio	0.823	0.245	0.035	-	-	0.128	-	-	0.401	0.269
HCM Control Delay (s)	134.4	14.6	8.7	-	-	8.6	-	-	69.5	17.6
HCM Lane LOS	F	B	A	-	-	A	-	-	F	C
HCM 95th %tile Q(veh)	4.3	1	0.1	-	-	0.4	-	-	1.6	1.1

HCM 6th TWSC  
 2: E Cascade Center Access & OR 211

05/13/2022

Intersection						
Int Delay, s/veh	0					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶		↷	↶	↷	
Traffic Vol, veh/h	438	0	1	589	0	1
Future Vol, veh/h	438	0	1	589	0	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	1	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	86	86	86	86	86	86
Heavy Vehicles, %	14	0	0	9	0	0
Mvmt Flow	509	0	1	685	0	1

Major/Minor	Major1	Major2	Minor1	Minor2	Minor3
Conflicting Flow All	0	0	509	0	1196
Stage 1	-	-	-	-	509
Stage 2	-	-	-	-	687
Critical Hdwy	-	-	4.1	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.2	-	3.5
Pot Cap-1 Maneuver	-	-	1066	-	208
Stage 1	-	-	-	-	608
Stage 2	-	-	-	-	503
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1066	-	208
Mov Cap-2 Maneuver	-	-	-	-	345
Stage 1	-	-	-	-	608
Stage 2	-	-	-	-	502

Approach	EB	WB	NB
HCM Control Delay, s	0	0	11.4
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	568	-	-	1066	-
HCM Lane V/C Ratio	0.002	-	-	0.001	-
HCM Control Delay (s)	11.4	-	-	8.4	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0	-	-	0	-

HCM 6th TWSC  
1: Leroy Ave & OR 211

05/13/2022

Intersection												
Int Delay, s/veh	20.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖	↗		↖	↗		↖	↗		↖	↗	
Traffic Vol, veh/h	52	578	76	135	538	41	62	8	120	18	12	71
Future Vol, veh/h	52	578	76	135	538	41	62	8	120	18	12	71
Conflicting Peds, #/hr	2	0	0	0	0	2	7	0	0	0	0	7
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	-	100	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	16	9	0	0	9	10	0	0	2	6	0	1
Mvmt Flow	55	608	80	142	566	43	65	8	126	19	13	75

Major/Minor	Major1		Major2		Minor1		Minor2					
Conflicting Flow All	611	0	0	688	0	0	1681	1653	648	1699	1672	597
Stage 1	-	-	-	-	-	-	758	758	-	874	874	-
Stage 2	-	-	-	-	-	-	923	895	-	825	798	-
Critical Hdwy	4.26	-	-	4.1	-	-	7.1	6.5	6.22	7.16	6.5	6.21
Critical Hdwy Stg 1	-	-	-	-	-	-	6.1	5.5	-	6.16	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.1	5.5	-	6.16	5.5	-
Follow-up Hdwy	2.344	-	-	2.2	-	-	3.5	4	3.318	3.554	4	3.309
Pot Cap-1 Maneuver	903	-	-	916	-	-	76	99	470	71	97	505
Stage 1	-	-	-	-	-	-	402	418	-	339	370	-
Stage 2	-	-	-	-	-	-	326	362	-	361	401	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	901	-	-	916	-	-	~ 47	78	470	40	77	501
Mov Cap-2 Maneuver	-	-	-	-	-	-	~ 47	78	-	40	77	-
Stage 1	-	-	-	-	-	-	377	393	-	318	312	-
Stage 2	-	-	-	-	-	-	223	305	-	243	377	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	0.7		1.8		146.2		47.8	
HCM LOS					F		E	

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	47	358	901	-	-	916	-	-	40	279
HCM Lane V/C Ratio	1.389	0.376	0.061	-	-	0.155	-	-	0.474	0.313
HCM Control Delay (s)	\$ 404.6	21	9.3	-	-	9.7	-	-	158.8	23.7
HCM Lane LOS	F	C	A	-	-	A	-	-	F	C
HCM 95th %tile Q(veh)	6.2	1.7	0.2	-	-	0.5	-	-	1.7	1.3

Notes  
 ~: Volume exceeds capacity    \$: Delay exceeds 300s    +: Computation Not Defined    \*: All major volume in platoon

HCM 6th TWSC  
 2: E Cascade Center Access & OR 211

05/13/2022

Intersection						
Int Delay, s/veh	0					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↑	↔	
Traffic Vol, veh/h	715	1	1	714	0	1
Future Vol, veh/h	715	1	1	714	0	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	1	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	9	0	0	9	0	0
Mvmt Flow	753	1	1	752	0	1

Major/Minor	Major1	Major2	Minor1	Minor2	Minor3
Conflicting Flow All	0	0	754	0	1508
Stage 1	-	-	-	-	754
Stage 2	-	-	-	-	754
Critical Hdwy	-	-	4.1	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.2	-	3.5
Pot Cap-1 Maneuver	-	-	865	-	134
Stage 1	-	-	-	-	468
Stage 2	-	-	-	-	468
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	865	-	134
Mov Cap-2 Maneuver	-	-	-	-	275
Stage 1	-	-	-	-	468
Stage 2	-	-	-	-	468

Approach	EB	WB	NB
HCM Control Delay, s	0	0	13.8
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	412	-	-	865	-
HCM Lane V/C Ratio	0.003	-	-	0.001	-
HCM Control Delay (s)	13.8	-	-	9.2	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0	-	-	0	-

Appendix D. Year 2023 Total Conditions Traffic Analysis Worksheets

HCM 6th TWSC  
1: Leroy Ave & OR 211

05/13/2022

Intersection												
Int Delay, s/veh	12.3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖	↗		↖	↗		↖	↗		↖	↗	
Traffic Vol, veh/h	31	318	49	127	414	54	63	9	96	32	10	80
Future Vol, veh/h	31	318	49	127	414	54	63	9	96	32	10	80
Conflicting Peds, #/hr	3	0	0	0	0	3	10	0	0	0	0	10
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	-	100	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	86	86	86	86	86	86	86	86	86	86	86	86
Heavy Vehicles, %	3	14	100	0	9	2	0	0	0	3	0	26
Mvmt Flow	36	370	57	148	481	63	73	10	112	37	12	93

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	547	0	0	427	0	0	1342	1314	399	1344	1311	526
Stage 1	-	-	-	-	-	-	471	471	-	812	812	-
Stage 2	-	-	-	-	-	-	871	843	-	532	499	-
Critical Hdwy	4.13	-	-	4.1	-	-	7.1	6.5	6.2	7.13	6.5	6.46
Critical Hdwy Stg 1	-	-	-	-	-	-	6.1	5.5	-	6.13	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.1	5.5	-	6.13	5.5	-
Follow-up Hdwy	2.227	-	-	2.2	-	-	3.5	4	3.3	3.527	4	3.534
Pot Cap-1 Maneuver	1017	-	-	1143	-	-	131	160	655	128	160	507
Stage 1	-	-	-	-	-	-	577	563	-	371	395	-
Stage 2	-	-	-	-	-	-	349	382	-	529	547	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1014	-	-	1143	-	-	87	134	655	87	134	501
Mov Cap-2 Maneuver	-	-	-	-	-	-	87	134	-	87	134	-
Stage 1	-	-	-	-	-	-	556	543	-	357	343	-
Stage 2	-	-	-	-	-	-	237	332	-	415	527	-

Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.7			1.8			62.1			32.7		
HCM LOS							F			D		

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	87	491	1014	-	-	1143	-	-	87	384
HCM Lane V/C Ratio	0.842	0.249	0.036	-	-	0.129	-	-	0.428	0.273
HCM Control Delay (s)	141	14.7	8.7	-	-	8.6	-	-	74.3	17.9
HCM Lane LOS	F	B	A	-	-	A	-	-	F	C
HCM 95th %tile Q(veh)	4.5	1	0.1	-	-	0.4	-	-	1.8	1.1

HCM 6th TWSC  
 2: E Cascade Center Access & OR 211

05/13/2022

Intersection						
Int Delay, s/veh	0.3					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↔	↔	
Traffic Vol, veh/h	436	10	7	587	8	5
Future Vol, veh/h	436	10	7	587	8	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	86	86	86	86	86	86
Heavy Vehicles, %	14	0	0	9	0	0
Mvmt Flow	507	12	8	683	9	6

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	519	0	1212 513
Stage 1	-	-	-	-	513 -
Stage 2	-	-	-	-	699 -
Critical Hdwy	-	-	4.1	-	6.4 6.2
Critical Hdwy Stg 1	-	-	-	-	5.4 -
Critical Hdwy Stg 2	-	-	-	-	5.4 -
Follow-up Hdwy	-	-	2.2	-	3.5 3.3
Pot Cap-1 Maneuver	-	-	1057	-	203 565
Stage 1	-	-	-	-	605 -
Stage 2	-	-	-	-	497 -
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1057	-	201 565
Mov Cap-2 Maneuver	-	-	-	-	201 -
Stage 1	-	-	-	-	605 -
Stage 2	-	-	-	-	493 -

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	19.3
HCM LOS			C

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	267	-	-	1057	-
HCM Lane V/C Ratio	0.057	-	-	0.008	-
HCM Control Delay (s)	19.3	-	-	8.4	-
HCM Lane LOS	C	-	-	A	-
HCM 95th %tile Q(veh)	0.2	-	-	0	-

HCM 6th TWSC  
1: Leroy Ave & OR 211

05/13/2022

Intersection												
Int Delay, s/veh	21.3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖	↗		↖	↗		↖	↗		↖	↗	
Traffic Vol, veh/h	52	591	76	135	550	42	62	8	120	19	12	71
Future Vol, veh/h	52	591	76	135	550	42	62	8	120	19	12	71
Conflicting Peds, #/hr	2	0	0	0	0	2	7	0	0	0	0	7
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	100	-	-	100	-	-	100	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	95	95	95	95	95	95	95	95	95	95	95	95
Heavy Vehicles, %	16	9	0	0	9	10	0	0	2	6	0	1
Mvmt Flow	55	622	80	142	579	44	65	8	126	20	13	75

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	625	0	0	702	0	0	1708	1681	662	1726	1699	610
Stage 1	-	-	-	-	-	-	772	772	-	887	887	-
Stage 2	-	-	-	-	-	-	936	909	-	839	812	-
Critical Hdwy	4.26	-	-	4.1	-	-	7.1	6.5	6.22	7.16	6.5	6.21
Critical Hdwy Stg 1	-	-	-	-	-	-	6.1	5.5	-	6.16	5.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.1	5.5	-	6.16	5.5	-
Follow-up Hdwy	2.344	-	-	2.2	-	-	3.5	4	3.318	3.554	4	3.309
Pot Cap-1 Maneuver	892	-	-	905	-	-	73	96	462	68	93	496
Stage 1	-	-	-	-	-	-	395	412	-	333	365	-
Stage 2	-	-	-	-	-	-	321	357	-	355	395	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	890	-	-	905	-	-	~ 45	76	462	38	73	492
Mov Cap-2 Maneuver	-	-	-	-	-	-	~ 45	76	-	38	73	-
Stage 1	-	-	-	-	-	-	371	386	-	312	307	-
Stage 2	-	-	-	-	-	-	219	300	-	237	371	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.7	1.8	156.9	53.1
HCM LOS			F	F

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	45	351	890	-	-	905	-	-	38	269
HCM Lane V/C Ratio	1.45	0.384	0.062	-	-	0.157	-	-	0.526	0.325
HCM Control Delay (s)	\$ 436.3	21.5	9.3	-	-	9.7	-	-	177	24.7
HCM Lane LOS	F	C	A	-	-	A	-	-	F	C
HCM 95th %tile Q(veh)	6.4	1.8	0.2	-	-	0.6	-	-	1.8	1.4

Notes  
 ~: Volume exceeds capacity    \$: Delay exceeds 300s    +: Computation Not Defined    \*: All major volume in platoon



HCM 6th TWSC  
 2: E Cascade Center Access & OR 211

05/13/2022

Intersection						
Int Delay, s/veh	0.6					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↑	↔	
Traffic Vol, veh/h	709	21	11	710	17	13
Future Vol, veh/h	709	21	11	710	17	13
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	9	0	0	9	0	0
Mvmt Flow	746	22	12	747	18	14

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	768	0	1528 757
Stage 1	-	-	-	-	757 -
Stage 2	-	-	-	-	771 -
Critical Hdwy	-	-	4.1	-	6.4 6.2
Critical Hdwy Stg 1	-	-	-	-	5.4 -
Critical Hdwy Stg 2	-	-	-	-	5.4 -
Follow-up Hdwy	-	-	2.2	-	3.5 3.3
Pot Cap-1 Maneuver	-	-	855	-	131 411
Stage 1	-	-	-	-	467 -
Stage 2	-	-	-	-	460 -
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	855	-	129 411
Mov Cap-2 Maneuver	-	-	-	-	129 -
Stage 1	-	-	-	-	467 -
Stage 2	-	-	-	-	454 -

Approach	EB	WB	NB
HCM Control Delay, s	0	0.1	28.6
HCM LOS			D

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	184	-	-	855	-
HCM Lane V/C Ratio	0.172	-	-	0.014	-
HCM Control Delay (s)	28.6	-	-	9.3	-
HCM Lane LOS	D	-	-	A	-
HCM 95th %tile Q(veh)	0.6	-	-	0	-

Appendix E. Traffic Signal Warrants Traffic Analysis Worksheets



**KITTELSON & ASSOCIATES, INC.**  
 610 SW Alder, Suite 700  
 Portland, Oregon 97205  
 (503) 228-5230

**Analysis Traffic Volumes**

Hour	Major Street		Minor Street			
	Begin	End	EB	WB	NB	SB
12:00 AM	1:00 AM		0	0	0	0
1:00 AM			0	0	0	0
2:00 AM			0	0	0	0
3:00 AM			0	0	0	0
4:00 AM			0	0	0	0
5:00 AM			0	0	0	0
6:00 AM			223	406	8	8
7:00 AM			392	615	71	42
8:00 AM			327	469	26	16
9:00 AM			404	454	31	15
10:00 AM			429	545	38	16
11:00 AM			475	642	54	19
12:00 PM			549	630	62	26
1:00 PM			500	641	57	23
2:00 PM			593	728	58	37
3:00 PM			705	709	70	31
4:00 PM			738	742	64	29
5:00 PM			698	678	69	30
6:00 PM			545	493	59	28
7:00 PM			0	0	0	0
8:00 PM			0	0	0	0
9:00 PM			0	0	0	0
10:00 PM			0	0	0	0
11:00 PM			0	0	0	0

**Project #:** 27631  
**Project Name:** Cascade Center Credit Union  
**Analyst:** ZHB  
**Date:** 5/10/2022  
**File:** H:\2\2\631 - Cascade Center Credit Union\signal warrant\[Signal Warrant\_OR 211 Leroy\_total\_2022 Counts.xls\War #3 - Peak HR OR 211/Leroy Ave  
**Intersection:** OR 211/Leroy Ave  
**Scenario:** Year 2023 Total Traffic

**Warrant Summary**

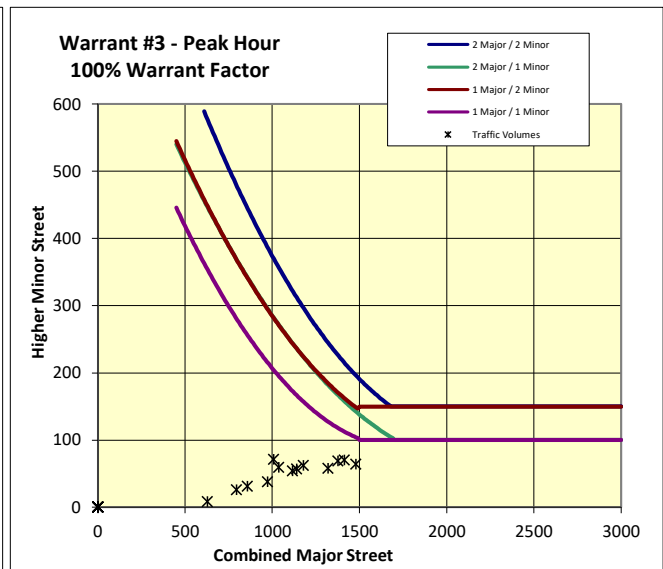
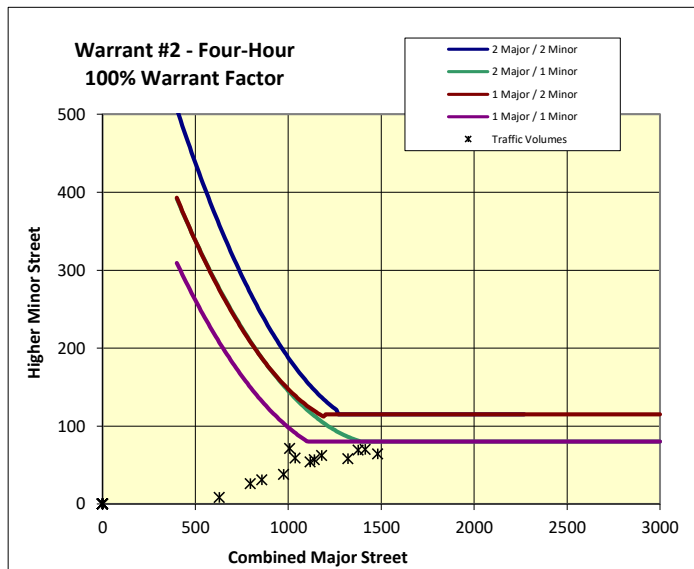
Warrant	Name	Analyzed?	Met?
#1	Eight-Hour Vehicular Volume	Yes	No
#2	Four-Hour Vehicular volume	Yes	No
#3	Peak Hour	Yes	No
#4	Pedestrian Volume	No	-
#5	School Crossing	No	-
#6	Coordinated Signal System	No	-
#7	Crash Experience	No	-
#8	Roadway Network	No	-
#9	Intersection Near a Grade Crossing	No	-

**Input Parameters**

Volume Adjustment Factor =	1.0
North-South Approach =	Minor
East-West Approach =	Major
Major Street Thru Lanes =	2
Minor Street Thru Lanes =	1
Speed > 40 mph?	No
Population < 10,000?	No
Warrant Factor	100%
Peak Hour or Daily Count?	Daily

**Warrant #1 - Eight Hour**

Warrant Factor	Condition	Major Street Requirement	Minor Street Requirement	Hours That Condition Is Met	Condition for Warrant Factor Met?	Signal Warrant Met?
100%	A	600	150	0	No	No
	B	900	75	0	No	No
80%	A	480	120	0	No	No
	B	720	60	5	No	No
70%	A	420	105	0	No	Yes
	B	630	53	9	Yes	Yes
56%	A	336	84	0	No	Yes
	B	504	42	9	Yes	Yes



Traffic Volumes						Calculations			
Hour		Major Street		Minor Street		Combined Major Street	Higher Minor Street	Threshold	Is Threshold Met?
Begin	End	EB	WB	NB	SB				
12:00 AM	1:00 AM	0	0	0	0	0	0		
1:00 AM		0	0	0	0	0	0		
2:00 AM		0	0	0	0	0	0		
3:00 AM		0	0	0	0	0	0		
4:00 AM		0	0	0	0	0	0		
5:00 AM		0	0	0	0	0	0		
6:00 AM		223	406	8	8	629	8	447	No
7:00 AM		392	615	71	42	1007	71	283	No
8:00 AM		327	469	26	16	795	26	369	No
9:00 AM		404	454	31	15	858	31	342	No
10:00 AM		429	545	38	16	974	38	295	No
11:00 AM		475	642	54	19	1117	54	244	No
12:00 PM		549	630	62	26	1179	62	224	No
1:00 PM		500	641	57	23	1141	57	236	No
2:00 PM		593	728	58	37	1320	58	182	No
3:00 PM		705	709	70	31	1414	70	158	No
4:00 PM		738	742	64	29	1480	64	142	No
5:00 PM		698	678	69	30	1376	69	167	No
6:00 PM		545	493	59	28	1037	59	272	No
7:00 PM		0	0	0	0	0	0		
8:00 PM		0	0	0	0	0	0		
9:00 PM		0	0	0	0	0	0		
10:00 PM		0	0	0	0	0	0		
11:00 PM		0	0	0	0	0	0		

0

Number of lanes for moving traffic on each approach (Major Street) 2  
 Number of lanes for moving traffic on each approach (Minor Street) 1  
 Warrant Factor 100%  
 Row Index for VLOOKUP 2

Lookup Table							
Index	Major Street	Minor Street	Break Point	x <sup>2</sup>	x	c	alt
1	1	1	1490	0.00021	0.74456	737.483	100
2	2 or more	1	1940	0.00016	0.69501	820.599	100
3	2 or more	2 or more	1670	0.00021	0.88413	1051.357	150
4	1	2 or more	1490	0.00018	0.74004	840.841	150
5	1	1	1090	0.00030	0.72083	500.179	75
6	2 or more	1	1290	0.00027	0.74307	590.636	75
7	2 or more	2 or more	1190	0.00030	0.88720	740.149	100
8	1	2 or more	1090	0.00033	0.83500	619.667	100

70% Factor 100% Factor

**Is Warrant #3 met based on the applicable warrant factor?**

**No**

**Condition A Criteria**

	NB	SB
Total Stopped Delay Per Vehicle On Minor Approach (sec)	436.3	177.0
Number Of Lanes On Minor Street Approach	1	1
Vehicle-Hours Of Stopped Delay On Minor Approach	8.48	1.52
	Yes	No
Volume on Minor Street Approach During Same Hour	70	31
	No	No
Total Entering Volume On All Approaches During Same Hour	1547	
Number of Approaches to Intersection	4	
	Yes	

**Is Warrant #3 met based on Condition A criteria?**

**No**

**Table A. 2022 Raw Volumes**

Time	NB L/T	SB L/T	EB	WB
6:00	0	7	190	358
7:00	0	32	288	419
8:00	5	14	253	384
9:00	6	12	321	364
10:00	15	11	331	429
11:00	21	11	354	478
12:00	19	17	413	437
13:00	25	17	375	466
14:00	32	27	456	555
15:00	16	16	558	524
16:00	19	19	578	550
17:00	18	23	541	485
18:00	20	25	420	344

**Table B. 2022 Seasonally-adjusted Volumes**

Time	NB L/T	SB L/T	EB	WB	Major Street Sum
6:00	0	7	206	387	593
7:00	0	32	312	453	765
8:00	5	14	274	415	689
9:00	6	12	347	394	741
10:00	15	11	358	464	822
11:00	21	11	383	517	900
12:00	19	17	447	473	920
13:00	25	17	406	504	910
14:00	32	27	493	601	1094
15:00	16	16	604	567	1171
16:00	19	19	625	595	1220
17:00	18	23	585	525	1110
18:00	20	25	454	372	827

**Table C. 2023 Background Growth (2.5%, applied to EB, WB, SB)**

Time	NB L/T	SB L/T	EB	WB	Major Street Sum
6:00	0	7	211	397	608
7:00	0	33	318	464	782
8:00	5	14	281	426	706
9:00	6	12	356	404	760
10:00	15	11	367	476	843
11:00	21	11	393	530	923
12:00	19	17	458	485	943
13:00	25	17	416	517	933
14:00	32	28	506	616	1121
15:00	16	16	619	581	1200
16:00	19	19	641	610	1251
17:00	18	24	600	538	1138
18:00	20	26	466	382	847

**Table D. 2023 Background Traffic Volumes**

Time	NB LT & TH	SB Left & TH	EB	WB	Major Street Sum
6:00	8	8	222	405	627
7:00	71	41	385	609	994
8:00	26	15	317	459	775
9:00	31	14	391	441	832
10:00	38	15	415	531	946
11:00	54	18	459	626	1085
12:00	62	25	533	614	1147
13:00	57	22	486	627	1113
14:00	58	36	579	714	1292
15:00	70	30	691	695	1386
16:00	64	28	725	729	1454
17:00	69	29	688	668	1356
18:00	59	28	542	490	1031

**Table E. 2023 Total Traffic Volumes**

Time	NB LT & TH	SB Left & TH	EB	WB	Major Street Sum
6:00	8	8	223	406	629
7:00	71	42	392	615	1007
8:00	26	16	327	469	795
9:00	31	15	404	454	858
10:00	38	16	429	545	974
11:00	54	19	475	642	1117
12:00	62	26	549	630	1179
13:00	57	23	500	641	1141
14:00	58	37	593	728	1320
15:00	70	31	705	709	1414
16:00	64	29	738	742	1480
17:00	69	30	698	678	1376
18:00	59	28	545	493	1037

\*Includes site trips and in process traffic identified in the tables on the following pages

Where: NB = Northbound, SB = Southbound, EB = Eastbound, WB = Westbound, Left = Left-turn movement, TH = Through movement

8 Highest Hours Shaded

8 Highest Hours Shaded

8 Highest Hours Shaded

8 Highest Hours Shaded

**Notes:**

- 1) The "Counts" tab contains the raw turning movement volumes from the 13-hour turn movement count, southbound right-turns were zeroed out.
- 2) The Table A "Raw Volumes" cells reference the counts tab.
- 3) The Table B "Seasonally-adjusted Volumes" apply the ODOT seasonal adjustment factor described in the scoping memo/report (1.035). Note that no seasonal adjustment was applied to the volumes to/from Leroy Avenue, so the approach volumes are adjusted accordingly.
- 4) The Table C. "Background" volumes apply the background growth rate described in the report.
- 5) The Table D "Background Traffic Volumes" references the "TTE Data" tab where the 13-hour volume profile was extrapolated for all in process developments.
- 6) The Table E "Total Traffic Volumes" references the "TTE Data" tab where the 13-hour volume profile was extrapolated for the proposed credit union.

Table 1. Cascade Center Trip Assignment (From TIA Figure 6)

	TIA OR 211/Leroy Intersection				WBLT	EBRT	EBT	WBT
	NBLT	NBTH	SBTH	WBLT				
AM Peak Hour	40	7	9	125	41	-3	-9	
PM Peak Hour	46	8	10	125	51	-17	-9	

Table 1A. Storage Trips to Be Removed

	TIA OR 211/Leroy Intersection				WBLT	EBRT	EBT	WBT
	NBLT	NBTH	SBTH	WBLT				
AM Peak Hour	2			2	2			
PM Peak Hour	2			3	3			

Table 1B. Center Market Trips

	TIA OR 211/Leroy Intersection				WBLT	EBRT	EBT	WBT
	NBLT	NBTH	SBTH	WBLT				
AM Peak Hour							21	21
PM Peak Hour							17	16

Table 2. Cascade Center Trip Assignment Extrapolated Across Day

Hour	ITE Shopping Center Percent of Daily Trips	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
6:00	0.2	1	0	0	3	1	0	0
7:00	1.1	40	7	9	125	41	-3	-9
8:00	2	10	2	2	27	11	-4	-2
9:00	3.6	18	3	4	49	20	-7	-4
10:00	5.6	28	5	6	76	31	-10	-5
11:00	8.3	42	7	9	113	46	-15	-8
12:00	10	50	9	11	136	55	-18	-10
13:00	9.3	47	8	10	126	52	-17	-9
14:00	9	45	8	10	122	50	-17	-9
15:00	8.8	44	8	10	120	49	-16	-9
16:00	9.2	46	8	10	125	51	-17	-9
17:00	9.3	47	8	10	126	52	-17	-9
18:00	8	40	7	9	109	44	-15	-8

Table 2A. Storage Trip Assignment Extrapolated Across Day

Hour	ITE Shopping Center Percent of Daily Trips	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
6:00	0.2	0	0	0	0	0	0	0
7:00	1.1	2	0	0	2	2	0	0
8:00	2	0	0	0	1	1	0	0
9:00	3.6	1	0	0	1	1	0	0
10:00	5.6	1	0	0	2	2	0	0
11:00	8.3	2	0	0	3	3	0	0
12:00	10	2	0	0	3	3	0	0
13:00	9.3	2	0	0	3	3	0	0
14:00	9	2	0	0	3	3	0	0
15:00	8.8	2	0	0	3	3	0	0
16:00	9.2	2	0	0	3	3	0	0
17:00	9.3	2	0	0	3	3	0	0
18:00	8	2	0	0	3	3	0	0

Table 2B. Center Market Trip Assignment Extrapolated Across Day

Hour	ITE Shopping Center	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
6:00	0.2	0	0	0	0	0	0	0
7:00	1.1	0	0	0	0	0	21	21
8:00	2	0	0	0	0	0	4	3
9:00	3.6	0	0	0	0	0	7	6
10:00	5.6	0	0	0	0	0	10	10
11:00	8.3	0	0	0	0	0	15	14
12:00	10	0	0	0	0	0	18	17
13:00	9.3	0	0	0	0	0	17	16
14:00	9	0	0	0	0	0	17	16
15:00	8.8	0	0	0	0	0	16	15
16:00	9.2	0	0	0	0	0	17	16
17:00	9.3	0	0	0	0	0	17	16
18:00	8	0	0	0	0	0	15	14

Table 3. Cascade Place Apartments Trip Assignment

	TIA OR 211/Leroy Intersection						
	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
AM Peak Hour	24	2	1	3	9	0	0
PM Peak Hour	17	0	2	12	26	0	0

Table 3A. Colima Apartments Trip Assignment

	TIA OR 211/Leroy Intersection						
	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
AM Peak Hour						3	1
PM Peak Hour						2	3

Table 3B. Stoneplace Apartments Rerouted Trips

	TIA OR 211/Leroy Intersection						
	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
AM Peak Hour	7	0	0	2	0	-4	-2
PM Peak Hour	3	0	0	4	2	-2	-4

Table 3C. 1000 W Main ST Trip Assignment

	TIA OR 211/Leroy Intersection						
	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
AM Peak Hour						5	2
PM Peak Hour						3	5

Table 4. TIA Trip Assignment Extrapolated Across Day

Hour	ITE Multi-Family Percent of Daily Trips	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
6:00	2.9	6	0	1	5	10	0	0
7:00	7.4	24	2	1	3	9	0	0
8:00	6.3	14	0	2	10	22	0	0
9:00	5.3	12	0	1	8	18	0	0
10:00	4	9	0	1	6	14	0	0
11:00	5.3	12	0	1	8	18	0	0
12:00	5.4	12	0	1	9	18	0	0
13:00	4.6	10	0	1	7	16	0	0
14:00	5.7	13	0	2	9	20	0	0
15:00	6.2	14	0	2	10	21	0	0
16:00	7.6	17	0	2	12	26	0	0
17:00	9.1	20	0	2	14	31	0	0
18:00	7.9	18	0	2	12	27	0	0

Table 4A. Colima Trip Assignment Extrapolated Across Day

Hour	ITE Multi-Family Percent	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
6:00	2.9	0	0	0	0	0	1	1
7:00	7.4	0	0	0	0	0	3	1
8:00	6.3	0	0	0	0	0	2	2
9:00	5.3	0	0	0	0	0	1	2
10:00	4	0	0	0	0	0	1	2
11:00	5.3	0	0	0	0	0	1	2
12:00	5.4	0	0	0	0	0	1	2
13:00	4.6	0	0	0	0	0	1	2
14:00	5.7	0	0	0	0	0	2	2
15:00	6.2	0	0	0	0	0	2	2
16:00	7.6	0	0	0	0	0	2	3
17:00	9.1	0	0	0	0	0	2	4
18:00	7.9	0	0	0	0	0	2	3

Table 4B. TIA Trip Assignment Extrapolated Across Day

Hour	ITE Multi-Family Percent	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
6:00	2.9	1	0	0	2	1	-1	-2
7:00	7.4	7	0	0	2	0	-4	-2
8:00	6.3	2	0	0	3	2	-2	-3
9:00	5.3	2	0	0	3	1	-1	-3
10:00	4	2	0	0	2	1	-1	-2
11:00	5.3	2	0	0	3	1	-1	-3
12:00	5.4	2	0	0	3	1	-1	-3
13:00	4.6	2	0	0	2	1	-1	-2
14:00	5.7	2	0	0	3	2	-2	-3
15:00	6.2	2	0	0	3	2	-2	-3
16:00	7.6	3	0	0	4	2	-2	-4
17:00	9.1	4	0	0	5	2	-2	-5
18:00	7.9	3	0	0	4	2	-2	-4

Table 4C. 1000 W Main ST Trip Assignment Extrapolated Across Day

Hour	ITE Multi-Family Percent	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
6:00	2.9	0	0	0	0	0	1	2
7:00	7.4	0	0	0	0	0	5	2
8:00	6.3	0	0	0	0	0	2	4
9:00	5.3	0	0	0	0	0	2	3
10:00	4	0	0	0	0	0	2	3
11:00	5.3	0	0	0	0	0	2	3
12:00	5.4	0	0	0	0	0	2	4
13:00	4.6	0	0	0	0	0	2	3
14:00	5.7	0	0	0	0	0	2	4
15:00	6.2	0	0	0	0	0	2	4
16:00	7.6	0	0	0	0	0	3	5
17:00	9.1	0	0	0	0	0	4	6
18:00	7.9	0	0	0	0	0	3	5

**Table 5. Cascade Center Credit Union Trip Assignment**

	TIA OR 211/Leroy Intersection						
	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
AM Peak Hour	0	0	1	0	0	7	6
PM Peak Hour	0	0	1	0	0	13	13

**Table 6. TIA Trip Assignment Extrapolated Across Day**

Hour	ITE Credit Union Percent of Daily Trips	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
6:00	0.85	0	0	0	0	0	1	1
7:00	3.875	0	0	1	0	0	7	6
8:00	7.15	0	0	1	0	0	10	10
9:00	9.125	0	0	1	0	0	13	13
10:00	9.725	0	0	1	0	0	14	14
11:00	10.825	0	0	1	0	0	16	16
12:00	10.975	0	0	1	0	0	16	16
13:00	9.65	0	0	1	0	0	14	14
14:00	9.85	0	0	1	0	0	14	14
15:00	9.425	0	0	1	0	0	14	14
16:00	8.975	0	0	1	0	0	13	13
17:00	6.725	0	0	1	0	0	10	10
18:00	2.075	0	0	0	0	0	3	3





**KITTELSON & ASSOCIATES, INC.**  
 610 SW Alder, Suite 700  
 Portland, Oregon 97205  
 (503) 228-5230

**Project #:** 27631  
**Project Name:** Cascade Center Credit Union  
**Analyst:** ZHB  
**Date:** 5/13/2022  
**File:** H:\2\2\631 - Cascade Center Credit Union\signal warrant\[Signal Warrant\_OR 211 Leroy\_total\_2022 Counts\_sensitivitv.xls]War #3 - Peak HR  
**Intersection:** OR 211/Leroy Ave  
**Scenario:** Year 2023 Total Traffic (Sensitivity)

**Analysis Traffic Volumes**

Hour	Major Street		Minor Street			
	Begin	End	EB	WB	NB	SB
12:00 AM	1:00 AM		0	0	0	0
1:00 AM			0	0	0	0
2:00 AM			0	0	0	0
3:00 AM			0	0	0	0
4:00 AM			0	0	0	0
5:00 AM			0	0	0	0
6:00 AM			223	405	8	8
7:00 AM			392	611	71	42
8:00 AM			327	462	26	16
9:00 AM			404	445	31	15
10:00 AM			429	535	38	16
11:00 AM			475	631	54	19
12:00 PM			549	619	62	26
1:00 PM			500	631	57	23
2:00 PM			593	718	58	37
3:00 PM			705	699	70	31
4:00 PM			738	733	64	29
5:00 PM			698	671	69	30
6:00 PM			545	491	59	28
7:00 PM			0	0	0	0
8:00 PM			0	0	0	0
9:00 PM			0	0	0	0
10:00 PM			0	0	0	0
11:00 PM			0	0	0	0

**Warrant Summary**

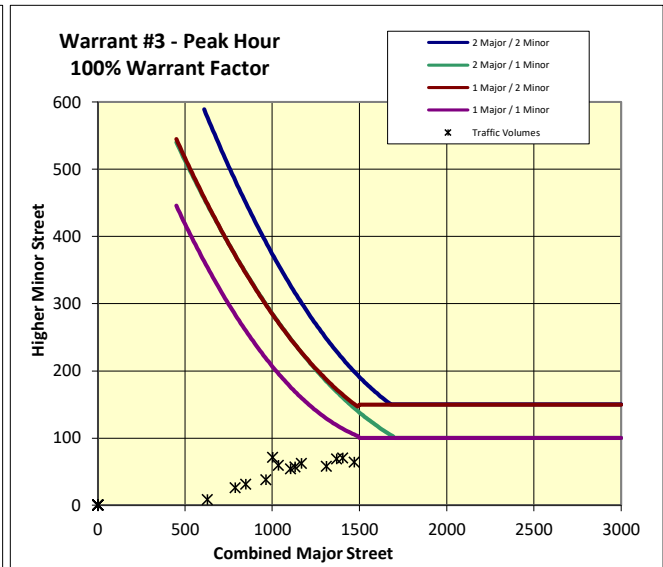
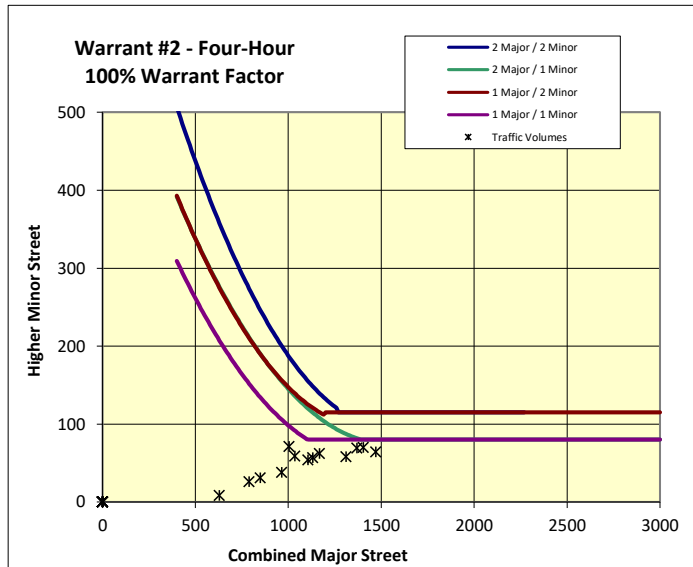
Warrant	Name	Analyzed?	Met?
#1	Eight-Hour Vehicular Volume	Yes	No
#2	Four-Hour Vehicular volume	Yes	No
#3	Peak Hour	Yes	No
#4	Pedestrian Volume	No	-
#5	School Crossing	No	-
#6	Coordinated Signal System	No	-
#7	Crash Experience	No	-
#8	Roadway Network	No	-
#9	Intersection Near a Grade Crossing	No	-

**Input Parameters**

Volume Adjustment Factor =	1.0
North-South Approach =	Minor
East-West Approach =	Major
Major Street Thru Lanes =	2
Minor Street Thru Lanes =	1
Speed > 40 mph?	No
Population < 10,000?	No
Warrant Factor	100%
Peak Hour or Daily Count?	Daily

**Warrant #1 - Eight Hour**

Warrant Factor	Condition	Major Street Requirement	Minor Street Requirement	Hours That Condition Is Met	Condition for Warrant Factor Met?	Signal Warrant Met?
100%	A	600	150	0	No	No
	B	900	75	0	No	No
80%	A	480	120	0	No	No
	B	720	60	5	No	No
70%	A	420	105	0	No	Yes
	B	630	53	9	Yes	Yes
56%	A	336	84	0	No	Yes
	B	504	42	9	Yes	Yes



Traffic Volumes						Calculations			
Hour		Major Street		Minor Street		Combined Major Street	Higher Minor Street	Threshold	Is Threshold Met?
Begin	End	EB	WB	NB	SB				
12:00 AM	1:00 AM	0	0	0	0	0	0		
1:00 AM		0	0	0	0	0	0		
2:00 AM		0	0	0	0	0	0		
3:00 AM		0	0	0	0	0	0		
4:00 AM		0	0	0	0	0	0		
5:00 AM		0	0	0	0	0	0		
6:00 AM		223	405	8	8	628	8	447	No
7:00 AM		392	611	71	42	1003	71	284	No
8:00 AM		327	462	26	16	788	26	372	No
9:00 AM		404	445	31	15	849	31	346	No
10:00 AM		429	535	38	16	964	38	299	No
11:00 AM		475	631	54	19	1106	54	248	No
12:00 PM		549	619	62	26	1168	62	227	No
1:00 PM		500	631	57	23	1131	57	239	No
2:00 PM		593	718	58	37	1310	58	185	No
3:00 PM		705	699	70	31	1404	70	160	No
4:00 PM		738	733	64	29	1471	64	144	No
5:00 PM		698	671	69	30	1369	69	169	No
6:00 PM		545	491	59	28	1035	59	273	No
7:00 PM		0	0	0	0	0	0		
8:00 PM		0	0	0	0	0	0		
9:00 PM		0	0	0	0	0	0		
10:00 PM		0	0	0	0	0	0		
11:00 PM		0	0	0	0	0	0		

0

Number of lanes for moving traffic on each approach (Major Street) 2  
 Number of lanes for moving traffic on each approach (Minor Street) 1  
 Warrant Factor 100%  
 Row Index for VLOOKUP 2

**Lookup Table**

Index	Major Street	Minor Street	Break Point	x <sup>2</sup>	x	c	alt
1	1	1	1490	0.00021	0.74456	737.483	100
2	2 or more	1	1940	0.00016	0.69501	820.599	100
3	2 or more	2 or more	1670	0.00021	0.88413	1051.357	150
4	1	2 or more	1490	0.00018	0.74004	840.841	150
5	1	1	1090	0.00030	0.72083	500.179	75
6	2 or more	1	1290	0.00027	0.74307	590.636	75
7	2 or more	2 or more	1190	0.00030	0.88720	740.149	100
8	1	2 or more	1090	0.00033	0.83500	619.667	100

70% Factor 100% Factor

**Is Warrant #3 met based on the applicable warrant factor?**

**No**

**Condition A Criteria**

	NB	SB
Total Stopped Delay Per Vehicle On Minor Approach (sec)	492.1	177.0
Number Of Lanes On Minor Street Approach	1	1
Vehicle-Hours Of Stopped Delay On Minor Approach	10.80	1.52
	Yes	No
Volume on Minor Street Approach During Same Hour	79	31
	No	No
Total Entering Volume On All Approaches During Same Hour	1457	
Number of Approaches to Intersection	4	
	Yes	

**Is Warrant #3 met based on Condition A criteria?**

**No**

**Table A. 2022 Raw Volumes**

Time	NB L/T	SB L/T	EB	WB
6:00	0	7	190	358
7:00	0	32	288	419
8:00	5	14	253	384
9:00	6	12	321	364
10:00	15	11	331	429
11:00	21	11	354	478
12:00	19	17	413	437
13:00	25	17	375	466
14:00	32	27	456	555
15:00	16	16	558	524
16:00	19	19	578	550
17:00	18	23	541	485
18:00	20	25	420	344

**Table B. 2022 Seasonally-adjusted Volumes**

Time	NB L/T	SB L/T	EB	WB	Major Street Sum
6:00	0	7	206	387	593
7:00	0	32	312	453	765
8:00	5	14	274	415	689
9:00	6	12	347	394	741
10:00	15	11	358	464	822
11:00	21	11	383	517	900
12:00	19	17	447	473	920
13:00	25	17	406	504	910
14:00	32	27	493	601	1094
15:00	16	16	604	567	1171
16:00	19	19	625	595	1220
17:00	18	23	585	525	1110
18:00	20	25	454	372	827

**Table C. 2023 Background Growth (2.5%, applied to EB, WB, SB)**

Time	NB L/T	SB L/T	EB	WB	Major Street Sum
6:00	0	7	211	397	608
7:00	0	33	318	464	782
8:00	5	14	281	426	706
9:00	6	12	356	404	760
10:00	15	11	367	476	843
11:00	21	11	393	530	923
12:00	19	17	458	485	943
13:00	25	17	416	517	933
14:00	32	28	506	616	1121
15:00	16	16	619	581	1200
16:00	19	19	641	610	1251
17:00	18	24	600	538	1138
18:00	20	26	466	382	847

**Table D. 2023 Background Traffic Volumes**

Time	NB LT & TH	SB Left & TH	EB	WB	Major Street Sum
6:00	8	8	222	405	627
7:00	71	41	385	609	994
8:00	26	15	317	459	775
9:00	31	14	391	441	832
10:00	38	15	415	531	946
11:00	54	18	459	626	1085
12:00	62	25	533	614	1147
13:00	57	22	486	627	1113
14:00	58	36	579	714	1292
15:00	70	30	691	695	1386
16:00	64	28	725	729	1454
17:00	69	29	688	668	1356
18:00	59	28	542	490	1031

**Table E. 2023 Total Traffic Volumes**

Time	NB LT & TH	SB Left & TH	EB	WB	Major Street Sum
6:00	8	8	223	405	628
7:00	71	42	392	611	1003
8:00	26	16	327	462	788
9:00	31	15	404	445	849
10:00	38	16	429	535	964
11:00	54	19	475	631	1106
12:00	62	26	549	619	1168
13:00	57	23	500	631	1131
14:00	58	37	593	718	1310
15:00	70	31	705	699	1404
16:00	64	29	738	733	1471
17:00	69	30	698	671	1369
18:00	59	28	545	491	1035

\*Includes site trips and in process traffic identified in the tables on the following pages

Where: NB = Northbound, SB = Southbound, EB = Eastbound, WB = Westbound, Left = Left-turn movement, TH = Through movement

8 Highest Hours Shaded

8 Highest Hours Shaded

8 Highest Hours Shaded

8 Highest Hours Shaded

**Notes:**

- 1) The "Counts" tab contains the raw turning movement volumes from the 13-hour turn movement count, southbound right-turns were zeroed out.
- 2) The Table A "Raw Volumes" cells reference the counts tab.
- 3) The Table B "Seasonally-adjusted Volumes" apply the ODOT seasonal adjustment factor described in the scoping memo/report (1.035). Note that no seasonal adjustment was applied to the volumes to/from Leroy Avenue, so the approach volumes are adjusted accordingly.
- 4) The Table C. "Background" volumes apply the background growth rate described in the report.
- 5) The Table D "Background Traffic Volumes" references the "TTE Data" tab where the 13-hour volume profile was extrapolated for all in process developments.
- 6) The Table E "Total Traffic Volumes" references the "TTE Data" tab where the 13-hour volume profile was extrapolated for the proposed credit union.

**Table 5. Cascade Center Credit Union Trip Assignment**

	TIA OR 211/Leroy Intersection						
	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
AM Peak Hour	0	4	1	0	0	7	2
PM Peak Hour	0	9	1	0	0	13	4

**Table 6. TIA Trip Assignment Extrapolated Across Day**

Hour	ITE Credit Union Percent of Daily Trips	NBLT	NBTH	SBTH	WBLT	EBRT	EBT	WBT
6:00	0.85	0	1	0	0	0	1	0
7:00	3.875	0	4	1	0	0	7	2
8:00	7.15	0	7	1	0	0	10	3
9:00	9.125	0	9	1	0	0	13	4
10:00	9.725	0	10	1	0	0	14	4
11:00	10.825	0	11	1	0	0	16	5
12:00	10.975	0	11	1	0	0	16	5
13:00	9.65	0	10	1	0	0	14	4
14:00	9.85	0	10	1	0	0	14	4
15:00	9.425	0	9	1	0	0	14	4
16:00	8.975	0	9	1	0	0	13	4
17:00	6.725	0	7	1	0	0	10	3
18:00	2.075	0	2	0	0	0	3	1



**KITTELSON & ASSOCIATES, INC.**  
 610 SW Alder, Suite 700  
 Portland, Oregon 97205  
 (503) 228-5230

**Project #:** 27631  
**Project Name:** Cascade Center Credit Union  
**Analyst:** ZHB  
**Date:** 5/25/2022  
**File:** H:\2\12\631 - Cascade Center Credit Union\signal warrant\[Signal Warrant\_OR 211 Leroy\_total\_WB LT.xls]War #3 - Peak HR  
**Intersection:** OR 211/Leroy Ave  
**Scenario:** Year 2023 Total Traffic - WB LT

**Analysis Traffic Volumes**

Hour	Major Street		Minor Street			
	Begin	End	EB	WB	NB	SB
12:00 AM	1:00 AM		0	0	0	0
1:00 AM			0	0	0	0
2:00 AM			0	0	0	0
3:00 AM			0	0	0	0
4:00 AM			0	0	0	0
5:00 AM			0	0	0	0
6:00 AM			223	0	10	0
7:00 AM			392	0	130	0
8:00 AM			327	0	47	0
9:00 AM			404	0	85	0
10:00 AM			429	0	118	0
11:00 AM			475	0	156	0
12:00 PM			549	0	177	0
1:00 PM			500	0	169	0
2:00 PM			593	0	179	0
3:00 PM			705	0	160	0
4:00 PM			738	0	169	0
5:00 PM			698	0	166	0
6:00 PM			545	0	147	0
7:00 PM			0	0	0	0
8:00 PM			0	0	0	0
9:00 PM			0	0	0	0
10:00 PM			0	0	0	0
11:00 PM			0	0	0	0

**Warrant Summary**

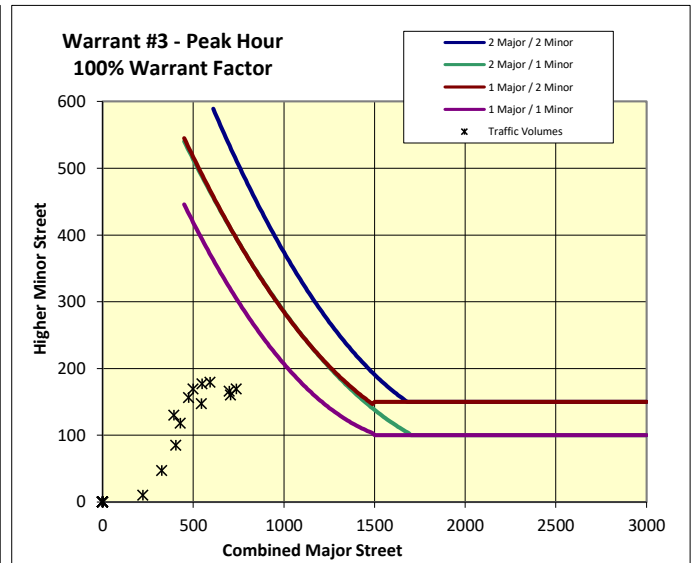
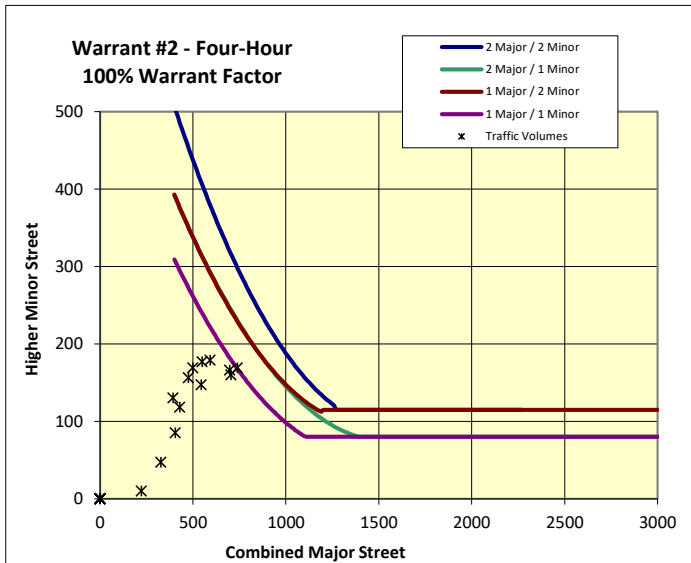
Warrant	Name	Analyzed?	Met?
#1	Eight-Hour Vehicular Volume	Yes	No
#2	Four-Hour Vehicular volume	Yes	No
#3	Peak Hour	Yes	No
#4	Pedestrian Volume	No	-
#5	School Crossing	No	-
#6	Coordinated Signal System	No	-
#7	Crash Experience	No	-
#8	Roadway Network	No	-
#9	Intersection Near a Grade Crossing	No	-

**Input Parameters**

Volume Adjustment Factor =	1.0
North-South Approach =	Minor
East-West Approach =	Major
Major Street Thru Lanes =	1
Minor Street Thru Lanes =	1
Speed > 40 mph?	No
Population < 10,000?	No
Warrant Factor	100%
Peak Hour or Daily Count?	Daily

**Warrant #1 - Eight Hour**

Warrant Factor	Condition	Major Street Requirement	Minor Street Requirement	Hours That Condition Is Met	Condition for Warrant Factor Met?	Signal Warrant Met?
100%	A	500	150	6	No	No
	B	750	75	0	No	No
80%	A	400	120	8	Yes	Yes
	B	600	60	3	No	No
70%	A	350	105	10	Yes	Yes
	B	525	53	6	No	No
56%	A	280	84	11	Yes	Yes
	B	420	42	9	Yes	Yes



After Recording Return to:

Kevin L. Swan  
Bittner & Hahs, P.C.  
4949 SW Meadows Road, Suite 260  
Lake Oswego, OR 97035

Clackamas County Official Records  
Sherry Hall, County Clerk

**2021-050457**

05/20/2021 09:49:01 AM

PD-RES           Cnt=1 Stn=7 LISA  
\$145.00 \$16.00 \$10.00 \$62.00

**\$233.00**

---

**AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS,  
SERVITUDES, RESTRICTIONS AND EASEMENTS**

THIS AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, SERVITUDES, RESTRICTIONS AND EASEMENTS (“**Declaration**”) is made as of 18<sup>th</sup> day of May, 2021, by Cascade Center Molalla, LLC, an Oregon limited liability company, located at 27375 SW Parkway Ave., Wilsonville, Oregon 97070 (“**Declarant**”). This Declaration shall supercede and replace that certain Declaration of Covenants, Servitudes, Conditions, Restrictions and Easements, recorded October 29, 2019, recording number 2019-068303.

**ARTICLE I**  
**RECITALS**

1.1           Declarant is the fee owner of that certain real property comprised of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6, and Lot 7 (“**Shopping Center**”) in the City of Molalla, County of Clackamas, State of Oregon, located at the Southwest corner of Main Street and Leroy, Molalla, Oregon, and more fully described on Exhibit "A" attached hereto and made a part hereof by this reference, and as depicted on Exhibit “B” attached hereto and made a part hereof by this reference.

1.2           The Shopping Center and proposed improvements thereto are generally depicted on the Site Plan attached as Exhibit "B" and incorporated herein by this reference. The Site Plan is subject to change pursuant to an amendment of this Declaration or a Supplemental Declaration as Declarant deems appropriate.

1.3           It is the purpose and intent of Declarant, by way of this Declaration, to subject each of the Parcels comprising the Shopping Center to the covenants, conditions and restrictions hereinafter set forth and to establish the easements hereinafter described, pursuant to a general plan of improvements for the Shopping Center for the mutual benefit of the present and future Owners of any and all portions thereof and their respective heirs, executors, successors, assigns, grantees, mortgagees and tenants.

1.4 Declarant initially intends to lease portions of the Shopping Center to Grocery Outlet as further defined herein to Dollar Tree and Autozone.

NOW THEREFORE, Declarant hereby declares that all of the Shopping Center shall be held, sold, conveyed, encumbered, hypothecated, leased, used, occupied and approved subject to the easements, restrictions, reservations, rights, covenants, conditions and equitable servitudes set forth in this Declaration (collectively "**Restrictions**") for the purpose of uniformly enhancing and protecting the value and attractiveness of the Shopping Center, and in furtherance of the general plan for the protection, maintenance and improvement of the Shopping Center as an integrated retail/commercial shopping center planned development. The covenants, conditions, restrictions, rights, reservations, easements and equitable servitudes set forth herein shall run with and burden the Shopping Center and shall be binding upon all Owners having or acquiring any right, title or interest in the Shopping Center or any part thereof, their heirs, successor and assigns and shall inure to the benefit of every portion of the Shopping Center, or any interest therein and shall inure to the benefit of and be binding upon, and may be enforced by Declarant and each Owner who acquires a fee interest in the Shopping Center or any portion thereof and their respective heirs, executors, administrators, successors and assigns.

## ARTICLE II GENERAL PROVISIONS

### 2.1 Definitions.

(a) "**Building Area**" shall mean the areas of the Shopping Center on which buildings may be constructed.

(b) "**Common Area**" shall mean all land area within the Shopping Center to be used in common by invited members of the general public. Common Area includes all land areas within the Shopping Center other than the Building Areas. The Common Area also includes, without limitation, the retaining walls and detention basin within and servicing the Shopping Center, if any, as well as boundary fences, and walls, all of which shall be maintained as described in Article V. The Common Area does not include any drive up and/or drive through aisles, lanes or facilities used exclusively by a single occupant of the Shopping Center.

(c) "**Declarant**" shall mean the undersigned Declarant and all successors, assigns or designees who shall assume Declarant's obligations, and to whom Declarant shall specifically assign in writing the right to enforce these Restrictions.

(d) "**Force Majeure**" shall mean those events described in Section 14.7.

(e) "**Governmental Authority**" means any governmental authority, agency, department, district, commission board or instrumentality of the United States, the State of Oregon, the City of Molalla, the County of Clackamas or any political subdivision thereof having competent jurisdiction over the Shopping Center.

(f) "**Improvements**" or "**Structures**" shall mean and include buildings, outbuildings, parking or loading areas, roadways or walkways, display or storage areas, fences, walls, poles, signs and all other structures of any kind located above the ground level of any Parcel to the extent that the same do not constitute Common Area, and any replacements, additions, repairs or alterations thereto of any kind whatsoever.

(g) **"Monument Signs"** and **"Pylon Signs"**, if any, shall mean those free-standing monument signs and pylon signs constructed from time to time in accordance with approvals from the appropriate Governmental Authority and in conformance with the Sign Plan.

(h) **"Owner"** shall mean each and every fee owner of the Shopping Center or any portion thereof or interest therein during the term of its ownership, specifically including, but not limited to, Declarant so long as Declarant owns any part of the Property.

(i) **"Parcel"** or **"Parcels"** shall mean each separate legal lot or parcel existing within the Shopping Center or as hereinafter created. At such time as a parcel map for the Shopping Center is created and following its recording, this Declaration shall be supplemented and/or amended, as determined by Declarant in its sole discretion, to incorporate the Parcel Map as Exhibit "C" hereto. The Grocery Outlet Parcel is shown as Lot 1 on Exhibit "B", and the Dollar Tree Parcel is shown as Lot 2 on Exhibit "B".

(j) **"Regulations"** shall mean all present or future applicable local, county, state and federal laws, statutes, codes, ordinances, rules, regulations, limitations, restrictions, orders, action or policy.

(k) **"Shopping Center"** shall mean the real property described on Exhibit "A" and which is generally depicted on Exhibit "B."

(l) **"Signs"** shall mean all advertising, placards, signs, marquees, billboards, names, insignia, trademarks, numerals, addresses, and descriptive words or material of any kind affixed, inscribed, erected or maintained on the Shopping Center or on any improvement thereon.

(m) **"Sign Plan"** The Sign Plan comprises all applicable Regulations and the requirements of any applicable Governmental Authority.

(n) **"Submittals"** shall include all documents required to be submitted to Declarant for approval pursuant to Section 3.1 below.

2.2 **Deeds and Conveyances.** Any deed or other document evidencing sale or conveying the Shopping Center or any portion or parcel thereof shall also reference, convey and make binding upon the transferee the Restrictions contained herein and any applicable amendments hereto. Declarant and each of the subsequent Owners shall take any action on their respective Parcel(s) or execute such further documents which may be reasonably required to implement and effectuate the intent and enforceability of this Declaration.

### ARTICLE III CONSTRUCTION OF IMPROVEMENTS

#### 3.1.1 Initial Construction of Improvements.

(a) **Construction.** Subject to the provisions of this Section 3.1.1(a) and Section 3.1.1(b) below, an Owner shall, at its sole cost and expense, construct or cause to be constructed, all Improvements within the Building Area on its Parcel specifically including, but not limited to, (i) its building, which building shall not materially exceed the number of square feet of floor area set forth on the Site Plan, and the sidewalk areas immediately surrounding the building; (ii) the trash container enclosure for the applicable Building Area; (iii) any landscaping between the sidewalk and the building; (iv) any drive through lane(s); and (v) all other improvements inside the curb immediately surrounding the Owner's building, in accordance with Owner's Final Plans (hereinafter defined) as approved by Declarant, and with all applicable building codes and regulations governing the construction thereof.



(b) Building Permits. Declarant and Owner shall agree upon a site plan for Owner's building and the building elevations ("**Preliminary Plans**"). Owner shall submit its building permit application to the applicable Governmental Authority for (i) the construction of its improvements in accordance with the Declarant-approved final plans and specifications ("**Final Plans**") as described in 3.1.1(c) below, and (ii) for erection and maintenance of building signs advertising the business to be conducted on the Parcel, also in accordance with Owner's Final Plans as approved by Declarant.

(c) Conditions of Initial Construction. Before construction of the initial Improvements, and before any building materials have been delivered to any Parcel or the Shopping Center by any Owner or under Owner's authority, Owner shall comply with all of the following conditions ("**Conditions of Initial Major Construction**"), or procure Declarant's written waiver of such condition(s):

A. Deliver to Declarant for Declarant's approval four (4) sets of Preliminary Plans prepared by an architect or engineer so licensed in the State of Oregon including, but not limited to, preliminary grading and drainage plans, utilities, sewer and service connections, locations of curbs, gutters, parkways, storage areas, and landscaping, all sufficient to enable potential contractors and subcontractors to make reasonably accurate bid estimates and to enable Declarant to make an informed judgment about the design and quality of construction and about any effect on the reversion.

B. Declarant shall not unreasonably disapprove the Preliminary Plans described in Paragraph A and shall approve, disapprove or approve subject to conditions such Plans within thirty (30) days of Declarant's receipt of same. Approval or disapproval shall be communicated in the manner provided for notices, and disapproval shall be accompanied by specification of the grounds for disapproval. Following Declarant's first or any subsequent disapproval, Owner shall submit revised Preliminary Plans. This process shall continue in good faith until the reasonable approval of Declarant is obtained.

C. Owner shall prepare Final Plans substantially conforming to Preliminary Plans as approved by Declarant, and submit same to Declarant for Declarant's approval. Declarant shall not unreasonably disapprove the Final Plans and shall approve, disapprove or approve subject to conditions to such Plans within thirty (30) days of Declarant's receipt of same. Approval or disapproval shall be communicated in the manner provided for notices, and disapproval shall be accompanied by specification of the grounds for disapproval. Owner shall not submit the Final Plans to any governmental body for the purposes of issuance of a building permit until the Final Plans are approved by Declarant. Upon the approval of the Final Plans by the applicable governmental agency, Owner shall deliver to Declarant one (1) complete set of Final Plans as approved by the governmental agency.

3.1.2 Conditions of Subsequent Construction. No Improvement of any nature whatsoever (including, but not limited to, any exterior alteration or exterior addition to any Improvements existing from time to time) shall be constructed, placed, or assembled or maintained within the Shopping Center until the Submittals required by this Section 3.1 shall have been submitted to, and approved in writing by Declarant. Separate and progressive Submittals regarding Improvements shall be made by an Owner for approval as follows:

(a) Two (2) copies of the proposed plot plan and proposed exterior elevations shall be submitted to Declarant for its review and approval prior to (i) submittal to the City of Molalla or any applicable Governmental Authority for development plan review, and (ii) preparation of schematic plans and preliminary specifications;

(b) After the City of Molalla or any applicable Governmental Authority approves the plot plan and elevations, two (2) sets of final working drawings and specifications consistent with the

approved plot plan and elevations showing in reasonable detail the proposed type of hue, size, shape, height, location, materials, color scheme and elevation of each of the proposed Improvements, all ingress and egress to public streets or roads, and all landscaping, parking, exterior lighting and signage, shall be submitted to Declarant for its approval before (i) submittal to the City of Molalla or any applicable Governmental Authority for the issuance of a building permit, and (ii) commencement of construction of any Improvements on the applicable Parcel; and

(c) Plans and specifications shall be submitted to Declarant for its approval for any and all tenant improvements, modifications, alterations, and additions which will affect the appearance of the exterior of any Improvement on a Parcel.

In order to receive proper and timely consideration, each Submittal shall contain a legal description of the applicable Parcel. Partial Submittals may be made and approved, but in no event shall construction or assembly of any Improvement proceed beyond the scope of the approval received. All plans and specifications to be submitted to Declarant hereunder shall be prepared by an architect and/or engineer, licensed to practice in the State of Oregon, and shall be submitted in writing over the signature of the Owner or an agent duly authorized by the Owner in writing. Declarant's failure to specifically disapprove any Submittal by written notice to the submitting Owner within thirty (30) days following Declarant's receipt of a Submittal shall constitute Declarant's approval of such Submittal.

3.2 Approvals of Subsequent Construction. Provided that the Submittals are in conformity with these Restrictions, the terms and conditions herein, and the existing design and color scheme for the Shopping Center, Declarant shall not unreasonably withhold or delay its approval of any such Submittal, and shall approve any Submittal, which does not have a material adverse effect on the operation of the Shopping Center. Upon approval, Declarant shall endorse its approval on one set of submitted documents and return the same to the person from whom the documents were received, provided that two (2) sets had been submitted as required above. Declarant's failure to specifically disapprove any Submittal by written notice to the submitting Owner within thirty (30) days following Declarant's receipt of a Submittal shall constitute Declarant's approval of such Submittal.

3.3 Presumption of Compliance. Notwithstanding anything to the contrary herein contained, after the expiration of twelve (12) months from either (a) the date of issuance of a certificate of occupancy by the applicable municipal or other Governmental Authority having jurisdiction over any Improvement, or (b) the date of recording a valid Notice of Completion with respect to such Improvement, that Improvement shall, in favor of purchasers and encumbrances in good faith and for value, be deemed to be in compliance with all provisions of this Article III, unless either (i) actual notice of such noncompliance or noncompletion, executed by Declarant, shall have been delivered to the Owner and, if permitted, shall appear of record in the office of the County Recorder of Clackamas County, Oregon, or unless (ii) legal proceedings shall have been instituted to enforce compliance or completion.

3.4 Identical Replacements. Notwithstanding the foregoing, any improvements on the Parcel for which Submittals were previously approved by Declarant as provided above may be repaired, replaced, or reconstructed without further consent by Declarant, but only if such repair, replacement, or reconstruction is substantially identical to the Improvement previously so approved, subject to compliance with all then applicable building codes and other governmental requirements.

3.5 Exculpation. Declarant shall not be liable in damages to anyone making Submittals as provided herein, or to any Owner, licensee or other person subject to or affected by these Restrictions, on account of any construction, performance or nonperformance by an Owner of any work on the Parcel or Improvements. Declarant's approval of any Submittal shall not be construed as any representation or warranty of approval by any applicable governmental authority or agency, or constitute the assumption of

any responsibility by, or impose any liability upon, Declarant or its representatives as to the accuracy, efficiency or sufficiency thereof.

#### ARTICLE IV REGULATION OF IMPROVEMENTS

4.1 Completion of Structure. After commencement of construction of any Structure or Improvement, the same shall be diligently prosecuted to completion, subject to delays not within the reasonable control of the party constructing any such Structure or Improvement, to the end that no such Structure or Improvement shall remain in a partly finished condition any longer than reasonably necessary for completion thereof.

4.2 Minimum Building Setback Lines. All building setbacks along public streets shall be at a minimum of ten (10) feet, but in no event less than the requirements of the zoning ordinances of the City of Molalla or any applicable Governmental Authority, as they exist from time to time.

4.3 Excavation and Underground Utilities. No excavation shall be made on any Parcel except in connection with construction of an Improvement and for underground utilities and, upon completion thereof exposed openings shall be backfilled and disturbed ground shall be compacted, graded, leveled, and surface improvements restored to its original condition or as required by this Declaration and any Governmental Authority. All telephone, electrical, and other utility lines shall be installed underground, except that transformer or terminal equipment related thereto may be installed above ground if reasonably screened from view of adjacent streets or properties.

4.4 Non-Common Area Landscaping. Each Owner shall provide continuous maintenance for all planted and undeveloped areas upon its Parcel or Parcels which are not included in the Common Area, and shall keep the same free and clear of weeds, debris, trash and rubbish, in a neat and clean condition.

4.5 Drainage. No water shall be drained or discharged from any Parcel or Improvement thereon, and no Owner shall interfere with the drainage established as of the date of this Declaration, in or over the remainder of the Shopping Center or any other property adjacent to such Parcel, except in accordance with the grading plans therefor approved by all public agencies having jurisdiction over the Shopping Center, and by Declarant.

4.6 Signs. All Signs within the Shopping Center shall be subject to the prior written approval of Declarant, which approval shall not be unreasonably withheld or delayed, and shall conform to the Sign Plan, and to all governmental requirements then in effect, specifically including, but not limited to, all zoning and sign ordinances of the City of Molalla. The cost of installation of the Pylon Sign and Monument Sign and the normal costs of operation, maintenance, repair and replacement of such signs shall be paid pro rata by the occupants of the Shopping Center having sign representation thereon, such pro rata share to be determined separately for each Pylon Sign or Monument Sign according to the size of the occupant's sign panel thereon as compared to the total square footage of all sign panels on the applicable Pylon or Monument Signs. Requests for approval of proposed signs shall be made by each Owner in accordance with Article III above.

4.7 Maintenance and Repairs by Owner.

(a) Each and every Improvement shall at all times be constructed, kept, and maintained in first-class condition, repair, and appearance by each Owner of the same, similar to that maintained by other owners of first class shopping centers in the Portland, Oregon metropolitan area,

ordinary wear and tear excepted. All repairs, alterations, replacements or additions to Improvements shall be at least equal to the original work in class and quality. The necessity and adequacy of such repairs shall be measured by the same standards as set forth above for the original construction and maintenance.

(b) Each Owner shall be responsible at all times for determining that such Owner's Improvements and the plans and specifications therefor conform and comply in all respects with these Restrictions, all other restrictions of record, all applicable Regulations, and all exterior architectural design, location, and color specifications contained therein.

4.8 Parking Areas. Each Owner and the occupants of an Owner's Parcel shall cause their employees to park within their own Parcel.

4.9 Compliance With Laws. No Owner shall do or keep or permit anything to be done or kept on such Owner's Parcel that violates any Regulation.

## ARTICLE V COMMON AREA MAINTENANCE

5.1 Manager. So long as the Declarant remains an Owner of any part of the Property, Declarant shall serve as the "Manager" of the Shopping Center, and shall perform or contract for the performance of the Common Area Maintenance obligations set forth in this Article V. In the event that Declarant ceases to be an Owner, the Owner of Lot 1, and any successor thereof, shall be the successor Manager. In order to perform such duties, the Manager may contract for various services, including but not limited to, third party property management services, services to repair, repaint, and/or restripe the parking areas, cleaning, sweeping, and other janitorial services, sanitation, snow and ice removal, maintenance of refuse receptacles, replanting existing landscaping, repairing directional signs and other markers, maintenance of lighting and other utilities, and security services. Additionally, performance of and/or contractor for Common Area Maintenance pursuant to this Section 5.1 by Manager, shall not cause Manager to be liable for injury to persons or property that occur within or upon the Common Areas.

5.2 Service Provider Insurance & Qualifications. All service providers contracted by Manager to perform Common Area Maintenance shall maintain insurance coverages and amounts as required by applicable law and shall be duly licensed and bonded, if required under applicable law. In addition, all such service providers, shall maintain Commercial General Liability Insurance, insuring against liability for bodily injury or death to persons, property damage, and personal injury, covering the Common Areas and the Parcels upon which services are to be conducted, with a comprehensive single limit of liability not less than \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate for all occurrences within each policy year.

5.3 Maintenance and Repair of Common Areas. Manager shall keep the Common Areas in a well-maintained, safe, clean and attractive condition. Such maintenance obligations include, but are not limited to (collectively "Common Area Maintenance"):

- a. Keeping parking areas, driveways, walkways, and roads in a clean and safe condition and in good repair, including removal of debris and waste material;
- b. Performing reasonably necessary landscaping including the trimming, watering and fertilizing of all grass, ground cover, shrubs or trees, and removal of dead or waste material, repair and/or replacement of irrigation and drainage systems;

- c. Maintain and/or replace all directional, pedestrian, vehicular signage, and/or directional markers;
- d. Performance of general cleaning, sweeping, and other janitorial services for the Common Areas;
- e. Snow and ice removal for Common Areas; and
- f. Maintenance of lighting and other utilities within the Common Areas.

5.4 Common Area Maintenance Costs. All costs incurred by or at the direction of Manager, with respect to the operation, maintenance, repair, or replacement of any elements of the Common Areas, including, but not limited to, reasonable, normal and customary costs of third party management services, and any insurance obtained covering the Common Areas, including but not limited to, general liability insurance, casualty, and other forms of insurance which insure the Common Areas which are reasonably necessary and customary (collectively "Common Expenses"). Common Expenses shall not include legal fees attributable to any matters concerning an Owner, repair, maintenance or utilities provided to areas which are not Common Areas, costs for any special service provided to an Owner, which is not provided to all Owners and is not for the benefit of all Owners and/or the Shopping Center generally, court costs and legal fees incurred to enforce the obligations of Owners of the Shopping Center, repair costs for property damage due to insured casualties, costs resulting from defects in design, construction, or workmanship of the Shopping center or the materials used in the same, and/or amounts paid to subsidiaries or affiliates of the Manager that exceed the amounts normally payable for similar goods or services in comparable shopping centers in the Portland, Oregon market.

5.5 Budget of Common Expenses. Not less than sixty (60) days before the beginning of each calendar year, the Manager shall deliver an operating budget to all Owners, which sets forth the Common Expenses for the ensuing calendar year. If after fifteen (15) days from the date of mailing of the operating budget, no Owner or Owners, who individually or collectively own four (4) or more Lots, delivers written notice rejecting the operating budget, the the operating budget shall be deemed to be approved. If the operating budget is timely and properly rejected, the operating budget last ratified by the Owners shall be continued until a revised budget is approved or deemed to be approved by Owners, as set forth herein.

5.6 Special Assessments. If the Manager reasonably determines that the estimated total amount of funds necessary to defray the Common Expenses for the given calendar year is or will become inadequate to meet the Common Expenses for any reason, then the Manager shall issue written notice to all Owners, stating the sum required, purpose therefore, and whether the assessment will be due in installments or a lump sum ("Special Assessment"). If after fifteen (15) days from the date of such written notice, no Owner or Owners, who individually or collectively own four (4) or more Lots delivers written notice objecting to the Special Assessment, the Special Assessment shall be deemed to be approved.

5.7 Uniform Rate of Assessment. All Owners shall pay their pro rata share of Common Expenses and Special Assessments, which shall be determined by dividing the total amount assessed by a fraction, the numerator of which is the rentable square feet of all Improvements on Lots owned by the Owner in question, and the denominator of which is the total rentable square feet of the Shopping Center in total.

5.8 Payment of Common Expenses. Each Owner shall, on or before the first of each month, pay to the Manager or its designee, the Owner's pro rata share of Common Expenses, as determined hereunder. All Special Assessments shall be due and payable as set forth in the written notice of Special Assessment described above.

5.9 Late Payments. If an Owner fails to timely remit its proportionate share of Common Expenses or any Special Assessment is not paid when due, the past due amount shall bear interest at the rate of eighteen percent (18%) per annum from the date it becomes due, until paid.

5.10 Statement of Account. Upon written request of any Owner, occupant, or any beneficiary of a deed of trust secured by any Lot(s), prospective deed of trust beneficiary, or prospective purchaser of a Lot, the Manager shall, not later than twenty (20) days from the date of such request, issue a written statement setting forth the amount of the Owner's unpaid Common Expenses and/or Special Assessment(s), if any, the monthly amount of the Owner's proportionate share of Common Expenses, and any credit for advanced payments.

5.11 Overpayment. If the actual Common Expenses are less than amount actually paid by an Owner for any calendar year in question, then the overpayment shall be applied to subsequent regularly scheduled payments of Common Expenses due from the Owner in question, until the credit is exhausted.

5.12 Collection of Common Expenses. The right to collect the Common Expenses and any Special Assessments is vested in the Manager, and the Manager, or its authorized representative may enforce the obligations of Owners to pay Common Expenses and/or Special Assessments provided for herein, by commencement and maintenance of a suit at law or in equity, or through other proceedings. Suit to recover a money judgement against an Owner for unpaid Common Expenses and/or Special Assessments, together with all amounts allowed by law or described herein, shall be maintainable without first foreclosing against the Parcel subject to the lien for the same, or waiving the lien rights granted hereby.

5.13 Lien for Assessments. All Common Expenses and Special Assessments due from any Owner, together with interest, fees, charges, fines, and other expenses allowed by law shall be secured by a lien on the Owner's Parcel(s) in favor of the Manager.

## ARTICLE VI REGULATION OF OPERATIONS AND USES

6.1 Development and Operation of Shopping Center. The Shopping Center shall be developed, operated and maintained in accordance with the Site Plan as an integrated retail shopping center containing a combination of merchants and customer/client service providers which: (i) provide in the aggregate a balance and diversified grouping of retail stores, merchandise and services; (ii) efficiently utilize and not exceed the capacity of the available parking area or any portion thereof; and (iii) fixturize, decorate and maintain their respective store premises in a tasteful and decorous manner, having regard for the general standards of appearance prevailing in the Shopping Center, according to Declarant's reasonable judgment.

### 6.2 Prohibited Operations and Uses.

(a) No use or operation will be made, conducted or permitted on or with respect to all or any part of any Parcel or Improvement which is in violation of any applicable Regulation or which constitutes a nuisance or waste. Included among the uses or operations which are prohibited are uses or operations which produce or are accompanied by any of the following characteristics, which list is not intended to be all-inclusive:

- (1) any public or private nuisance;

(2) any vibration, noise, sound or disturbance which due to intermittence, beat, frequency, shrillness or loudness is not consistent with a first class integrated retail shopping center; notwithstanding the foregoing, a car wash shall be allowed if consistent with a first class operation;

(3) any lighting which is not shielded so as to be confined within the boundary of the Shopping Center;

(4) any air or water pollution which is not consistent with a first-class integrated retail shopping center;

(5) any emission of odorous, noxious, caustic, or corrosive matter or gas, whether toxic or nontoxic, which is not consistent with a first-class integrated retail shopping center (specifically excluding any odors being emitted from restaurants or fast food restaurants with drive thru lane(s) being operated within the Shopping Center). Notwithstanding the foregoing, restaurant occupants within the Shopping Center shall be required to comply with all codes and maintain its premises in a manner in which other first class restaurants in the area operate, which may include, but shall not be limited to, installing an exhaust system or such other equipment as may be reasonably necessary to reduce smoke and fumes emanating from the the restaurant;

(6) any litter, dust, dirt, or fly ash which is inconsistent with a first class integrated retail shopping center;

(7) any unusual firing, explosion or other damaging or dangerous hazard, including the storage, display, or sale of explosives;

(8) any mobile home or trailer court (excluding storage); labor camp; junk yard; stock yard; distillation of bones, or animal raising, rendering, slaughter, or disposition of any kind (but specifically excluding veterinarians and pet stores to the extent same are otherwise permitted hereunder);

(9) any drilling for, excavation, refining and/or removal of earth materials, oil, gas, hydrocarbon substances, water, geothermal steam, and any other subsurface substances of any nature whatsoever, except as part of normal grading operations in connection with construction of approved Improvements;

(10) any dumping, disposal, incineration, or reduction of garbage or refuse of any nature whatsoever, other than handling or reducing any such waste matter if actually produced on the Shopping Center from authorized uses and if handled in a reasonably clean and sanitary manner;

(11) any auction public sale, or other auction house operation, other than an auction sale conducted by an Owner, acting as a landlord of any tenant of the Shopping Center, in order to enforce and execute upon Owners rights arising under applicable law, including but not limited to, ORS Chapter 87;

(12) any commercial excavation of building or construction materials;

(13) any smelting of iron, tin, zinc, or other ores.

(b) In order to provide for the efficient operation of the Shopping Center and to minimize parking and traffic problems:

(1) Except as otherwise provided herein, each occupant of any part of the Shopping Center shall not permit any display or sale of merchandise, or any storage or placement of merchandise, portable signs or other objects belonging to an occupant of the Shopping Center outside the defined exterior walls, roof and permanent doorways of any store premises. The foregoing notwithstanding, but subject to all applicable local laws, any Owner may permit the occupant of any building within its Parcel(s) to conduct temporary sidewalk sales on the sidewalks immediately in front of and adjoining such building, provided (i) no such sale shall materially impede the flow of pedestrian traffic along such sidewalk or otherwise present a threat to the safety pedestrians, (ii) the Owner (or its occupant) shall provide daily cleaning and trash pick-up of the sidewalk area during such sale, (iii) no more than four (4) such sales shall be conducted within any Parcel by a particular tenant or occupant during each calendar year, and (iv) no such sale shall last more than four (4) consecutive days. Notwithstanding anything contained herein to the contrary, subject to compliance with applicable laws, the occupant of Lot 1 as shown on the Site Plan shall have the right to (i) use the sidewalks adjacent to the building located on Lot 1 for the display and sale of items from such occupant's store; (ii) conduct periodic "tent displays" in the parking areas of Lot 1 outside the front of the building located on Lot 1 (the "Lot 1 Display Area") subject to the following: (A) no such sale shall last more than four (4) consecutive days; (B) such tent displays shall be permitted no more than ten (10) times per calendar year; (C) the Lot 1 Display Area shall utilize no more than six (6) parking spaces; (D) the Lot 1 Display Area shall and maintained in a neat, clean, safe, and orderly condition during any such period with daily cleaning and trash pick-up; and (E) the Lot 1 Display Area shall not interfere unreasonably with pedestrian ingress and egress from other stores in the Shopping Center and shall not present a threat to the safety of pedestrians; and (iii) maintain such occupant's standard advertising signage in the Common Areas of Lot 1 in connection with such sidewalk and tent displays.

(2) Each occupant of any part of the Shopping Center shall not have or permit any merchandise or substance, or perform services or conduct its business in a manner which will (i) cause or threaten the cancellation of any insurance covering all or any part of the Shopping Center, or (ii) increase the insurance rates applicable to all or any part of the Shopping Center over the rates which would otherwise apply.

(3) Except as otherwise provided herein, no portion of the Shopping Center shall be used (A) for industrial use; (B) any governmental use or office, except as expressly permitted hereunder and except for incidental office use in retail stores and for retail uses oriented to the public, such as, but not limited to, a private post office, travel agency, real estate, insurance, escrow, medical, legal, dental or optometrist offices or a retail branch of a financial institution; (C) for the operation of a massage parlor (excluding franchise day spas and retailers such as "Massage Heights"), adult book or video store, for the sale, rental or exhibition of pornographic material (provided that the sale or rental of "adult" materials by a book or video store shall not violate this restriction if the sale or rental is in compliance with applicable Regulations and is an incidental use with no sign, advertisement or display in the storefront window or in locations visible from the outside), nude or semi-nude entertainment facility, strip show, lingerie exhibition or shop, or any establishment for the sale of items or paraphernalia that are intended to be or commonly are utilized in connection with the use of illegal drugs; (D) by occupants that create undue and unreasonable noise, litter or odor; (E) for a beer tavern, bar, or cocktail lounge (but this shall not prevent the sale of alcoholic beverages for on-premises consumption as part of any establishment serving prepared food for on- or off-premises consumption, including, but not limited to, a sit-down, fast food or take-out type restaurant, bagel shop, sandwich shop, cookie shop, donut shop, ice cream shop or frozen yogurt shop, pizza parlor, Chinese restaurant or sushi bar, dinner house, cafeteria or coffee shop), and any convenience market that sells liquor, beer and/or wine; (F) for a discotheque, dance hall, or night club; (G) for a billiard parlor, amusement center, amusement arcade (not including ten (10) video games and/or pinball machines, incidental to a primary use that is not otherwise prohibited hereunder) or other similar operations; (H) for a pawn shop, flea market, second hand store (excluding consignment retailers such as "Play It Again Sports"), unless otherwise approved; (I) for a drycleaning facility with on-premises dry cleaning plant; (J)



for a motor inn or sleeping quarters or lodging not commensurate with a first class retail center, vehicle or boat dealer (or similar enterprise), mortuary, cemetery, crematorium, mausoleum or funeral parlor; (K) off-track betting, bingo or other gaming (on-site or via internet or other electronic access) establishment; (L) for any paycheck advance, check cashing or similar establishment open past 6:00 p.m.; or (M) for any place of gathering for temporary or day labor.

(c) Declarant and/or Owner(s) have entered into certain leases or written agreements that have specific exclusive use restrictions and/or prohibited use restrictions, which apply to the use and/or operation of the Shopping Center, as more fully described in the "Specific Use Restrictions" set forth in Exhibit "D", attached hereto and incorporated herein by this reference. Notwithstanding anything to the contrary contained herein, this Declaration may be amended from time to time in order to update, modify or amend the Specific Use Restrictions set forth herein. The cost of any amendment and recording to this Declaration shall be at the cost of the party requesting such amendment.

### 6.3 Building Restrictions: Height Limitations.

(a) No building shall be constructed or located on any part of Lots 1, 2, 3, 4, 5, 6, and 7 other than on areas depicted as building areas on Exhibit "B".

(b) The buildings constructed within all other Building Areas shall be subject to any height restrictions required by any applicable Governmental Authority.

6.4 Permitted Uses Of Common Area. The Common Area of the Shopping Center shall be used for those uses described in Section 6.5 and for no other purposes except those specifically permitted herein, without the prior written consent of Declarant, which consent may be withheld in Declarant's sole and absolute discretion. No changes in the number of parking spaces, traffic flow patterns, or in the configuration of the Common Area from that shown on the Exhibit "B" shall be made without the prior written consents of Declarant and the Owner of the applicable portion of the Common Area, which consents shall not be unreasonably withheld or delayed.

### 6.5 Use of Common Area.

(a) Except for any purpose not in furtherance of the operation of the Shopping Center, the Common Area may be used for any of the following uses:

(i) Parking of motor vehicles, and pedestrian and vehicular ingress and egress of the Owners and their respective heirs, successors, assigns, grantees, mortgagees, tenants, subtenants, licensees and concessionaires of any and all portions of the Building Areas within the Shopping Center (collectively "**Permitted Users**"), and agents, employees, customers, and other invitees of any of them, to and from buildings, Common Area and adjacent public streets;

(ii) Parking stalls, private streets, sidewalks, walls, ramps, driveways, lanes, curbs, gutters, traffic control areas, signals, traffic islands, landscaped areas, traffic and parking lighting facilities, directional signs, and all things incidental thereto;

(iii) Utility lines and facilities serving buildings and/or the Common Area which shall, if reasonably possible, be underground;

(iv) Ingress and egress of delivery and service vehicles to and from the Shopping Center or any portion thereof and adjacent public streets. Such vehicles may only be parked in unloading or truck parking areas; and

(v) Delivery of goods, wares, merchandise and the rendition of services to the occupants of the Shopping Center.

(b) Notwithstanding the foregoing, the Common Area adjacent to any Building Area may be used for the following:

(i) Installation, removal, repair and maintenance of building canopies extending from any Building Area over pedestrian sidewalks and the Common Area not more than ten (10) feet, together with appropriate canopy supports.

(ii) Installation, removal, repair and maintenance of mailboxes, hose bibs, standpipes, fire hose connections, downspouts, yard or floodlights and subsurface building foundations.

(iii) Construction and use of loading ramps, docks, trash rooms and trash bins which shall be located in the service area to the rear of and adjacent to the Building Area; and

(iv) Temporary erection of ladders, scaffolding and storefront barricades during construction, remodeling or repair of buildings and building appurtenances.

(c) The Common Area shall be used reasonably so as not to interfere with customer parking, except that the portion of the Common Area designated for delivery areas shall be used primarily to serve and supply the buildings within the Building Area.

(d) Any undeveloped Building Area may, at the option of the Owner controlling such area, be Common Area, in which event it shall be so improved and operated, or it may remain undeveloped, in which event it will be rough graded, landscaped and maintained by such Owner, at such Owner's cost, in a clean, attractive and safe condition.

6.6 Charge for Parking. No charge of any kind shall ever be made for ingress to, egress from, or parking in the Shopping Center, unless ordered by a Governmental Authority.

6.7 Control of Common Areas. Subject to compliance with the terms of this Declaration the Manager shall have control of the Common Areas.

## ARTICLE VII MAINTENANCE

7.1 Condition of Parcels. Each Owner, at such Owner's sole cost and expense, shall at all times keep the Improvements and Structures associated with the Owner's Parcel in question in a safe, clean, neat and well-maintained, sanitary condition, and comply at its own expense, in all respects with all applicable Regulations pertaining to health and safety.

7.2 Owner's Duty of Maintenance. Each Owner shall have the duty and responsibility, at their sole cost and expense, to keep Improvements, Structures and grounds (which do not constitute Common Areas) associated with their Parcel(s), in a well-maintained, safe, clean and attractive condition at all times. Such maintenance includes, but is not limited to, the following:

- a. Removing all litter, trash, refuse and waste promptly;

- b. Keeping exterior lighting, signs and mechanical facilities, if any, in working order, except such facilities as may be the property of any public utility or governmental body;
- c. Complying with all Regulations;
- d. Repainting of painted surfaces as needed and maintenance of exterior building surfaces in a clean, neat and orderly manner;
- e. Repairing exterior damage to Improvements;
- f. Parcels shall not be used for storage of junk automobiles or any scrap materials;
- g. During construction, keeping all construction sites free of unsightly accumulations of rubbish and scrap materials and keeping all construction materials, trailers, shacks and the like in a neat and orderly manner;
- h. Maintenance of visual barriers around outside manufacturing related activities, or related outside storage tanks or other outside storage of materials, including, but not limited to, those used for storage of water or propane gas or other fuels or chemicals, except that outside seasonal sales or sidewalk sales shall be permitted as set forth in Section 6.2(b)(1) above;
- i. With the exception of shipping and delivery in the regular course of business, no trailer or other movable structure shall be used for any purpose on any Parcel, except during construction of an Improvement or Structure.

7.3 Duty of Repair. In the event any Improvements on a Parcel are destroyed or damaged, the Owner shall commence the repair or rebuilding of such Improvements within twelve (12) months of the event causing such damage, or in the event such Owner elects not to rebuild or repair, the remaining damaged Improvements shall be removed from the Parcel within one hundred twenty (120) days of such election not to rebuild, subject to the terms and conditions of Article XIII below.

7.4 Remedies for Non-Performance. In the event an Owner fails to conduct the Owner's maintenance obligations as set forth herein, such Owner shall be subject to the default and remedies as set forth in Section 8.2 below.

7.5 Express Grants of Easements. Declarant hereby establishes and reserves for its benefit and the Owner of each of the Parcels comprising the Shopping Center, their successor and assigns, non-exclusive easements appurtenant to each such Parcel, over, across, upon, in, under and through the Common Area and subject to the provisions of this Declaration, the following:

(a) Non-exclusive easements for ingress, egress, and access by and for vehicular and pedestrian traffic and vehicle parking upon, over, and across the parking area portions of the Common Area, and ingress, egress, access, and the right of ingress, egress and access between the public streets adjacent to the Shopping Center and any developed and improved portion of the Shopping Center;

(b) Non-exclusive easements under, through, and across the Common Area for the installation, maintenance, removal, and replacement of water drainage systems or structures, water mains, sewers, water sprinkler system lines, telephones, or electrical conduits or systems, gas mains, and other

public utilities and service easements. All such systems, structures, mains, sewers, conduits, lines and other public utility instrumentalities shall be installed and maintained below the ground level or surface of the Shopping Center, except where the instrumentality of the particular utility involved is not amenable to being placed underground (such as, but not limited to, transformers and risers). In the event that it becomes necessary for any Owner to cause the installation of a storm drain, utility line, or sewer across the Common Area subsequent to the initial improvement and paving of the Common Area, such activity shall be permitted so long as (i) the benefited Owner ("**Benefited Owner**") complies with all applicable provisions of this Declaration in connection with such work, (ii) the affected portion of the Common Area is replaced or repaired to its original condition following the installation of the utility line, (iii) the Benefited Owner pays for all costs associated with such work and no monetary obligations or liability are imposed upon the non-benefited Owners by reason of the performance of such work or the installation of such utility line(s), (iv) the Benefited Owner does not block any drive isle with an open trench, (v) the Benefited Owner provides traffic covers for all affected areas of the Common Area which are not actively being repaired and (vi) the Benefited Owner does not block more than fifty percent (50%) of any drive isle at any one time for a period of greater than twenty four hours;

(c) Non-exclusive easements for replacement, repair and maintenance with respect to utilities located in the Common Area. Such work may be undertaken pursuant to the utilities easements granted pursuant to this Section 7.5; provided that, in the performance of such work: (i) adequate provision is made for the safety and convenience of all persons using the surface of such areas; (ii) such work is performed expeditiously and in a manner which causes as little interference as is reasonably possible to the Shopping Center and the businesses operating therein; (iii) the areas and facilities in the Common Area which are disturbed by said work are, upon completion thereof, replaced or restored to their condition prior to the performance of such work; (iv) the Declarant or its designee shall be given as much notice as is reasonably possible and, in non-emergency situations, such notice shall be in writing and delivered not less than fifteen (15) days prior to the commencement of such work (v) the Benefited Owner does not block any drive isle with an open trench, (vi) the Benefited Owner provides traffic covers for all affected areas of the Common Area which are not actively being repaired and (vii) the Benefited Owner does not block more than fifty percent (50%) of any drive isle at any one time;

(d) Non-exclusive easements through and across the Common Area for reasonable drainage and storm water runoff purposes;

(e) Non-exclusive easements upon the Common Area to establish and maintain signage on the Monument Sign and/or Pylon Sign, subject to the provisions hereof: and

(e) Non-exclusive easements for incidental encroachments upon the Common Area as a result of the use of ladders, scaffolding, store front barricades, and similar facilities resulting in temporary obstruction of portions of the Common Area, all of which are permitted hereunder so long as their use is kept within reasonable requirements of construction work expeditiously pursued. The Common Area may be utilized for the ingress and egress of vehicles transporting construction materials, equipment, and persons employed in connection with any work provided for herein, and the temporary storage of materials and vehicles being utilized in connection with such construction, subject to all of the other terms in this Declaration. All such storage and staging shall be located entirely within the Parcel in which such construction is being performed.

7.6 Declarant's Successor. At such time as Declarant shall cease to be an Owner of any portion of the Shopping Center, the rights and obligations of Declarant shall automatically pass to the Owner of Lot 1.

ARTICLE VIII  
ENFORCEMENT

8.1 Inspection Rights. Declarant or any Owner may, from time to time, at any reasonable hour, enter upon and inspect the Shopping Center, any Parcel or any portion thereof or exterior of any Improvements thereon, to ascertain compliance with any of the Restrictions contained herein, but without obligation to do so or liability therefor.

8.2 Default and Remedies. In the event of any breach, default, noncompliance, violation or failure to perform or satisfy any of the Restrictions contained herein (collectively "**Breach**") which has not been cured within thirty (30) days after written notice from Declarant or an Owner to do so (or if any such Breach is not reasonably susceptible of cure within such thirty (30) day period, then if the Owner has not commenced promptly within the thirty (30) day period and thereafter diligently continued to prosecute such cure to completion), Declarant, in its sole discretion, or any other Owner, in its sole discretion, may enforce any one or more of the following remedies or any other rights or remedies available at law or in equity, whether or not set forth herein. To the maximum extent permitted by law, all remedies provided herein or by law or equity shall be cumulative and not mutually exclusive.

(a) Damages. Declarant or any Owner may bring a suit for damages for any compensable Breach of any of the Restrictions contained herein, or for declaratory relief to determine the enforceability of any of the Restrictions.

(b) Equity. By their acquisition of legal title to any Parcel within the Shopping Center, each Owner recognizes and agrees that a Breach by any Owner of one or more of the Restrictions contained herein may cause the Declarant and/or the other Owners to suffer material injury or damages not compensable in money. In the event of such a Breach, the Owners further agree that Declarant and each other Owner shall be entitled to bring an action in equity or otherwise for specific performance to enforce compliance with these Restrictions or for an injunction to enjoin the continuance of any Breach thereof.

(c) Abatement and Lien Rights. Any Breach of these Restrictions or any provisions hereof is hereby declared to be a nuisance, and Declarant and any Owner may prosecute any remedy allowed by law or equity for the abatement of such nuisance against any person or entity acting or failing to act in breach of these Restrictions, all at the sole cost and expense of the Owner of the applicable Parcel. Any costs or expenses paid or incurred in abating such nuisance or prosecuting any such remedy (including all reasonable attorneys' fees and costs of collection), together with interest thereon at the maximum rate permitted by law, shall, upon recordation of a notice of default, become a continuing lien and charge against the Parcel(s) as to which the Breach exists until paid, and shall also be the personal obligation of that person who was Owner of such Parcel when such charges became due or who committed such Breach. Any such lien shall be enforceable as provided in Section 8.2(d) below.

(d) Remedies for Non-Payment. If any Owner shall fail to make any undisputed payment when due and payable under this Declaration, then in addition to all other rights at law for damages (including reasonable attorneys' fees, court costs and other costs of collection or enforcement); rights in equity for specific performance to enjoin a violation of any provision in this instrument or to enforce any other compliance therewith, or any other rights or remedies available to an Owner, any such unpaid amount (including all such costs and interest on the unpaid amount at the prime commercial rate being charged by the Bank of America, plus five percent (5%) per annum, but not to exceed the then legal maximum rate of interest, from the date due to the date of payment) shall, upon the recordation of a notice of default, become a continuing lien and charge against the applicable Parcel owned by the defaulting Owner until paid. In connection therewith, an Owner may serve upon the defaulting Owner, and may record with the Clackamas County Recorder, a notice of default reciting the nature of the breach, the legal description of the affected

Parcel, the name of the applicable Owner and the total amounts due. If and when the amounts due are paid, Owner shall forthwith record an appropriate release of any recorded lien at the sole expense of the defaulting Owner. If the undisputed amounts due are not timely paid, an Owner may foreclose such lien by a sale conducted pursuant to the applicable statutory provisions applicable to the exercise of powers of sale in mortgages or deeds of trust, or in any other manner permitted by law.

(e) Remedies for Failure to Maintain. If such Breach relates to an Owner's failure to perform its obligations under Article VII above (Maintenance), then Declarant or any Owner may, on not less than ten (10) days' written notice to such defaulting Owner (which notice shall specify the obligations to be performed and an estimate of the cost to perform such obligations), perform such obligation in the stead of such defaulting Owner, in which event the defaulting Owner shall reimburse the performing Owner for all costs and expenses (including attorneys' fees) incurred in connection with such performance (but not to exceed the estimated amount set forth in the performing Owner's estimate) within ten (10) days following demand (accompanied by reasonable supporting evidence), with interest on such costs and expenses, both before and after judgment, at the rate of eighteen percent (18%) per annum.

8.3 Waiver. No waiver by Declarant or any other Owner of a Breach of any of these Restrictions and no delay or failure to enforce any of these Restrictions shall be construed or held to be a waiver of any succeeding or preceding Breach of the same or any other of these Restrictions. No waiver by Declarant or any Owner of any Breach hereunder shall be implied from any omission by Declarant or any Owner to take any action on account of such Breach if such Breach persists or is repeated, and no express waiver shall affect a Breach other than as specified in such waiver. The consent or approval by Declarant or any Owner of any act by any other Owner requiring consent or approval shall not be deemed to waive or render unnecessary such consent or approval to or of any subsequent similar acts by such Owner.

8.4 Costs of Enforcement. If any legal or equitable action or proceeding is instituted to enforce any provision of this Declaration, the party prevailing in such action shall be entitled to recover from the losing party all of its costs, including court costs and reasonable attorneys' fees and costs, as awarded by the court as part of its judgment or order thereon.

8.5 Rights of Lenders. No breach or violation of any provision of this Declaration shall defeat or render invalid the lien of any mortgage, deed of trust or similar instrument securing a loan made in good faith and for value with respect to the development, construction, or permanent financing or refinancing of any Parcel or portion thereof or any Improvement thereon; provided that all of the provisions of this Declaration shall be binding upon and effective against any subsequent Owner of any Parcel whose title is acquired by foreclosure, whether judicially or by power of sale, trustee's sale, deed in lieu of foreclosure, or otherwise pursuant to such lien rights, but such subsequent Owner shall take title free and clear of any monetary violations hereunder (but not non-monetary violations) occurring prior to such transfer of title.

#### ARTICLE IX TERM AND MATTERS AFFECTING RIGHTS AND DUTIES

9.1 Term. This Declaration, every provision hereof and every covenant, servitude, condition, restriction and easement contained herein, shall continue in full force and effect for a period of forty (40) years commencing on the date of recording of this Declaration. Thereafter, this Declaration shall be deemed to have been automatically renewed for successive terms of ten (10) years each unless revoked by an instrument in writing, executed and acknowledged by (a) Owners holding seventy-five percent (75%) of the total ground floor square footage Building Areas then subject to the Restrictions, and (b) Declarant during such time as Declarant shall remain an Owner, and recorded in the Office of the County Recorder

of Clackamas County within ninety (90) days prior to the expiration of the initial forty (40) year term or any ten (10) year renewal period.

9.2 Termination or Modification. This Declaration and any provision hereof, may be terminated, modified or amended only with the written consent of the Owners holding at least seventy-five percent (75%) of the total ground floor square footage Building Areas then subject to the Restrictions, provided that so long as Declarant shall remain an Owner, no such termination, extension, modification or amendment shall be effective without the written approval of Declarant, which approval shall not be unreasonably withheld or delayed. Notwithstanding the foregoing, without consent of the Owner of the afflicted Parcel, no such action shall be taken which would leave a Parcel landlocked or without utility service or access or parking; would violate any then applicable Regulation, or would deprive such Owner of any benefit granted to such Owner under this Declaration.

9.3 Notice on Transfer of Parcel. Prior to any sale, transfer, encumbrance or conveyance of an Owner's fee interest in its Parcel(s), to any person or entity (excluding any entity owned or controlled by such Owner, or an entity or person which purchases all of the membership interest, stock, or other ownership interest of an Owner, or any transfer related to a merger or consolidation of such Owner), such Owner shall give Declarant ten (10) days advance written notice of its intent to do so.

#### ARTICLE X REAL PROPERTY TAXES AND ASSESSMENTS

10.1 As to any portion of the Shopping Center, it is intended and agreed that all real property taxes, regular and special assessments, and all special improvement district fees, if any, which may be levied, assessed, or charged by any public authority against a Parcel or any part thereof, shall be paid prior to the delinquency by the respective Owner of such Parcel, or if the tenant of any Parcel is obligated to make said payments, by the tenant.

10.2 If any Owner shall deem any real property tax or assessment (including the rate thereof or the assessed valuation of the property in question or any other aspect thereof) to be paid by said Owner to be excessive or illegal, such Owner shall have the right, at its own cost and expense, to contest the same by appropriate proceedings, and nothing contained in this Section shall require the Owner to pay any such real property tax or assessment as long as (i) no other Owner's Parcel or rights in the Common Area could be materially or adversely affected by such failure to pay, and (ii) the amount or validity thereof shall be contested in good faith.

#### ARTICLE XI HAZARDOUS MATERIALS

11.1 Hazardous Materials. Each Owner shall:

(a) At all times and in all respects comply with all applicable federal, state and local laws, rules, regulations, orders, decrees, guidelines and ordinances as amended from time to time including, but not limited to, the Federal Water Pollution Control Act (33 U.S.C. 1251, et seq.), Resource Conservation & Recovery Act (42 U.S.C. 6901, et seq.), Safe Drinking Water Act (42 U.S.C. 3000f, et seq.), Toxic Substances Control Act (15 U.S.C. 2601, et seq.), the Clean Air Act (42 U.S.C. 7401, et seq.), Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9601, et seq.), the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. 136, et seq.), the Marine Protection, Research, and Sanctuaries Act (33 U.S.C. 1401, et seq.), the Occupational Safety and Health Act (29 U.S.C. 651, et seq.), the Emergency Planning and Community Right to Know Act (42 U.S.C. 11001, et seq.), and other comparable state and federal laws, currently in force or enacted in the future ("**Hazardous Materials**

**Laws**"), relating to industrial hygiene, health and safety, environmental protection or the use, analysis, generation, manufacture, storage, sale, treatment, emission, refinement, release, discharge, injection, dumping, handling, disposal or transportation of any petroleum or petroleum products, polychlorinated biphenyls ("**PCBs**"), flammable explosives, asbestos, urea formaldehyde, radioactive materials or waste, or other hazardous, toxic, contaminated or polluting materials, substances or wastes including, without limitation, any "hazardous substances", "hazardous wastes", "hazardous materials", "extremely hazardous wastes", "restricted hazardous wastes", "toxic pollutants" or "toxic substances" under any such laws, ordinances or regulations (collectively, "**Hazardous Materials**").

(b) At its own expense, procure, maintain in effect and comply with all conditions or any and all permits, licenses, and other governmental and regulatory approvals required for occupancy in, and/or use of, the Shopping Center. Unless both (i) agreed upon by the transferor and transferee, and (ii) permitted by applicable Hazardous Materials Laws at the time of transfer, upon transfer of possession of a Parcel or leased premises, such transferor shall cause all Hazardous Materials to be removed from the Parcel and transferred and transported for storage or disposal in accordance with and compliance with all applicable Hazardous Materials Laws.

(c) Promptly notify Declarant and all other Owners in writing of: (i) any enforcement, cleanup, removal or other governmental or regulatory action instituted pursuant to any Hazardous Materials Laws relative to such Owner's Parcel or the Shopping Center which may present a material threat to such other Owner(s); and (ii) any reports made to any governmental agency arising out of or in connection with any Hazardous Materials in or removed from the Owner's Parcel or any building thereon, including any complaints, notices, warnings or asserted violations in connection therewith which may present a material threat to such other Owner(s).

(d) Indemnify, defend, protect, and hold Declarant and all Owners and each of their partners, members, shareholders, officers, directors, employees, agents, attorneys, successors and assigns, free and harmless from and against any and all claims, liabilities, costs, damages, penalties, fines, forfeitures, losses or expenses (specifically including, but not limited to, reasonable attorneys' fees and expenses), or death of or injury to any person or damage to any property whatsoever, to the extent that the same arise from or were caused in whole or in part, directly or indirectly, by: (i) the presence in, on, under or about the Shopping Center or the Owner's Parcel or any building thereon of any Hazardous Materials caused by the Owner, or any tenant of the Owner or any occupant of any building located on the Owner's Parcel; (ii) the discharge by the Owner or any tenant of the Owner or any occupant of any building located on the Owner's Parcel in or from the Shopping Center or the Owner's Parcel or any building thereon, of any Hazardous Materials; (iii) the use, analysis, storage, transportation, disposal, release, threatened release, discharge or generation of Hazardous Materials to, in, on, under, about or from the Owner's Parcel or any building thereon by the Owner or any tenant of the Owner or any occupant of any building located on the Owner's Parcel; or (iv) the failure to comply with any Hazardous Materials Law by the Owner or any tenant of the Owner or any occupant of any building located on the Owner's Parcel. Owner's obligations under this Section shall include, without limitation, all costs of any required or necessary repair, cleanup abatement, detoxification or decontamination of the Shopping Center or any building thereon, or the preparation and implementation of any closure, remedial action or other required plans in connection therewith, and shall survive the termination of this Declaration. For purposes of the release and indemnity provisions of this Section, any acts or omissions of Owner or Owner's tenant, occupant or by employees, agents, assignees, sublessees, contractors or subcontractors of Owner or Owner's tenant, occupant or others acting for or on behalf of Owner or Owner's tenant or occupant (whether or not they are negligent, intentional, willful or unlawful) shall be strictly attributable to such Owner.

(e) Use reasonable efforts to require each of its tenants, subtenants and other occupants of the Owner's Parcel to comply with the provisions of subsections (a) and (b) above, and to provide to the



Owner a written notice of: (i) any enforcement, cleanup, removal or other governmental or regulatory action instituted, completed or threatened pursuant to any Hazardous Materials Laws; relative to such Owner's Parcel or the Shopping Center; (ii) any claim made or threatened by any person against the tenant, subtenant or occupant relating to damage, contribution, cost recovery compensation, loss or injury resulting from or claimed to result from any Hazardous Materials; and (iii) any reports made to any governmental agency arising out of or in connection with any Hazardous Materials in or removed from the Owner's Parcel or any building thereon, including any complaints, notices, warnings or asserted violations in connection therewith.

## ARTICLE XII INSURANCE

12.1 Owner's Insurance. Each Owner shall, at such Owner's sole cost and expense, obtain and maintain or shall cause to be obtained and maintained the following types and amounts of insurance on their respective Parcel(s) including the Common Area on each Parcel:

(a) a standard fire and extended coverage policy on all Improvements located on such Owner's Parcel. Such insurance shall be in amounts at least sufficient to avoid the effects of co-insurance provisions of the policies, that is, not less than ninety percent (90%) of the actual replacement cost of the buildings and Improvements, but excluding foundations, excavation costs and the costs of underground flues, pipes and drains. The obligation of any Owner to maintain such insurance may be satisfied by causing such Owner's tenant to procure and maintain same provided such policy shall otherwise satisfy the requirements of this Article XII. Each Owner shall, upon written request of any other Owner or Declarant, furnish an insurance certificate or other reasonably satisfactory written evidence of the existence of such insurance at any time during the term of this Declaration. All such individually carried insurance shall contain a waiver of subrogation by the carrier as to Declarant and the other Owners; and

(b) a comprehensive general liability insurance, with limits of liability not less than Three Million Dollars (\$3,000,000.00) combined single limit for personal injury or death and property damage covering the building or buildings on its Parcel. The obligation of any Owner to maintain such insurance may be satisfied by causing such Owner's tenant to procure and maintain same provided such policy shall otherwise satisfy the requirements of this Article XII, and shall name Declarant and all Owners (and, if so requested by an Owner, any tenant of said Owner), as additional insureds; and

(c) Workers' compensation insurance to the extent required by law.

Any policy required hereunder may not be canceled without at least thirty (30) days prior written notice to Declarant, and to each entity named as an additional insured. Each Owner shall, upon written request of any other Owner, furnish certificates of such insurance or other satisfactory written evidence of such insurance at any time during the term hereof. Not less than once every three (3) years, Declarant shall review the liability limits of the insurance required under this Section 12.1 in order to determine the adequacy of the insurance coverage compared to the limit of liability insurance coverage typically carried on first class shopping centers in the Portland, Oregon metropolitan area, and within thirty (30) days following the Owner's receipt of Declarant's written notice of an increase in insurance limits, each Owner shall adjust their respective policies accordingly. The insurance maintained by each Owner shall contain a "waiver of subrogation" in favor of Declarant and the Owners and occupants of the Parcels and mortgagees, and, if obtainable, a cross-liability or severability of interest endorsement insuring each insured against liability to each other insured.

12.2 Waiver Of Insured Claims. Except where due to the negligent act, omission or willful misconduct by an Owner or its agents, each Owner hereby waives any and every claim which arises or may

arise in its favor and against any other Owner during the term of this Declaration for any and all loss of, or damage to, any of its property located within or upon, or constituting a part of the Shopping Center, which loss or damage is covered by valid and collectible fire and extended coverage insurance policies, to the extent that such loss or damage is recoverable under such insurance policies. These mutual waivers shall be in addition to, and not in limitation or derogation of, any other waiver or release regarding any loss of, or damage to, the property of any Owner. Inasmuch as the mutual waivers will preclude the assignment of any such claim by way of subrogation (or otherwise) to an insurance company (or any other person, firm or corporation), each Owner shall give to each insurance company which has issued to it policies of fire and extended coverage insurance, written notice of the terms of the mutual waivers, and shall have such insurance policies properly endorsed, if necessary, to prevent invalidation of such insurance coverages by reason of such waivers.

12.3 Indemnification and Waiver. Each Owner agrees that Declarant shall not be liable for any damage or liability of any kind, or for any injury to or death of persons, or damage to property of Owner or any other person during the Term of this Declaration, from any cause whatsoever, resulting from the use, occupation or enjoyment of the Parcel(s) or the operation of business therein or therefrom by an Owner or any person holding under said Owner. Each Owner hereby further agrees to defend, indemnify and save harmless Declarant and the other Owners from all liability whatsoever including, without limitation, liability for any real or claimed damage or injury and from all liens, claims and demands arising out of the use of the Parcel(s) and its facilities, construction on the Parcel(s), any repairs or alterations which an Owner or any person holding under said Owner, may make upon the Parcel(s), any claims of any employee of Owner or any person holding under said Owner against Declarant or such other Owners. An Owner shall not be liable for damage or injury occasioned by the sole negligence of Declarant or another Owner and its designated agents, servants or employees, unless the same is covered by insurance such Owner is required to provide. The foregoing obligation of each Owner to indemnify shall survive the expiration or earlier termination of its ownership of its Parcel(s) and shall include all costs of legal counsel and investigation, together with other costs, expenses and liabilities incurred in connection with any and all claims of damage. To the extent any such loss or damage is covered by insurance, Declarant and Owner each hereby waive any rights one may have against the other on account of any loss or damage occasioned to Declarant or Owner, as the case may be, their respective properties, the Parcel(s) or their contents, or to other portions of the Shopping Center arising from any risk generally covered by fire and extended coverage insurance or from vandalism, malicious mischief or sprinkler leakage. The parties hereto, on behalf of their respective insurance companies insuring such losses, waive any right of subrogation that one may have against the other.

### ARTICLE XIII DESTRUCTION OF IMPROVEMENTS

13.1 Owners Must Rebuild Per Original Layout. If an Owner shall elect to rebuild or restore the building(s) on its Parcel following an event of destruction, the Owner shall rebuild, repair and restore such buildings and improvements in the same location as presently shown on Exhibit "B" and in the same general appearance and condition as existed prior to the damage or destruction with such modifications thereto as may then be required by any local governmental agencies.

13.2 Damage to Common Area of a Parcel. In the event the Common Area of a Parcel or any portion thereof shall be damaged or destroyed by fire or other casualty or any cause whatsoever, the Owner of the Common Area of such Parcel so damaged or destroyed shall forthwith proceed with due diligence to restore such Common Area of such Parcel to its condition immediately prior to such damage or destruction.

13.3 Time Limitations For Rebuilding. In the event an Owner is required to rebuild, repair, or restore any building pursuant to this Declaration, the Owner shall: (i) submit all documents, plans,

specifications, and/or information required of it to commence the permitting review and approval process with all governmental agencies and/or offices having requisite jurisdiction, not later than six (6) months from the time when the loss or destruction occurred, and (ii) the Owner shall commence rebuilding, repair, or restoration of the building in question, not later than thirty (30) calendar days after receipt of all approvals and/or permits so required for the Owner to lawfully commence the same. Furthermore, except for documented delays caused by an office or agency having jurisdiction over permitting or approvals of the rebuilding, repair, or restoration in question, an Owner's building shall be rebuilt, repaired and restored and ready for occupancy within eighteen (18) months from the time when the loss or destruction occurred. Notwithstanding the provisions of Article XIII generally, in the event that the provisions of a particular lease between an Owner and its tenant are different from the provisions of Article XIII, then (a) as between such Owner and its tenant, the lease provisions shall prevail, and (b) as among the Owners, this Declaration shall prevail.

13.4 Additional Requirements For Rebuilding. Any repair, reconstruction or replacement of any building(s), Common Area, or other improvements performed by any Owner, pursuant to this Article XIII shall be performed in accordance with the following requirements:

(a) Plans and specifications therefor not previously approved for the original construction of the building shall be submitted to Declarant for its review and approval as to exterior architectural design, exterior construction and location of improvements being restored under the procedure set forth in Article III prior to the commencement of the work of such repair, reconstruction and replacement, which approvals shall be neither delayed nor withheld without good and valid reason and notice thereof made in writing.

(b) The building, Common Area or other improvements being restored shall be at least of equal value per square foot, after accounting for any market conditions then existing, and at least as usable for its intended purpose, as such building, Common Area, or other improvements were just prior to the happening of such casualty.

13.5 In the event any Owner does not commence to rebuild and restore its damaged building(s), or other improvements, under the provisions of this Article within one hundred twenty (120) days following the date of such damage, such Owner shall within the next thirty (30) day period clear its Parcel(s) of all debris and hazardous conditions and shall thereafter maintain such Parcel(s) in a clean, safe and sightly condition, sealed against dust by paving, landscaping or other suitable ground cover, and otherwise maintained in a condition similar to other similarly situated shopping centers in the Portland, Oregon metropolitan area provided, however, that in no event shall any Owner have the right to withdraw its Parcel(s) or portion thereof from the Restrictions nor change the Common Area within such Owner's Parcel(s) to Building Areas, nor in any way free such Parcel(s) from any easements created and provided for hereunder, at any time during the term of this Declaration. The provisions of this Section 13.5 shall not reduce or affect each Owner's obligations to repair and restore the Common Area within its Parcel as provided in Section 13.2 hereof.

#### ARTICLE XIV MISCELLANEOUS PROVISIONS

14.1 Constructive Notice and Acceptance. To the maximum extent permitted by law, every Owner who now or hereafter owns or acquires any right, title or interest in or to any Parcel of the Shopping Center is and shall be conclusively deemed to have consented and agreed to every covenant, servitude, condition, restriction, and easement contained herein, whether or not any reference to this Declaration is contained in the instrument by which such person acquired an interest in the Shopping Center.

14.2 Mutuality, Reciprocity: Runs with Land. All Restrictions, servitudes, conditions, covenants, easements, liens and agreements contained herein are made for the direct, mutual, and reciprocal benefit of each and every part and Parcel of the Shopping Center; shall create reciprocal rights and obligations between the respective Owners of all Parcels and privity of contract and estate between all Owners of all Parcels, their heirs, successors and assigns; and shall, as to the Owner of each Parcel, his heirs, successors and assigns, operate as covenants running with the land for the benefit of all other Parcels.

14.3 Captions. The paragraph headings or captions used herein are for convenience only and are not a part of this instrument and do not in any way limit, define or amplify the scope or intent of the terms and provisions hereof.

14.4 Invalidity of Provision. If any provision of this Declaration as applied to Declarant or any Owner or to any circumstance shall be adjudged by a court of competent jurisdiction to be void or unenforceable for any reason, the same shall in no way affect (to the maximum extent permissible by law) any other provision under circumstances different from those adjudicated by the court, or the validity or enforceability of the Declaration as a whole.

14.5 Notices. All notices, consents, requests, demands, approvals, authorizations and other communications provided for herein shall be in writing and shall be sent by (a) United States mail, postage prepaid, certified mail with return receipt requested or (b) by a nationally recognized delivery service. Except where otherwise provided herein, such communication shall be deemed to have been given upon the date of receipt pursuant to written proof of delivery, or first rejection, whichever is earlier. If any such communication is not delivered or cannot be delivered because the receiving party changed the address of the receiving party and did not previously give notice of such change to the sending party, or due to a refusal to accept such communication by the receiving party, such communication shall be effective on the date delivery is attempted. Any such communication under this Declaration may be given on behalf of a party by the attorney for such party.

14.6 Standing To Enjoin. It shall be lawful for any person or persons owning fee simple title to any portion of the Shopping Center, to prosecute any proceedings at law or in equity, including injunctive relief, against any person violating, or attempting to violate, any of the Restrictions herein, and to prevent it, him or them from so doing and to recover damages from or on account of such violation. All such remedies shall be cumulative. In the event of any violation or threatened violation by any Owner or its tenant or occupant of any portion of the Shopping Center owned by it, of any of the terms, covenants and conditions contained herein, the parties agree that irreparable damage shall have occurred to the other Owners and in addition to the other remedies provided herein, any other Owner or the Declarant, shall have the right to enjoin such violation or threatened violation in a court of competent jurisdiction.

All costs and expenses of any such suit or proceeding, including attorneys' fees and costs as hereinafter provided, shall be assessed against the defaulting Owner and shall constitute a lien against its real property or the interest therein wrongfully deceded, leased, assigned, conveyed or contracted for until paid. Such lien to be effective upon the recording of notice in the office of the Clackamas County Recorder, though any such lien shall be subordinate to any bona fide mortgage or deed of trust covering any portion of the Shopping Center, and any purchaser at any foreclosure or trustee's sale (as well as any grantee by a deed in lieu of foreclosure or trustee's sale) under any such mortgage or deed of trust shall take title free from any such lien, though otherwise subject to the provisions hereof.

14.7 Force Majeure. In the event Declarant, any other Owner is delayed, hindered in or prevented from the performance of any act required under this Declaration by reason of a cause beyond the reasonable control of the obligated party, then performance of such act shall be excused for the period of the delay, and the period for the performance of such act shall be extended for a period equivalent to the

period of such delay. Such cause shall include "acts of God," strikes, lockouts, weather in which work cannot proceed (even if normal), protests, riots, insurrection, war, unavailability of materials from normal sources, acts of Governmental Authority, including, courts, or acts or conduct of another Owner, its contractors, employees or agents, in violation of this Declaration, but it shall not include delays due to inability or failure to obtain financing or inadequate financial resources.

14.8 Standard Of Approval. If this Declaration provides that a consent or approval shall not be unreasonably withheld, such consent or approval shall be granted or withheld without unreasonable delay and, if consent is withheld or approval not granted, the reasons for withholding consent or approval shall be stated with reasonable certainty.

14.9 Attorneys' Fees. In the event that suit is brought for the enforcement or interpretation of this Declaration or as the result of any alleged breach, the prevailing party or parties shall be entitled to be paid court costs, including reasonable attorneys' fees and costs, by the losing party or parties and any judgment or decree rendered shall include an award of attorneys' fees.

14.10 Condemnation. In the event of any condemnation (by any duly constituted authority for a public or quasi-public use) of all or any part of the Shopping Center, the entire award for value of the land and improvements so taken shall belong to the Owner whose property was so taken or its tenants, as their interests may appear, and no claim therefor shall be made by other Owners of any other portion of the Shopping Center, provided that all other Owners of the Shopping Center may file collateral claims with the condemning authority over and above the value of the land taken, and provided further that the Owner of any portion of the area taken shall promptly repair and restore the remaining portion of the area owned by such Owner as nearly as practicable to its condition immediately prior to the condemnation without contribution from any other Owner.

14.11 General Obligation For Building Maintenance. Each Owner shall keep, maintain, repair, manage and operate their respective buildings, whether occupied or unoccupied, located on its respective Parcel(s) in good and clean order, operation, condition and repair, without public or private nuisance, in conformity with first-class shopping center standards, and in such manner to establish, maintain and present, at all times, the appearance of a clean, well-managed, attractive, well coordinated and unified operation. Each Owner hereby agrees to paint the buildings located within its Parcel(s) in the original color scheme or such other color scheme approved by Declarant at least once each seven (7) years, or as reasonably needed, whichever occurs first.

14.12 Governing Law. This Declaration and the application or interpretation thereof shall be governed exclusively by its terms and by the laws of the State of Oregon.

**SIGNATURE PAGE FOLLOWS**

IN WITNESS WHEREOF, the undersigned has executed this instrument as of the date first above written.

**“Declarant”**

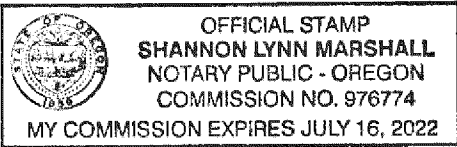
Cascade Center Molalla, LLC  
an Oregon limited liability company

By: \_\_\_\_\_  
Print Name: Kiril Ivanov  
Its: Managing Member

STATE OF OREGON )  
 ) ss.  
COUNTY OF CLACKAMAS )

Personally appeared before me on the 18 day of May, 2021, the above-named Kiril Ivanov who did say he was a member of Cascade Center Molalla, LLC, and that this instrument was signed in behalf of said limited liability company by authority of its operating agreement; and acknowledged that he executed the foregoing as its voluntary act and deed.

*Shannon Marshall*  
NOTARY PUBLIC for Oregon.  
My Commission expires: 7/16/22



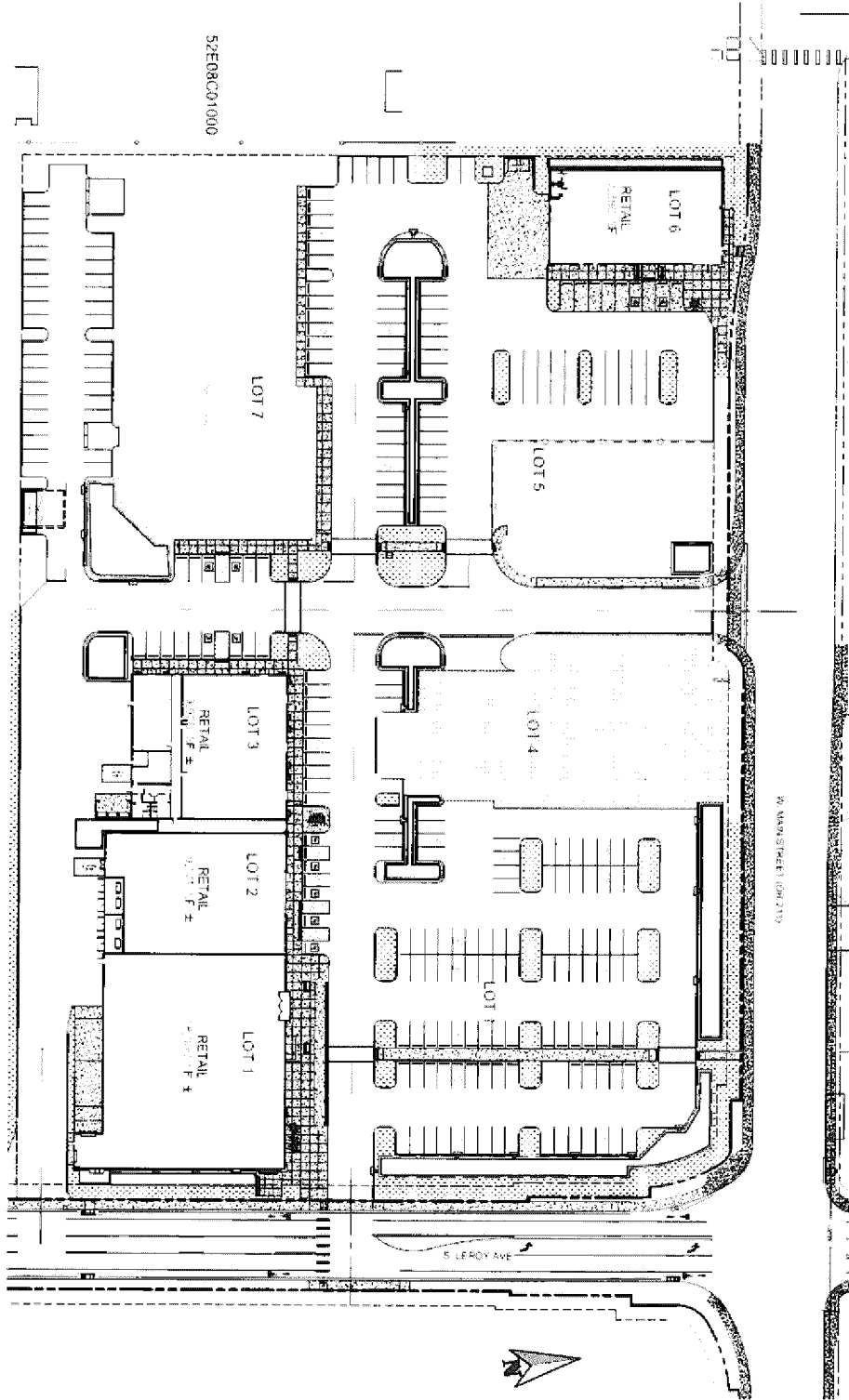
**EXHIBIT "A"**

**LEGAL DESCRIPTION OF SHOPPING CENTER**

All of Lots 1, 2, 3, 4, 5, 6, and 7, Cascade Center, as Recorded in Book 152, Page 011, Plat Number 4630, and Document Number 2020-111061, Clackamas County, Oregon.

EXHIBIT "B"

SITE PLAN



PASSAGE CENTER COMMERCIAL  
SITE PLAN  
GENERAL RETAIL SERVICES (A-2)



# EXHIBIT "C" PARCEL MAP

BOOK 152 PAGE 011  
PLAT NUMBER 4630

## CASCADE CENTER

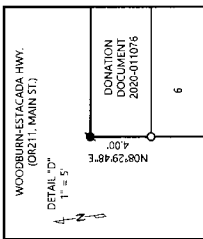
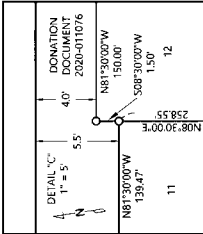
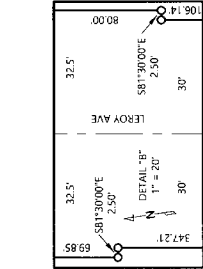
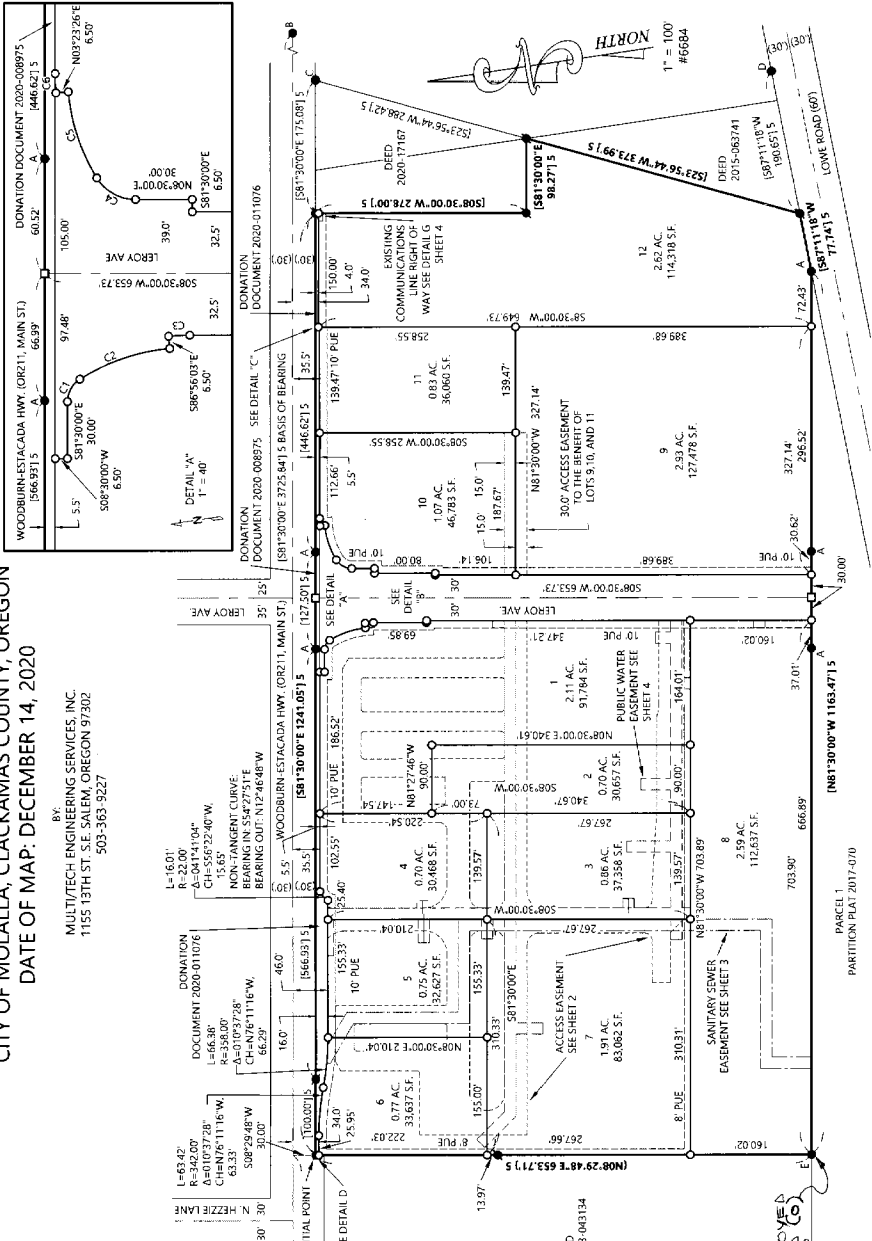
IN THE SW 1/4, SEC. 8, T. 5 S., R. 2 E., W.M.  
CITY OF MOLALLA, CLACKAMAS COUNTY, OREGON  
DATE OF MAP: DECEMBER 14, 2020

BY:  
MULTI/TECH ENGINEERING SERVICES, INC.  
1155 13TH ST. S.E. SALEM, OREGON 97302  
503-363-9227



**MONUMENT DETAIL NW CORNER D1C-43**  
FOUND IN MONUMENT BOX PER U.S.B.T. ENTRY 2002-145

- NOTES:**
- ALL MONUMENTS FOUND IN GOOD CONDITION. MONUMENTS NOT FOUND TO BE SET ON THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.
  - SEE CURVE TABLE SHEET 3 OF 5
- LEGEND:**
- = FOUND MONUMENT, SEE TABLE THIS SHEET
  - = 5/8" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG" PER 5
  - = 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH" PER 5
  - = 5/8" X 30" IRON ROD WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG". TO BE SET IN A MONUMENT BOX WITHIN THE TIME SPECIFIED IN THE SURVEYORS CERTIFICATE SET ON
  - SN = CLACKAMAS COUNTY SURVEY NUMBER
  - IP = IRON PIPE
  - WVPC = WITH YELLOW PLASTIC CAP
  - PUE = PUBLIC UTILITY EASEMENT
  - ROW = RIGHT OF WAY
  - DLC = RECORD AND MEASURED BEARING OR DISTANCE AS NOTED
  - ( ) = CALCULATED RECORD BEARING OR DISTANCE AS NOTED
  - ( ) = CALCULATED RECORD BEARING OR DISTANCE AS NOTED
- MONUMENT TABLE**
- A. 5/8" IR WVPC SCRIBED "BUCKLE ASSOC. INC." PER 1
  - B. 1/2" IP IN WELL CASING DOWN 0.5' PER 2
  - C. 5/8" IR WVPC SCRIBED "SEGERLS 2647" PER 3
  - D. 1/2" IRON PIPE PER 1
  - E. 1/2" IRON PIPE PER 1
- SURVEY REFERENCES**
- SN 2467
  - SN 2008-324
  - SN 2018-125
  - SN 28456
  - SN 2019-539



**SHEET INDEX**

- LOTS, DETAILS A-D, NOTES, LEGEND, MONUMENT TABLE, SURVEY REFERENCE
- ACCESS EASEMENT, DETAIL, LEGEND
- SANITARY SEWER EASEMENT, CURVE TABLE, LEGEND
- PUBLIC WATER EASEMENT & BUS STOP EASEMENT, LEGEND, DETAILS E-G
- SURVEYOR'S CERTIFICATE, APPROVALS, DECLARATION, NARRATIVE, AND CONSENTS

REGISTERED PROFESSIONAL LAND SURVEYOR  
OREGON  
ROBERT D. HAMMANN  
64-20215  
EXPIRES: 6-30-2021

SHEET 1 OF 5

## EXHIBIT "D"

### SPECIFIC USE RESTRICTIONS

1. Grocery Outlet Inc., a California corporation, dba "Grocery Outlet Bargain Market", and its successors and assigns shall have the exclusive right ("Exclusive Right") to sell grocery items and beer and wine in the Shopping Center. The Exclusive Right shall not be applicable to (i) tenants utilizing five hundred (500) square feet or less of floor area (which shall be measured to include all display areas and one-half (½) of the adjacent aisle space) for the sale of grocery items and beer and wine, (ii) sit-down restaurants, and (iii) drug stores with a licensed pharmacist. In addition, the Shopping Center may be used for a "Dollar Tree" or "Dollar General" (or any successor, assign or subtenant of the Co-Tenant's lease at the Shopping Center or a comparable general merchandiser) that sells (1) beverages (including alcoholic beverages) and food products and (2) all other products normally sold in a Dollar Tree or Dollar General so long as Dollar General is operating on the Dollar General Parcel as shown on the Site Plan as Lot 2 as a typical Dollar General store concept selling general merchandise and not a Dollar General Market or similar grocery store concept.

2. Dollar Tree and its successors and assigns, shall, within the Shopping Center, have the exclusive right to operate a single price point variety retail store and any other retail store the principal business of which is the operation of a single price point variety retail store. In addition, Dollar Tree shall have the exclusive right to use the Shopping Center for: (1) variety retail operations with the word "Dollar" or any derivation, abbreviation, slang, symbol or combination thereof (or their respective equivalents in any other language) in their trade name, (2) a store whose principal business is the sale of merchandise which is classified as "close-out", "odd lot", "clearance", "discontinued", "cancellation", "second", "floor model", "fire sale", or "damaged", (3) a store selling a combination of gifts, cards, gift wrap, and other party supplies, (4) an arts and crafts store or a store whose principal business is selling a combination of craft supplies, art supplies, artificial flowers, picture frames, and scrapbooking supplies, (5) a store occupying less than 30,000 square feet whose principal business is selling national or private-label pre-packaged food products and household items at prices that are generally below comparable items found in traditional supermarkets, (6) a store selling a variety of general merchandise at a price not to exceed \$5.00, provided that such limitation on price is part of the regularly advertised attributes of such store, and (7) uses which are typically considered noxious or unacceptable in a typical retail shopping center. Notwithstanding the foregoing, the abovementioned use protections shall not apply to any current occupant or tenant of the Shopping Center who is operating under their current use clause of their lease or their trade name as of the effective date of the Dollar Tree lease.

3. Autozone and its successors and assigns, shall, within the Shopping Center, have the exclusive right to operate an auto parts store, and no other portion of the Shopping Center shall be leased, rented, or occupied, for the purpose of conducting business as or for use as an auto parts store; however, this restriction shall not apply to a business whose principal business is a drug store, grocery store, department store, variety store, hardware store, home improvement store, or other seller of general merchandise which sells auto parts as an incidental part of general merchandise, provided that no such business may sell carburetors, starters, brakes, alternators, fuel pumps, water pumps, or other coolant pumps for off premises installation.

**Exhibit D:**

*Molalla Public Works Comments*



**Public Works Department**

117 N Molalla Avenue

PO Box 248

Molalla, Oregon 97038

Phone: (503) 829-6855

Fax: (503) 829-3676

July 20, 2022

TO: Mac Corthell, Planning Director  
Dan Zinder, Assistant Planner  
Ronda Lee, Planning Specialist

FROM: Sam Miller, Sr Engineer Tech.

**RE: 720 W Main Street (Cascade Center – Clackamas Federal Credit Union)**

Based on a review of the materials submitted, Staff has prepared the following comments. These comments are applicable to the subject application; any subsequent modifications may require amendments and/or additions. These conditions do not include requirements already set forth in the municipal code.

**CONDITIONS**

1. Specific Requirements To This Site:

A. Transportation – in accordance with MMC 17-3.6.020 Transportation Standards:

1. A Traffic Impact Analysis analyzing all warrants for the OR-211 and Leroy Ave Intersection is required. Applicant has prepared and submitted a Traffic Impact Analysis for the proposed development which has been analyzed and accepted by the City and ODOT. The Proposed development does not meet signal threshold at the OR 211/Leroy intersection and therefor no signal improvements will be required.
2. OR 211 (W Main Street): OR 211 (W Main Street) is an arterial street under Oregon Department of Transportation (ODOT) jurisdiction. Applicant will be required to relocate existing east access on the west side of the property and take access from a shared connection off OR 211 (W Main Street) between the subject site and the commercial development to the east. Driveway access shall extend to the southern edge of the parcel and connect to adjacent Multi-Family development.
3. Access to the State highway is regulated by OAR 734.51. Applicant is required to obtain a State Highway Approach Road Permit; donate right of way to ODOT to implement the OR 211 cross section in the city's TSP, construct frontage improvements consistent with the TSP, and obtain permits for work in the ODOT right of way.
4. Right-of-way Dedications/Donations: On ODOT rights of way, applicant will be required to donate sufficient right-of-way along variable width improvements and construct curb, sidewalk, and bike lanes as necessary to be consistent with Molalla TSP, ODOT and ADA standards. ODOT requires donations of right-of-way to follow the requirements of

Chapter 5.322. Developer Mitigation Donation in the ODOT Right-of-Way Manual.

5. Access to public streets shall be limited to the location identified on the application materials or as required by ODOT. All accesses shall be constructed in such a manner as to eliminate turning conflicts. The proposed width for access shall meet ODOT requirements.
6. Applicant will be required to dedicate a 10-foot-wide public utility easement fronting the public right-of-way if one does not exist. Applicant shall provide proof of existing dedication.
7. Roadway lighting is required on all new development. Applicant shall be required to install roadway lighting. Location and number shall be determined during design review.
8. Transportation SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from transportation SDC charges. SDC's shall be calculated and payable in accordance with the SDC methodology at the time of building permit authorization.

B. Storm - in Accordance with MMC 17-3.6.050 Storm Drainage and Surface Water Management:

1. Applicant proposes to collect and detain all stormwater onsite and shall connect to East Access Storm Utility Extension within the Cascade Development. Applicant will be required to extended East Access Storm Utility Per NOD (SDR04-2021) Cascade Place Apartment in the event they decide not to move forward with said project.
2. Storm connection shall meet ODOTs requirements. Onsite private storm system shall comply with plumbing code requirements. The detention and flow control facilities shall be reviewed, permitted, and inspected by Public Works. The onsite storm conveyance system shall be reviewed and inspected by Clackamas County Building under a plumbing permit, in Accordance with MMC 13.13 Surface Water Management.
3. Stormwater SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from stormwater SDC charges. SDC's shall be calculated and payable in accordance with the SDC methodology at the time of building permit authorization.

C. Sanitary- in accordance with MMC 17-3.6.040 Sanitary Sewer Service Improvements:

1. A 8-inch sanitary main exists on the west side of the property within City Utility Easement. Sanitary main is 9 feet deep near proposed Lot and will serve the site and some development to the south by gravity system. Applicant will be required to extended East Access Sewer Utility Per NOD (SDR04-2021) Cascade Place Apartment in the event they decide not to move forward with said project and dedicate a 15-foot-wide sewer line easement per City requirements.
2. Sanitary SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from sanitary

SDC charges. SDC's shall be calculated in accordance with the SDC methodology.

D. Water- in accordance with MMC 17-3.6.040 Water Service Improvements:

1. Project will be required to connect to 8-inch main from East Access Extension and provide new Fire Hydrant on W Main Street (HWY 211) meeting fire code spacing and to Molalla Public Works Standards. Applicant will be required to extended East Access Water Utility, Per NOD (SDR04-2021) Cascade Place Apartment in the event they decide not to move forward with said project and dedicate a 15-foot-wide water line easement per City requirements.
2. Should Fire Department regulations require additional fire flow that results in looping the water line through the site, then applicants engineer shall coordinate with Public Works for the extension of a public water line, and dedication of easements.
3. Water SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from water SDC charges. SDC's shall be calculated in accordance with the SDC methodology.

E. Parks:

1. Parks SDC's – In accordance with SMC 13.70.110 this commercial design review is exempt from parks SDC charges.

F. Franchise Utility Services:

1. All utilities to the project shall be served underground services. No overhead crossings of public right of way shall be approved by the city.

## **DESIGN REQUIREMENTS & POLICIES**

1. General Requirements:

- A. For commercial and industrial development projects, No building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provision of the Code and the Public Works Design Standards in accordance with MMC 17-3.6 Public Facilities. All public facilities shall be completed and accepted by the Public Works Department prior to issuance of final occupancy.
- B. From the materials submitted, it appears that the storm drain, domestic water, and sanitary sewer facilities will be obtained from main line connections and/or extensions. Separate engineering drawings reflecting the installation of these public utilities will be required.
- C. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, bonding, right-of-way, and easements have been obtained and approved by staff, and Staff is notified a minimum of 24 hours in advance.
- D. Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements, if additional modifications or expansion of the sight distance onto adjacent streets is required.

- E. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Molalla Public Work's Standards.
- F. All survey monuments on the subject site or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated, or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
- G. Plans submitted for review shall meet the requirements described in Section 1 of the Molalla Standard Specifications for Public Works Construction.
- H. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards and supply the City with a copy of the final document.
- I. All utilities will be stubbed out to the far end of each street for future extension. The project shall utilize existing water, sewer, and storm water 'stub-outs' wherever possible. Water for domestic and fire protection shall be looped through the proposed site. Any 'stub-outs' determined to be not needed for the proposed development or any future development of the subject property shall be abandoned in accordance with the Molalla Standard Specifications for Public Works Construction.
- J. All public improvement designs shall meet the requirements of the Molalla Standard Specifications for Public Works Construction as amended by the Community Development Director.
- K. General Easements – A 10-foot-wide public utility easement shall be dedicated to the City adjacent to all public right-of-way and no structures are allowed to encroach into the easement. Applicant shall be required to submit a legal description and exhibit map for review and sign City easements. Once completed, applicant will be required to record easements with the County Recorder's Office and return the original document to the City prior to final occupancy.
- L. General Erosion Control – The applicant shall install, operate, and maintain adequate erosion control measures in conformance with the standards adopted by the City of Molalla and DEQ during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed. Applicant or Applicant's Contractor shall be responsible for all erosion control requirements under the 1200-C permit and shall coordinate directly with DEQ for questions related to 1200-C permit compliance.

## Exhibit E:

*Molalla Fire Department Comments*





# Molalla Rural Fire Protection District #73

P.O. Box 655 • Molalla, OR 97038  
320 N Molalla Ave. Molalla, OR 97038

Telephone: 503-829-2200  
Fax: 503-829-5794

Comments for Clackamas Federal Credit Union  
July 10, 2022

1. Molalla fire will need to see a full plan set in either hard copy or digital format prior to issuing of permits. Comments will be made off of the submitted plan set as the plans provided are incomplete.

The above comments are based solely on the site plan provided. Molalla Fire reserves the right to review and comment on the plans that are to be submitted for full review or revisions to plans that have already been reviewed.

Review of submitted plans is not an approval of omissions, oversights or authorization of non-compliance with any regulations of this agency or of the regulations of any other agency. Comments on these plans should not be considered a precedent setting, as we will review each project on a case-by-case basis.

Michael C. Penunuri



[www.molallafire.org](http://www.molallafire.org)





**Planning & Community Dev.**  
117 N Molalla Avenue  
PO Box 248  
Molalla, Oregon 97038  
Phone: (503) 759-0205  
[communityplanner@cityofmolalla.com](mailto:communityplanner@cityofmolalla.com)

## CITY OF MOLALLA STAFF REPORT

# Consolidated Review for SDR03-2022 and CUP01-2022 – New Fast Food Establishment & Drive Thru

**Date:** July 27, 2022 for the August 3, 2022 Planning Commission Meeting

**File No.:** Consolidated Review for SDR03-2022 and CUP01-2022

**Proposal:** Construction of a fast food establishment with drive thru

**Address:** 820 W Main ST (OR-211)

**Tax Lot:** Taxlot 4200 of Clackamas County Taxmap 52E08C (Lot 4)

**Applicant:** Insite Real Estate Investment Properties, LLC  
1400 16 th St, Suite 300  
Oak Brook, IL 60523

**Property Owners:** Cascade Center Molalla, LLC  
27375 SW Parkway Ave  
Wilsonville, OR 97070

**Previous Applications:** DRW01-2019 (Cascade Center Subdivision)

**Applicable Standards:** **Applicable Standards: Molalla Municipal Code, Title 17, Development Code**

### **Division II, Zoning Regulations**

*Section 17-2.2.030 Allowed Uses*

*Section 17-2.2.040 Lot and Development Standards*

### **Division III, Community Design Standards**

*Section 17-3.2.040 Non-Residential Buildings*

*Section 17-3.2.060 Drive-Up and Drive-Through Uses and Facilities*

*Chapter 17-3.3 Access and Circulation*

*Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting*

*Chapter 17-3.5 Parking and Loading*

*Chapter 17-3.6 Public Facilities*

**Division IV, Application Review Procedures and Approval Standards**

*Section 17-4.1.040 Type III Procedure (Quasi-Judicial Review – Public Hearing)*

*Section 17-4.2.050 Approval Standards (Site Design Review)*

*Section 17-4.4.040 Criteria, Standards, and Conditions of Approval (Conditional Use)*

---

TABLE OF CONTENTS:

- I. Executive Summary
- II. Recommendations
- III. Conditions of Approval

EXHIBITS:

EXHIBIT A: Findings of Fact for SDR03-2022

EXHIBIT B: Findings of Fact for CUP01-2022

EXHIBIT C: Consolidated Application Package SDR03-2022, AND  
CUP01-2022

EXHIBIT E: Molalla Public Works Comments

EXHIBIT F: Molalla Fire Department Comments

---

## I. EXECUTIVE SUMMARY

### **Proposal:**

The Applicant seeks land use approval for the construction of a 1,937 SF fast food establishment with a drive thru facility. The subject property is one lot (Lot 4) that was created within the new Cascade Shopping Center Subdivision with access to OR 211 totaling 0.70 acres. The applicant proposes vehicle access to the site from an existing shared private drive that was created for the shopping center. This access connects the property to the private drive network through Cascade Center. Additionally, the Applicant proposes required pedestrian frontage improvements adjacent to the property along OR-211. Per Molalla Municipal Code (MMC) 17-2.2.030 H a Conditional Use Permit is required in conjunction with the Site Design Review because the proposed use includes a drive thru. No change to the existing C-2 General Commercial zoning designation is proposed as part of these applications.

### **Site Description:**

The subject site is located on a 0.70 acre parcel of General Commercial (C-2) zoned land on OR 211. The parcel is part of the Cascade Shopping Center subdivision. The property has been graded previously as part of site preparation for the shopping center.

### **Surrounding Zoning and Land Uses:**

The subject parcel is surrounded by General Commercial zoned (C-2) land. Surrounding uses include the retail complex "Cascade Center," a self-storage facility to the east and southeast, and assorted commercial retail and service uses to the north. Several single-family homes are located along the OR 211 corridor.

### **Public Agency Responses:**

Staff circulated notice of the project to the City's Public Works Director, Molalla Fire District, and Oregon Department of Transportation (ODOT) on July 8, 2022. The City has included responses from Public Works and Fire as Exhibits E and F, respectively, and integrated their comments into the proposed findings and conditions of this decision. ODOT declined to submit formal comments.

### **Public Notice and Comments:**

Per MMC 17-4.1.040, notice of the public hearing was sent to all property owners within 300 feet of the subject properties and to a group of interested parties on July 5, 2022. Notice was published in the *Molalla Pioneer* on July 13, 2022. Signage containing public notice information was posted on the property on July 18, 2022. As of July 27, 2022 staff had received no written public comment on the application.

## I. Recommendation

Based on the application materials and findings demonstrating present or conditioned compliance with the applicable standards, staff recommends approval of Site Design Review SDR03-2022 and Conditional Use Permit CUP01-2022 subject to the conditions of approval that follow this recommendation. This approval is based on the Applicant's written narrative, site plans, and supplemental application materials. Any modifications to the approved plans other than those required by the conditions of this decision will require a new land use application and approval.

## II. Conditions of Approval

### 1. Building Permits, Engineering Plan Approvals, and Certificate of Occupancy Required:

- a. Per Molalla Municipal Code (hereinafter MMC) 17-4.2.070 and the State of Oregon Structural Specialty Code, upon approval of this Site Design Review, the applicant must submit for building permit authorization from Molalla Planning Staff and Engineering Plan Review from Molalla Public Works. Per MMC 17-4.2.070, this site design review has an approval period of 1-year from the date of approval. As a condition of approval, the Applicant/owner shall submit for both Building Permit Authorization for all proposed improvements through the City of Molalla Planning Department and Civil Plan Review through the City of Molalla Public Works Department within the 1-year approval period. Extension requests for the 1-year period are subject to the Code provisions of MMC 17-4.2.070, B.
- b. Per MMC 17-4.9.020 and the State of Oregon Structural Specialty Code, upon approval of this Site Design Review (change of use), the applicant must obtain a Certificate of Occupancy from the Clackamas County Building Official. As a condition of approval, the Applicant/owner shall obtain a Certificate of Occupancy through the Clackamas County Building Official for all onsite occupants prior to operation of the new, proposed use/occupancy.

Note: City approval is required for all Certificates of Occupancy.

### 2. Conditions Requiring Resolution Prior To Receiving Building Permit Authorization From The Molalla Planning Department:

- a. The Applicant shall submit plans with building permit authorization showing canopy coverage along at least 75% of the street facing facades where walkways are

proposed adjacent to the building. Additional canopies shall comply with applicable building codes and shall be designed to be visually compatible with the architecture of a building. In addition, the transparency standard shall be met at build permit review to demonstrate compliance with this standard. Alternatively, the applicant can propose an exception to the Planning Commission to meet the standard. Trim detailing and window display detailing shall also be included and verified at building plan review.

- b. All walkways and crosswalks connecting to primary building entrances shall be designed consistent with ADA requirements. In addition, the design, including materials and profile view, shall be submitted for review to comply with the walkway standard. A second bike rack (staple) shall be added to the bike parking area to comply with the parking standard and confirmed on a revised site plan.
- c. Shrub plantings shall be from a minimum container size of 2 gallons and tree plantings shall be a minimum of 2" caliper.
- d. Separate engineering drawings reflecting the installation of public utilities will be required. Civil plans must be accepted prior to building permit authorization by the City. All public improvements shall be completed and accepted by the Public Works Department prior to issuance of any occupancy (MMC 17-3.6.080). No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, bonding, right-of-way and easements have been obtained and approved by staff.

For commercial and industrial development projects, no building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provision of the Code and the Public Works Design Standards in accordance with MMC 17-3.6 Public Facilities. All public facilities shall be completed and accepted by the Public Works Department prior to issuance of final occupancy. Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements if additional modifications or expansion of the sight distance onto adjacent streets is required (MMC 17-3.6.080).

- I. Applicant shall connect to existing water, sewer, and storm systems provided within Cascade Center subdivision (DRW01-2019).
- II. Plans submitted for review shall meet the requirements described in Section 1 of the Molalla Standard Specifications for Public Works Construction (MMC 17-3.6.080).

- III. All public improvement designs shall meet the requirements of the Molalla Standard Specifications for Public Works Construction as amended by the Public Works Director (MMC 17-3.6.080).
- IV. The Applicant shall confirm that the turning radius for the new parking area can accommodate fire apparatus in their engineering plan submittals.
- V. All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Molalla Public Works Standards (MMC 17-3.6.080).
- VI. Onsite private storm system shall comply with plumbing code requirements. The detention and flow control facilities shall be reviewed, permitted, and inspected by Molalla Public Works. The onsite storm conveyance system shall be reviewed and inspected by Clackamas County Building under a plumbing permit, in accordance with MMC 13.13 Surface Water Management.
- VII. All driveway approaches shall be designed and constructed consistent with the current version of the Molalla Public Works Design Standards, Molalla Transportation Systems Plan, and ODOT standards.
- VIII. On ODOT rights of way, the applicant will be required to donate sufficient right-of-way along variable width improvements and construct curb, sidewalk, and bike lanes as necessary to be consistent with Molalla TSP, ODOT and ADA standards. ODOT requires donations of right-of-way to follow the requirements of Chapter 5.322. Developer Mitigation Donation in the ODOT Right-of-Way Manual.
- IX. Applicant shall be required to design and install roadway lighting on OR-211. Location and number shall be determined during civil plan review.
- X. Applicant proposes to connect to existing 6-inch sanitary lateral located on the property. Applicant will be required to construct a public sanitary sewer cleanout meeting Molalla Standard Specifications for Public Works Construction.
- XI. Should Fire Department regulations require additional fire flow that results in looping the water line through the site, the applicant's engineer shall coordinate with Public Works for the extension of a public water line, and dedication of easements.



- XII. The onsite private storm system shall comply with plumbing code requirements. The detention and flow control facilities shall be reviewed, permitted, and inspected by Public Works. The onsite storm conveyance system shall be reviewed and inspected by Clackamas County Building under a plumbing permit, in Accordance with MMC 13.13 Surface Water Management. Applicant shall record a private stormwater easement with Cascade Center. Staff advises confirming with ODOT whether discharge to Cascade Center stormwater facilities will result in additional State permitting.
- XIII. Access to public streets shall be limited to the location identified on the application materials or as required by ODOT. All accesses shall be constructed in such a manner as to eliminate turning conflicts. The proposed width for access shall meet ODOT requirements (MMC 17-3.6.020).
- XIV. All utilities will be stubbed out to the far end of each street for future extension. The project shall utilize existing water, sewer, and storm water 'stub-outs' wherever possible. Water for domestic and fire protection shall be looped through the proposed site. Any 'stub-outs' determined to be not needed for the proposed development or any future development of the subject property shall be abandoned in accordance with the Molalla Standard Specifications for Public Works Construction.
- XV. All utilities to the project shall be served underground services. No overhead crossings of public right of way shall be approved by the city (MMC 17-3.6.060).
- XVI. All survey monuments on the subject site or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated, or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff (MMC 17-3.6.080).
- XVII. General Erosion Control – The applicant shall install, operate, and maintain adequate erosion control measures in conformance with the standards adopted by the City of Molalla and DEQ during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed. Applicant or Applicant's Contractor

shall be responsible for all erosion control requirements under the 1200-C permit and shall coordinate directly with DEQ for questions related to 1200-C permit compliance (MMC 17-3.6.080).

### 3. Conditions To Be Met Prior To Construction

- a. Temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets (MMC 17-3.3.030 D 20).

### 4. Conditions To Be Met Prior To Occupancy:

- a. All landscaping, parking, lighting, and other improvements shall be installed and approved by the Planning Official prior to occupancy (MMC 17-3.5.020 B).
- b. The Applicant shall record cross access easements and maintenance agreements between the subject parcel and Cascade Center parcels west of S Leroy Ave for utilization of the proposed access to OR-211 and the private drive networks to the west.
- c. The Applicant shall record cross access easements between the subject parcels and parcels to the east to facilitate future development.
- d. Applicant will be required to dedicate a 10-foot-wide public utility easement (PUE) fronting the public right-of-way if one does not exist and provide a copy of the recorded dedication prior to occupancy. No structures are allowed to encroach into the easement. Applicant shall be required to submit a legal description and exhibit map for review and sign City easements. Once completed, applicant will be required to record easements with the County Recorder's Office and return the original document to the City prior to final occupancy. If an existing PUE exists, applicant shall provide proof of the existing dedication.
- e. Applicant shall obtain all applicable State and Federal permitting associated with the food establishment use, as applicable. Failure to obtain applicable permitting may result in the revocation of this permit.

### 5. Ongoing Conditions:

- a. All contractors and subcontractors performing work on this property shall obtain and maintain a valid, current business license with the City of Molalla.
- b. Access to public streets shall be limited to the location identified on the application materials or as required by ODOT. All accesses shall be constructed in such a manner as to eliminate turning conflicts. The proposed width for access shall meet ODOT requirements.
- c. All primary building entrances shall open to the sidewalk and shall conform to Americans with Disabilities Act (ADA) requirements, as applicable (MMC 17-3.2.040 D). All approaches and driveways shall meet ADA accessibility requirements where they coincide with an accessible route (MMC 17-3.3.030 D 15). Parking shall be provided consistent with ADA requirements (MMC 17-3.5.030 H).
- d. No visual obstructions shall be placed in vision clearance areas (MMC 17-3.3.030 G).
- e. No proposed fencing shall be made of prohibited materials, as detailed in MMC 17-3.4
- f. All landscaping shall be maintained in good condition, or otherwise replaced by the property owner (MMC 17-3.4.030 G).
- g. Fences and walls shall be maintained in good condition, or otherwise replaced by the property owner (MMC 17-3.4.040 F).
- h. As an ongoing condition of approval, all outdoor lighting shall be maintained in good condition, or otherwise replaced by the property owner (MMC 17-3.4.050 C).

**Exhibit B:**

*City Staff's Findings of Fact for SDR01-2022*

**Per MMC 17-4.2.050, an application for Site Design Review shall be approved if the proposal meets all of the following criteria. The Planning Official, in approving the application, may impose reasonable conditions of approval, consistent with the applicable criteria;**

**A. The application is complete, in accordance with Section 17-4.2.040;**

**Findings:** The City received the Applicant's proposal on March 29, 2022 and deemed it complete in accordance with Section 17-4.2.040 on July 7, 2022.

**B. The application complies with all of the applicable provisions of the underlying Zoning District (Division II), including, but not limited to, building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards;**

### **17-2.2.030 Allowed Uses**

**Findings:** The Applicant proposes new uses of a new fast food establishment with a drive thru. The fast food portion meets the "Commercial Retail Sales and Services" use category. Because the drive-through window is an unenclosed use a Conditional Use Permit is required in conjunction with the Site Design Review per MMC 17-2.2.030 H. The Applicant submitted a Conditional Use Permit in concurrence with this application. The Standard is met.

### **17-2.2.040 Lot and Development Standards**

#### **Findings:**

**Minimum Lot Area** – There is no minimum lot size in commercial zones. The proposed lots are of adequate size to accommodate commercial development. This standard is met.

**Minimum Lot Width and Depth** – There is no minimum lot width or depth in commercial zones. The proposed lots are of adequate size to accommodate commercial development. This standard is met.

**Building and Structure Height** – Maximum building height in the C-2 zone is 55ft. The maximum height of the proposed structure is 21.5 ft. This standard is met.

**Maximum Lot Coverage** - Maximum foundation plane coverage in the C-2 zone is 100%. The proposed building covers 6.3% of the subject lot. This standard is met.

**Minimum Landscape Area % (includes required parking lot, landscaping, and required screening)** Minimum landscaped area in the C-2 zone is 5%. The proposed site plan provides a total 11,056 SF, which is 36% of Lot 4. This standard is met.

#### **Minimum Setbacks - 6**

**Front Setback Requirement: 0ft** – This standard is met.

**Garage Setback Requirement: 20ft** – No garages are proposed. This standard does not apply.

**Alley: 3ft** - This property does not abut an alley. This standard does not apply.

**Adjacent to R Districts: 10ft** – This proposal is not adjacent to any residential districts. This standard does not apply.

**Build to Line: 0ft** – The site abuts the OR-211 right-of-way. The primary entrance of the proposed restaurant is connected to the public right-of-way via a pedestrian pathway along the north side of the proposed walkway. Additionally, a required Public Utility Easement prohibits building within 10ft of the ROW line. The build-to-line criteria are therefore met under exceptions c and f (MMC 17-3.2.040 B 1).

### **C. The proposal includes required upgrades, if any, to existing development that does not comply with the applicable zoning district standards, pursuant to Chapter 17-1.4 Nonconforming Situations;**

The proposal is part of an existing development that met the standards at the time. The proposal generally meets all of the current zoning district and design standards. Standard does not apply.

### **D. The proposal complies with all the Development and Design Standards of Division III, as applicable:**

**Findings:** Applicable Standards under Division III. Community Design Standards for this project include:

- Section 17-3.2.040 Non-Residential Buildings
- Section 17-3.2.060 Drive-Up and Drive-Through Uses and Facilities
- Chapter 17-3.3 Access and Circulation
- Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting
- Chapter 17-3.5 Parking and Loading

### 17-3.2.040 Non-Residential Buildings

- A. **Purpose and Applicability.** The following requirements apply to non-residential development, including individual buildings and developments with multiple buildings such as shopping centers, office complexes, mixed-use developments, and institutional campuses. The standards are intended to create and maintain a built environment that is conducive to pedestrian accessibility, reducing dependency on the automobile for short trips, while providing civic space for employees and customers, supporting natural surveillance of public spaces, and creating human-scale design. The standards require buildings placed close to streets, with storefront windows (where applicable), with large building walls divided into smaller planes, and with architectural detailing.

**Findings:** This section applies to the proposed commercial development.

- B. **Building Orientation.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.
1. Buildings subject to this section shall conform to the applicable build-to line standard in Table 17-2.2.040.E, as generally illustrated in Figure 17-3.2-6. The standard is met when at least 50 percent of the abutting street frontage has a building placed no farther from at least one street property line than the build-to line in Table 17-2.2.040.E; except in the Central Commercial C-1 zone, at least 80 percent of the abutting street frontage shall have a building placed no farther from at least one street property line than the required build-to-line. The Planning Official, through Site Design Review, may waive the build to line standard where it finds that one or more of the conditions in subdivisions a through g occurs.
    - a. A proposed building is adjacent to a single-family dwelling, and an increased setback promotes compatibility with the adjacent dwelling.
    - b. The standards of the roadway authority preclude development at the build-to line.
    - c. The applicant proposes extending an adjacent sidewalk or plaza for public use, or some other pedestrian amenity is proposed to be placed between the building and public right-of-way, pursuant to Section 17-3.2.050 and subject to Site Design Review approval.
    - d. The build-to line may be increased to provide a private open space (e.g., landscaped forecourt), pursuant to Section 17-3.2.050, between a residential use

in a mixed-use development (e.g., live-work building with ground floor residence) and a front or street property line.

- e. A significant tree or other environmental feature precludes strict adherence to the standard and will be retained and incorporated in the design of the project.
- f. A public utility easement or similar restricting legal condition that is outside the applicant's control makes conformance with the build-to line impracticable. In this case, the building shall instead be placed as close to the street as possible given the legal constraint, and pedestrian amenities (e.g., plaza, courtyard, landscaping, outdoor seating area, etc.) shall be provided within the street setback in said location pursuant to Section 17-3.2.050.
- g. An existing building that was lawfully created but does not conform to the above standard is proposed to be expanded and compliance with this standard is not practicable.

**Findings:** The site abuts the OR-211 right-of-way. The primary entrance of the proposed use is connected to the public right-of-way via a pedestrian pathway along the north side of the proposed walkway. Additionally, a required Public Utility Easement prohibits building within 10ft of the ROW line. Build-to-line criteria are therefore met under exceptions c and f.

- 2. Except as provided in subsections C.5 and 6, all buildings shall have at least one primary entrance (i.e., tenant entrance, lobby entrance, breezeway entrance, or courtyard entrance) facing an abutting street (i.e., within 45 degrees of the street property line); or if the building entrance must be turned more than 45 degrees from the street (i.e., front door is on a side or rear elevation) due to the configuration of the site or similar constraints, a pedestrian walkway must connect the primary entrance to the sidewalk in conformance with Section 17-3.3.040.

**Findings:** The proposed building has a primary entrance on the northern façade, facing OR-211. This standard is met.

- 3. Off-street parking, trash storage facilities, and ground-level utilities (e.g., utility vaults), and similar obstructions shall not be placed between building entrances and the street(s) to which they are oriented. To the extent practicable, such facilities shall be oriented internally to the block and accessed by alleys or driveways.

**Findings:** The Applicant's submitted proposal does not include any parking, trash or utilities between the building or building entrance and street. Proposed parking is located to the east and south of the site. Trash facilities are sited on the south end of the restaurant. This standard is met.

- 4. Off-street parking shall be oriented internally to the site to the extent practicable, and shall meet the Access and Circulation requirements of Chapter 17-3.3, the



Landscape and Screening requirements of Chapter 17-3.4, and the Parking and Loading requirements of Chapter 17-3.5.

**Findings:** The Applicant's submitted application shows parking located adjacent to the building's east facade. The primary entrance is accessed by both vehicular and pedestrian circulation systems along the access on the northern side of the site. This standard is met. Standards pertaining to further chapters will be evaluated in staff responses to those Chapters respectively.

5. Where a development contains multiple buildings and there is insufficient street frontage to meet the above building orientation standards for all buildings on the subject site, a building's primary entrance may orient to plaza, courtyard, or similar pedestrian space containing pedestrian amenities and meeting the requirements under Section 17-3.2.050, subject to Site Design Review approval. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a pedestrian walkway conforming to Section 17-3.3.040.

**Findings:** The proposal is for a single building. This standard does not apply.

- C. **Large-Format Developments.** Plans for new developments, or any phase thereof, with a total floor plate area (ground floor area of all buildings) greater than 35,000 square feet, shall meet all of the following standards in subsections C.1 through 9, as generally illustrated in Figure 17-3.2-7. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

**Findings:** The proposed development does not include a total floor plate area greater than 35,000 square feet. These standards do not apply.

- D. **Primary Entrances and Windows.** The following standards, as generally illustrated in Figures 17-3.2-8 and 17.3.2-9, apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.
  1. **All Elevations of Building.** Architectural designs shall address all elevations of a building. Building forms, detailing, materials, textures, and color shall contribute to a unified design with architectural integrity. Materials used on the front façade must turn the building corners and include at least a portion of the side elevations, consistent with the overall composition and design integrity of the building.

**Findings:** The Applicant's submitted architectural plans show all elevations of the proposed building and show a cohesive design. Materials from the western, street facing, façade turn the corner to side elevations and extend through those elevations. This standard is met.

2. **Pedestrian Entrances.** Ground level entrances oriented to a street shall be at least partly transparent for natural surveillance and to encourage an inviting and successful business environment. This standard may be met by providing a door with a window or windows, a transom window above the door, or sidelights beside the door. Where ATMs or other kiosks are proposed on any street-facing elevation, they shall be visible from the street for security and have a canopy, awning, or other weather protection shelter.

**Findings:** This standard is met subject to a condition of approval. Applicant's submitted architectural plans show ground level entrances with partial transparency. This standard can be met with additional measures to add transparency through transom windows, shadow boxes or other architectural treatments.

As a condition of approval, the Applicant shall submit plans with building permit authorization showing canopy coverage along at least 75% of the street facing facades where walkways are proposed adjacent to the building.

3. **Corner Entrances.** Buildings on corner lots are encouraged to have corner entrances. Where a corner entrance is not provided, the building plan shall provide an architectural element or detailing (e.g., tower, beveled corner, art, special trim, etc.) that accentuates the corner location.

**Findings:** The Applicant's proposal is not for a corner lot. This standard does not apply.

4. **Street Level Entrances.** All primary building entrances shall open to the sidewalk and shall conform to Americans with Disabilities Act (ADA) requirements, as applicable. Primary entrances above or below grade may be allowed where ADA accessibility is provided.

**Findings:** This standard is met subject to a condition of approval. Proposed building entrances open to the proposed pedestrian walkway, a required. As a condition of approval all primary building entrances shall open to the sidewalk and shall conform to Americans with Disabilities Act (ADA) requirements, as applicable.

5. **Windows—General.** Except as approved for parking structures or accessory structures, the front/street-facing elevations of buildings shall provide display windows, windowed doors, and where applicable, transom windows to express a storefront character.

**Findings:** The street facing entrance has limited windows and transparent entrances. See condition of approval.

6. **Storefront Windows.** Storefront windows shall consist of framed picture or bay windows, which may be recessed. Framing shall consist of trim detailing such as piers or pilasters (sides), lintels or hoods (tops), and kick plates or bulkheads (base)—or similar detailing—consistent with a storefront character. The ground floor, street-facing elevation(s) of all buildings shall comprise at least 60 percent transparent windows, measured as a section extending the width of the street-facing elevation between the building base (or 30 inches above the sidewalk grade, whichever is less) and a plane 72 inches above the sidewalk grade.

**Findings:** This standard is met subject to a condition of approval. The Applicant's submitted application shows glazed storefront windows on the front elevation that account for less than 60% of the frontage between 30" and 72" from grade.

As a condition of approval, the transparency standard shall be met at build permit review to demonstrate compliance with this standard. Alternatively, the applicant can propose an exception to the Planning Commission to meet the standard.

7. **Defined Upper Story(ies).** Building elevations shall contain detailing that visually defines street level building spaces (storefronts) from upper stories. The distinction between street level and upper floors shall be established, for example, through the use of awnings, canopies, belt course, or similar detailing, materials, or fenestration. Upper floors may have less window area than ground floors, but shall follow the vertical lines of the lower level piers and the horizontal definition of spandrels and any cornices. Upper floor window orientation shall primarily be vertical, or have a width that is no greater than height. Paired or grouped windows that, together, are wider than they are tall, shall be visually divided to express the vertical orientation of individual windows.

**Findings:** The Applicant's submitted architectural plans are for a one-story building. This standard does not apply.

8. **Buildings Not Adjacent to a Street.** Buildings that are not adjacent to a street or a shopping street, such as those that are setback behind another building and those that are oriented to a civic space (e.g., internal plaza or court), shall meet the 60 percent transparency standard on all elevations abutting civic space(s) and on elevations containing a primary entrance.

**Findings:** This standard is met subject to a condition of approval. The proposed building is adjacent to a street, but does not meet the 60% transparency requirement on the front (street) elevation.

As a condition of approval, the transparency standard shall be met at build permit review to demonstrate compliance with this standard. Alternatively, the applicant can propose an exception to the Planning Commission to meet the standard.

- 9. Side and Rear Elevation Windows.** All side and rear elevations, except for zero lot line or common wall elevations, where windows are not required, shall provide not less than 30 percent transparency.

**Findings:** This standard is met subject to a condition of approval. The Applicant has proposed storefront entrances on the east (parking) and west (drive thru) non-street facing elevations. However, the total is less than the 30% standard.

As a condition of approval, the transparency standard shall be met at build permit review to demonstrate compliance with this standard. Alternatively, the applicant can propose an exception to the Planning Commission to meet the standard.

- 10. Window Trim.** At a minimum, windows shall contain trim, reveals, recesses, or similar detailing of not less than four inches in width or depth as applicable. The use of decorative detailing and ornamentation around windows (e.g., corbels, medallions, pediments, or similar features) is encouraged.

**Findings:** This standard is met subject to a condition of approval. Applicant's submitted application does not show adequate trim detailing. The building design needs to include trim detailing consistent with this requirement. As a condition of approval, trim detailing and window display detailing shall be included and verified at building plan review.

- 11. Projecting Windows, Display Cases.** Windows and display cases shall not break the front plane of the building (e.g., projecting display boxes are discouraged). For durability and aesthetic reasons, display cases, when provided, shall be flush with the building façade (not affixed to the exterior) and integrated into the building design with trim or other detailing. Window flower boxes are allowed, provided they do not encroach into the pedestrian through-zone.

**Findings:** The Applicant has proposed a display case on the parking lot and drive thru elevations. If the merchandise displays are included, sufficient detailing is required for review at the building permit phase to determine compliance. See condition of approval.

- 12. Window Exceptions.** The Planning Official may approve an exception to the above standards where existing topography makes compliance impractical. Where it is not practicable to use glass, windows for parking garages or similar structures, the

building design must incorporate openings or other detailing that resembles window patterns (rhythm and scale).

**Findings:** The Applicant has not proposed an exception to the window standard. See conditions of approval.

E. **Articulation and Detailing.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

1. **Articulation.** All building elevations that orient to a street or civic space shall have breaks in the wall plane (articulation) of not less than one break for every 30 feet of building length or width, as applicable, pursuant to the following standards, which are generally illustrated in Figures 17-3.2-10, 17-3.2-11, and 17-3.2-12.
  - a. A “break” for the purposes of this subsection is a change in wall plane of not less than 24 inches in depth. Breaks may include, but are not limited to, an offset, recess, window reveal, pilaster, frieze, pediment, cornice, parapet, gable, dormer, eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee, or similar architectural feature.
  - b. The Planning Official through Site Design Review may approve detailing that does not meet the 24-inch break-in-wall-plane standard where it finds that proposed detailing is more consistent with the architecture of historically significant or historic-contributing buildings existing in the vicinity.
  - c. Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features, do not meet the 24-inch break-in-wall-plane standard.
  - d. Building elevations that do not orient to a street or civic space need not comply with the 24-inch break-in-wall-plane standard but should complement the overall building design.

**Findings:** The Applicant’s submitted architectural plans show a parapet, canopy, varying building materials and colors on the north facing façade that provide the required depth for breaks. Other facades are not street facing and these standards do not apply to them. These standards are met.

2. **Change in Materials.** Elevations should incorporate changes in material that define a building’s base, middle, and top, as applicable, and create visual interest and relief. Side and rear elevations that do not face a street, public parking area, pedestrian access way, or plaza may utilize changes in texture and/or color of materials, provided that the design is consistent with the overall composition of the building.

**Findings:** The Applicant's submitted architectural plans use change of materials from a brick base wainscoting to metal siding to a fiber cement board and distinctive red tiling that appears in the legend. These materials extend around the building, excepting where storefronts are utilized to define the portion of the building along the street facing northern frontage. This standard is met if the red tiling accents are confirmed in the final design.

3. **Horizontal Lines.** New buildings and exterior remodels shall generally follow the prominent horizontal lines existing on adjacent buildings at similar levels along the street frontage. Examples of such horizontal lines include, but are not limited to: the base below a series of storefront windows, an awning or canopy line, a belt course between building stories, a cornice, or a parapet line. Where existing adjacent buildings do not meet the City's current building design standards, a new building may establish new horizontal lines.

**Findings:** The Applicant's submitted architectural plans show horizontal lines through the window and canopy profiles on the north facing frontage and by change of materials along the western, eastern, and southern frontage. This standard is met.

4. **Ground Floor and Upper Floor Division.** A clear visual division shall be maintained between the ground level floor and upper floors, for example, through the use of a belt course, transom, awning, canopy, or similar division.

**Findings:** The Applicant's proposal is for a single-story building. This standard does not apply.

5. **Vertical Rhythms.** New construction or front elevation remodels shall reflect a vertical orientation, either through breaks in volume or the use of surface details

**Findings:** The Applicant's submitted application shows limited vertical rhythms. See condition of approval.

F. **Pedestrian Shelters.** The following standards apply to new buildings and building additions that are subject to Site Design Review. The Planning Official may approve adjustments to the standards as part of a Site Design Review approval, pursuant to Chapters 17-4.2 and 17-4.7, respectively.

1. **Minimum Pedestrian Shelter Coverage.** Permanent awnings, canopies, recesses, or similar pedestrian shelters shall be provided along at least 75 percent of the ground floor elevation(s) of a building where the building abuts a sidewalk, civic space, or pedestrian access way. Pedestrian shelters used to meet the above standard shall extend at least five feet over the pedestrian area; except that the Planning Official, through Site Design Review, may reduce the above standards where it finds that existing right-of-way dimensions, easements, or building code requirements preclude standard shelters. In addition, the above standards do not apply where a

building has a ground floor dwelling, as in a mixed-use development or live-work building, and the dwelling has a covered entrance. The Planning Official shall waive the above standards if the pedestrian shelter would extend into the right-of-way and the roadway authority does not allow encroachments in the right-of-way.

**Findings:** This standard is met subject to a condition of approval. The Applicant's submitted architectural plans shows proposed pedestrian walkways abutting the northern frontage of the proposed building. The northern façade has less canopy coverage and the west façade has slightly more canopy coverage.

As a condition of approval, the Applicant shall submit plans with building permit authorization showing canopy coverage along at least 75% of the northern (front) and east (parking lot) facades where walkways are proposed adjacent to the building. Additional canopies shall comply with applicable building codes and shall be designed to be visually compatible with the architecture of the building.

2. **Pedestrian Shelter Design.** Pedestrian shelters shall comply with applicable building codes, and shall be designed to be visually compatible with the architecture of a building. If mezzanine or transom windows exist, the shelter shall be below such windows where practical. Where applicable, pedestrian shelters shall be designed to accommodate pedestrian signage (e.g., blade signs), while maintaining required vertical clearance.

**Findings:** Staff finds that the Applicant's proposed pedestrian shelters are designed in visual concert with the design of the building. This standard is met.

## **G. Mechanical Equipment.**

1. **Building Walls.** Where mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, is permitted on a building wall that abuts a public right-of-way or civic space, it shall be screened pursuant to Chapter 17-3.4. Standpipes, meters, vaults, and similar equipment need not be screened but shall not be placed on a front elevation when other practical alternatives exist; such equipment shall be placed on a side or rear elevation where practical.
2. **Rooftops.** Except as provided below, rooftop mechanical units shall be set back or screened behind a parapet wall so that they are not visible from any public right-of-way or civic space. Where such placement and screening is not practicable, the Planning Official may approve painting of mechanical units in lieu of screening; such painting may consist of colors that make the equipment visually subordinate to the building and adjacent buildings, if any.

3. **Ground-Mounted Mechanical Equipment.** Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The City may require additional setbacks and noise attenuating equipment for compatibility with adjacent uses.

**Findings:** The Applicant indicates mechanical equipment that is screened by a parapet and is not visible from the public right-of-way. These standards are met.

- H. **Civic Space.** Commercial development projects shall provide civic space pursuant to Section 17-3.2.050.

**Findings:** The Applicant proposes less than 10,000 SF of leasable floor area. These standards do not apply to this application.

- I. **Drive-Up and Drive-Through Facilities.** Drive-up and drive-through facilities shall comply with the requirements of Section 17-3.2.060. (Ord. 2017-08 §1)

**Findings:** This application includes a drive-through facility. See discussion below.

### **17-3.2.060 Drive-Up and Drive-Through Uses and Facilities**

- B. **Standards.** Drive-up and drive-through facilities (i.e., driveway queuing areas, customer service windows, teller machines, kiosks, drop-boxes, or similar facilities) shall meet all of the following standards, as generally illustrated in Figure 17-3.2-13:

1. The drive-up or drive-through facility shall orient to and receive access from a driveway that is internal to the development and not a street, as generally illustrated.

**Findings:** The Applicant's submitted site plan shows a drive aisle that is internal to the site. This standard is met.

2. The drive-up or drive-through portion of the establishment or drive-through window shall not be oriented to a street corner.

**Findings:** The Applicant's submitted site plan shows a drive-through window of the proposed project is on the west building façade. The west façade is across from the private



shared drive accessway. This criterion is met as the drive-up window is on the façade opposite the right-of-way and therefore does not face a street.

3. The entry into a drive-up or drive-through portion of the establishment or drive-through window shall be located a sufficient distance from a street right-of-way so as not to allow for queue into a street right-of-way during any time of the year. Applicant shall provide a section within the Traffic Impact Analysis or supply the City with a traffic engineer's report demonstrating that the drive-up or drive-through will have no impact to the street right-of-way.
4. Drive-up and drive-through queuing areas shall be designed so that vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk.

**Findings:** The Applicant's submitted site plan shows that the entry to the drive-up queue is located internal to the site with no direct vehicle access to OR 211. The Applicant's submitted Traffic Impact Analysis includes analysis of the drive-through location and queue and demonstrates there will be no adverse impacts on the right-of-way.

The Applicant's submitted site plan shows a pedestrian crossing within the entrance of the drive aisle of the queue lane. The Applicant's narrative does not state the materials or design of the pedestrian walkway. See condition of approval.

5. In the General Commercial C-2 district, a new drive-up or drive-through facility must comply with the access control distance requirements identified in the City's Transportation System Plan in relation to existing drive-up or drive-through facilities.

**Findings:** The Applicant's proposed project is within the C-2 zoning district. The Applicant's submitted TIA looks at the proposed drive-throughs compliance with transportation related regulations and has found no issues. In addition, the only access is from an existing private shared drive into the shopping center. This standard is met.

### **17-3.3.030 Vehicular Access and Circulation**

- A. **Purpose and Intent.** Section 17-3.3.030 implements the street access policies of the City of Molalla Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. "Safety," for the purposes of this chapter, extends to all modes of transportation.
- B. **Permit Required.** Vehicular access to a public street (e.g., a new or modified driveway connection to a street or highway) requires an approach permit approved by the applicable roadway authority.

**Findings:** The Cascade Center shopping center has an approved access from OR-211 which the applicants plan to use. The access point into the proposed development is located in excess of 100 feet from OR 211. Standard is met.

C. **Traffic Study Requirements.** The City, in reviewing a development proposal or other action requiring an approach permit, may require a traffic impact analysis, pursuant to Section 17-3.6.020, to determine compliance with this Code.

**Findings:** The approved Traffic Impact Study from the Cascade Center Development accounted for a fast-food use on the subject property. No additional analysis was required for this project. This standard is met.

D. **Approach and Driveway Development Standards.** Approaches and driveways shall conform to all of the following development standards:

1. The number of approaches on higher classification streets (e.g., collector and arterial streets) shall be minimized; where practicable, access shall be taken first from a lower classification street.

**Findings:** The subject property's only street frontage is to OR-211, from which the Applicant proposes a single access. This access also serves parcels associated with Cascade Center. This standard is met.

2. Approaches shall conform to the spacing standards of subsections E and F, below, and shall conform to minimum sight distance and channelization standards of the roadway authority.

**Findings:** The subject property is adjacent to OR-211, which is under ODOT jurisdiction. The existing access placement is already approved as an approach. This standard is met.

3. Driveways shall be paved and meet applicable construction standards. Where permeable paving surfaces are allowed or required, such surfaces shall conform to applicable Public Works Design Standards.

**Findings:** The Applicant has proposed a paved driveway and shall be designed to meet all Molalla Public Works Design Standards. This standard is met.

4. The City Engineer may limit the number or location of connections to a street, or limit directional travel at an approach to one-way, right-turn only, or other restrictions, where the roadway authority requires mitigation to alleviate safety or traffic operations concerns.

**Findings:** Only one access from OR-211 is proposed by the Applicant. The property also connects to points within the Cascade Center development by way of a private drive along the northern portion of the subject parcel. This standard is met.

5. Where the spacing standards of the roadway authority limit the number or location of connections to a street or highway, the City Engineer may require a driveway extend to one or more edges of a parcel and be designed to allow for future extension and inter-parcel circulation as adjacent properties develop. The City Engineer may also require the owner(s) of the subject site to record an access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s).

**Findings:** Cross access easements were addressed in the development of Cascade Center subdivision. Standard is met.

6. Where applicable codes require emergency vehicle access, approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus and shall conform to applicable fire protection requirements. The City Engineer may restrict parking, require signage, or require other public safety improvements pursuant to the recommendations of an emergency service provider.

**Findings:** This standard is met subject to a condition of approval. As a condition of approval, the Applicant shall confirm that the turning radius for the new parking area can accommodate fire apparatus in their engineering plan submittals.

7. As applicable, approaches and driveways shall be designed and constructed to accommodate truck/trailer-turning movements.

**Findings:** Truck turning movements were addressed through a previous development of the access from OR 211. Standard does not apply.

8. Except where the City Engineer and roadway authority, as applicable, permit an open access with perpendicular or angled parking, driveways shall accommodate all projected vehicular traffic on-site without vehicles stacking or backing up onto a street.
9. Driveways shall be designed so that vehicle areas, including, but not limited to, drive-up and drive-through facilities and vehicle storage and service areas, do not obstruct any public right-of-way.

**Findings:** All proposed off-street parking and drive-through facilities are interior to the site and the queue is oriented internally to the site so that no queuing will enter the right-of-way. These standards are met.

10. Approaches and driveways shall not be wider than necessary to safely accommodate projected peak hour trips and turning movements, and shall be designed to minimize crossing distances for pedestrians.

**Findings:** The Applicant's submitted application shows a 30' wide approach, which is designed to accommodate trucks and emergency vehicles and is consistent with Molalla Public Works Standards. This standard is met.

11. As it deems necessary for pedestrian safety, the City Engineer, in consultation with the roadway authority, as applicable, may require that traffic-calming features, textured driveway surfaces (e.g., pavers or similar devices), curb extensions, signage or traffic control devices, or other features, be installed on or in the vicinity of a site as a condition of development approval.

**Findings:** Neither the City Engineer nor the roadway authority recommend any traffic calming features, nor are any proposed. This standard is met.

12. Construction of approaches along acceleration or deceleration lanes, and along tapered (reduced width) portions of a roadway, shall be avoided; except where no reasonable alternative exists and the approach does not create safety or traffic operations concern.

**Findings:** The Applicant's proposal does not include construction of approaches along acceleration or deceleration lanes or along tapered portions of the roadway. This standard does not apply.

13. Approaches and driveways shall be located and designed to allow for safe maneuvering in and around loading areas, while avoiding conflicts with pedestrians, parking, landscaping, and buildings.

**Findings:** The Applicant's submitted site plan shows separation between pedestrian and vehicular circulation areas. There are no proposed loading areas. This standard is met.

14. Where sidewalks or walkways occur adjacent to a roadway, driveway aprons constructed of concrete shall be installed between the driveway and roadway edge. The roadway authority may require the driveway apron be installed outside the required sidewalk or walkway surface, consistent with Americans with Disabilities Act (ADA) requirements, and to manage surface water runoff and protect the roadway surface.

**Findings:** The Applicant's proposal includes a new sidewalk within the right-of-way that meets City and ODOT standards for materials and width. This standard is met.

15. Where an accessible route is required pursuant to ADA, approaches and driveways shall meet accessibility requirements where they coincide with an accessible route.

**Findings:** This standard is met subject to a condition of approval. As a condition of approval, all approaches and driveways shall meet ADA accessibility requirements where they coincide with an accessible route.

16. The City Engineer may require changes to the proposed configuration and design of an approach, including the number of drive aisles or lanes, surfacing, traffic-calming features, allowable turning movements, and other changes or mitigation, to ensure traffic safety and operations.

**Findings:** With the potential exception of approach modifications to accommodate truck and emergency vehicle movements mentioned above, no changes are required to the proposed configuration and design of the approach. This standard is met.

17. Where a new approach onto a state highway or a change of use adjacent to a state highway requires ODOT approval, the applicant is responsible for obtaining ODOT approval. The City Engineer may approve a development conditionally, requiring the applicant first obtain required ODOT permit(s) before commencing development, in which case the City will work cooperatively with the applicant and ODOT to avoid unnecessary delays.

**Findings:** The Applicant obtained an approach permit from ODOT for the development of the shopping center. Standard is met.

18. Where an approach or driveway crosses a drainage ditch, canal, railroad, or other feature that is under the jurisdiction of another agency, the applicant is responsible for obtaining all required approvals and permits from that agency prior to commencing development.
19. Where a proposed driveway crosses a culvert or drainage ditch, the City Engineer may require the developer to install a culvert extending under and beyond the edges of the driveway on both sides of it, pursuant to applicable Public Works Design Standards.

**Findings:** The Applicants proposed approach does not cross a feature under the jurisdiction of another agency, including a drainage culvert or ditch. These criteria do not apply.

20. Except as otherwise required by the applicable roadway authority or waived by the City Engineer temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets.

**Findings:** These standards are met subject to a condition of approval. As a condition of approval, temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets.

21. Development that increases impervious surface area shall conform to the storm drainage and surface water management requirements of Section 17-3.6.050.

**Findings:** These standards are met subject to conditions of approval. Applicant submitted a stormwater drainage plan with their application package. Onsite private storm system shall comply with plumbing code requirements. The detention and flow control facilities shall be reviewed, permitted, and inspected by Molalla Public Works. The onsite storm conveyance system shall be reviewed and inspected by Clackamas County Building under a plumbing permit, in accordance with MMC 13.13 Surface Water Management. Additional stormwater analysis is provided in Staff responses to Section 17-3.6.050.

E. **Approach Separation from Street Intersections.** Except as provided by subsection H, minimum distances shall be maintained between approaches and street intersections consistent with the current version of the Public Works Design Standards and Transportation System Plan.

F. **Approach Spacing.** Except as provided by subsection H or as required to maintain street operations and safety, the following minimum distances shall be maintained between approaches consistent with the current version of the Public Works Design Standards and Transportation System Plan.

**Findings:** The Applicant's proposal utilizes an existing, approved access from OR-211. This standard is met.

G. **Vision Clearance.** No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) greater than 2.5 feet in height shall be placed in "vision clearance areas" at street intersections.. The minimum vision clearance area may be modified by the Planning Official through a Type I procedure, upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). Placement of light poles, utility poles, and tree trunks should be avoided within vision clearance areas.

**Findings:** This standard is met subject to conditions of approval. As an ongoing condition of approval, no visual obstructions shall be placed in vision clearance areas.

H. **Exceptions and Adjustments.** The City Engineer may approve adjustments to the spacing standards of subsections E and F, above, where an existing connection to a City street does not meet the standards of the roadway authority and the proposed development moves in the direction of code compliance. The Planning Official through a Type II procedure may also approve a deviation to the spacing standards on City streets where it finds that mitigation measures (removal of one access), joint use driveways

(more than one property uses same access), directional limitations (e.g., one-way), turning restrictions (e.g., right-in/ right-out only), or other mitigation alleviate all traffic operations and safety concerns.

**Findings:** The Applicant has not submitted any requests for exceptions and adjustment to access and spacing standards and none are requested by City Staff or ODOT. This standard is met.

- I. **Joint Use Access Easement and Maintenance Agreement.** Where the City approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between adjacent properties. The owners of the properties agreeing to joint use of the driveway shall record a joint maintenance agreement with the deed, defining maintenance responsibilities of property owners. The applicant shall provide a fully executed copy of the agreement to the City for its records, but the City is not responsible for maintaining the driveway or resolving any dispute between property owners.

**Findings:** This condition is met subject to a condition of approval. The Applicant's submitted application shows that the applicant proposes access from OR-211 and is under the jurisdiction of the Oregon Department of Transportation (ODOT). This proposed access serves properties on the eastern side of Cascade Center in addition to the proposed development. As a condition of approval, the Applicant shall record joint use access and maintenance agreements with adjacent properties within the Cascade Center development and properties to the east prior to occupancy.

### 17-3.3.040 Pedestrian Access and Circulation

- B. **Standards.** Developments shall conform to all of the following standards for pedestrian access and circulation as generally illustrated in Figure 17-3.3-3:

1. **Continuous Walkway System.** A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, if any, and to all future phases of the development, as applicable.

**Findings:** The Applicant's submitted site plan shows a continuous sidewalk along the OR-211 frontage connecting with existing sidewalks to the east and west. There is a private walkway connecting to the public sidewalk to the proposed development. The onsite network connects to the public sidewalk to the proposed building and proposed parking. Staff determined during pre-app discussions with the Applicant that there were no suitable walkways adjacent to the subject site to provide direct pedestrian connections to points within Cascade Center. Pedestrian access to Cascade Center is best achieved by returning to

the public sidewalk and traversing to the continuous walkway through Cascade Center provided on the western portion of the OR-211 access drive and east of the proposed site. This standard is met.

2. **Safe, Direct, and Convenient.** Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas, playgrounds, and public rights-of-way conforming to the following standards:
  - a. The walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.
  - b. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The Planning Official may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
  - c. The walkway network connects to all primary building entrances, consistent with the building design standards of Chapter 17-3.2 and, where required, Americans with Disabilities Act (ADA) requirements.

**Findings:** These standards are met subject to a condition of approval. Proposed sidewalks form as direct of a connection as possible between the roadway, building, parking, and development within Cascade Center. Proposed walkways promote vehicle/pedestrian separation to the extent practicable and are free of hazards.

As a condition of approval, all walkways connecting to primary building entrances shall be designed consistent with ADA requirements.

3. **Vehicle/Walkway Separation.** Except as required for crosswalks, per subsection 4, below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the Planning Official may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.

**Findings:** The Applicant's submitted narrative does not specify the design of the proposed walkway. The proposed walkway shall be raised from vehicle maneuvering areas and curbed with the exception of drive aisle crossings. See conditions of approval.



4. **Crosswalks.** Where a walkway crosses a parking area or driveway (“crosswalk”), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material). The crosswalk may be part of a speed table to improve driver-visibility of pedestrians. Painted or thermo-plastic striping and similar types of non-permanent applications are discouraged, but may be approved for lesser used crosswalks not exceeding 24 feet in length.

**Response:** The Applicant’s submitted site plan shows a crosswalk over the drive thru aisle, but does not provide details on design or striping, such as thermoplastic. See condition of approval.

5. **Walkway Width and Surface.** Walkways, including access ways required for subdivisions pursuant to Chapter 17-4.3, shall be constructed of concrete, asphalt, brick or masonry pavers, or other durable surface, as approved by the City Engineer, and not less than six feet wide. Multi-use paths (i.e., designed for shared use by bicyclists and pedestrians) shall be concrete or asphalt and shall conform to the current version of the Public Works Design Standards and Transportation System Plan.

6. **Walkway Construction (Private).** Walkway surfaces may be concrete, asphalt, brick or masonry pavers, or other City-approved durable surface meeting ADA requirements. Walkways shall be not less than six feet in width in commercial and mixed use developments and where access ways are required for subdivisions under Division IV.

**Findings:** The Applicant’s submitted site plan shows proposed sidewalks and walkways that are at least 6ft in width, but the submitted narrative does not specify the materials to meet standards of this code. See condition of approval.

7. **Multi-Use Pathways.** Multi-use pathways, where approved, shall be a minimum width and constructed of materials consistent with the current version of the Public Works Design Standards and Transportation System Plan.

**Findings:** No multi-use pathways are proposed. This standard does not apply.

## **Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting**

### **17-3.4.030 Landscaping and Screening**

- A. **General Landscape Standard.** All portions of a lot not otherwise developed with buildings, accessory structures, vehicle maneuvering areas, or parking shall be landscaped.

**Findings:** The Applicant's submitted landscaping plan shows that all areas of the subject parcel that are not developed with buildings, vehicular areas or pedestrian areas will be landscaped. This standard is met.

**B. Minimum Landscape Area.** All lots shall conform to the minimum landscape area standards of the applicable zoning district, as contained in Tables 17-2.2.040.D and 17-2.2.040.E. The Planning Official, consistent with the purposes in Section 17-3.4.010, may allow credit toward the minimum landscape area for existing vegetation that is retained in the development.

**Findings:** The Applicant's submitted landscaping plan shows 11,056 SF of landscaped area, which is 36% of the subject parcel. This exceeds the 5% standard for commercial zones in Tables 17-2.2.040.E. This standard is met.

**C. Plant Selection.** A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions, among other factors. When new vegetation is planted, soils shall be amended and irrigation shall be provided, as necessary, to allow for healthy plant growth. The selection of plants shall be based on all of the following standards and guidelines:

1. Use plants that are appropriate to the local climate, exposure, and water availability. The presence of utilities and drainage conditions shall also be considered.
2. Plant species that do not require irrigation once established (naturalized) are preferred over species that require irrigation.
3. Trees shall be not less than two-inch caliper for street trees and one and one-half-inch caliper for other trees at the time of planting. Trees to be planted under or near power lines shall be selected so as to not conflict with power lines at maturity.
4. Shrubs shall be planted from five-gallon containers, minimum, where they are for required screens or buffers, and two-gallon containers minimum elsewhere.
5. Shrubs shall be spaced in order to provide the intended screen or canopy cover within two years of planting.
6. All landscape areas, whether required or not, that are not planted with trees and shrubs or covered with allowable non-plant material, shall have ground cover plants that are sized and spaced to achieve plant coverage of not less than 75 percent at maturity.

7. Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover not more than 35 percent of any landscape area. Non-plant ground covers cannot be a substitute for required ground cover plants.
8. Where stormwater retention or detention, or water quality treatment facilities are proposed, they shall meet the requirements of the current version of the Public Works Design Standards.
9. Existing mature trees that can thrive in a developed area and that do not conflict with other provisions of this Code shall be retained where specimens are in good health, have desirable aesthetic characteristics, and do not present a hazard.
10. Landscape plans shall avoid conflicts between plants and buildings, streets, walkways, utilities, and other features of the built environment.
11. Evergreen plants shall be used where a sight-obscuring landscape screen is required.
12. Deciduous trees should be used where summer shade and winter sunlight is desirable.
13. Landscape plans should provide focal points within a development, for example, by preserving large or unique trees or groves or by using flowering plants or trees with fall color.
14. Landscape plans should use a combination of plants for seasonal variation in color and yearlong interest.
15. Where plants are used to screen outdoor storage or mechanical equipment, the selected plants shall have growth characteristics that are compatible with such features.
16. Landscape plans shall provide for both temporary and permanent erosion control measures, which shall include plantings where cuts or fills, including berms, swales, stormwater detention facilities, and similar grading, is proposed.
17. When new vegetation is planted, soils shall be amended and irrigation provided, as necessary, until the plants are naturalized and able to grow on their own.

**Findings:** These standards are met subject to a condition of approval. Applicant's submitted landscaping plan shows locally adapted plants. The submitted landscaping plan is compliant with coverage specifications. Some proposed plantings do not meet size requirements. As a condition of approval, shrub plantings shall be from a minimum container size of 2 gallons and tree plantings shall be a minimum of 2" caliper.

**D. Central Commercial C-1 District Streetscape Standard.** Developers of projects within the Central Commercial C-1 zoning district can meet the landscape area requirement of subsection B, in part, by installing street trees in front of their projects. The Planning Official shall grant credit toward the landscape area requirement using a ratio of 1:1, where one square foot of planted area (e.g., tree well or planter surface area) receives one square foot of credit. The Planning Official may grant additional landscape area

credit by the same ratio where the developer widens the sidewalk or creates a plaza or other civic space pursuant to Section 17-3.2.050.

**Findings:** The subject property is not in the C-1 zone. These standards do not apply.

E. **Parking Lot Landscaping.** All of the following standards shall be met for parking lots. If a development contains multiple parking lots, then the standards shall be evaluated separately for each parking lot.

1. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of shade trees distributed throughout the parking area. A combination of deciduous and evergreen trees, shrubs, and ground cover plants is required. The trees shall be planned so that they provide a partial canopy cover over the parking lot within five years. At a minimum, one tree per 12 parking spaces on average shall be planted over and around the parking area.

**Findings:** The Applicant's submitted landscaping plan shows 36% of the parking area landscaped. Eight trees are proposed on site with three planted in the parking area, meeting the two required trees for the proposed 15 parking spaces. This standard is met.

2. All parking areas with more than 20 spaces shall provide landscape islands with trees that break up the parking area into rows of not more than 10 contiguous parking spaces. Landscape islands and planters shall have dimensions of not less than 48 square feet of area and no dimension of less than six feet, to ensure adequate soil, water, and space for healthy plant growth.

**Findings:** The Applicant's submitted site plans show 15 parking spaces. These standards do not apply.

3. All required parking lot landscape areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within two years of planting, not less than 50 percent of that area is covered with living plants.

**Findings:** The Applicant's submitted landscaping plant shows that parking landscaping areas not planted with trees have proposed shrubs and groundcover that cover at least 50% of the landscaping area. This standard is met.

4. Wheel stops, curbs, bollards, or other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted not less than two feet from any such barrier.

**Findings:** The Applicant's submitted site plan shows that areas around parking stalls will have either curbs or wheel stops to protect landscaping areas. This standard is met.

5. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.

**Findings:** The Applicant's submitted narrative states that all planned trees will be installed with root barriers. This standard is met.

F. **Screening Requirements.** Screening is required for outdoor storage areas, unenclosed uses, and parking lots, and may be required in other situations as determined by the Planning Official. Landscaping shall be provided pursuant to the standards of subsections F.1 through 3. (See also Figure 17-3.4-4.)

1. **Outdoor Storage and Unenclosed Uses.** All areas of a site containing or proposed to contain outdoor storage of goods, materials, equipment, and vehicles (other than required parking lots and service and delivery areas, per Site Design Review), and areas containing junk, salvage materials, or similar contents, shall be screened from view from adjacent rights-of-way and residential uses by a sight-obscuring fence, wall, landscape screen, or combination of screening methods. See also Section 17-3.4.040 for related fence and wall standards.

**Findings:** The Applicant's submitted application includes a trash enclosure that will be screened. This standard is met. The application does not include any outdoor storage areas. This standard does not apply.

2. **Parking Lots.** The edges of parking lots shall be screened to minimize vehicle headlights shining into adjacent rights-of-way and residential yards. Parking lots abutting a sidewalk or walkway shall be screened using a low-growing hedge or low garden wall to a height of between three feet and four feet.

**Findings:** The Applicant's submitted landscaping plan shows that all parking areas are screened by vegetation. This standard is met.

3. **Other Uses Requiring Screening.** The Planning Official may require screening in other situations as authorized by this Code, including, but not limited to, outdoor

storage areas, blank walls, Special Uses pursuant to Chapter 17-2.3, flag lots, and as mitigation where an applicant has requested an adjustment pursuant to Chapter 17-4.7.

**Findings:** Staff does not propose additional requirements for screening with this application.

**G. Maintenance.** All landscaping shall be maintained in good condition, or otherwise replaced by the property owner.

**Findings:** This standard can be met with a condition of approval. As an ongoing condition of approval all landscaping shall be maintained in good condition, or otherwise replaced by the property owner.

### 17-3.4.040 Fences and Walls

A. **Purpose.** This section provides general development standards for fences, and walls that are not part of a building, such as screening walls and retaining walls.

B. **Applicability.** Section 17-3.4.040 applies to all fences, and to walls that are not part of a building, including modifications to existing fences and walls.

**Findings:** The Applicant does not propose a fence around the perimeter. The proposed trash enclosure does apply to this section.

C. **Height.**

1. **Residential Zones.**

**Findings:** The Applicant's proposal is in a non-residential zone. These standards do not apply.

2. **Non-Residential Zones.** Fences and freestanding walls (i.e., exclusive of building walls) for non-residential uses shall not exceed the following height above grade, where grade is measured from the base of the subject fence or wall.

a. Within Front or Street-Facing Side Yard Setback. Four feet, except the following additional height is allowed for properties located within an industrial, public, or institutional zone:

(1) Where approved by the City Planning Official, a fence constructed of open chain link or other "see-through" composition that allows 90 percent light transmission may reach a height of up to eight feet.

- b. Within an Interior Side or Rear Yard Setback. Eight feet; except the fence or wall height, as applicable, shall not exceed the distance from the fence or wall line to the nearest primary structure on an adjacent property.

**Findings:** The Applicant does not propose any fences or walls within setback areas. These standards do not apply.

- 3. **All Zones.** Fences and walls shall comply with the vision clearance standards of Section 17-3.3.030.G. Other provisions of this Code, or the requirements of the roadway authority, may limit allowable height of a fence or wall below the height limits of this section.

**Findings:** No fences and walls are proposed in vision clearance areas as a part of this application. This standard is met.

- D. **Materials.** Prohibited fence and wall materials include straw bales, tarps, barbed or razor wire (except in the M-2 Heavy Industrial zone); scrap lumber, untreated wood (except cedar or redwood), corrugated metal, sheet metal, scrap materials; dead, diseased, or dying plants; and materials similar to those listed herein.

**Findings:** The trash enclosure does not use prohibited materials. This standard is met.

- E. **Permitting.** A Type I approval is required to install a fence of six feet or less in height, or a wall that is four feet or less in height. All other walls and fences require review and approval by the Planning Official through a Type II procedure. The Planning Official may require installation of walls or fences as a condition of approval for development, as provided by other Code sections. A building permit may be required for some fences and walls, pursuant to applicable building codes. Walls greater than four feet in height shall be designed by a Professional Engineer licensed in the State of Oregon.

**Findings:** Staff recommends approval of the proposed trash enclosure fence as part of this site design review.

- F. **Maintenance.** Fences and walls shall be maintained in good condition, or otherwise replaced by the property owner. (Ord. 2017-08 §1)

**Findings:** This standard is met subject to a condition of approval. As an ongoing condition of approval, fences and walls shall be maintained in good condition, or otherwise replaced by the property owner.

### 17-3.4.050 Outdoor Lighting

- A. **Purpose.** This section contains regulations requiring adequate levels of outdoor lighting while minimizing negative impacts of light pollution.
- B. **Applicability.** All outdoor lighting shall comply with the standards of this section.
- C. **Standards.**
  - 1. Light poles, except as required by a roadway authority or public safety agency, shall not exceed a height of 20 feet; pedestal- or bollard-style lighting shall be used to illuminate walkways. Flag poles, utility poles, and streetlights are exempt from this requirement.

**Findings:** The Applicant's submitted lighting specifications show no proposed poles over 20 feet in height. This standard is met.

- 2. Where a light standard is placed over a sidewalk or walkway, a minimum vertical clearance of eight feet shall be maintained.

**Findings:** The Applicant's submitted lighting plan shows no proposed poles over walkways with less than 8 feet of clearance. This standard is met.

- 3. Outdoor lighting levels shall be subject to review and approval through Site Design Review. As a guideline, lighting levels shall be no greater than necessary to provide for pedestrian safety, property or business identification, and crime prevention.

**Findings:** The Applicant's submitted narrative states that lighting levels are designed for safety. Target lighting levels meet below standards. This standard is met.

- 4. Except as provided for up-lighting of flags and permitted building-mounted signs, all outdoor light fixtures shall be directed downward, and have full cutoff and full shielding to preserve views of the night sky and to minimize excessive light spillover onto adjacent properties.

**Findings:** The Applicant's submitted lighting specifications show fixtures that direct light downwards with cutoff and shielding toward the night sky and adjacent properties. This standard is met.

- 5. Lighting shall be installed where it will not obstruct public ways, driveways, or walkways.

**Findings:** The Applicant's submitted lighting plan shows that proposed locations do not obstruct public ways, driveways, or walkways. This standard is met.

- 6. Walkway lighting in private areas shall have a minimum average illumination of not less than 0.2 foot-candles. Lighting along public walkways shall meet the current version of the Public Works Design Standards and AASHTO lighting requirements.



**Findings:** The Applicant's submitted lighting plan shows that the planned walkway lighting has an average illumination of 2.7 foot-candles. This standard is met.

7. Active building entrances shall have a minimum average illumination of not less than two foot-candles.

**Findings:** The Applicant's submitted lighting plan shows that the planned walkway lighting has an average illumination greater than 2 foot-candles. This standard is met.

8. Surfaces of signs shall have an illumination level of not more than two foot-candles.

**Findings:** The Applicant has not submitted signage with this application. This standard does not apply. Proposed signs will be held to this standard as submitted.

9. Parking lots and outdoor services areas, including quick vehicle service areas, shall have a minimum illumination of not less than 0.2 foot-candles, average illumination of approximately 0.8 foot-candles, and a uniformity ratio (maximum-to-minimum ratio) of not more than 20:1.

**Findings:** For the parking area, the Applicant's submitted lighting plan shows an overall average illumination of 1.34 foot-candles and a ratio of 14.67:1. Standard is met.

10. Where illumination grid lighting plans cannot be reviewed or if fixtures do not provide photometrics and bulbs are under 2,000 lumens, use the following guidelines:
  - a. Poles should be no greater in height than four times the distance to the property line.
  - b. Maximum lumen levels should be based on fixture height.
  - c. Private illumination shall not be used to light adjoining public right-of-way.

**Findings:** The Applicant has submitted a photometrics plan meeting standards. These standards do not apply.

11. Where a light standard is placed within a walkway, an unobstructed pedestrian through zone not less than 48 inches wide shall be maintained.

**Findings:** The Applicant's submitted lighting plan includes lighting standards within the building sidewalks. This standard is met.

12. Lighting subject to this section shall consist of materials approved for outdoor use and shall be installed according to the manufacturer's specifications.

**Findings:** This Applicant's submitted lighting specifications show lighting that are intended for outdoor use. Applicant states in their narrative that they will install lighting to manufacturers specifications. This standard is met.

- D. **Permitting.** A Type I approval is required to install or replace outdoor lighting. The Planning Official may require lighting as a condition of approval for some projects, pursuant to other Code requirements.
- E. **Maintenance.** For public health and safety, outdoor lighting shall be maintained in good condition, or otherwise replaced by the property owner. (Ord. 2017-08 §1)

**Findings:** These standards are met subject to a condition of approval. As an ongoing condition of approval, all outdoor lighting shall be maintained in good condition, or otherwise replaced by the property owner.

## **Chapter 17-3.5 Parking and Loading**

### **Section 17-3.5.020 Applicability and General Regulations**

- A. **Where the Regulations Apply.** The regulations of this chapter apply to all parking areas in all zones, at all times, whether parking is required by this Code or put in for the convenience of property owners or users.
- B. **Occupancy.** All required parking areas must be developed in accordance with the requirements of this Code prior to occupancy of any structure on the subject site. Where landscaping, screening, or other improvements are required pursuant to this Code, all such improvements must be installed and approved by the Planning Official prior to occupancy.

**Findings:** These standards are met subject to a condition of approval. As a condition of approval, all landscaping, parking, lighting, and other improvements shall be installed by the Applicant and approved by the Planning Official prior to occupancy.

- C. **Calculations of Amounts of Required and Allowed Parking.**
  - 1. When computing parking spaces based on floor area, parking structures and non-leasable floor spaces, such as storage closets, mechanical equipment rooms, and similar spaces, are not counted.
  - 2. The number of parking spaces is computed based on the primary uses on the site except as stated in subsection C.3. When there are two or more separate primary uses on a site, the minimum and maximum parking for the site is the sum of the required or allowed parking for the individual primary uses. For shared parking, see Section 17-3.5.030.D.
  - 3. When more than 50 percent of the floor area on a site is in an accessory use, the required or allowed parking is calculated separately for the accessory use. An example would be a 10,000 square foot building with a 7,000 square foot warehouse and a 3,000 square foot accessory retail area. The minimum and maximum parking would be computed separately for the retail and warehouse uses.

4. Required parking spaces periodically used for the storage of equipment or goods may be counted toward meeting minimum parking standards, provided that such storage is an allowed use under Section 17-2.2.030, and is permitted as a Temporary Use under Section 17-2.3.160.

**Findings:** Fifteen parking spaces are proposed which exceeds the required amount. Standard is met.

- D. **Use of Required Parking Spaces.** Except as otherwise provided by this section, required parking spaces must be available for residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for shared parking pursuant to Section 17-3.5.030.D.
- E. **Proximity of Parking to Use.** Required parking spaces for residential uses must be located on the site of the use or on a parcel or tract owned in common by all the owners of the properties that will use the parking area. Required parking spaces for nonresidential uses must be located on the site of the use or in a parking area that has its closest pedestrian access point within 800 feet of the site.

**Findings:** Staff finds that the proposed parking spaces are provided for customers and employees of the site and that the proposed parking lot is on site and closer than 800 ft from primary pedestrian entrances. These standards are met.

- F. **Improvement of Parking Areas.** Motorized vehicle parking is allowed only on streets with an improved shoulder of sufficient width; within garages, carports, and other approved structures; and on driveways or parking lots that have been developed in conformance with this Code. For applicable design standards, see Chapter 17-3.2 Building Orientation and Design; Chapter 17-3.3 Access and Circulation; Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting and Chapter 17-3.6 Public Facilities. (Ord. 2017-08 §1)

**Findings:** There is no proposed parking within the right-of-way. All parking is onsite. This standard is met.

### **Section 17-3.5.030 Automobile Parking**

- A. **Minimum Number of Off-Street Automobile Parking Spaces.** Except as provided by this subsection A, or as required for Americans with Disabilities Act compliance under subsection G, off-street parking shall be provided pursuant to one of the following three standards:

1. The standards in Table 17-3.5.030.A;
2. A standard from Table 17-3.5.030.A for a use that the Planning Official determines is similar to the proposed use; or
3. Subsection B Exceptions, which includes a Parking Demand Analysis option.

**Findings:** Staff finds that the Applicant is providing parking for 1,937 SF of retail space. Minimum parking allowances for the site are 10 vehicular stalls. The Applicant’s proposal includes 15 vehicular stalls. These standards are met.

**B. Carpool and Vanpool Parking Requirements.**

2. Carpool and vanpool parking spaces shall be identified for the following uses:
  - a. New commercial and industrial developments with 50 or more parking spaces;
  - b. New institutional or public assembly uses; and
  - c. Transit park-and-ride facilities with 50 or more parking spaces.
3. Of the total spaces available for employee, student, and commuter parking, at least five percent, but not fewer than two, shall be designated for exclusive carpool and vanpool parking.
4. Carpool and vanpool parking spaces shall be located closer to the main employee, student or commuter entrance than all other parking spaces with the exception of ADA parking spaces.
5. Required carpool/vanpool spaces shall be clearly marked “Reserved—Carpool/Vanpool Only.”

**Findings:** The submitted proposal is for a commercial use with fewer than 50 parking spaces. No carpool or vanpool spaces have been proposed. This standard does not apply.

**C. Exceptions and Reductions to Off-Street Parking.**

**Findings:** The Applicant has not requested any off-street parking exceptions and Staff finds that no exceptions are necessary to meet compliance with this code. This standard does not apply.

**D. Maximum Number of Off-Street Automobile Parking Spaces.** The maximum number of off-street automobile parking spaces allowed per site equals the minimum number of required spaces for the use pursuant to Table 17-3.5.030.A, times a factor of:

1. 1.2 spaces for uses fronting a street with adjacent on-street parking spaces; or
2. 1.5 spaces, for uses fronting no street with adjacent on-street parking; or

3. A factor based on applicant's projected parking demand, subject to City approval.

**Findings:** Staff finds that the proposal has available adjacent off-street parking as part of the Cascade Center, which already has an approved site plan. The standard allows for a maximum number of parking stalls that is 1.5x minimum requirements. Maximum parking standards for the proposed development are 15 vehicular stalls. The Applicant proposes 15 vehicular stalls. This standard is met.

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

**Findings:** The Applicant has not requested any shared parking arrangements. This standard does not apply.

- F. **Parking Stall Design and Minimum Dimensions.** Where a new off-street parking area is proposed, or an existing off-street parking area is proposed for expansion, the entire parking area shall be improved in conformance with this Code. At a minimum the parking spaces and drive aisles shall be paved with asphalt, concrete, or other City-approved materials, provided the Americans with Disabilities Act requirements are met, and shall conform to the minimum dimensions in Table 17-3.5.030.F and the figures below. All off-street parking areas shall contain wheel stops, perimeter curbing, bollards, or other edging as required to prevent vehicles from damaging buildings or encroaching into walkways, sidewalks, landscapes, or the public right-of-way. Parking areas shall also provide for surface water management, pursuant to Section 17-3.6.050.

**Findings:** All proposed stalls are at a 90 degree angle from the drive aisle. MMC Table 17-3.5.030 F requires that 90 degree angled spaces, as proposed, have at least:

18' stall depth.

8.5' stall curb width

23' drive aisle (2 way).

The Applicant's submitted site plan shows 18' stall depths, 9' stall widths, and a 24' drive aisle. This standard is met.

**G. Adjustments to Parking Area Dimensions.** The dimensions in subsection E are minimum standards. The Planning Official, through a Type II procedure, may adjust the dimensions based on evidence that a particular use will require more or less maneuvering area. For example, the Planning Official may approve an adjustment where an attendant will be present to move vehicles, as with valet parking. In such cases, a form of guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation.

**Findings:** The Applicant has not requested any modifications to parking area dimensions and Staff finds that no adjustments are necessary to meet compliance with this code. This standard does not apply.

**H. Americans with Disabilities Act (ADA).** Parking shall be provided consistent with ADA requirements, including, but not limited to, the minimum number of spaces for automobiles, van-accessible spaces, location of spaces relative to building entrances, accessible routes between parking areas and building entrances, identification signs, lighting, and other design and construction requirements.

**Findings:** This standard is met subject to a condition of approval. As a condition of approval, parking shall be provided consistent with ADA requirements.

**I. Electric Charging Stations.** Charging stations for electric vehicles are allowed as an accessory use to parking areas developed in conformance with this Code, provided the charging station complies with applicable building codes and any applicable state or federal requirements.

**Findings:** No electric charging stations are proposed. This standard does not apply.

### **17-3.5.040 Bicycle Parking**

**A. Standards.** Bicycle parking spaces shall be provided with new development and, where a change of use occurs, at a minimum, shall follow the standards in Table 17-3.5.040.A. Where an application is subject to Conditional Use Permit approval or the applicant has

requested a reduction to an automobile-parking standard, pursuant to Section 17-3.5.030.C, the Planning Official may require bicycle parking spaces in addition to those in Table 17-3.5.040.A.

- B. **Design.** Bicycle parking shall consist of staple-design steel racks or other City-approved racks, lockers, or storage lids providing a safe and secure means of storing a bicycle, consistent with the Public Works Design Standards.
- C. **Exemptions.** This section does not apply to single-family and duplex housing, home occupations, and agricultural uses.
- D. **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians or vehicles and shall be located to not conflict with the vision clearance standards of Section 17-3.3.030.G.

**Findings:** The Applicant's submitted site plan shows 1 staple rack. The rack is provided onsite, by the east entrance of the proposed building and adjacent to the proposed sidewalk to the northern storefront. With 15 proposed on-site vehicle spaces, parking for 3 bicycles is required. The proposed bicycle parking area does not impede pedestrian traffic nor does it impede vision. Bicycle parking is in close proximity to the primary retail entrances. Applicant shall install an additional staple rack to meet standards. See condition of approval.

### **17-3.5.040 Loading Areas**

- A. **Purpose.** The purpose of Section 17-3.5.050 is to provide adequate loading areas for commercial and industrial uses that do not interfere with the operation of adjacent streets.
- B. **Applicability.** Section 17-3.5.050 applies to uses that are expected to have service or delivery truck visits. It applies only to uses visited by trucks with a 40-foot or longer wheelbase, at a frequency of one or more vehicles per week. The Planning Official shall determine through a Type I review the number, size, and location of required loading areas, if any.
- C. **Standard.** Where an off-street loading space is required, it shall be large enough to accommodate the largest vehicle that is expected to serve the use without obstructing vehicles or pedestrian traffic on adjacent streets and driveways. The Planning Official may restrict the use of other public rights-of-way, so applicants are advised to provide complete and accurate information about the potential need for loading spaces.
- D. **Placement, Setbacks, and Landscaping.** Loading areas shall conform to the standards of Chapter 17-3.2 Building Orientation and Design; Chapter 17-3.3 Access and Circulation;

and Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting. Where parking areas are prohibited between a building and the street, loading areas are also prohibited.

- E. **Exceptions and Adjustments.** The Planning Official, through a Type I Review, may approve a loading area adjacent to or within a street right-of-way where it finds that loading and unloading operations are short in duration (i.e., less than one hour), infrequent, do not obstruct traffic during peak traffic hours, do not interfere with emergency response services, and are acceptable to the applicable roadway authority. (Ord. 2017-08 §1)

**Findings:** The Applicant does not propose any loading areas. Standard does not apply.

## **Chapter 17-3.6 Public Facilities**

### **17-3.6.020 Transportation Standards**

**Findings:** Transportation standards are met subject to conditions of approval.

1. A TIA was submitted and approved for the overall Cascade Center Development. Proposed project sits within the Development known as lot 4. The TIA includes a fast-food restaurant (Burger King) for Cascade Center Development under Notice of Decision DRW01-2019 and proposal complies with development plan. No additional review is required.
2. This project is within the Cascade Center development. Applicant is not proposing new connection to the public street system and the proposed development complies with the Cascade Center Development plan. All access to and from the proposed site shall be taken from the existing, approved Cascade Center access locations. No Additional access will be permitted.

### **17-3.6.030 Public Use Areas**

**Findings:** No public use areas are proposed with this application. These standards do not apply.

### **17-3.6.040 Sanitary Sewer and Water Service Improvements**

#### **Sanitary:**

This project is within the Cascade Center development. Applicant will be required to connect to the sanitary system provided within Cascade Center development (Molalla Project File: DRW01-



2019).

### **Water:**

This project is within the Cascade Center development. Applicant will be required to connect to the water system provided within Cascade Center development (Molalla Project File: DRW01-2019). Should Fire Department regulations require additional fire flow that results in looping the water line through the site, then the applicant's engineer shall coordinate with Public Works for the extension of a public water line, and dedication of easements.

### **17-3.6.050 Storm Drainage and Surface Water Management Facilities**

**Findings:** This project is within the Cascade Center development. Applicant will be required to connect to the storm system provided within Cascade Center development (Molalla Project File: DRW01-2019).

### **17-3.6.060 Utilities**

**Findings:** All utilities to the project shall be served underground services. No overhead crossings of public right of way shall be approved by the city.

### **17-3.6.070 Easements**

**Findings:** No additional easements are required with this application.

### **17-3.6.80 Construction Plan Approval**

**Findings:** Construction Plan Approval standards are met subject to conditions of approval. From the materials submitted, it appears that the storm drain, domestic water, and sanitary sewer facilities will be obtained from main line connections and/or extensions. Separate engineering drawings reflecting the installation of public utilities will be required. Civil plans must be accepted prior to building permit authorization by the City. All public improvements shall be completed and accepted by the Public Works Department prior to issuance of any occupancy. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, bonding, right-of-way and easements have been obtained and approved by staff.

For commercial and industrial development projects, no building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or

otherwise bonded, in conformance with the provision of the Code and the Public Works Design Standards in accordance with MMC 17-3.6 Public Facilities. All public facilities shall be completed and accepted by the Public Works Department prior to issuance of final occupancy.

City of Molalla Construction plan approval requirements include:

- A. Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements if additional modifications or expansion of the sight distance onto adjacent streets is required.
- B. All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Molalla Public Works Standards.
- C. All survey monuments on the subject site or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated, or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
- D. Plans submitted for review shall meet the requirements described in Section 1 of the Molalla Standard Specifications for Public Works Construction.
- E. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards and supply the City with a copy of the final document.
- F. All utilities will be stubbed out to the far end of each street for future extension. The project shall utilize existing water, sewer, and storm water 'stub-outs' wherever possible. Water for domestic and fire protection shall be looped through the proposed site. Any 'stub-outs' determined to be not needed for the proposed development or any future development of the subject property shall be abandoned in accordance with the Molalla Standard Specifications for Public Works Construction.

- G. All public improvement designs shall meet the requirements of the Molalla Standard Specifications for Public Works Construction as amended by the Public Works Director.
- H. General Erosion Control – The applicant shall install, operate, and maintain adequate erosion control measures in conformance with the standards adopted by the City of Molalla and DEQ during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed. Applicant or Applicant’s Contractor shall be responsible for all erosion control requirements under the 1200-C permit and shall coordinate directly with DEQ for questions related to 1200-C permit compliance.
- E. For non-residential uses, all adverse impacts to adjacent properties, such as light, glare, noise, odor, vibration, smoke, dust, or visual impact, are avoided; or where impacts cannot be avoided, they are minimized; and**

**Findings:** The proposed use is not adjacent to residential uses. Standard does not apply.

- F. The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable. Note: Compliance with other City codes and requirements, though not applicable land use standards, may be required prior to issuance of building permits. (Ord. 2017-08 §1)**

**Findings:** This project is preceded by Cascade Center Subdivision (Molalla Project File: DRW01-2019). Staff is not aware of any prior applicable land use decisions for which the conditions have not been met. This standard is met.

**Exhibit B:**

*Findings of Fact for CUP01-2022*

## 17-4.4.040 Criteria, Standards, and Conditions of Approval

**Findings:** The Applicant's submitted application is for a new fast food establishment with a drive thru facility, which met the criteria for a retail service per MMC 17-2.2.030 Allowed Uses. A drive thru requires a conditional use permit. The Applicant's conditional use permit may be granted approval in conjunction with the site design review. Applicable criteria for inclusion and staff responses are as follows:

The Planning Commission shall approve, approve with conditions, or deny an application for a conditional use, including requests to enlarge or alter a conditional use, based on findings of fact with respect to all of the criteria and standards in subsections A and B.

### A. Use Criteria.

1. The site size, dimensions, location, topography, and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;

**Findings:** The Applicant's proposed design met all applicable zoning and design criteria subject to the conditions found in Exhibit A of this staff report. Staff finds the site suitable for the proposed development.

2. The negative impacts of the proposed use, if any, on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval;

**Findings:** The Applicant has proposed vegetative screening between vehicle maneuvering areas and parking areas and adjacent properties to limit impacts of glare. The Applicant submitted a Traffic Impact Analysis showing that the proposed development would not cause substantial stress to existing roadways and intersections. Staff does not anticipate additional impacts from this use but recommends "as necessary" review after one year of issuance of this conditional use permit to address concerns that may arise within the community.

3. All required public facilities, including water, sanitary sewer, and streets, have adequate capacity or are to be improved to serve the proposal, consistent with City standards; and

**Findings:** The Applicant's proposed public improvements met all applicable criteria for utilities and streets subject to the conditions found in Exhibit A of this staff report.

4. A conditional use permit shall not allow a use that is prohibited or not expressly allowed under Division II; nor shall a conditional use permit grant a variance without a variance application being reviewed with the conditional use application.

**Findings:** The Applicant's proposed drive thru is a conditional use under MMC Chapter 17, Division II within the General Commercial, C-2 zone.

- B. **Conditions of Approval.** The City may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, one or more of the following:

**Findings:** The subject property is surrounded by general commercial (C-2) zoned land and Staff does not anticipate that the proposed use will create adverse effects on existing land uses that would require additional mitigation to conditions required through the site design review process (Exhibit B) and mitigation measures proposed by the Applicant. Applicant shall obtain all applicable State and Federal permitting associated with the fueling station use, as applicable. Failure to obtain applicable permitting may result in the revocation of this permit.

**Exhibit C:**

*Consolidated Application Package For SDR03-  
2022 and CUP01-2022*



**Planning & Community Development**  
 315 N. Kennel Avenue  
 Molalla, OR. 97038  
 (503) 759-0205

communityplanner@cityofmolalla.com

<b>FOR OFFICE USE ONLY:</b>	
Planning File No. : _____	City Approval: _____
Date Received: _____ Fee: _____	Title _____
Land Use Type: II	Date: _____
Received by: _____	Fee Paid: _____

## APPLICATION FOR LAND USE ACTION

Type of Land Use Action Requested: (check all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> Annexation  | <input checked="" type="checkbox"/> Conditional Use    |
| <input type="checkbox"/> Plan Amendment (Proposed Zone _____)                  | <input type="checkbox"/> Partition (# of lots _____)   |
| <input type="checkbox"/> Planned Unit Development                              | <input type="checkbox"/> Subdivision (# of lots _____) |
| <input checked="" type="checkbox"/> Site Design Review                         | <input type="checkbox"/> Other: _____                  |
| <input type="checkbox"/> Variance (list standards to be varied in description) |  |

**Owner/Applicant:**

Applicant: InSite Real Estate Investment Properties, L.L.C. Phone: \_\_\_\_\_  
 (630) 617-9124  
 Applicant Address: 1400 16th Street, Suite 300, Oak Brook, Illinois 60523 Email: \_\_\_\_\_  
 ajohnson@insiterealestate.com  
 Owner: Cascade Center Molalla, LLC Phone: \_\_\_\_\_  
 27375 SW Parkway Avenue Wilsonville, Oregon 97070 (503) 655-7933  
 Owner Address: \_\_\_\_\_ Email: \_\_\_\_\_  
 Contact for Karl@IECON.US  
 additional info: Andrew Johnson, Project Manager for InSite Real Estate Investment Properties, L.L.C.  
 (Applicant)

**Property Information:**

Address: 121 South Hezzie Lane, Molalla Oregon 97302  
 Assessors  
 Map/Taxlot #: Lot 4, Cascade Center, Book 152, Page 011, Plat #4630  
 Current Use of \_\_\_\_\_ Zoning \_\_\_\_\_  
 Site: Vacant Designation: General Commercial (C2)  
 Intended Use: Fast Food Restaurant

**Proposed Action:**

InSite is proposing a 1,937 SF fast-food restaurant with a drive-thru facility to be constructed within the Cascade Center Molalla Shopping Center, specifically Lot 4, that is currently under construction. Proposed improvements will include a 15-car parking lot and all associated utilities. A conditional use permit is required for the drive-thru aspect of the proposed development.

Proposed Use: Fast Food Restaurant

Proposed No. of Phases (one each year): One



## Authorizing Signatures:

*I hereby certify that the information on this application and attachments are correct and that the property affected by this application is in the exclusive ownership or control of the applicant, or that the applicant has the consent of all partners in ownership of the affected property. An authorization letter from the property owner has been attached in the event that the owner's signature has not been provided below.*

### Property Owner(s):

Siril Ivanov

Print or Type



Signature

Print or Type

Signature

### Applicant(s) or Authorized Agent:

ANDREW D. JOHNSON

Print or Type



Signature

Print or Type

Signature

**The following materials must be submitted with your application or it will not be accepted at the counter.** Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review. Applicant can verify submittal includes specific materials necessary for the application per checklist.

- 3 Copies of Application Form\*** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc.
- At least 3 folded sets of plans\***
- At least 3 copies** of narrative addressing application criteria\*
- Fee** (along with calculations utilized to determine fee if applicable)

**\*Please Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.



InSite Real Estate, LLC  
1400 16th Street, Suite 300 | Oak Brook, IL 60523-8854  
Phone: 630-617-9100 | Fax: 630-617-9120 | [www.insiterealestate.com](http://www.insiterealestate.com)

June 17, 2022

Dan Zinder  
Senior Planner, City of Molalla  
117 N Molalla Ave | PO Box 248

**SUBJECT: Incomplete Letter for SDR 03-2022; Cascade Center (Lot 4) "Burger King," 820 W Main ST, Molalla, Oregon**

Dear Mr. Zinder,

InSite Real Estate, LLC (InSite) has received the "Incomplete Letter" from the City of Molalla Planning Department dated April 27, 2022. In response to that letter, InSite is providing a resubmittal package, including revised and/or additional plan sheets as listed below, and responses to each of the comments contained within the City's letter.

Included with this submittal are the following documents for review and approval:

- Revised Civil Engineering Plans prepared by Multi/Tech Engineering Services, Inc. (MultiTech)
- Preliminary Architectural Plans prepared by ADN Architects and dated 3/11/22, including:
  - Architectural Site Plan
  - Trash Enclosure Details
  - Floor Plan
  - Roof Plan
  - Building Elevations
- Photometrics Plan prepared by NorthStar Electrical and dated June 2, 2022
- Oregon DSL Removal-Fill Permit dated November 24, 2020

Responses to each of the City's comments are provided below. Please consider the provided responses as the application narrative:

**MMC 17-4.040.A.2 Public Facility Analysis**

Public Facilities and Services Impact Study. The impact study shall quantify and assess the effect of the development on public facilities and services. The City shall advise as to the scope of the study. The study shall address, at a minimum, the transportation system, including required improvements for vehicles and pedestrians; the drainage system; the parks system; water system; and sewer system. For each system and type of impact, the study shall propose improvements necessary to meet City requirements.

Staff Comment 1: A TIS was submitted to address traffic impacts for the overall Cascade Center. However, there is no information regarding public facility impacts. For this application, sewerage capacity and stormwater management have been addressed in the overall Cascade Center development review.

Narrative responses to MMC 17-3.6 meet this requirement. Additionally, include all applicable decisions (such as from the Oregon Department of State Lands and Army Corps of Engineers) related to filling in the onsite wetlands as part of the re-submitted application.

**Response 1:** As mentioned in the staff comment above, the transportation, sewer, and drainage systems have already been addressed. Per a conversation with Dan Zinder, the water system has also already been taken into account as part of the Cascade Center Development Review. As for the parks system, commercial properties, especially Quick Serve Restaurants (QSR's) do not typically affect the community parks system, in the way that a residential property would, for example, since most patrons will simply purchase food and continue on with their routine activities. Per the request in the staff comment, the Oregon DSL Removal-Fill Permit dated 11/24/2020, obtained by Cascade Center Molalla, LLC, for Minor Impacts to Wetlands, is included with this submittal.

#### **MMC 17-4.2.040.B.1**                      **Site Analysis Map**

(a) The applicant's entire property and the surrounding property to a distance sufficient to determine the location of the development in the city, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions, and gross area shall be identified

Staff Comment 2: The Vicinity Map does not include landmarks or adjacent streets to distinguish the site and provide adequate context. Specifically, identify the Molalla Cascade Center drive and its dimensions. Adjacent properties should include property owner identification in addition to Map & Tax Lot IDs.

**Response 2: Sheet C1.0** – Site Analysis Map has been added to the Preliminary Civil Engineering Plans prepared by MultiTech.

(d) The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site;

Staff Comment 3: Show existing drive network and identify dimensions.

**Response 3:** Per a phone conversation with Dan Zinder, this comment is not applicable. The location of all streets, drives, sidewalks, pathways, and R.O.W.'s are shown on the Site Analysis Map.

#### **MMC 17-4.2.040.B.2**                      **Proposed Site Plan**

*The site plan shall contain all the following information:*

(d) The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;

Staff Comment 4: Include at least one plan sheet that shows the access to Molalla Cascade Center across the street in relation to the proposed access. The City and ODOT, which manages Oregon 211, want to ensure there is no misalignment of access points that would create traffic safety issues.

Response 4: Sheet C1.1 – Preliminary Site Plan shows the access to Molalla Cascade Center and the driveway access across the shopping center drive. Additionally, the Site Analysis Map provided (Sheet C1.0) gives a higher-scale view of the proposed development in relation to the adjacent driveways.

(e) The location and dimensions of all existing and proposed structures, utilities, pavement, and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;

Staff Comment 5: Site plan needs to clearly illustrate setback dimensions.

Response 5: The Site Plan includes a note stating that the required setbacks for this property are 0’.

(g) The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops);

Staff Comment 6: Off street parking is indicated but there are no wheel stops indicated per space. If curbing will be used instead of wheel stops, address that in the narrative.

Response 6: Curbing will be provided along most parking spaces provided, except for the two (2) handicap-accessible spaces, which will have wheel stops. The two (2) wheel stops are now shown on the Site Plan (Sheet C1.1)

(j) Location, type, and height of outdoor lighting;

Staff Comment 7: Outdoor lighting is not indicated on site plan. Generally, the applicant did not provide a lighting plan or narrative responses showing compliance with MMC 17-3.4.050.

Response 7: Sheet EL1 – Site Lighting, prepared by Northstar Electrical Contractors and dated 6/2/2022 is included with this submittal.

(o) Locations, sizes, and types of signs.

Staff Comment 8: A monument sign is not indicated on the site plan. Sign specs are typically resolved after review but sign location is required.

Response 8: A monument sign is not proposed as part of the proposed development. The intent is to receive a panel on the shared shopping center sign, which has already been approved as part of the Cascade Center approvals. The Shopping Center Sign is shown on the Site Analysis Map.

### **MMC 17-4.040.B.3**

### **Architectural Drawings**

Architectural drawings shall include, as applicable: b. Building materials, colors, and type.

Staff Comment 9: The elevations do not indicate color of selected materials.

Response 9: Colored elevations are included with the resubmittal package.

## MMC 17-4.2.040.B.7

### Narrative

Staff Comment 10: Generally, the submitted narrative is quite sparse and does not address the applicable criteria identified in the pre-application process in an itemized fashion, as required. In addition, the applicant must address conditional use permit criteria. Itemized narrative responses are required as follows:

#### **Site Design Review:**

##### **Chapter 17, Division 4**

##### **17-4.2.050 Approval Criteria**

##### **Chapter 17, Division 2**

##### **Section 17-2.2.030 Allowed Uses**

##### **Section 17-2.2.040 Lot and Development Standards**

##### **Section 17-2.3.050 Drive-Through Service**

##### **Section 17-2.4.030 Water Resources (WR) Overlay**

##### **Chapter 17, Division 3**

##### **Section 17-3.2.040 Non-Residential Buildings**

##### **Section 17-3.2.060 Drive-Up and Drive-Through Uses and Facilities**

##### **Chapter 17-3.3 Access and Circulation**

##### **Chapter 17-3.4 Landscaping, Fences and Walls, Outdoor Lighting,**

##### **Chapter 17-3.5 Parking and Loading**

##### **Chapter 17-3.6 Public Facilities**

#### **Conditional Use Permit:**

##### **Chapter 17, Division 4**

##### **17-4.4.040 A Criteria, Standards, and Conditions of Approval**

Response 10: Itemized responses to each of the Site Design Review Criteria are provided below:

#### 17-4.2.050 Approval Criteria

- A. The application will be deemed complete following the City's review of the resubmittal materials including the additional information requested.
- B. The application complies with all applicable provisions of the Zoning District (Division II) including the following criteria:
  - Building and Yard Setbacks – setbacks are shown on Sheet C1.1 – Preliminary Site Plan to show how the proposed development complies.
  - Lot Area and Dimensions – there is no minimum lot area requirement for commercially zoned properties

- Density and Floor Area – Density and Floor Area requirements are addressed in the Lot Coverage section below. The building density/floor area are in compliance with the Lot Coverage Requirements.
- Lot Coverage – the maximum lot coverage for commercially zoned properties is 100%, and the proposed building does not cover the entire site area
- Building Height – the maximum building height for commercially zoned properties is 55', and the proposed building is 21'-6" at its tallest point.
- Building Orientation – Table 2.2.040.E 0, Lot and Development Standards for Non-Residential Zones, describes a Build-to-Line requirement for new buildings within commercially zoned properties, that requires building entrances to be located at the ROW line (no further than 0' beyond the ROW line). It is also stated in the same Table, and was further discussed during the Pre-Application Meeting and subsequent conversation with Dan Zinder that the requirement could be increased, if pedestrian access was provided between the main entrance and the public sidewalk within the ROW. The proposed development includes sidewalk between the primary building entrance and the public sidewalk along Main Street, which itself is planned to connect to the remainder of the shopping center sidewalks.
- Architecture – Building Elevations depicting the proposed architectural design have been submitted for the City's review and approval

17-2.2.030 Allowed Uses – The subject property is zoned C2 (Light Commercial). Per Section H of Chapter 17-2.2.030, Outdoor Uses and Unenclosed Activities, a Conditional Use Permit is required for drive-through windows, which encompasses the proposed development. Conditional Use Permit criteria are addressed later in this narrative.

17-2.2.040 Lot and Development Standards – Lot and Development Standards have been addressed in response to the "17-4.2.050 Approval Criteria" above.

17-2.3.050 Drive-Through Service – The requirement in this chapter states that the proposed development must comply with the standards listed in Chapter 17-3.2.060 Drive-Up and Drive-Through Uses and Facilities. Those standards are addressed below:

1. The drive-through facility is oriented in a way so that access is received from an internal shopping center driveway.
2. The drive-through window is not oriented to face a street corner.
3. At least ten (10) stacking spaces are provided in the proposed drive-through lanes, in addition to the fact that the drive-through entrance is oriented in a way so that more than sufficient stacking is provided prior to causing any backup onto public ROW (Main St.). Furthermore, it was discussed during the Pre-Application Meeting that a Traffic Study would not be required for the proposed development.
4. The drive-through facility and queuing areas will not cause any obstruction to roadways or pedestrian walkways.

5. The drive-through facility complies with the driveway spacing requirements within the City's transportation plan, as both the entrance and exit from the drive-through facility are connected to internal shopping center driveways, and different internal driveways at that.

17-2.4.030 Water Resources (WR) Overlay – The Water Resources (WR) Overlay district is applicable to the subject property due to the wetland that used to exist on-site. As shown on the Oregon DSL Removal-Fill Permit, minor impacts to the existing wetland are permitted. As a result, the wetland has been filled, and the intent and objectives of the WR Overlay District have been fulfilled.

17-3.2.040 Non-Residential Buildings – The Building Orientation standards have been addressed previously within this narrative. A Site Plan and Building elevations have been included with the submittal package to show compliance with the remaining standards contained within this section of the Ordinance.

17-3.2.060 Drive-Up and Drive-Through Uses and Facilities – The standards within this section of the Ordinance have been addressed above in the Section regarding "17-2.3.050 Drive-Through Service," which references 17-3.2.060.

#### Chapter 17-3.3 ACCESS AND CIRCULATION

- 17-3.3.030 Vehicular Access and Circulation – The proposed development complies with the Approach and Driveway Development Standards since there aren't any approaches on higher classification streets. All proposed driveways will comply to acceptable Public Works Design Standards. The proposed driveway accesses have already been contemplated as part of the Cascade Center Development Review and will not interfere with pedestrian access.
- 17-3.3.040 Pedestrian Access and Circulation – The proposed development complies with the Pedestrian Access and Circulation Standards since the pedestrian walkway is proposed to connect the front entrance of the building to the public sidewalk along Main Street, in the safest, most direct, and most convenient route. The proposed walkway system does not deviate from a straight line or require any amount of out-of-direction travel.

#### Chapter 17-3.4 LANDSCAPING, FENCES AND WALLS, OUTDOOR LIGHTING

- 17-3.4.030 Landscaping and Screening – The proposed development complies with the minimum landscape area, plant selection, parking lot landscaping, and screening requirements in the Molalla Municipal Code. A landscape plan has been included with the submittal to show compliance.
- 17-3.4.040 Fences and Walls – There are no fences or walls proposed as part of this development, so this Ordinance Section is not applicable.
- 17-3.4.050 Outdoor Lighting – The proposed development complies with the outdoor lighting standards contained in this Ordinance Section. A lighting plan has been provided with this submittal to show compliance.

## Chapter 17-3.5 PARKING AND LOADING

- 17-3.5.020 Applicability and General Regulations – The proposed development complies with the Calculations of Amounts of Required and Allowed Parking Regulations. Ten (10) stalls are required and fifteen (15) are provided. Parking is located within adequate proximity to the proposed building.
- 17-3.5.030 Automobile Parking – The Site Plan provided with this submittal shows how the Automobile Parking Requirements are met as far as quantities and dimensions.
- 17-3.5.040 Bicycle Parking – Bicycle parking has been provided, as shown on the Site Plan, to comply with this Ordinance Section.
- 17-3.5.050 Loading Areas– There are no proposed loading areas so this Ordinance Section is not applicable.

Chapter 17-3.6 PUBLIC FACILITIES – There are no proposed public facilities so this Ordinance Section is not applicable.

## Chapter 17-4.4 CONDITIONAL USE PERMITS

### 17-4.4.040 Criteria, Standards, and Conditions of Approval

A. Use Criteria. – All four (4) Use Criteria are met by the proposed development. The Site Plan shows how the size and dimensions of the existing site allow for a comfortably spaced commercial property. The location is adequate since the subject property is within an existing commercial shopping center, and surrounded by other commercial properties. The topography of the site is flat, which is adequate for a proposed commercial property. Access has already been provided to the site via the Cascade Center driveways. Parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations will be kept to the minimal levels consistent with other typical fast-foot restaurants. There are no anticipated negative impacts to adjacent properties resulting from the proposed development. All required facilities are addressed in the Facility Analysis section of this letter/narrative and have been provided to the subject property as part of the Cascade Center development.

### General Comments Not Pertaining To Completeness:

- A. The subject site has been given an address 820 W Main. 121 S Hezzie LN is no longer a valid address in the City of Molalla.  
Response: Understood. All plans and applications moving forward will show “820 W. Main” in the title block.
- B. Applicant has not spoken to build-to-line requirements of Molalla Municipal Code section 17-3.2.040 B and it is not clear from submitted materials that the proposal meets one of the exceptions. As discussed in the pre-app, the City is amenable to keeping the site orientation as designed in the Cascade Center subdivision plans but at very least, a narrative argument is necessary for this that addresses the exceptions.  
Response: The build-to-line requirements are addressed previously in this letter/narrative., specifically in the sections regarding “Building Orientation.”





**InSite Real Estate, LLC**  
1400 16th Street, Suite 300 | Oak Brook, IL 60523-8854  
Phone: 630-617-9100 | Fax: 630-617-9120 | [www.insiterealestate.com](http://www.insiterealestate.com)

- C. Trash enclosure detail should have adequate information to ascertain compliance with height, material, and other applicable design standards.

**Response: A Trash Enclosure Detail has been included with this submittal package.**

Please don't hesitate to contact me if you have any questions or comments.

Thank you,

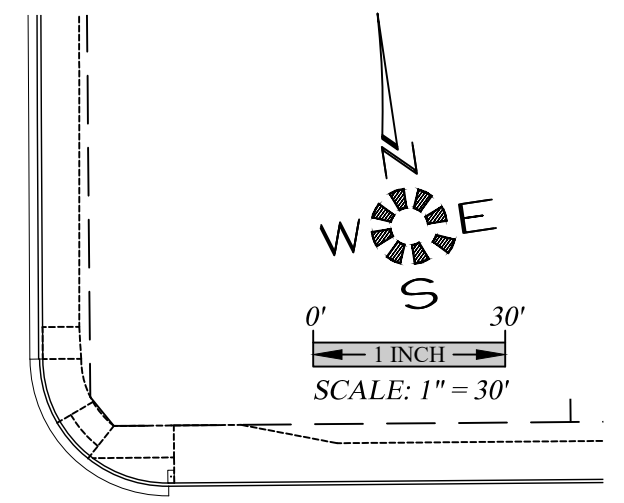
A handwritten signature in black ink, appearing to read "Andrew D. Johnson".

Andrew D. Johnson, P.E.  
Project Manager  
InSite Real Estate, LLC.

N. HEZZIE LN.

N. LEROY AV.

WOODBURN-ESTACADA HWY.  
(OR211, MAIN ST.)



MULTI/TECH  
ENGINEERING SERVICES, INC.  
11555 13th St., S.E. Salem, OR, 97302  
PH: (503) 365-9227 FAX: (503) 364-1260  
www.mtengineering.net office@mtengineering.net

52E08C01000

AUTO  
ZONE

**T.L. 4400**  
**TM 52E08C**

**T.L. 4300**  
**TM 52E08C**  
CASCADE CENTER  
MOLLALLA, LLC

**T.L. 4200**  
**TM 52E08C**  
30,468 S.F.

PROPOSED BURGER KING

**T.L. 3900**  
**TM 52E08C**  
CASCADE CENTER  
MOLLALLA, LLC

SHOPPING CENTER SIGN

S. LEROY AV.

**T.L. 4500**  
**TM 52E08C**  
PROPOSED GOODWILL

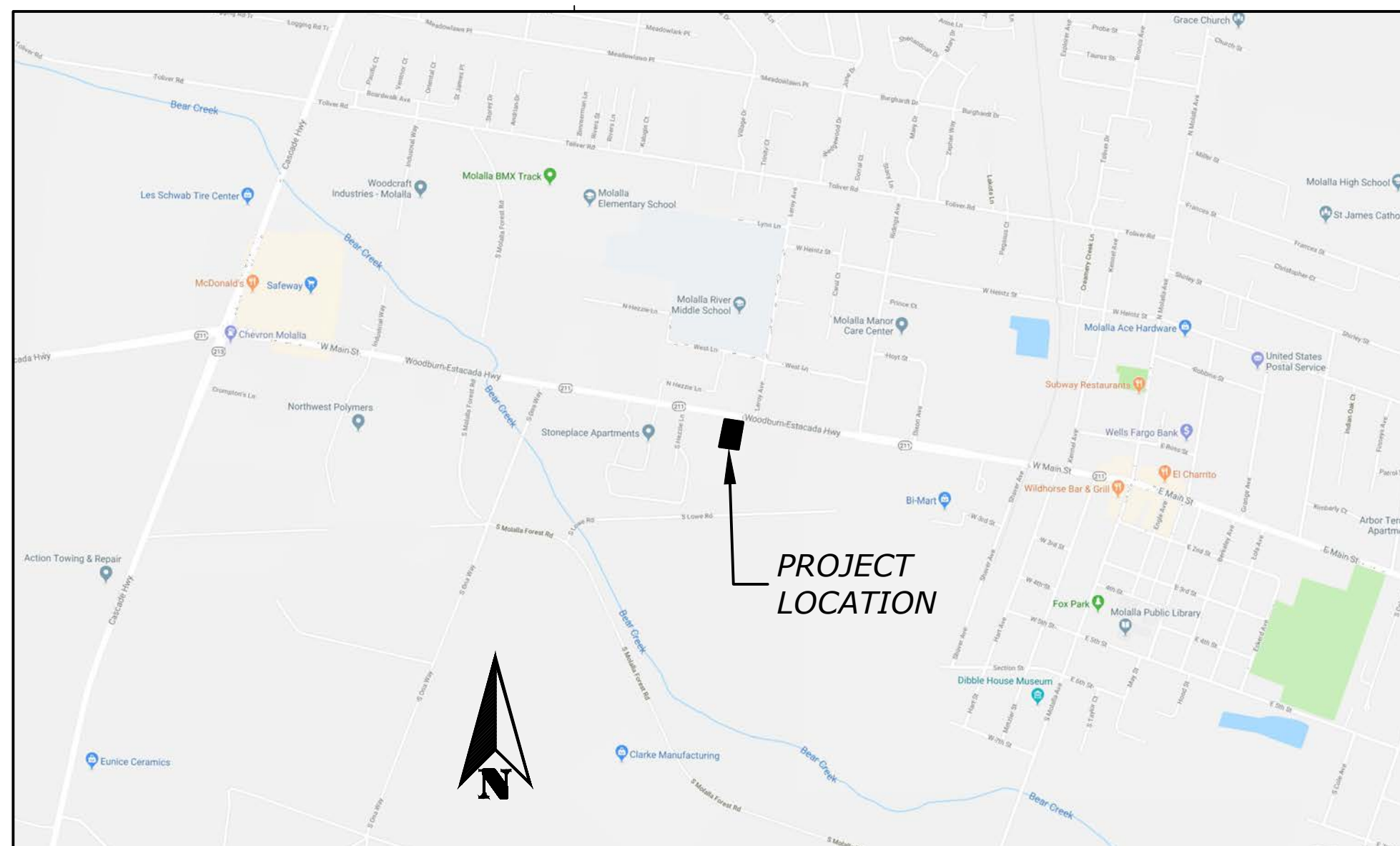
**T.L. 4000**  
**TM 52E08C**  
CASCADE CENTER  
MOLLALLA, LLC

**T.L. 4100**  
**TM 52E08C**  
CASCADE CENTER  
MOLLALLA, LLC

DOLLAR TREE

GROCERY OUTLET

**T.L. 4600**  
**TM 52E08C**  
MULTI-FAMILY



VICINITY MAP

SITE ANALYSIS MAP

BURGER KING  
CASCADE CENTER

NO CHANGES, MODIFICATIONS  
OR REPRODUCTIONS TO BE  
MADE TO THESE DRAWINGS  
WITHOUT WRITTEN  
AUTHORIZATION FROM THE  
DESIGN ENGINEER.  
DIMENSIONS & NOTES TAKE  
PRECEDENCE OVER  
GRAPHICAL REPRESENTATION.

73739 C1.0-ANALYSIS  
Design: M.D.G.  
Drawn: D.G.G.  
Checked: J.C.B.  
Date: JAN. 2022  
Scale: AS SHOWN



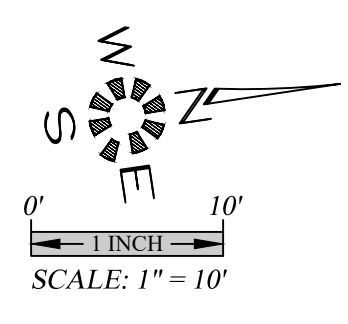
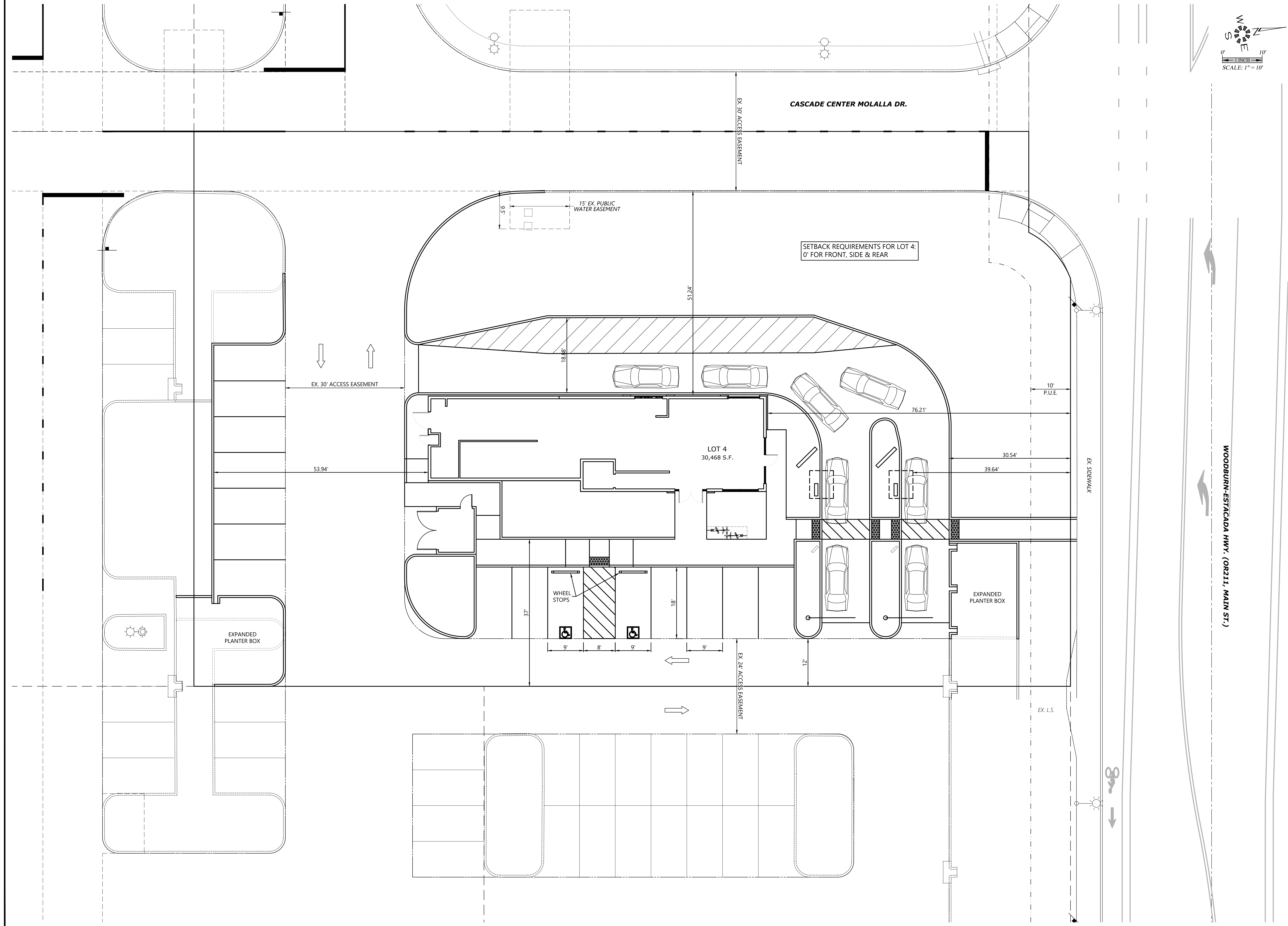
EXPIRES 06-30-2023

JOB # 7373

C1.0

D:\TVA\7373-BurgerKing\CascadeCenter\Drawings\7373-01-Analysis.dwg, C:\0-0464\056\_4/7/2022 2:10:37 PM, Title

J:\TVA\1313-BurgerKing\mxd\c1.1-SITE\_4/7/2022\_10:56:47 PM.dwg



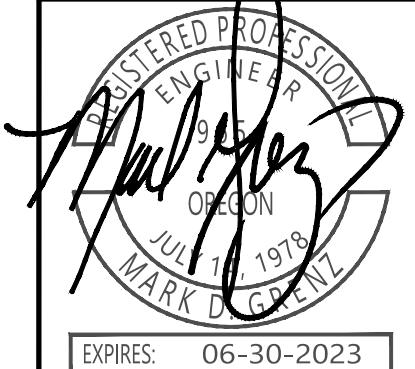
**MULTI/TECH**  
 ENGINEERING SERVICES, INC.  
 1155 13th St., S.E. Salem, OR, 97302  
 PH: (503) 365 - 9227 FAX (503) 364-1260  
 www.mtengineering.net office@mtengineering.net

**PRELIMINARY  
 SITE PLAN**

**BURGER KING  
 CASCADE CENTER**

NO CHANGES, MODIFICATIONS  
 OR REPRODUCTIONS TO BE  
 MADE TO THESE DRAWINGS  
 WITHOUT WRITTEN  
 AUTHORIZATION FROM THE  
 DESIGN ENGINEER.  
 DIMENSIONS & NOTES TAKE  
 PRECEDENCE OVER  
 GRAPHICAL REPRESENTATION.

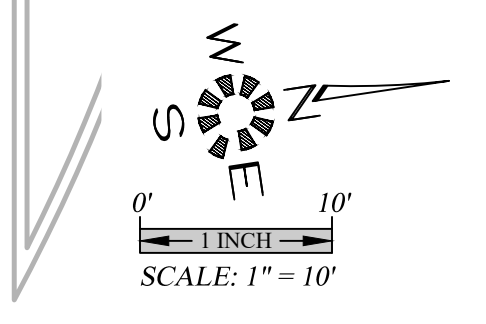
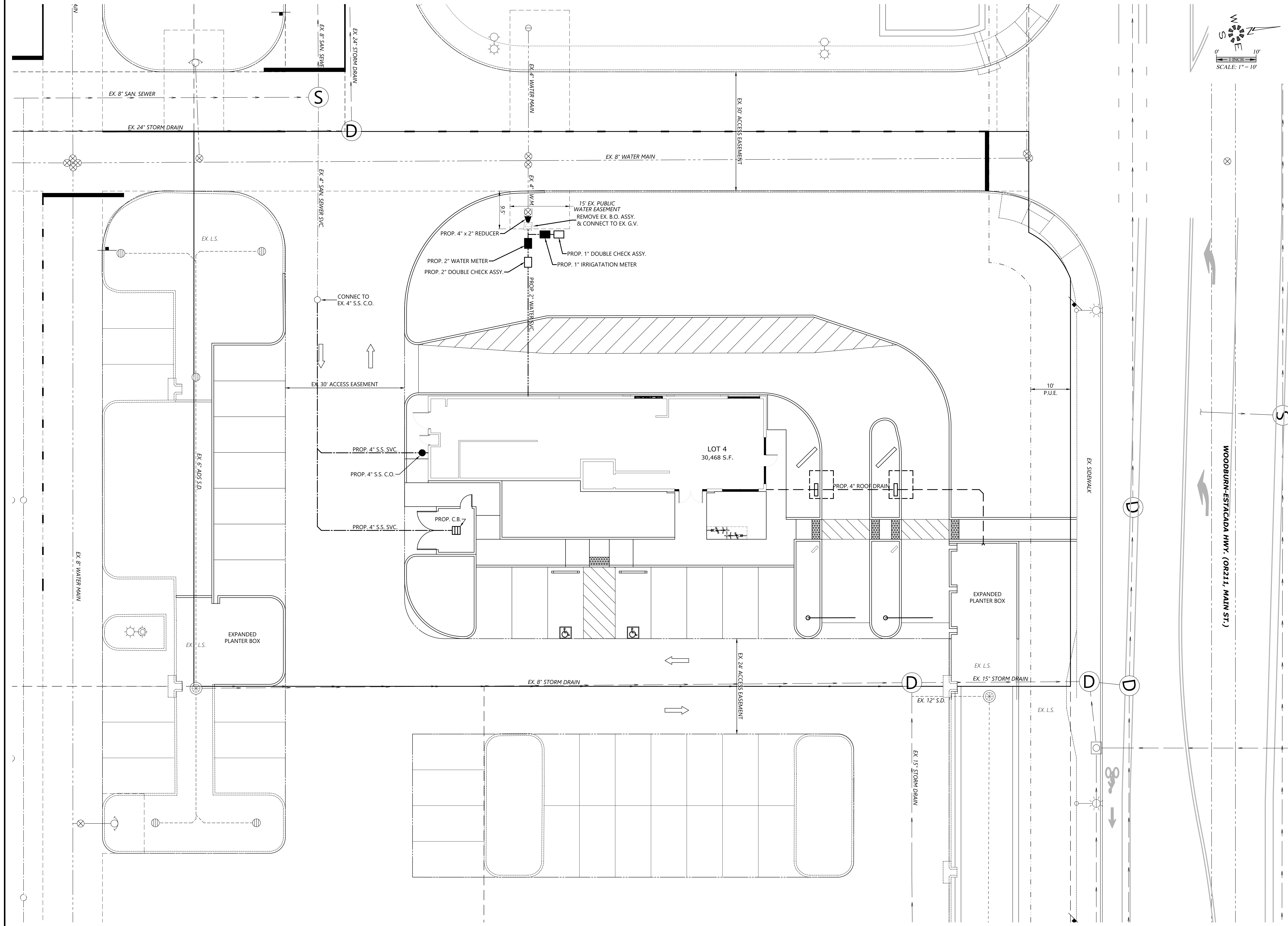
7373p C1.1-SITE  
 Design: M.D.G.  
 Drawn: D.G.G.  
 Checked: J.C.B.  
 Date: JAN. 2022  
 Scale: AS SHOWN



EXPRES 06-30-2023  
 JOB # 7373

**C1.1**

\\VTA\1331-BurgerKing\CascadeCenter\BurgerKing\_C1.2-01.dwg, 6/17/2022, 4:25:30 PM, 10:00



**MULTI/TECH**  
 ENGINEERING SERVICES, INC.  
 11555 13th St., S.E. Salem, OR, 97302  
 PH: (503) 365-9227 FAX (503) 364-1260  
 www.mteengineering.net office@mteengineering.net

**PRELIMINARY  
 UTILITY PLAN**

**BURGER KING  
 CASCADE CENTER**

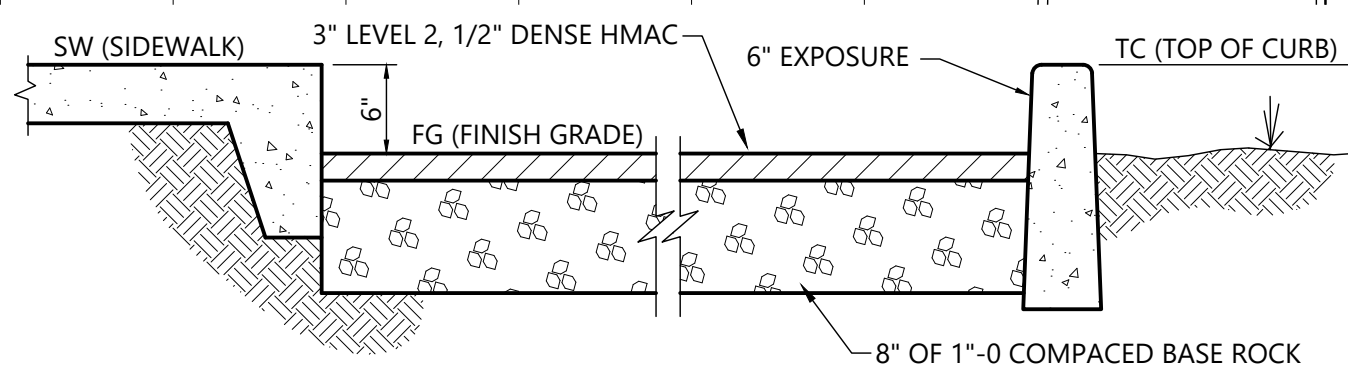
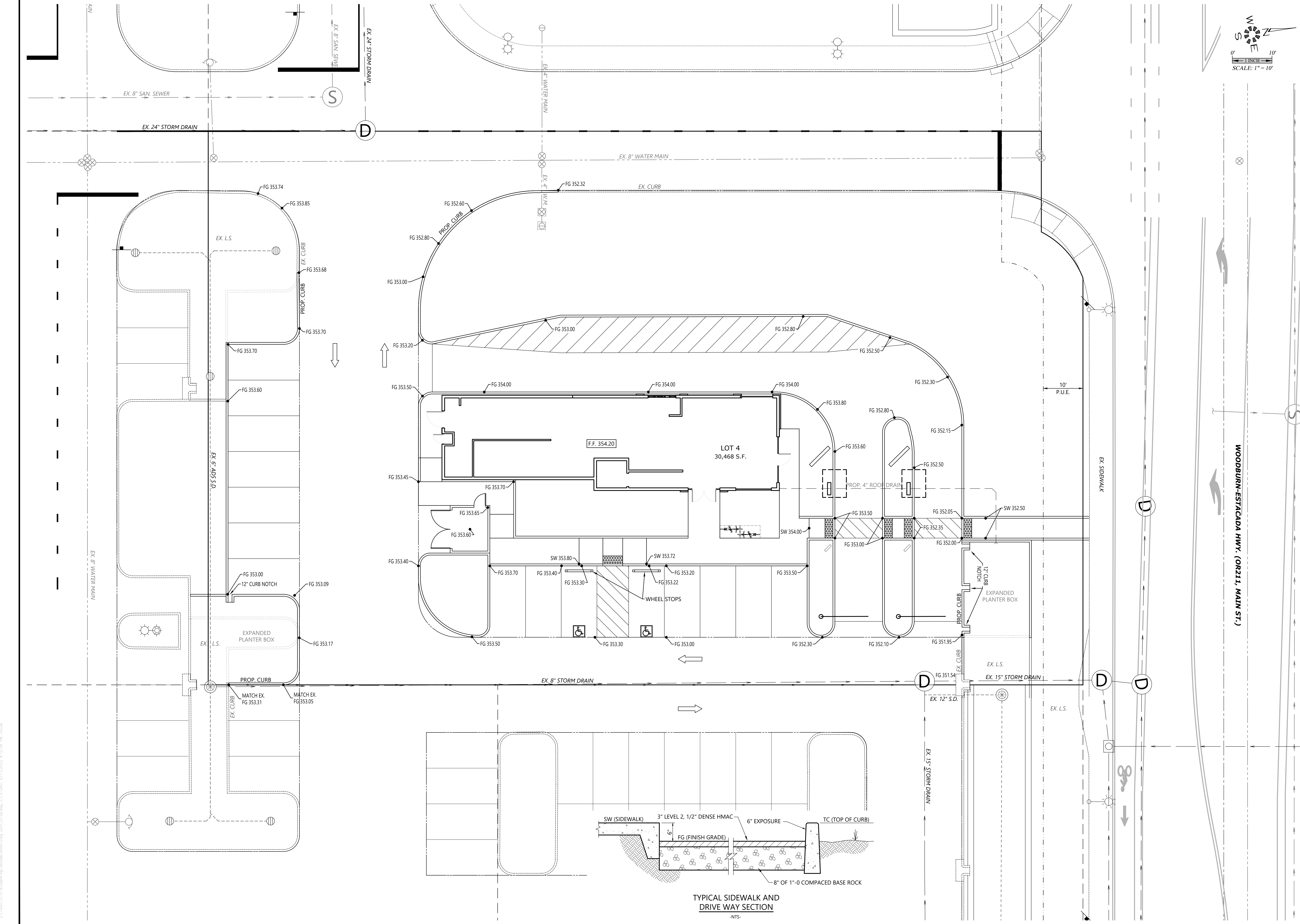
NO CHANGES, MODIFICATIONS  
 OR REPRODUCTIONS TO BE  
 MADE TO THESE DRAWINGS  
 WITHOUT WRITTEN  
 AUTHORIZATION FROM THE  
 DESIGN ENGINEER.  
 DIMENSIONS & NOTES TAKE  
 PRECEDENCE OVER  
 GRAPHICAL REPRESENTATION.

73739 C1.2-01L  
 Design: M.D.G.  
 Drawn: D.G.G.  
 Checked: J.C.B.  
 Date: JAN. 2022  
 Scale: AS SHOWN



EXPIRES 06-30-2023  
 JOB # 7373

**C1.2**



TYPICAL SIDEWALK AND DRIVE WAY SECTION  
-N.T.S.-

**PRELIMINARY GRADING PLAN**

**BURGER KING CASCADE CENTER**

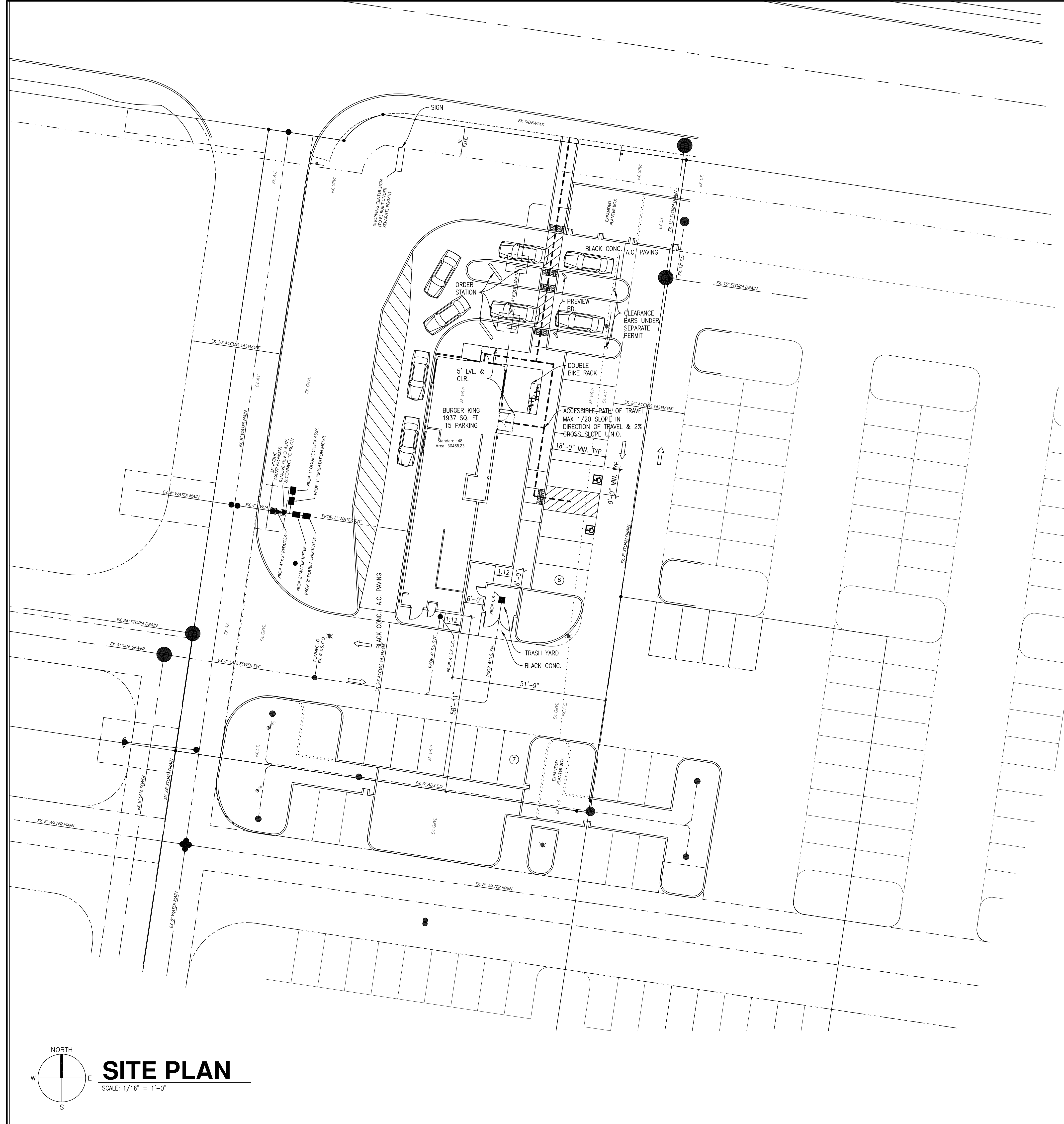
NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER. DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7373p C1.3-000  
Design: M.D.G.  
Drawn: D.G.G.  
Checked: J.C.B.  
Date: JAN. 2022  
Scale: AS SHOWN



JOB # 7373





**SITE PLAN NOTES**

1. NOT USED
2. NEW CONCRETE FLATWORK TO HAVE #4'S AT 16" O.C. E.W. OVER 2" OF SAND.
3. SEE DETAILS 1 AND 2 ON SHEET C2 FOR CONCRETE CURB AT WALKWAY AND LANDSCAPE.
4. SEE DETAILS 3 AND 4 ON SHEET C2 FOR CONCRETE FLATWORK TOOL JOINT AND EXPANSION JOINT.
5. CURB RAMP SHALL BE MAXIMUM 6" HIGH AND 6'-0" LONG WITH MAXIMUM 1:12 SLOPE.
6. ACCESSIBILITY DETAILS ARE LISTED ON SHEET C2 FOR COMPLIANCE PURPOSES. VERIFY ALL ITEMS AND IF NONE EXIST, PROVIDE. IF DAMAGED/UNREADABLE OR NON-COMPLIANT, REPLACE.
7. THE RUNNING SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:20. THE CROSS SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:48.
8. SURFACE SLOPES OF ACCESSIBLE PARKING SPACES AND ACCESS AISLES SERVING THEM SHALL NOT BE STEEPER THAN 1:48. ACCESS AISLES SHALL BE AT THE SAME LEVEL AS THE PARKING SPACES THEY SERVE. CHANGE S IN LEVEL ARE NOT PERMITTED.
9. DETECTABLE WARNING PRODUCT APPROVAL - ONLY APPROVED DIVISION OF THE STATE ARCHITECT, ACCESS COMPLIANCE (DS/AC) APPROVED DETECTABLE WARNING PRODUCTS AND DIRECTIONAL SURFACES SHALL BE INSTALLED IN ACCORDANCE. THE EXCEPTION FOR RAMP STEEPER THEN 1:15 NO LONGER APPLIES.
10. PROVIDE UNAUTHORIZED VEHICLES IN ACCESSIBLE PARKING SPACE IF NONE EXIST. SEE DETAIL 12 ON SHEET C2.



**ARMÉT DAVIS NEWLOVE & ASSOCIATES, AIA ARCHITECTS**  
 1330 OLYMPIC BLVD.  
 SANTA MONICA, CALIFORNIA 90404  
 PH 310 452-5533 FAX 310 450-4742

REV.	DATE	DESCRIPTION
------	------	-------------

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. RE-USE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THE RESTRICTIONS.



LOCATION  
 820 W. MAIN STREET  
 CITY OF MOLALLA, OREGON  
 97038

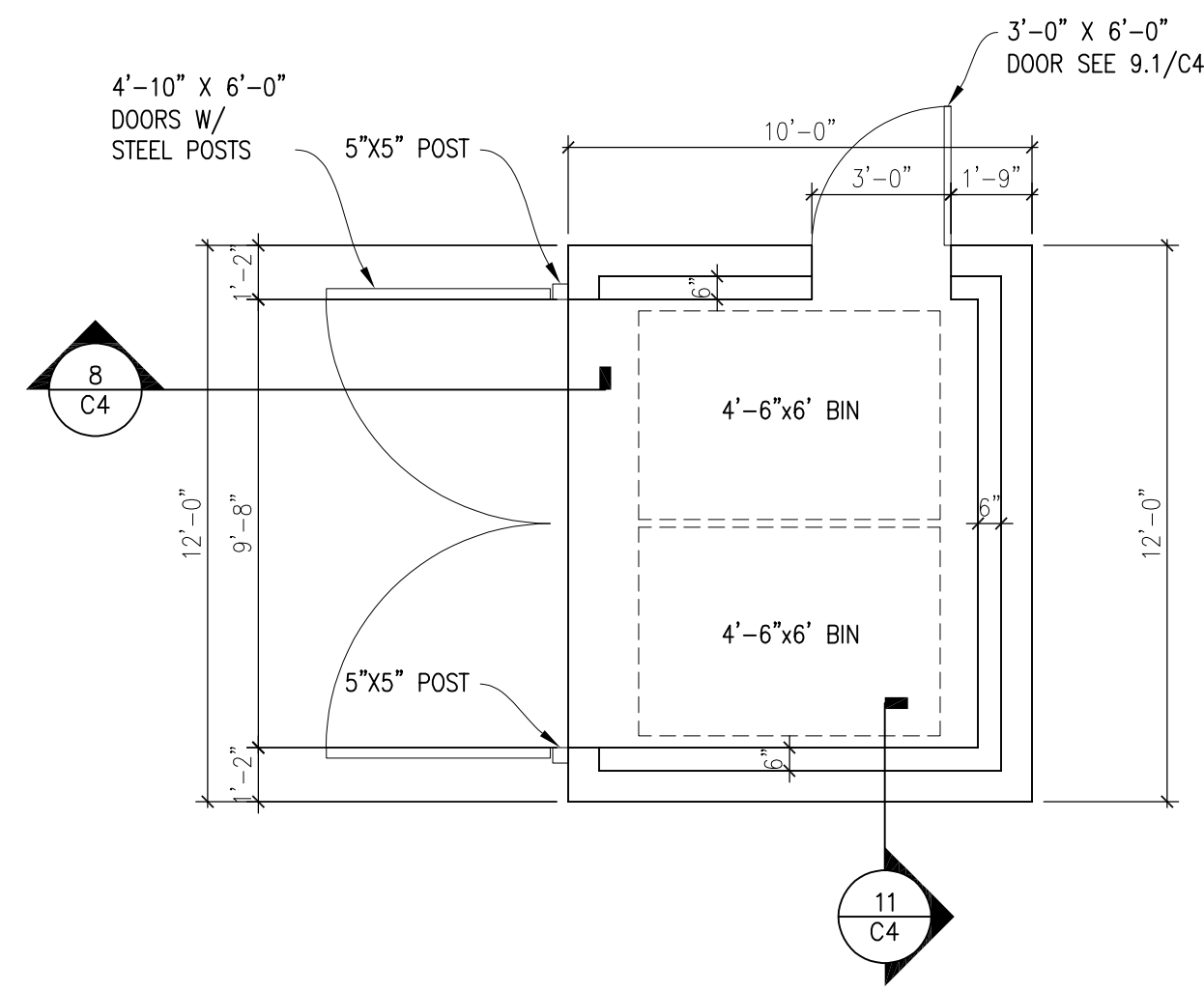
DATE  
 01/21/22  
 JOB NO.

DRAWN BY  
 CHECKED BY  
 JD

FILE NAME  
 C1 Site Plan.dwg

SITE PLAN

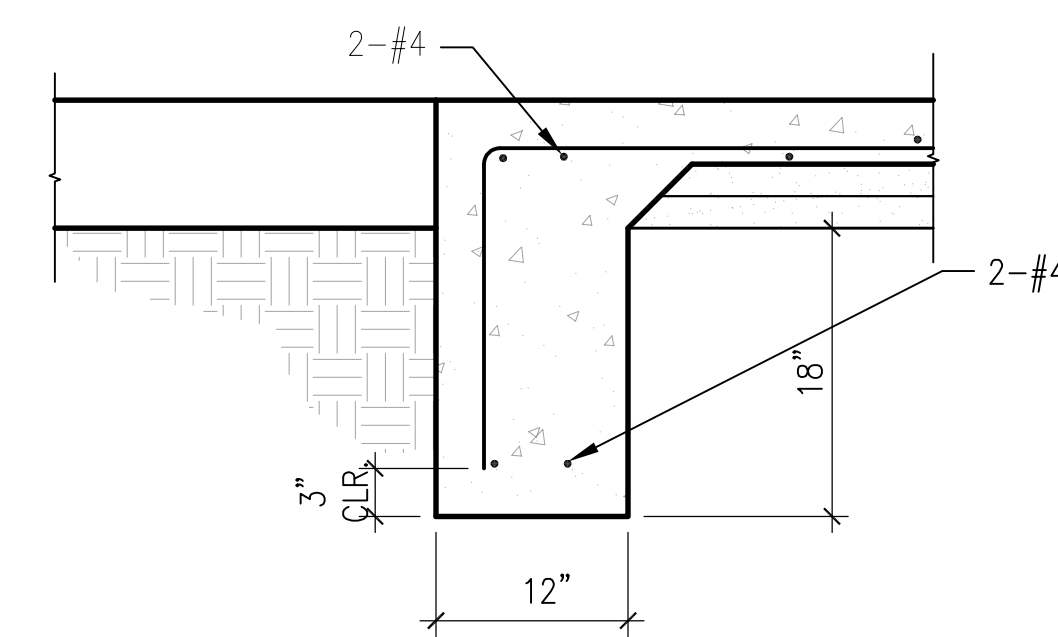
**C1**



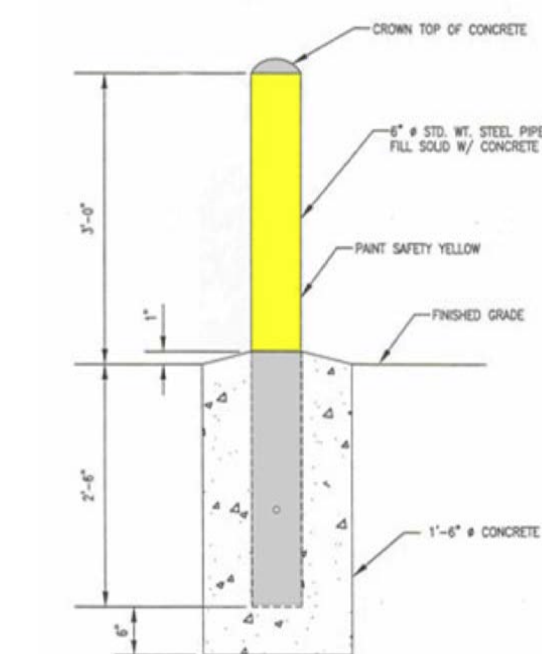
**5 FLOOR PLAN**  
C4 SCALE: 1/4" = 1'-0"

**6 NOT USED**  
C4 SCALE: N.T.S.

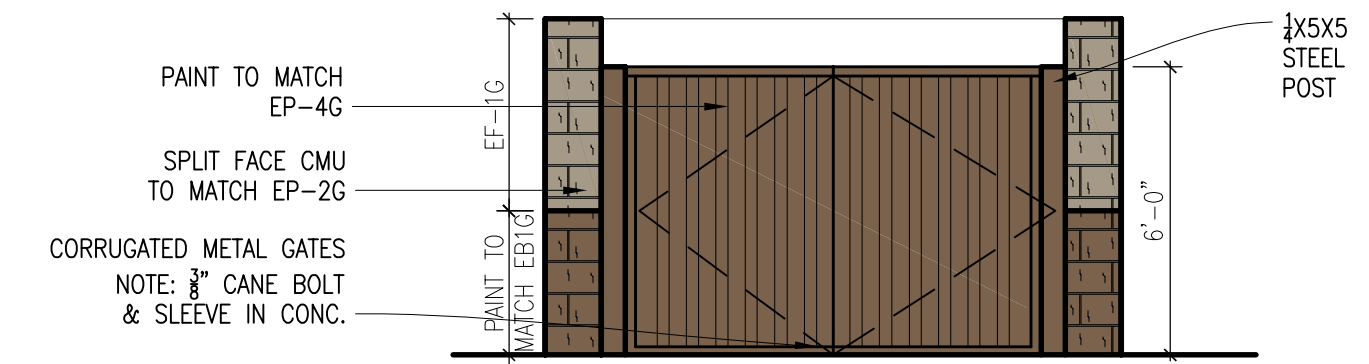
**7 NOT USED**  
C4 SCALE: N.T.S.



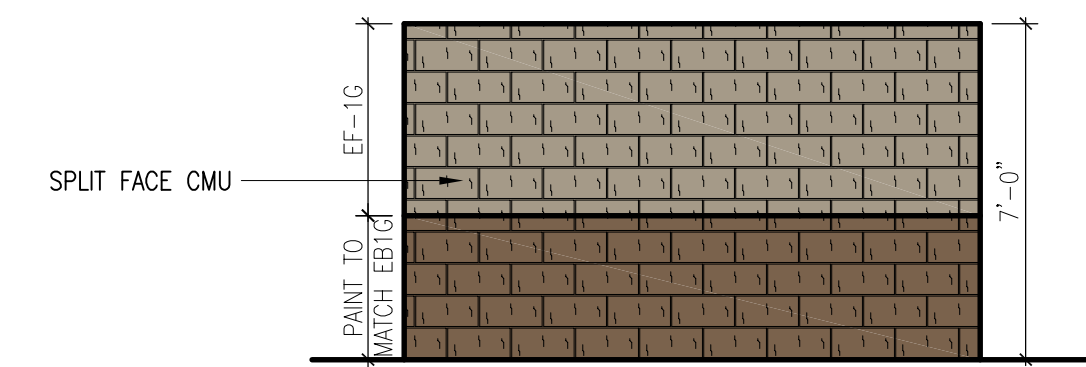
**8 ENTRANCE FOOTING**  
C4 SCALE: 1" = 1'-0"



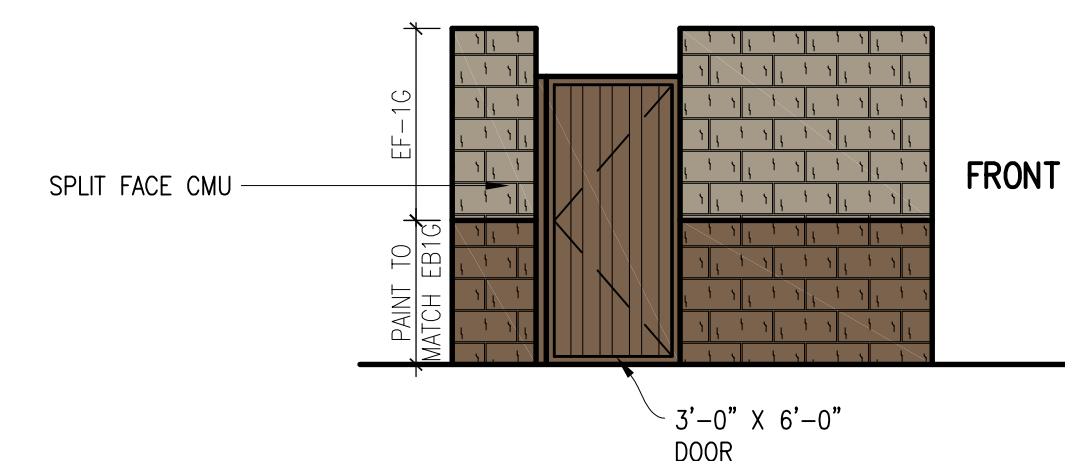
**9 BOLLARD DETAIL**  
C4 SCALE: 1/2" = 1'-0"



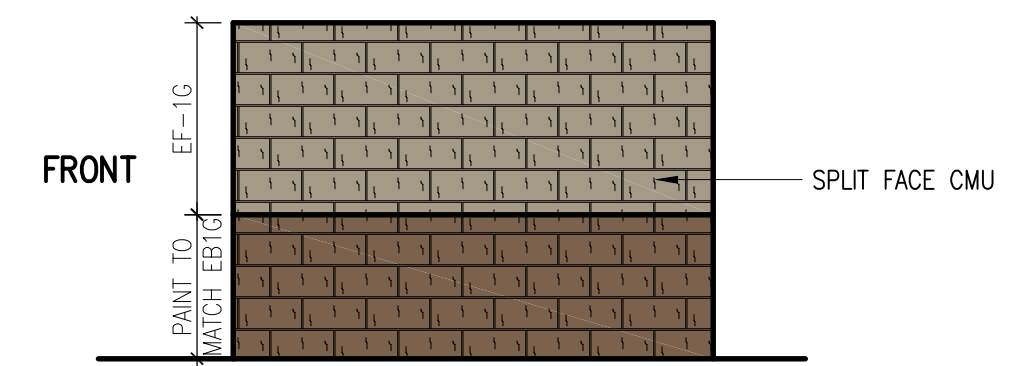
**1 FRONT ELEVATION**  
C4 SCALE: 1/4" = 1'-0"



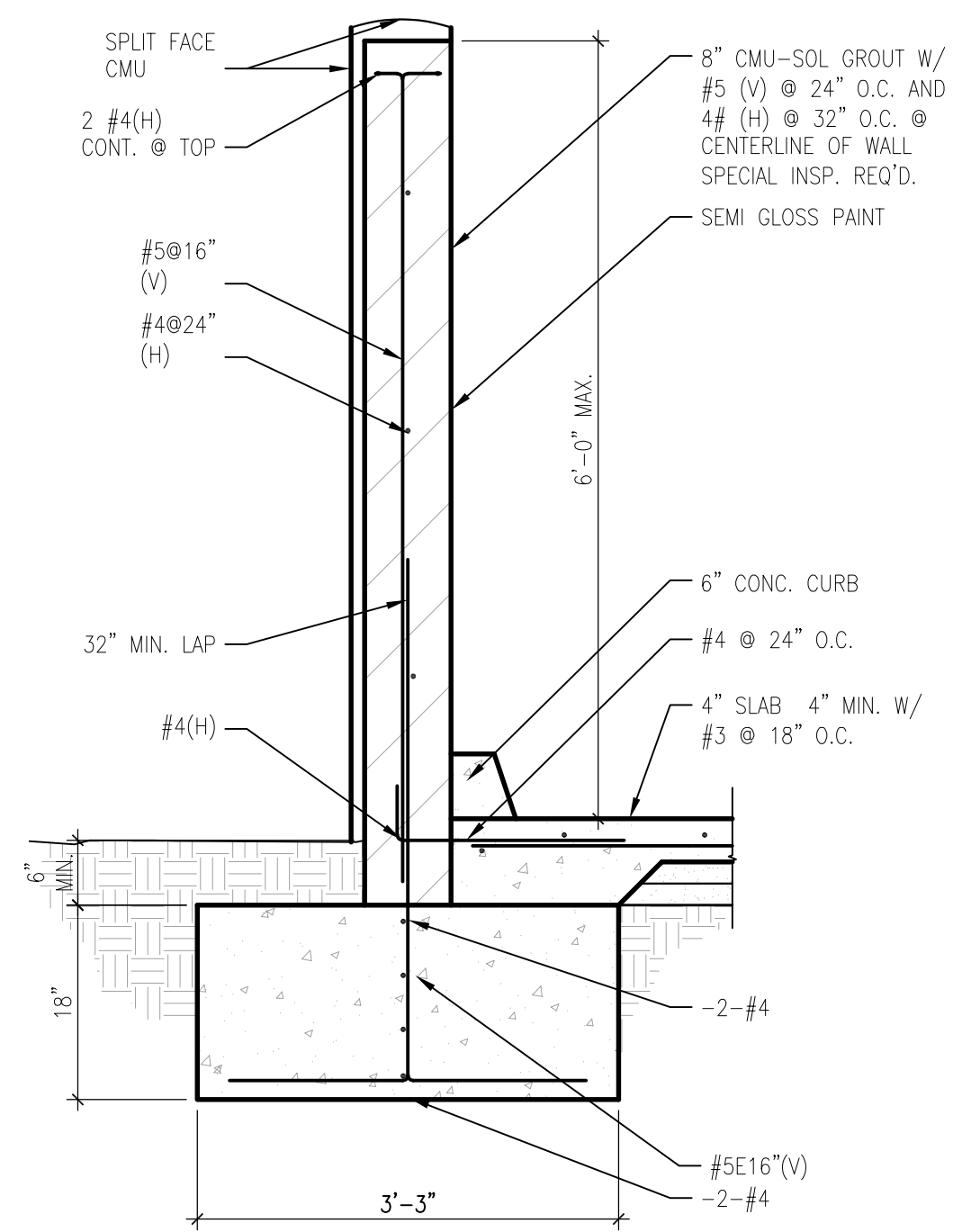
**2 SIDE ELEVATION**  
C4 SCALE: 1/4" = 1'-0"



**3 SIDE ELEVATION**  
C4 SCALE: 1/4" = 1'-0"



**4 SIDE ELEVATION**  
C4 SCALE: 1/4" = 1'-0"



**11 WALL SECTION**  
C4 SCALE: 3/4" = 1'-0"

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. RE-USE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THE RESTRICTIONS.

REGISTERED ARCHITECT  
JOHN S. DODSON  
6623  
SANTA MONICA, CA  
STATE OF OREGON



LOCATION  
820 W. MAIN STREET  
CITY OF MOLALLA, OREGON  
97038

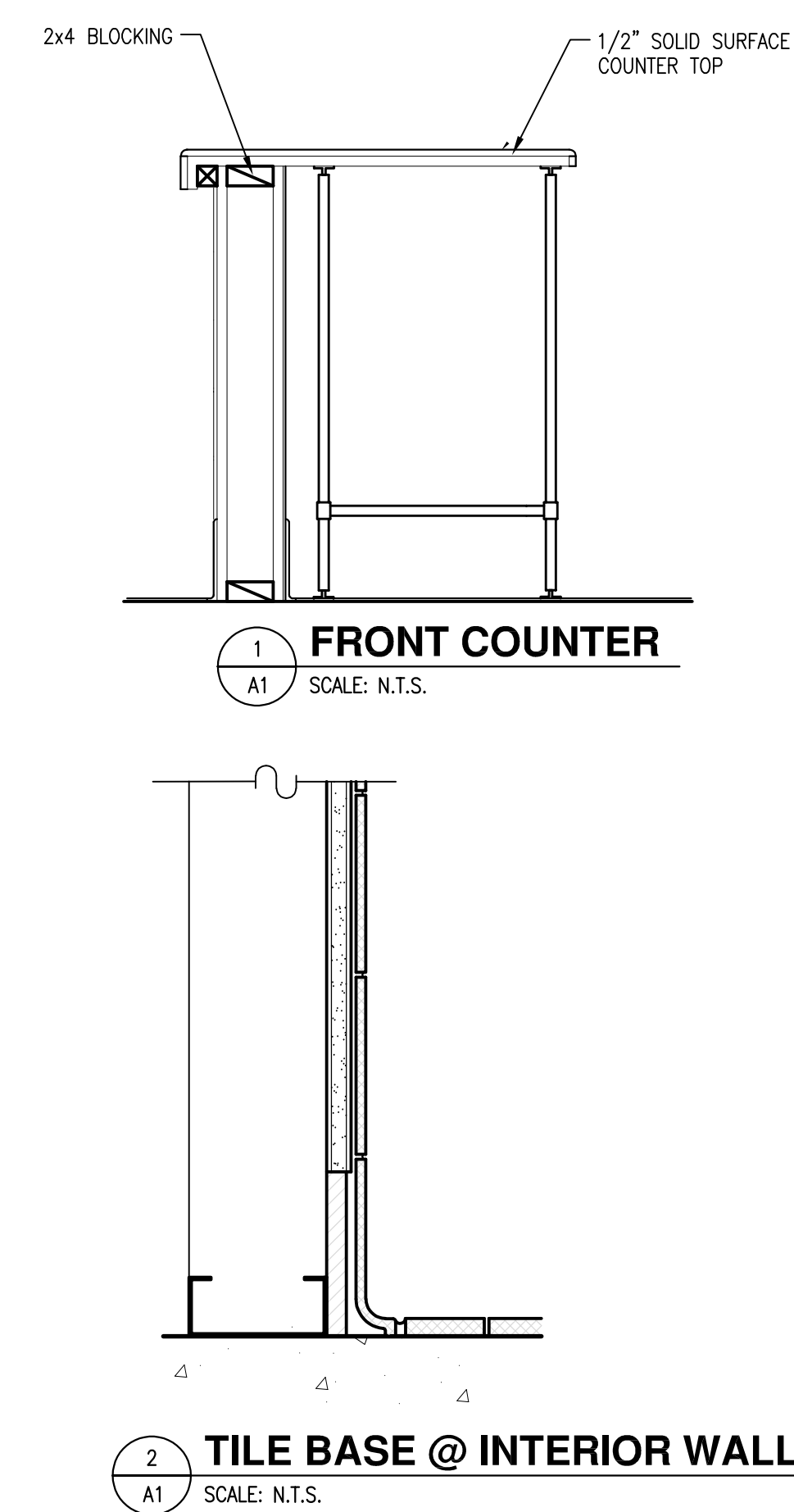
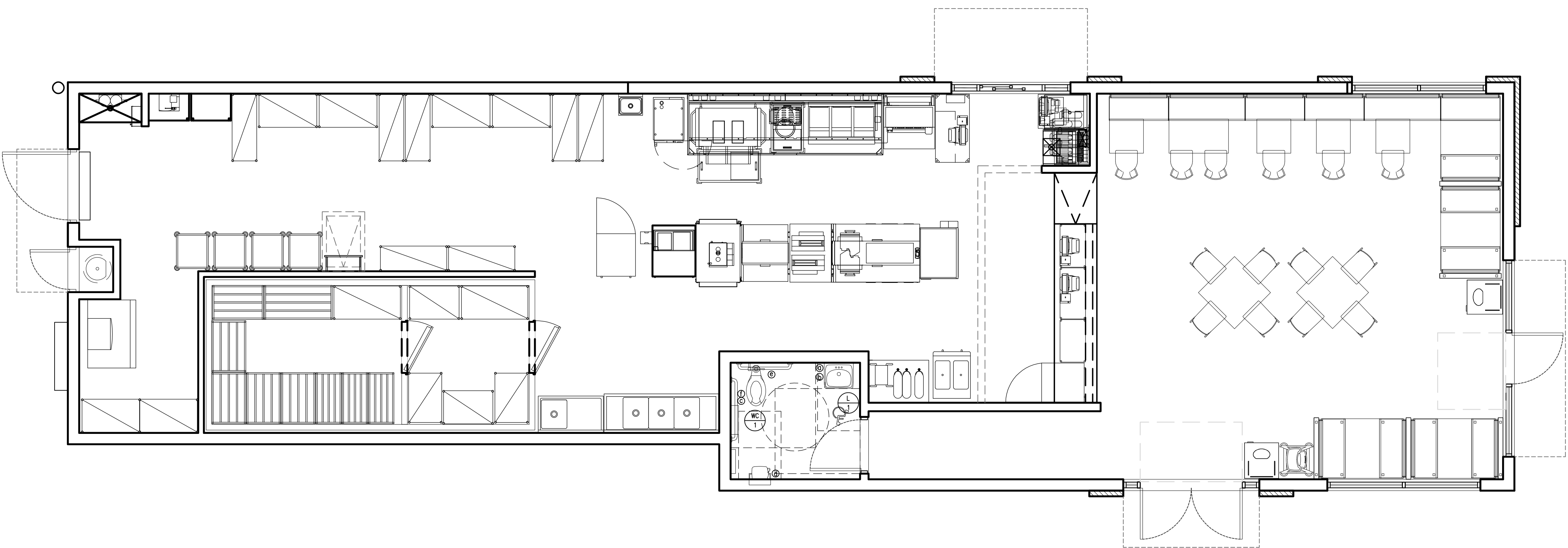
DATE  
11/19/21  
JOB NO.

DRAWN BY \_\_\_\_\_ CHECKED BY \_\_\_\_\_

FILE NAME  
A1 Floor Plan.dwg

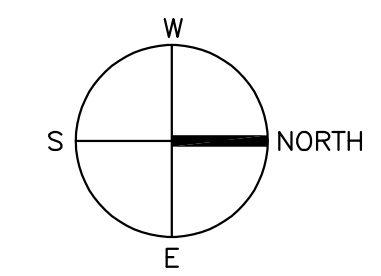
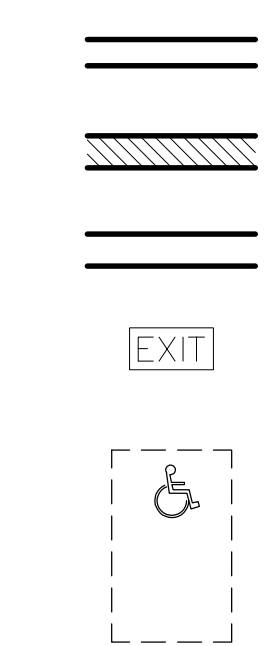
TRASH ENCLOSURE





DOORS TO DISABLED ACCESSIBLE SANITARY FACILITIES SHALL BE IDENTIFIED BY 1/4" GEOMETRIC SYMBOLS OF CONTRASTING COLOR CENTERED ON THE DOOR AT A HEIGHT OF 58" TO 60".

**LEGEND**



**FLOOR PLAN**

SCALE: 1/4" = 1'-0"

**PLUMBING FIXTURE SCHEDULE**

ITEM	FIXTURE	CONNECTION SIZES (INCHES)					DESCRIPTION
		W	V	CW	HW	GAS	
1 WC	WATER CLOSET, ADA	4"	2"	3/4"	--	--	AMERICAN STANDARD MADERA FLOWISE 17" HEIGHT ELONGATED FLUSHOMETER TOILET ADA W/ SLOAN VALVE "ROYAL" MODEL 111-1.28 MANUALLY OPERATED. W/ OPEN FRONT SEATS
1 L	LAVATORY, ADA	2"	1-1/2"	1/2"	1/2"	--	AMERICAN STANDARD LUCERNE WALL HUNG #0355.012 W/GRID DRAIN, ADA KOHLER 15199 FAUCET, CONTROLS SHALL BE SELF-CLOSING AND LIMIT THE FLOW RATE TO 0.25 GPM AND 110°F

**TOILET ACCESSORY SCHEDULE**

- ⊙ - MIRROR W/ STEEL FRAME - BOBRICK B-290-1836
  - ⊙ - SOAP DISPENSER - BOBRICK B-2111
  - ⊙ - TOILET TISSUE DISPENSER - BOBRICK B-2890
  - ⊙ - SEMI-RECESSED PAPER TOWEL DISPENSER / WASTE RECEPTACLE - BOBRICK B-3944
  - ⊙ - TOILET SEAT COVER DISPENSER - BOBRICK-221
  - ⊙ - GRAB BARS - BOBRICK B-6106 SERIES
  - ⊙ - SANITARY NAPKIN DISPOSAL - BOBRICK B-35745
  - ⊙ - HAND DRYER - EXCEL DRYER, XLERATOReco HAND DRYER XL-SB W/ ADA COMPLIANT RECESS KIT
  - ⊙ - BABY CHANGING STATION (PER 2016 CBC) - T.B.D.
- SUBMIT CUT SHEETS TO FOR OWNER'S CONFIRMATION

**GENERAL NOTES**

**adn**  
**ARMÉT DAVIS NEWLOVE & ASSOCIATES, AIA ARCHITECTS**  
 1330 OLYMPIC BLVD.  
 SANTA MONICA, CALIFORNIA 90404  
 PH 310 452-5533 FAX 310 450-4742

REV.	DATE	DESCRIPTION

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. RE-USE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THE RESTRICTIONS.



LOCATION  
**820 W. MAIN STREET**  
**CITY OF MOLALLA, OREGON**  
**97038**

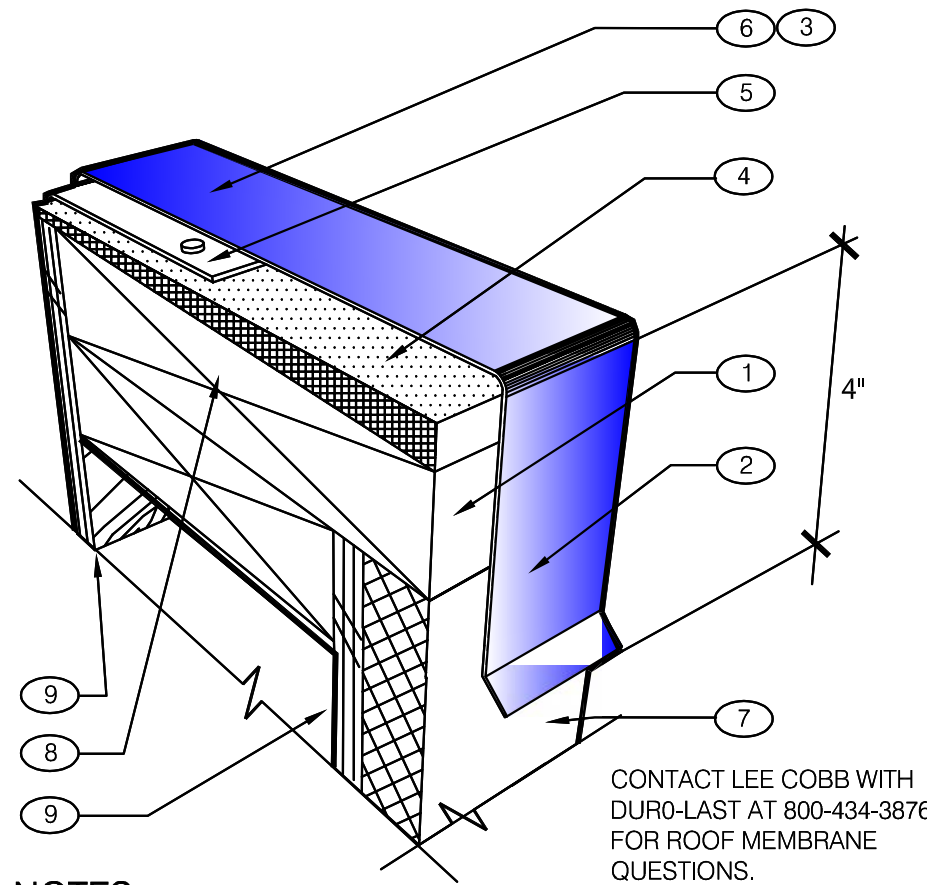
DATE  
 01/20/22  
 JOB NO.

DRAWN BY \_\_\_\_\_ CHECKED BY \_\_\_\_\_

FILE NAME  
 A1 Floor Plan.dwg

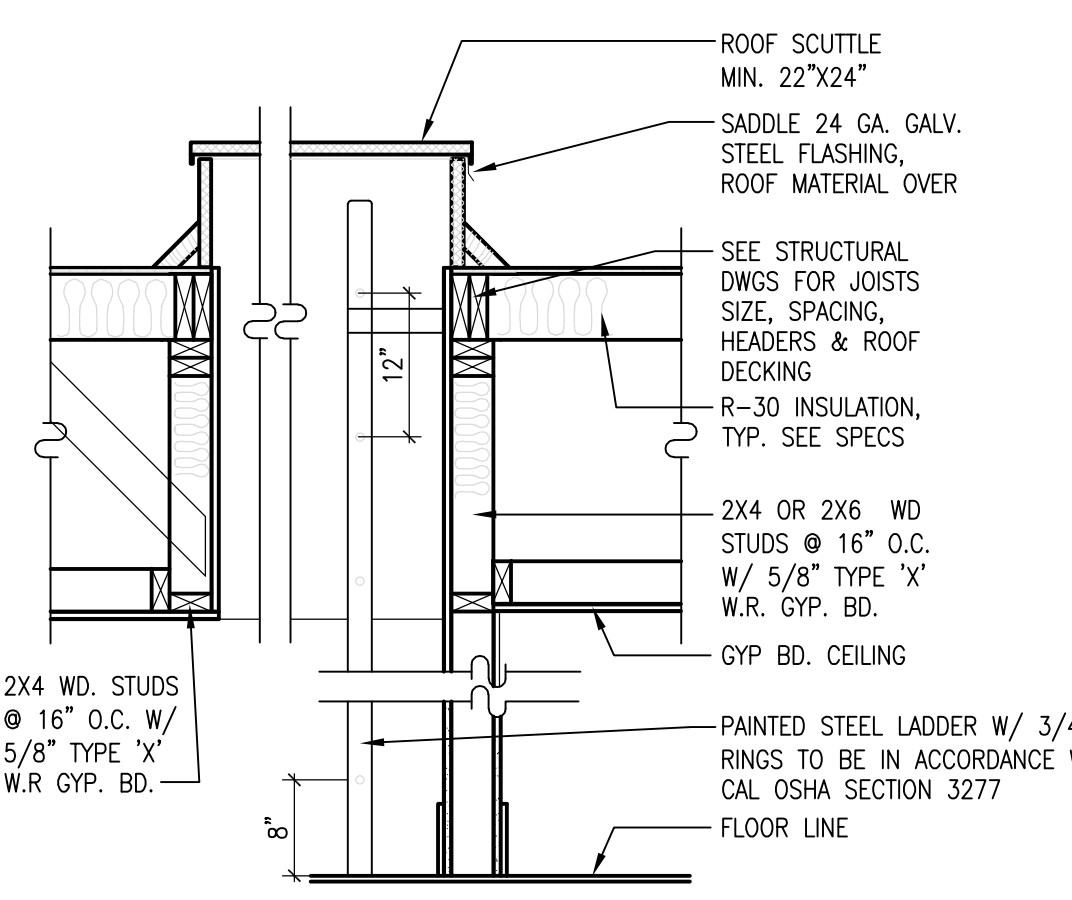
**FLOOR PLAN**  
**& DOOR SCHEDULE**

**A1**

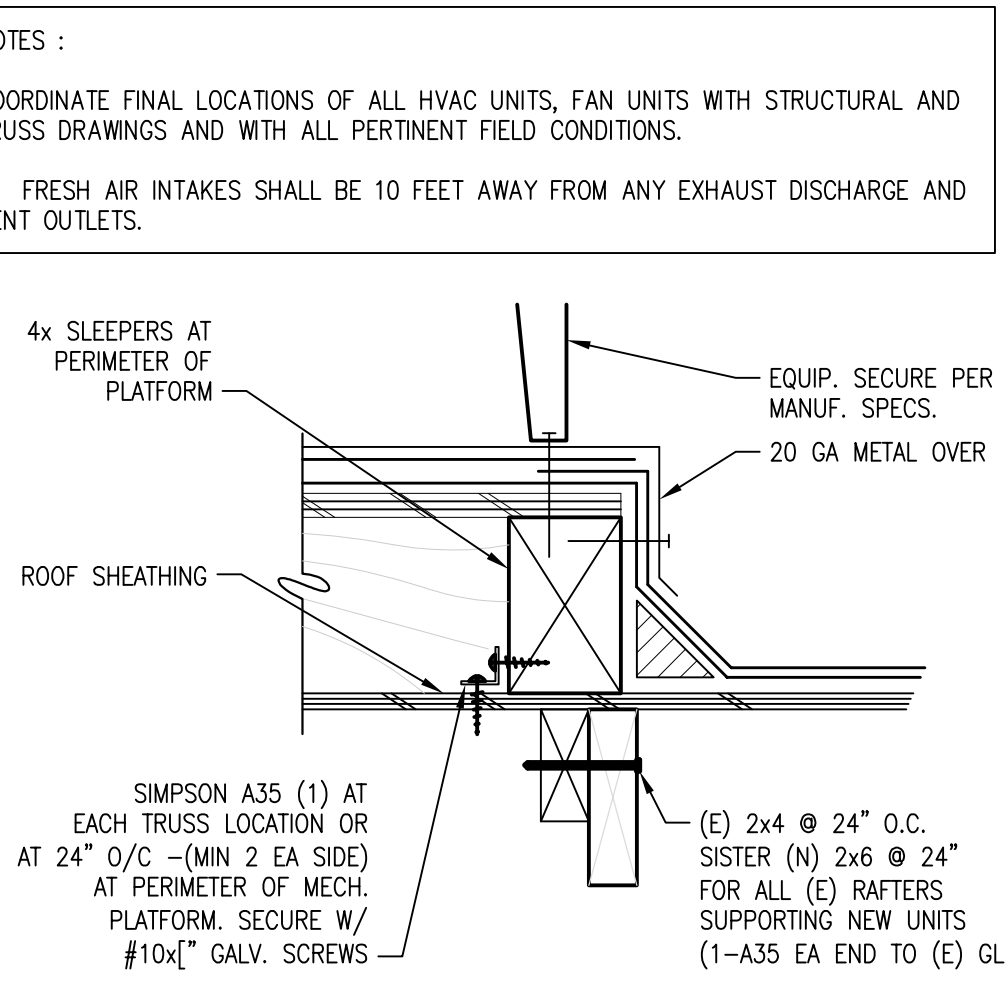


- NOTES**
- 1 PROVIDE A WOOD NAILER TO MATCH THE THICKNESS OF THE WALL FINISH. APPROX. 1" THICK IS TYPICAL BUT MAY VARY. TOP OF WOOD NAILER SHALL BE FLUSH WITH TOP OF WALL FINISH. THE WOOD NAILER SHALL EXTEND AT LEAST 1/2" INCH BEYOND THE LOWER HORIZONTAL EDGE OF THE PARAPET COPING TO ALLOW FOR PROPER FASTENING.
  - 2 FASTENERS USED TO ATTACH THE COPING TO WOOD NAILERS, MUST BE SPACED NO GREATER THAN 18" INCHES ON-CENTER.
  - 3 ALLOW FOR 1/8" INCH EXPANSION GAP BETWEEN 10-FOOT LENGTHS OF COPING. PROVIDE A COPING JOINT COVERS BETWEEN ENDS OF COPING PIECES AND AT CORNERS. JOINT COVERS SHOULD BE MADE FROM THE SAME MATERIAL AS THE COPING AND SHOULD LAP THE JOINTS A MINIMUM OF 6" ON EITHER SIDE. JOINT COVERS SHALL BE FASTENED THE SAME WAY AS THE COPING.
  - 4 FIBER CANT STRIP SLOPED 1/4:12 TOWARDS ROOF..
  - 5 ROOF MEMBRANE
  - 6 FACTORY PAINTED 24 GAUGE METAL COPING WITH 4" DROP FRONT, BACK AND ENDS (WHERE SHOWN).
  - 7 WALL FINISH: TYPICALLY 1" THK EIFS OR 7/8" THK STUCCO
  - 8 DOUBLE 2X TOP PLATE
  - 9 PLYWOOD SUBSTRATE. SEE SHEET A1.0 & S2.0 FOR ADDITIONAL DETAILS.

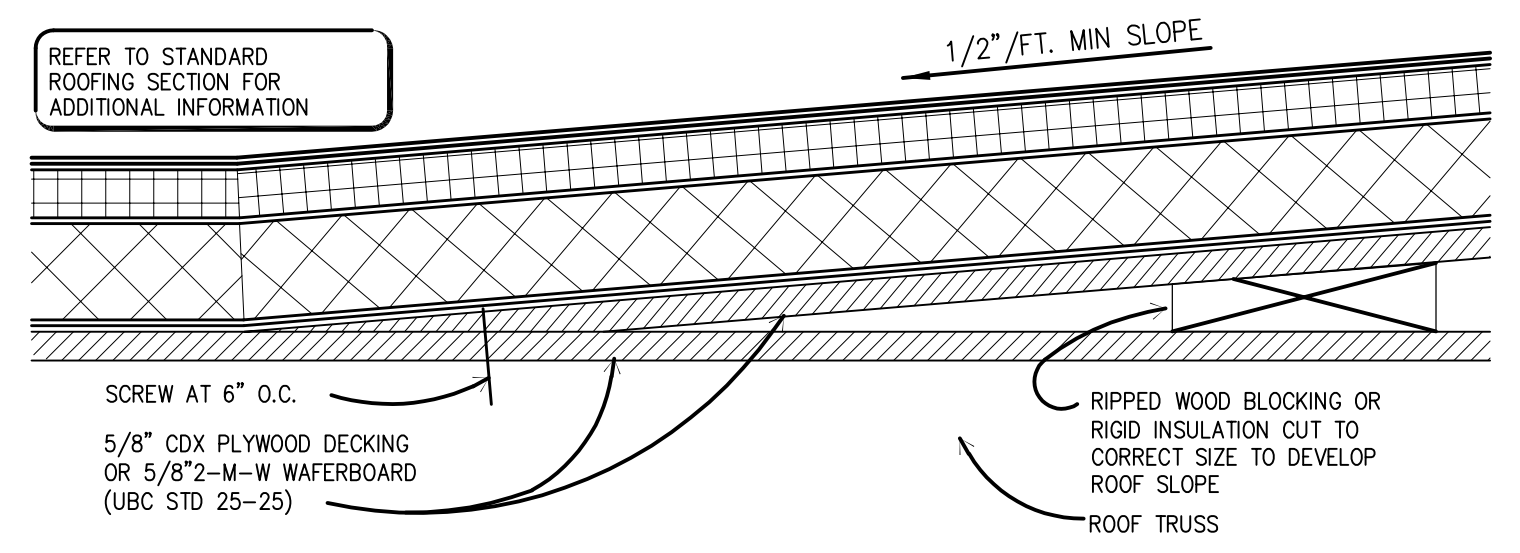
**8 PARAPET CAP**  
SCALE: N.T.S.



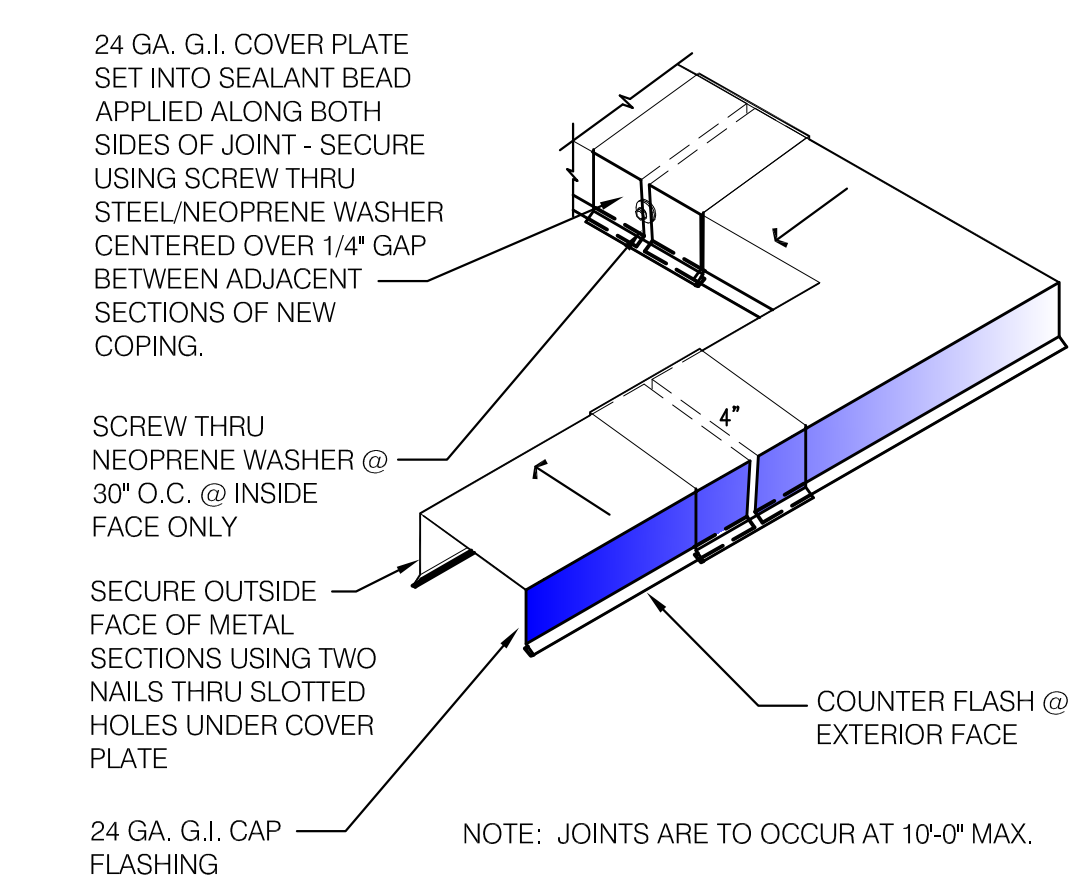
**3 LADDER & ROOF SCUTTLE**  
SCALE: 3/4" = 1'-0"



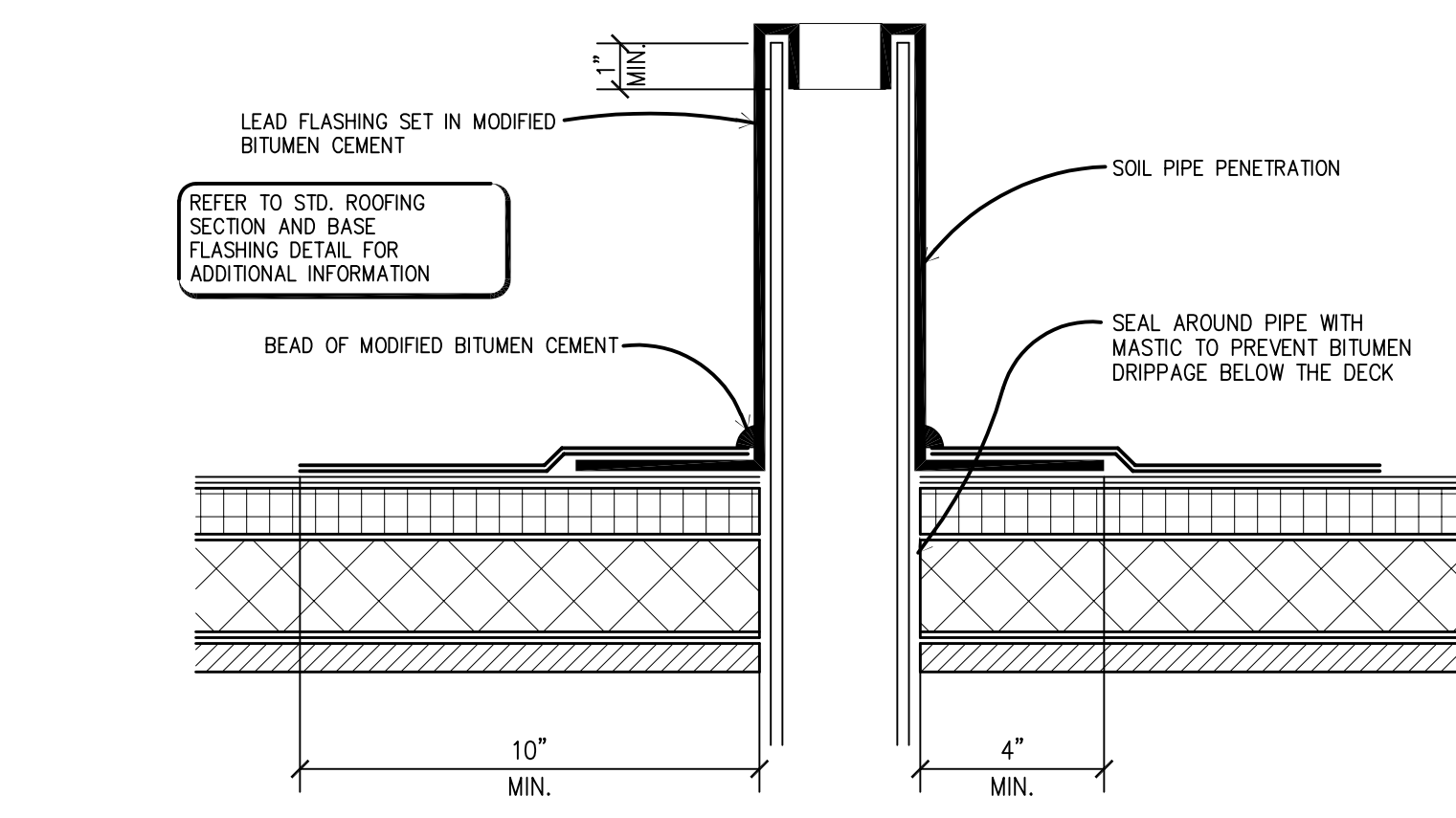
**2 EQUIP. FRAMING DETAIL**  
SCALE: N.T.S.



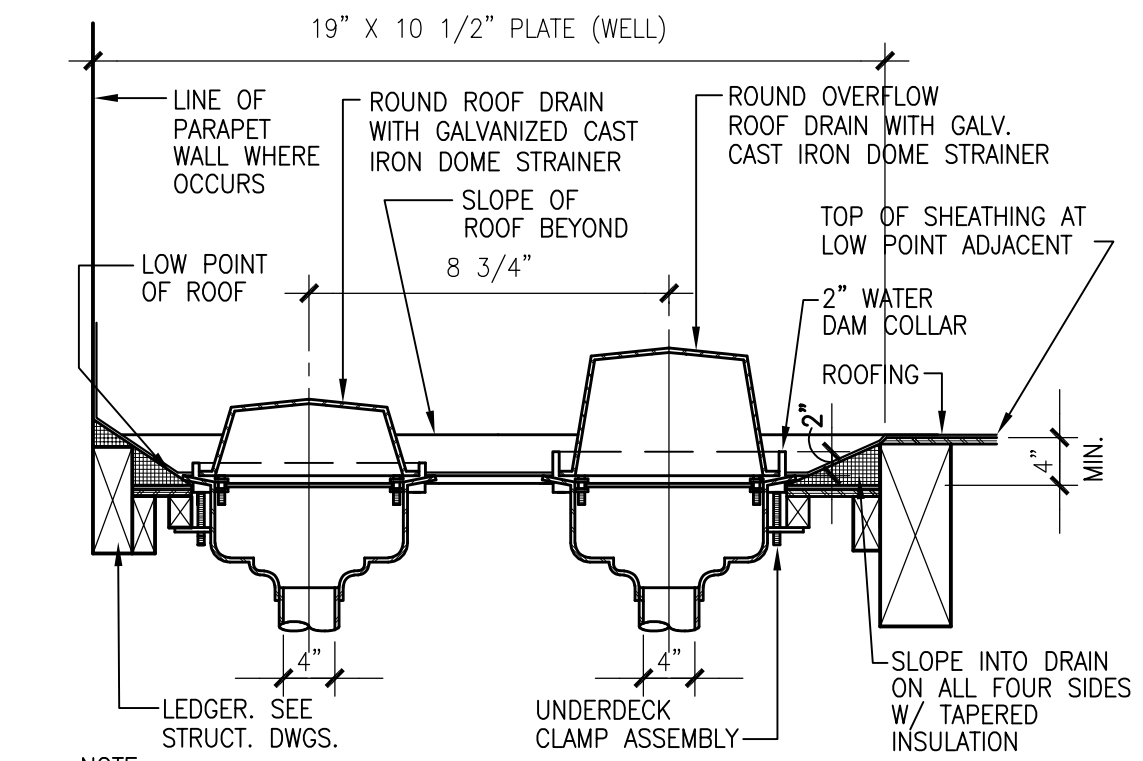
**1 TYPICAL CRICKET DETAIL**  
SCALE: 3/4" = 1'-0"



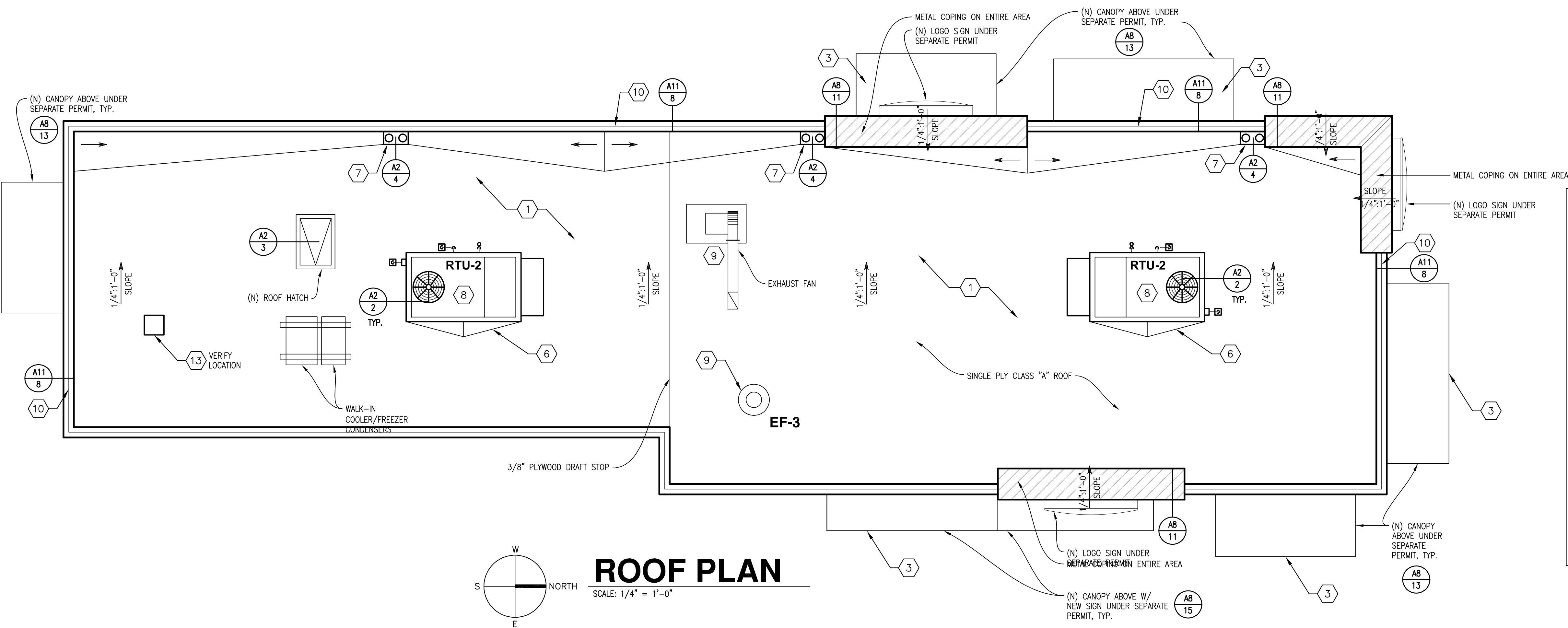
**6 COPING JOINT**  
SCALE: N.T.S.



**5 SOIL PIPE FLASHING DETAIL**  
SCALE: 3/4" = 1'-0"



**4 ROOF SCUPPER**  
SCALE: 3/4" = 1'-0"



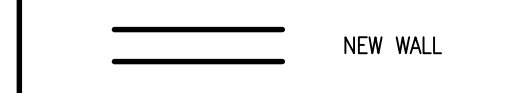
**ROOF PLAN**  
SCALE: 1/4" = 1'-0"

- NOTES :**
1. COORDINATE FINAL LOCATIONS OF ALL HVAC UNITS, FAN UNITS WITH STRUCTURAL AND TRUSS DRAWINGS AND WITH ALL PERTINENT FIELD CONDITIONS.
  2. FRESH AIR INTAKES SHALL BE 10 FEET AWAY FROM ANY EXHAUST DISCHARGE AND VENT OUTLETS.

**GEN. ROOFING NOTES:**

1. ROOFING SUBCONTRACTOR TO COORDINATE LOCATION OF H.V.A.C. UNITS AND ROOF TOP ACCESSORIES WITH STRUCTURAL, MECHANICAL AND ELECTRICAL DRAWINGS FOR PLACEMENT AND TAPERED RIGID INSULATION BOARD LAY-OUT AND SUBSEQUENT INSTALLATION IN ORDER TO AVOID PONDING WATER CONDITIONS ATTRIBUTABLE TO BOARD LAY-OUT ISSUES.
2. ROOF SYSTEMS SPECIFIED SHALL BE APPLIED ONLY BY MANUFACTURER APPROVED APPLICATOR IN ORDER TO MEET GUARANTEE REQUIREMENTS.
3. COORDINATE LOCATION OF MECHANICAL UNITS WITH STRUCTURAL AND MECHANICAL DRAWINGS.
4. HVAC CONDENSATE LINES TO TERMINATE AT ROOF DRAIN OR AS REQUIRED BY LOCAL CODE.
5. REFER TO STRUCTURAL AND M-E-P DRAWINGS FOR ADDITIONAL INFORMATION.
6. ALL CURBS AND PIPE PENETRATIONS SHALL HAVE A MINIMUM OF 16" CLEAR FROM EACH OTHER FOR ROOF FLASHING PURPOSES. ALL EQUIPMENT SHALL HAVE A MINIMUM OF 16" CLEAR FROM ALL ADJACENT PARAPETS. ALL HVAC MOUNTED EQUIPMENT (DISCONNECT BOXES, GFCI, PIPE SUPPORTS) SHALL NOT BE CLOSER THAN 16" FROM EACH OTHER OR CURB. NO UNISTRUT PIPE SUPPORTS SHALL BE USED AS VERTICAL MEMBERS FOR MOUNTING EQUIPMENT TO ROOF SURFACE.
7. PONDING WATER IS DEFINED AS WATER THAT DOES NOT DRAIN OR DISSIPATE FROM THE ROOF WITHIN 48 HOURS AFTER PRECIPITATION.
8. CONTRACTOR SHALL "SUGAR-IN" ALL ASPHALT BLEED-OUT ON PLYS WITH ADDITIONAL GRANULES TO MATCH EXISTING COLORATION OF THE MINERAL SURFACE CAP SHEET.
9. ALL FLASHING CEMENTS, ASPHALTS, PRODUCTS AND ACCESSORIES SHALL BE APPROVED BY ROOFING MANUFACTURER WITH THE MANUFACTURER'S BRAND. ALL ASPHALTS SHALL BE AMERICAN MANUFACTURED PRODUCTS.

**LEGEND**



**KEYED NOTES**

1. SINGLE PLY DUROLAST ROOFING, 7/A2
2. ROOF ACCESS LADDER, REFERENCE DETAIL, THIS SHEET.
3. PREFABRICATED METAL AWNING OR CANOPY. REFERENCE SHEETS A-8.
4. VENT THROUGH ROOF - PROVIDE PREFABRICATED DURO-LAST VENT FLASHING FOR ALL VENTS AND PIPE PENETRATIONS. REFERENCE DETAIL #5, THIS SHEET.
5. INSTALL MODIFIED BITUMEN SACRIFICE SHEET AS SPECIFIED AT KITCHEN EXHAUST.
6. ROOF CRICKET WITH SLOPE TO MATCH ROOF, REFER TO DETAIL #1, THIS SHEET.
7. PRIMARY AND OVERFLOW ROOF SCUPPERS - REFER TO DETAILS #4.
8. ROOF TOP AIR CONDITIONING UNIT - REFER TO MECHANICAL PLANS.
9. EXHAUST FAN - REFER TO MECHANICAL PLANS
10. ILLUMINATED PARAPET LIGHT BAND.
11. METAL COPING.
12. NOT USED.
13. PROVIDE PITCH PAN WITH CONDUIT OVER OFFICE FOR SATELLITE DISH/ANTENNA.
14. EQUIPMENT STAND FOR WALK-IN BOX COOLER/FREEZER CONDENSERS AND ICE MACHINE CONDENSER. REFER TO EQUIPMENT STAND DETAIL, THIS SHEET.

**GENERAL NOTES**

- A. THE ROOF STRUCTURE SHALL NOT BE USED FOR STOCKPILING OF EQUIPMENT OR MATERIALS UNLESS APPROVED BY THE ARCHITECT, STRUCTURAL ENGINEER AND THE JOIST MANUFACTURER.
- B. THE ROOFING SYSTEM SHALL BE AS PER DRAWINGS AND PER MANUFACTURER'S SPECIFICATIONS.
- C. COORDINATE ROOF ELEVATIONS WITH STRUCTURAL DRAWINGS. REFER TO SPECIFICATION SHEET FOR ROOF RELATED ITEMS, INCLUDING GUARANTEES, CURBS, FLASHING, ETC.

**DURO-LAST® 50-MIL MEMBRANE**

DURO-LAST® 50-MIL (DL50) membrane is an excellent choice for projects requiring a long lasting, energy efficient roofing membrane. The membrane is available in prefinished finishes or in roll goods. A complete line of custom prefabricated accessories is available for the DL50 membrane.

**DL50 membrane is composed of PVC film laminated to both sides of a reinforcement fabric (overlapped joints).**

Duro-Last membranes must not be used with Duro-Last RV membranes.

PVC film: Proprietary non-pigmented PVC formulation of resin, plasticizer, stabilizers, inorganic flame retardants, and UV inhibitors.

- PVC film above well-ventilated section - 30 mil
- Well-ventilated section - 40 mil
- 14 mil polypropylene fabric
- Reinforcement with well-ventilated section of 60 mil
- 1000 center threads
- 30 mil polypropylene fabric
- 1000 center threads
- 30 mil polypropylene fabric
- 1000 center threads

**DL50 membrane is available in the following configurations:**

Width	Length	Roll Area	Approx. Weight	Approx. Volume
10' x 10'	100'	1000 sq. ft.	100 lbs.	100 cu. ft.
10' x 10'	200'	2000 sq. ft.	200 lbs.	200 cu. ft.
10' x 10'	300'	3000 sq. ft.	300 lbs.	300 cu. ft.
10' x 10'	400'	4000 sq. ft.	400 lbs.	400 cu. ft.
10' x 10'	500'	5000 sq. ft.	500 lbs.	500 cu. ft.

**Energy Efficiency:** White DL50 membrane is an excellent product for complying with California Title 24, LEED® and other energy efficiency programs regarding the use of a highly reflective roof membrane. It is an ENERGY STAR® qualified product.

**7 DUROLAST ROOFING**  
SCALE: N.T.S.



ARMÉT DAVIS NEWLOVE & ASSOCIATES, AIA ARCHITECTS  
1330 OLYMPIC BLVD.  
SANTA MONICA, CALIFORNIA 90404  
PH 310 452-5533 FAX 310 450-4742

REV.	DATE	DESCRIPTION

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THE RESTRICTIONS.



LOCATION  
820 W. MAIN STREET  
CITY OF MOLLAINE, OREGON  
97038

DATE  
01/21/22

JOB NO.

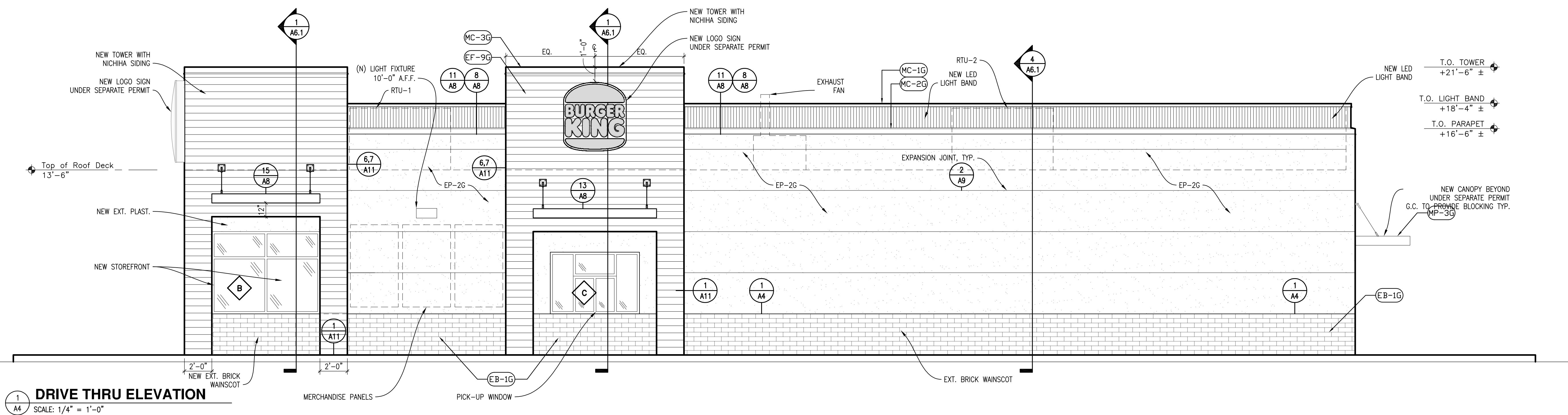
DRAWN BY  
A2 Roof Plan.dwg

CHECKED BY  
JD

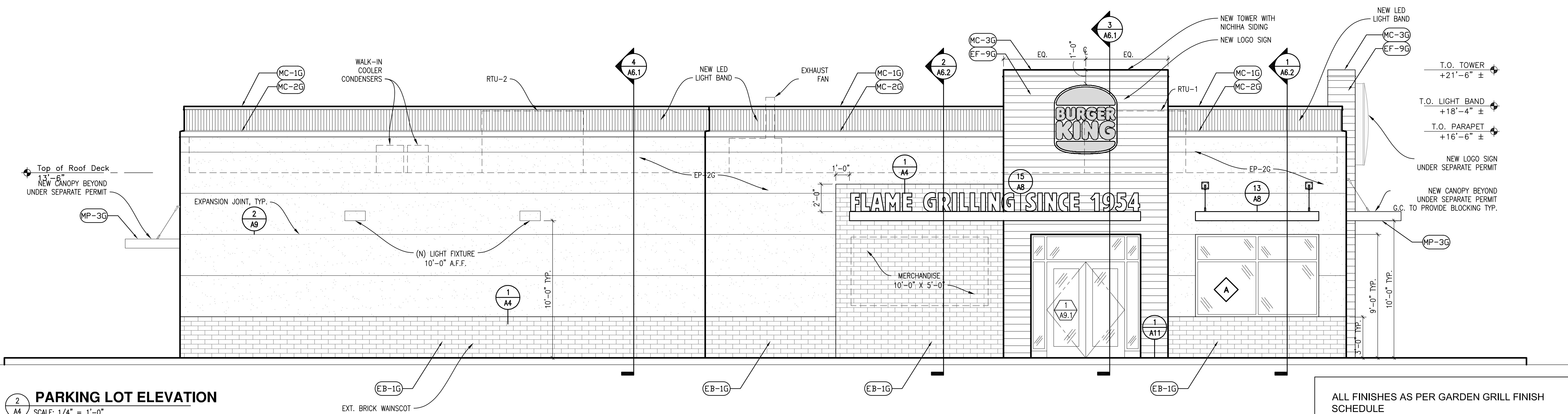
FILE NAME  
A2 Roof Plan.dwg

ROOF PLAN

**A2**



**1 DRIVE THRU ELEVATION**  
SCALE: 1/4" = 1'-0"



**2 PARKING LOT ELEVATION**  
SCALE: 1/4" = 1'-0"

ALL FINISHES AS PER GARDEN GRILL FINISH SCHEDULE

**DOOR NOTES**

1. THE MINIMUM DOOR WIDTH OF EACH DOOR OPENING SHALL BE SUFFICIENT FOR THE OCCUPANT LOAD THERE OF AND SHALL PROVIDE A CLEAR WIDTH OF NOT LESS THAN 32 INCHES. THE HEIGHT OF DOORS SHALL NOT BE LESS THAN 80 INCHES.
2. EXIT DOORS SHALL SWING IN THE DIRECTION OF EXIT TRAVEL WHEN SERVING AN OCCUPANT LOAD OF 50 OR MORE PERSONS OR A GROUP H OCCUPANCY.
3. EVERY EXIT DOOR SHALL BE OPENABLE FROM THE INSIDE WITHOUT THE USE OF A KEY, TOOL, OR SPECIAL KNOWLEDGE OR EFFORT. SPECIAL LOCKING DEVICES SHALL BE AN APPROVED TYPE.
4. PROVIDE APPROVED PANIC HARDWARE ON REQUIRED EXIT DOORS. PANIC HARDWARE SHALL BE PROVIDED ON EXIT DOORS SERVING ROOMS, CORRIDORS, OR STAIRWAYS HANDLING AN OCCUPANT LOAD OF 50 OR MORE PERSONS, FROM ANY GROUP A, E, OR I-2 OR I-2.1 OCCUPANCY. ONLY PANIC HARDWARE APPROVED AND LISTED BY THE STATE FIRE MARSHAL SHALL BE INSTALLED.
5. EXIT DOORS FROM GROUP A SHALL NOT BE PROVIDED WITH LATCH OR LOCK UNLESS IT IS PANIC HARDWARE OF FIRE EXIT HARDWARE.
6. OPERABLE PARTS OF HANDLES, PULLS, LATCHES, LOCKS, AND OTHER OPERABLE PARTS SHALL BE 34 INCHES MINIMUM AND 44 INCHES MAXIMUM ABOVE THE FINISH FLOOR OR GROUND WHERE SLIDING DOORS ARE IN THE FULLY OPEN POSITION. OPERATING HARDWARE SHALL BE EXPOSED AND USABLE FROM BOTH SIDES. LATCHING AND LOCKING DOORS THAT ARE HAND-ACTIVATED AND ON AN ACCESSIBLE ROUTE SHALL BE OPERABLE WITH A SINGLE EFFORT BY LEVER-TYPE HARDWARE, PANIC BARS, PUSH-PULL ACTIVATING BARS OR OTHER HARDWARE DESIGNED TO PROVIDE PASSAGE WITHOUT REQUIRING THE ABILITY TO GRASP THE OPENING HARDWARE.
7. DOORS CLOSERS AND GATE CLOSERS SHALL BE ADJUSTED SO THAT FROM AN OPEN POSITION OF 90 DEGREES, THE TIME REQUIRED TO MOVE THE DOOR TO A POSITION OF 12 DEGREES FROM THE LATCH IS 5 SECONDS MINIMUM. DOOR AND GATE SPRING HINGES SHALL BE ADJUSTED SO THAT THE OPEN POSITION OF 70 DEGREES, THE DOOR OR GATE SHALL MORE TO THE CLOSED POSITION IN 1.5 SECONDS MINIMUM.
8. REQUIRED FIRE DOORS SHALL HAVE THE MINIMUM OPENING FORCE ALLOWABLE BY THE APPROPRIATE ADMINISTRATIVE AUTHORITY, NOT TO EXCEED 15 POUNDS, OTHER EXTERIOR AND INTERIOR DOORS SHALL HAVE A MAXIMUM OPENING FORCE OF 5 POUNDS.
9. PUSH OR PULL FORCE FOR A HINGED DOOR SHALL BE MEASURED PERPENDICULAR TO THE DOOR FORCE AT THE DOOR OPENING HARDWARE OR 30 INCHES FROM THE HINGED SIDE, WHICHEVER IS FURTHER FROM THE HINGE. PUSH OR PULL FORCE FOR A SLIDING OR FOLDING DOOR SHALL BE MEASURED PARALLEL TO THE DOOR AT THE DOOR PULL OR LATCH.
10. SWINGING DOOR AND GATE SURFACE WITHIN 10 INCHES OF THE FINISH FLOOR OR GROUND MEASURED VERTICALLY SHALL HAVE A SMOOTH SURFACE ON THE PUSH SIDE EXTENDING THE FULL WIDTH OF THE DOOR OR GATE. PARTS CREATING HORIZONTAL OR VERTICAL JOINTS IN THESE SURFACES SHALL BE WITHIN 1/16 INCH OF THE SAME PLANE AS THE OTHER AND BE FREE OF SHARP OR ABRASIVE EDGES. CAVITIES CREATED BY ADDED KICK PLATES SHALL BE CAPPED. EXCEPTION: AUTOMATIC AND SLIDING DOORS OR GATES.
11. THE LEVER OR LEVER OF ACTUATED LATCHES OR LOCKS SHALL BE CURVED WITH A RETURN TO WITHIN 1/2" OF THE DOOR TO PREVENT CATCHING ON THE CLOTHING OF PERSONS DURING EGRESS.
12. ILLUMINATED EXIT SIGNS ARE REQUIRED AT EACH EXIT AND ARE REQUIRED TO HAVE MINIMUM 6" HIGH BY 3/4" STROKE BLOCK LETTERS ON A CONTRASTING BACKGROUND. SEE FLOOR PLANS AND ELECTRICAL DRAWINGS FOR EXIT LIGHT LOCATIONS.
13. PROVIDE TACTILE EXIT SIGN AT REQUIRED LOCATIONS. SEE FLOOR PLAN FOR LOCATIONS AND 11/CS2 FOR DETAIL.
14. GLAZING WITHIN 24" OF EITHER SIDE OF ANY DOORWAY AND LESS THAN 60" ABOVE A WALKWAY SHALL BE SAFETY GLAZING.
15. GLAZING IN EXCESS OF 9 SQ. FT. WITHIN 18" OF A WALKING SURFACE SHALL BE SAFETY GLAZING.
16. VERIFY DOOR AND ROUGH OPENING DIMENSIONS WITH DOOR SUPPLIER.

**LEGEND**

- |        |                                    |  |
|--------|------------------------------------|--|
| ECT-1G | EXTERIOR CERAMIC TILE:             | GRANITE FIANDRE, SENSIBLE STONE ED5052, RED NATURAL    |
| EF-9G  | EXTERIOR FINISH FIBER CEMENT:      | NICHHA, VINTAGE WOOD CEDAR                             |
| TR-1G  | ALUMINUM TRIMS, ARCHON:            | NICHHA, VINTAGE WOOD CEDAR                             |
| EP-2G  | EXTERIOR PAINT:                    | PPG, COLOR "TANNER'S TAUPE",                           |
| EP-4G  | EXTERIOR PAINT:                    | PPG, COLOR "MONTEREY CLIFFS", #100Y 14/080             |
| MC-1G  | METAL COPING:                      | W.P. HICKMAN SYSTEMS, INC., COLOR "SILVERSMITH", A-30  |
| MC-2G  | METAL COPING                       | W.P. HICKMAN SYSTEMS, INC., COLOR PAINT TO MATCH EP-2G |
| MC-3G  | METAL COPING                       | W.P. HICKMAN SYSTEMS, INC., COLOR PAINT TO MATCH EP-8G |
| MP-3G  | METAL CANOPY:                      | CLEAR ANODIZED   |
| MP-4G  | METAL AWNING / STANDING SEAM ROOF: | BERRIDGE ROOFING, COLOR PREMIUM METALLIC "ZINC COTE"   |
| EB-1G  | EXTERIOR BRICK:                    | PINE HALL BRICK, FACE BRICK, OLD IRVING 0/S            |

**GENERAL NOTES**

1. ALL SIGNAGE UNDER SEPARATE PERMIT.
2. ALL EXISTING LIGHT BAND TO BE REMOVED AND INSTALL NEW. SEE DETAIL 8 ON SHEET A8.
3. PATCH, REPAIR AND PAINT ALL EXISTING EXTERIOR PLASTER TO REMAIN. REFER TO DRAWINGS 1, 2 AND 6 ON SHEET A9 FOR STANDARD PLASTER DETAILS.
4. EXISTING STOREFRONT FRAME AND GLASS SHALL BE CLEANED AND REPAIRED AS REQUIRED.
5. NEW STOREFRONT FRAME FINISH SHALL BE BRONZE FINISH. EXISTING FRAMES TO BE PAINTED TO MATCH NEW STORE FRONT.
6. SEE SHEET A7.1 FOR FINISH SCHEDULE.
7. SEE SHEET A11 FOR NICHHA SIDING DETAILS.
8. PROVIDE METAL TRIM "SCHLUTER JOLLY" BY SCHLUTER SYSTEMS W/ BRUSHED ANODIZED ALUMINUM FINISH @ ALL OUTSIDE CORNER OF TILE FINISH.

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THE RESTRICTIONS.



LOCATION  
820 W. MAIN STREET  
CITY OF MOLALLA, OREGON  
97038

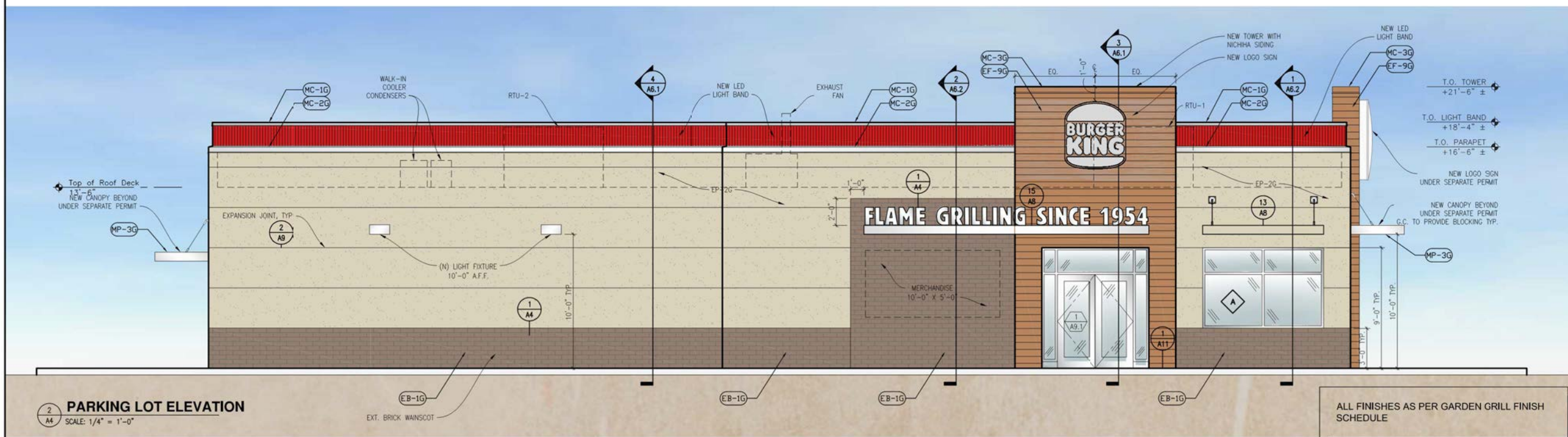
DATE  
01/21/22  
JOB NO.

DRAWN BY  
A4&5 Elevations.dwg  
CHECKED BY

FILE NAME  
A4&5 Elevations.dwg

ELEVATIONS





THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. RE-USE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THE RESTRICTIONS.



LOCATION  
820 W. MAIN STREET  
CITY OF MOLALLA, OREGON  
97302

DATE  
01/21/22

JOB NO.

DRAWN BY CHECKED BY

FILE NAME  
A4&5 Elevations.dwg

ELEVATIONS

A4

**DOOR NOTES**

1. THE MINIMUM DOOR WIDTH OF EACH DOOR OPENING SHALL BE SUFFICIENT FOR THE OCCUPANT LOAD THERE OF AND SHALL PROVIDE A CLEAR WIDTH OF NOT LESS THAN 32 INCHES. THE HEIGHT OF DOORS SHALL NOT BE LESS THAN 80 INCHES.
2. EXIT DOORS SHALL SWING IN THE DIRECTION OF EXIT TRAVEL WHEN SERVING AN OCCUPANT LOAD OF 50 OR MORE PERSONS OR A GROUP H OCCUPANCY.
3. EVERY EXIT DOOR SHALL BE OPENABLE FROM THE INSIDE WITHOUT THE USE OF A KEY, TOOL, OR SPECIAL KNOWLEDGE OR EFFORT. SPECIAL LOCKING DEVICES SHALL BE AN APPROVED TYPE.
4. PROVIDE APPROVED PANIC HARDWARE ON REQUIRED EXIT DOORS. PANIC HARDWARE SHALL BE PROVIDED ON EXIT DOORS SERVING ROOMS, CORRIDORS, OR STAIRWAYS HANDLING AN OCCUPANT LOAD OF 50 OR MORE PERSONS, FROM ANY GROUP A, E, OR I-2.1 OCCUPANCY. ONLY PANIC HARDWARE APPROVED AND LISTED BY THE STATE FIRE MARSHAL SHALL BE INSTALLED.
5. EXIT DOORS FROM GROUP A SHALL NOT BE PROVIDED WITH LATCH OR LOCK UNLESS IT IS PANIC HARDWARE OF FIRE EXIT HARDWARE.
6. OPERABLE PARTS OF HANDLES, PULLS, LATCHES, LOCKS, AND OTHER OPERABLE PARTS SHALL BE 34 INCHES MINIMUM AND 44 INCHES MAXIMUM ABOVE THE FINISH FLOOR OR GROUND WHERE SLIDING DOORS ARE IN THE FULLY OPEN POSITION; OPERATING HARDWARE SHALL BE EXPOSED AND USABLE FROM BOTH SIDES. LATCHING AND LOCKING DEVICES THAT ARE HAND-ACTIVATED AND ON AN ACCESSIBLE ROUTE SHALL BE OPERABLE WITH A SINGLE EFFORT BY LEVER-TYPE HARDWARE, PANIC BARS, PUSH-PULL ACTIVATING BARS OR OTHER HARDWARE DESIGNED TO PROVIDE PASSAGE WITHOUT REQUIRING THE ABILITY TO GRASP THE OPENING HARDWARE.
7. DOORS CLOSERS AND GATE CLOSERS SHALL BE ADJUSTED SO THAT FROM AN OPEN POSITION OF 90 DEGREES, THE TIME REQUIRED TO MOVE THE DOOR TO A POSITION OF 12 DEGREES FROM THE LATCH IS 5 SECONDS MINIMUM. DOOR AND GATE SPRING HINGES SHALL BE ADJUSTED SO THAT THE OPEN POSITION OF 70 DEGREES, THE DOOR OR GATE SHALL MORE TO THE CLOSED POSITION IN 1.5 SECONDS MINIMUM.
8. REQUIRED FIRE DOORS SHALL HAVE THE MINIMUM OPENING FORCE ALLOWABLE BY THE APPROPRIATE ADMINISTRATIVE AUTHORITY, NOT TO EXCEED 15 POUNDS. OTHER EXTERIOR AND INTERIOR DOORS SHALL HAVE A MAXIMUM OPENING FORCE OF 5 POUNDS.

9. PUSH OR PULL FORCE FOR A HINGED DOOR SHALL BE MEASURED PERPENDICULAR TO THE DOOR FORCE AT THE DOOR OPENING HARDWARE OR 30 INCHES FROM THE HINGED SIDE, WHICHEVER IS FURTHER FROM THE HINGE. PUSH OR PULL FORCE FOR A SLIDING OR FOLDING DOOR SHALL BE MEASURED PARALLEL TO THE DOOR AT THE DOOR PULL OR LATCH.
10. SWINGING DOOR AND GATE SURFACE WITHIN 10 INCHES OF THE FINISH FLOOR OR GROUND MEASURED VERTICALLY SHALL HAVE A SMOOTH SURFACE ON THE PUSH SIDE EXTENDING THE FULL WIDTH OF THE DOOR OR GATE. PARTS CREATING HORIZONTAL OR VERTICAL JOINTS IN THESE SURFACES SHALL BE WITHIN 1/16 INCH OF THE SAME PLANE AS THE OTHER AND BE FREE OF SHARP OR ABRASIVE EDGES. CAVITIES CREATED BY ADDED KICK PLATES SHALL BE CAPPED. EXCEPTION: AUTOMATIC AND SLIDING DOORS OR GATES.
11. THE LEVER OR LEVER OF ACTUATED LATCHES OR LOCKS SHALL BE CURVED WITH A RETURN TO WITHIN 1/2" OF THE DOOR TO PREVENT CATCHING ON THE CLOTHING OF PERSONS DURING EGRESS.
12. ILLUMINATED EXIT SIGNS ARE REQUIRED AT EACH EXIT AND ARE REQUIRED TO HAVE MINIMUM 6" HIGH BY 3/4" STROKE BLOCK LETTERS ON A CONTRASTING BACKGROUND. SEE FLOOR PLANS AND ELECTRICAL DRAWINGS FOR EXIT LIGHT LOCATIONS.
13. PROVIDE TACTILE EXIT SIGN AT REQUIRED LOCATIONS. SEE FLOOR PLAN FOR LOCATIONS AND 11/CS2 FOR DETAIL.
14. GLAZING WITHIN 24" OF EITHER SIDE OF ANY DOORWAY AND LESS THAN 60" ABOVE A WALKWAY SHALL BE SAFETY GLAZING.
15. GLAZING IN EXCESS OF 9 SQ. FT. WITHIN 18" OF A WALKING SURFACE SHALL BE SAFETY GLAZING.
16. VERIFY DOOR AND ROUGH OPENING DIMENSIONS WITH DOOR SUPPLIER.

**LEGEND**

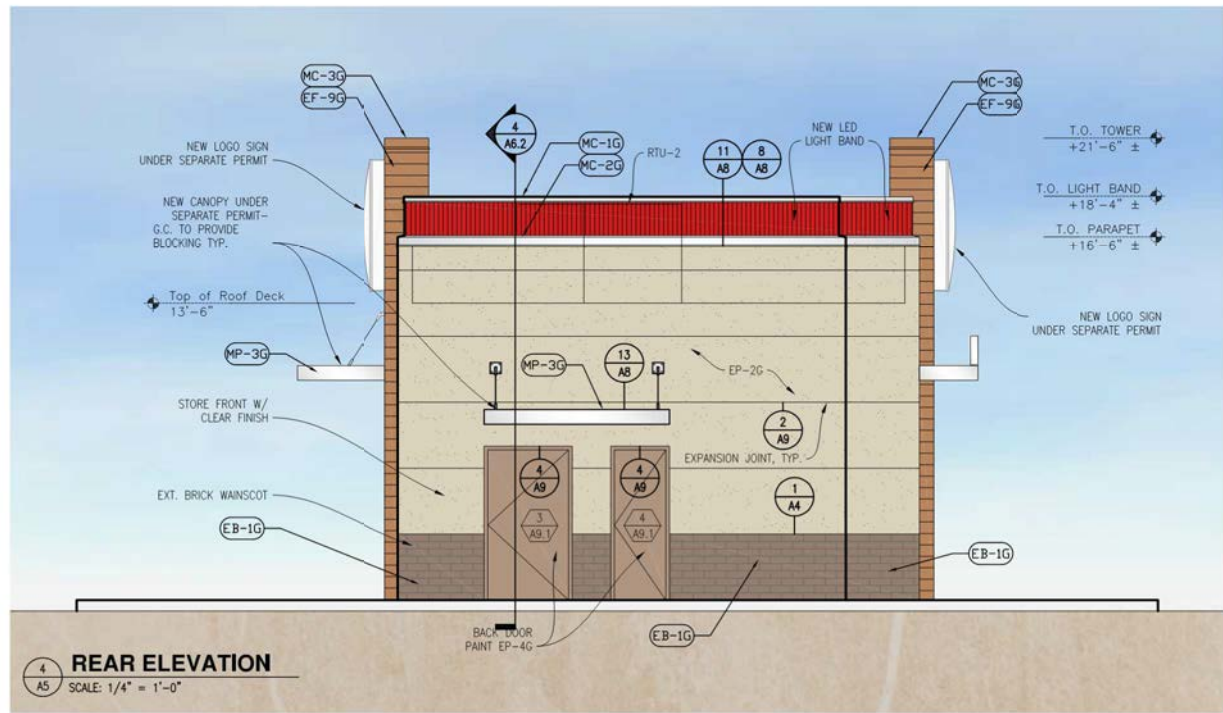
- |        |                                    |  |
|--------|------------------------------------|--|
| ECT-1G | EXTERIOR CERAMIC TILE:             | GRANITE FIANDRE, SENSIBLE STONE ED5052, RED NATURAL    |
| EF-9G  | EXTERIOR FINISH FIBER CEMENT:      | NICHIHA, VINTAGE WOOD CEDAR                            |
| TR-1G  | ALUMINUM TRIMS, ARCHON:            | NICHIHA, VINTAGE WOOD CEDAR                            |
| EP-2G  | EXTERIOR PAINT:                    | PPG, COLOR "TANNER'S TAUPE",                           |
| EP-4G  | EXTERIOR PAINT:                    | PPG, COLOR "MONTEREY CLIFFS", #10Y1 14/080             |
| MC-1G  | METAL COPING:                      | W.P. HICKMAN SYSTEMS, INC., COLOR "SILVERSMITH", A-30  |
| MC-2G  | METAL COPING:                      | W.P. HICKMAN SYSTEMS, INC., COLOR PAINT TO MATCH EP-2G |
| MC-3G  | METAL COPING:                      | W.P. HICKMAN SYSTEMS, INC., COLOR PAINT TO MATCH EP-8G |
| MP-3G  | METAL CANOPY:                      | CLEAR ANODIZED   |
| MP-4G  | METAL AWNING / STANDING SEAM ROOF: | BERRIDGE ROOFING, COLOR PREMIUM METALLIC "ZINC COTE"   |
| EB-1G  | EXTERIOR BRICK:                    | PINE HALL BRICK, FACE BRICK, OLD IRVING O/S            |

**GENERAL NOTES**

1. ALL SIGNAGE UNDER SEPARATE PERMIT.
2. ALL EXISTING LIGHT BAND TO BE REMOVED AND INSTALL NEW. SEE DETAIL 8 ON SHEET A8.
3. PATCH, REPAIR AND PAINT ALL EXISTING EXTERIOR PLASTER TO REMAIN. REFER TO DRAWINGS 1, 2 AND 6 ON SHEET A9 FOR STANDARD PLASTER DETAILS.
4. EXISTING STOREFRONT FRAME AND GLASS SHALL BE CLEANED AND REPAIRED AS REQUIRED.
5. NEW STOREFRONT FRAME FINISH SHALL BE BRONZE FINISH. EXISTING FRAMES TO BE PAINTED TO MATCH NEW STORE FRONT.
6. SEE SHEET A7.1 FOR FINISH SCHEDULE.
7. SEE SHEET A11 FOR NICHIHA SIDING DETAILS.
8. PROVIDE METAL TRIM "SCHLUTER JOLLY" BY SCHLUTER SYSTEMS W/ BRUSHED ANODIZED ALUMINUM FINISH @ ALL OUTSIDE CORNER OF TILE FINISH.



3  
A5  
**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"



4  
A5  
**REAR ELEVATION**  
SCALE: 1/4" = 1'-0"

ALL FINISHES AS PER GARDEN GRILL FINISH SCHEDULE

**DOOR SCHEDULE**

NO.	TYPE	SIZE (W x HT.)	THICK.	CORE	FACES	FRAME	GLASS	HARDWARE	NOTES
1	1	PAIR 3'-0" X 7'-0"	1 3/4"		AL	AL	1/4" TEMP. DUEL GLASS	PANIC HARDWARE	
2	2	3'-0" X 7'-0"	1 3/4"		AL	AL	1/4" TEMP. DUEL GLASS	PANIC HARDWARE	
3	3	4'-0" X 7'-0"	1 3/4"	HOLLOW METAL	METAL	METAL	1/4" TEMP. DUEL GLASS	PANIC HARDWARE	
4	4	2'-4" X 7'-0"	1 3/4"	HOLLOW METAL	METAL	METAL	1/4" TEMP. DUEL GLASS	LOCKING	
5	5	48" X 7'-0"	1 3/4"	SOLID	PLAST. LAM	AL	1/4" TEMP. DUEL GLASS	LOCKING	2,3,10
6	6	3'-0" X 7'-0"	1 3/4"	SOLID	PLAST. LAM	AL	1/4" TEMP. DUEL GLASS	PRIVACY	2,4,5,6,7

**LEGEND**

ECT-1G	EXTERIOR CERAMIC TILE:	GRANITE FIANDRE, SENSIBLE STONE ED5052, RED NATURAL
EF-9G	EXTERIOR FINISH FIBER CEMENT:	NICHHA, VINTAGE WOOD CEDAR
TR-1G	ALUMINUM TRIMS, ARCHON:	NICHHA, VINTAGE WOOD CEDAR
EP-2G	EXTERIOR PAINT:	PPG, COLOR "TANNER'S TAUPE",
EP-4G	EXTERIOR PAINT:	PPG, COLOR "MONTEREY CLIFFS", #10Y1 14/080
MC-1G	METAL COPING:	W.P. HICKMAN SYSTEMS, INC., COLOR "SILVERSMITH", A-30
MC-2G	METAL COPING:	W.P. HICKMAN SYSTEMS, INC., COLOR PAINT TO MATCH EP-2G
MC-3G	METAL COPING:	W.P. HICKMAN SYSTEMS, INC., COLOR PAINT TO MATCH EP-6G
MP-3G	METAL CANOPY:	BERRIDGE ROOFING, COLOR PREMIUM METALLIC "ZINC COTE"
MP-4G	METAL AWNING / STANDING SEAM ROOF:	BERRIDGE ROOFING, COLOR PREMIUM METALLIC "ZINC COTE"
EB-1G	EXTERIOR BRICK:	PINE HALL BRICK, FACE BRICK, OLD IRVING O/S

**GENERAL NOTES**

1. ALL SIGNAGE UNDER SEPARATE PERMIT.
2. ALL EXISTING LIGHT BAND TO BE REMOVED AND INSTALL NEW. SEE DETAIL 8 ON SHEET A8
3. PATCH, REPAIR AND PAINT ALL EXISTING EXTERIOR PLASTER TO REMAIN. REFER TO DRAWINGS 1, 2 AND 6 ON SHEET A9 FOR STANDARD PLASTER DETAILS.
4. EXISTING STOREFRONT FRAME AND GLASS SHALL BE CLEANED AND REPAIRED AS REQUIRED.
5. NEW STOREFRONT FRAME FINISH SHALL BE BRONZE FINISH. EXISTING FRAMES TO BE PAINTED TO MATCH NEW STORE FRONT.
6. SEE SHEET A7.1 FOR FINISH SCHEDULE.
7. SEE SHEET A11 FOR NICHHA SIDING DETAILS.
8. PROVIDE METAL TRIM "SCHLUTER JOLLY" BY SCHLUTER SYSTEMS W/ BRUSHED ANODIZED ALUMINUM FINISH @ ALL OUTSIDE CORNER OF TILE FINISH.

**SOLARBAN**  
SOLAR CONTROL LOW-E GLASS  
**70XL**

**PPG Certified**  
Architectural Glass

**Fabrication and Availability**  
Solarban 70XL glass is available through more than 50 locations of the PPG Certified Fabricator Network. PPG Certified Fabricators can meet tight construction deadlines and accelerate the delivery of replacement glass options. Cutting and other construction. Solarban 70XL glass, manufactured utilizing the MSVD sputter-coating process, is available for annealed, heat strengthened and tempered applications.

**More Information**  
PPG has published a paper detailing the results of a comprehensive energy simulation study of Solarban 70XL coated glass in 12 major North American cities. To order PPG MesaScapes' integrated products, people and services to inspire your design and color palette.

**Solarban 70XL Glass Performance — Commercial Insulating Glass Unit**

Glazing System	U-Factor	SHGC	Visible Transmittance	Light Transmittance	Acoustic Coefficient	Acoustic Coefficient	Acoustic Coefficient	Acoustic Coefficient	Acoustic Coefficient
1/2" Clear Glass	1.04	0.89	0.86	0.86	0.00	0.00	0.00	0.00	0.00
1/2" Solarban 70XL	0.74	0.64	0.74	0.74	0.00	0.00	0.00	0.00	0.00
1/2" Clear Glass + 1/2" Clear Glass	0.74	0.89	0.86	0.86	0.00	0.00	0.00	0.00	0.00
1/2" Clear Glass + 1/2" Solarban 70XL	0.64	0.64	0.74	0.74	0.00	0.00	0.00	0.00	0.00
1/2" Solarban 70XL + 1/2" Solarban 70XL	0.54	0.54	0.64	0.64	0.00	0.00	0.00	0.00	0.00

**PPG** **IdeaScapes**  
Glass • Coatings • Film

REV.	DATE	DESCRIPTION

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. RE-USE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THE RESTRICTIONS.

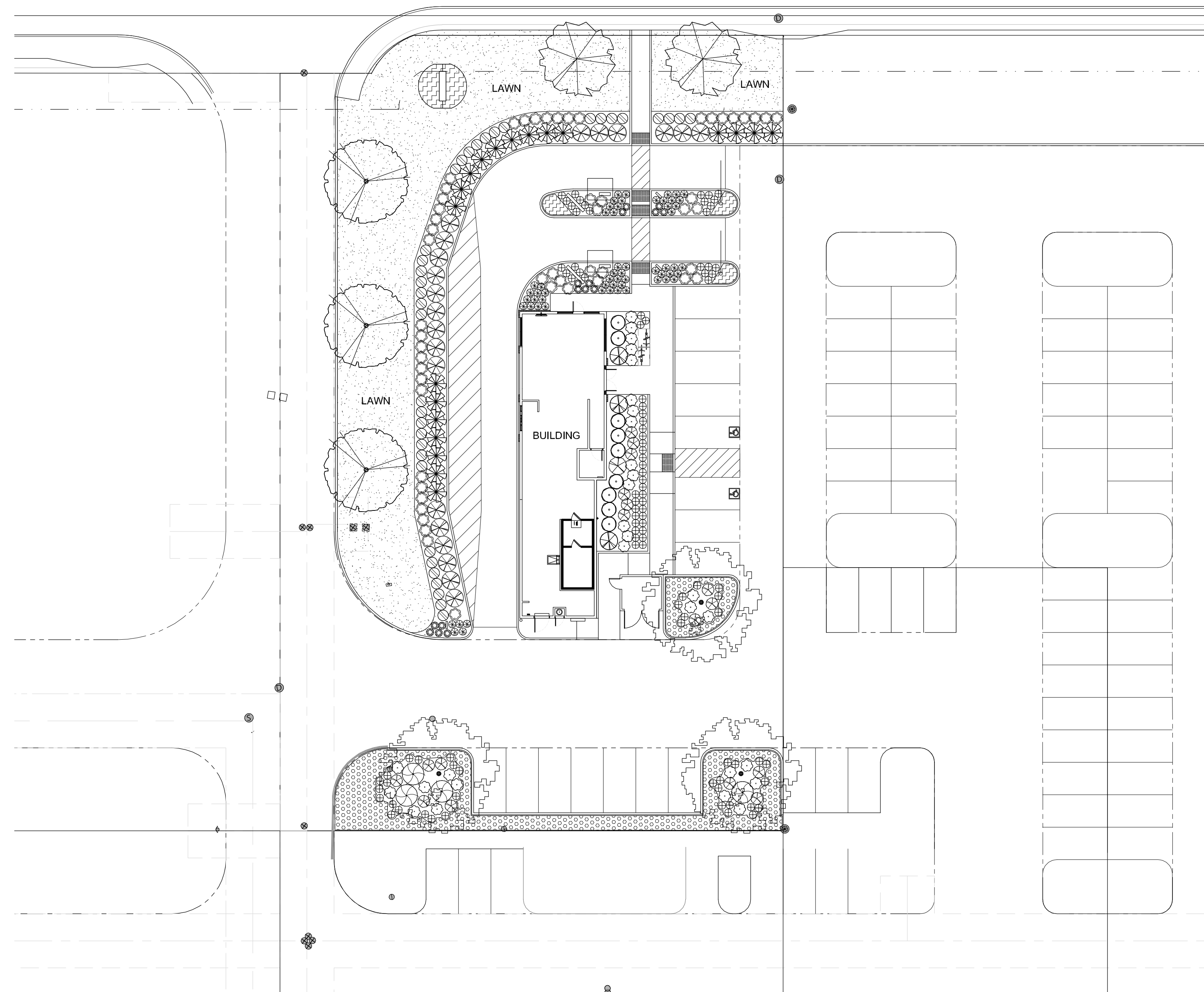


LOCATION  
820 W. MALL STREET  
CITY OF MOLLA, OREGON  
97302

DATE  
01/21/22  
JOB NO.  
DRAWN BY  
CHECKED BY  
FILE NAME  
A4&5 Elevations.dwg

**ELEVATIONS**

WOODBURN-ESTACADA HWY. (OR211, MAIN ST.)



PLANT MATERIALS LISTING:

Botanical name Common Name					
SYM	TREES	QTY.	SIZE	CONDITION	REMARKS
	Acer rubrum 'Armstrong' Armstrong Maple	2	2" Cal.	B&B	
	Fagus sylvatica 'Tricolor' Tricolor Beech	3	2" Cal.	B&B	
	Styrax japonicus Japanese Snowbell	3	1.5" Cal.	B&B	

SYM	SHRUBS	QTY.	SIZE	CONDITION	REMARKS
	Abelia grandiflora 'Edward Goucher' Edward Goucher Abelia	20	2 Gal	Can	
	Azalea x 'Hino-Crimson' Hino-Crimson Azalea	54	2 Gal	Can	
	Berberis thunbergii 'Crimson Pygmy' Crimson Pygmy Barberry	29	1 Gal	Can	
	Euonymus alatus 'Compacta' Compact Winged Euonymus	21	5 Gal	Can	
	Euonymus fortunei 'Roemertwo' Gold Splash Euonymus	98	1 Gal	Can	
	Hakonechloa macra 'All Gold' All Gold Japanese Forest Grass	59	1 Gal	Can	
	Ligustrum japonicum 'Texanum' Waxleaf Privet	3	5 Gal	Can	
	Nandina domestica 'Firepower' Firepower Bamboo	18	1 Gal	Can	
	Rhododendron 'PJM Elite' PJM Elite Rhododendron	4	5 Gal	Can	
	Rudbeckia fulgida 'Goldsturm' Black Eye Susan	15	1 Gal	Can	
	Spiraea japonica 'Magic Carpet' Magic Carpet Spirea	36	1 Gal	Can	
	Viburnum davidii David Viburnum	9	1 Gal	Can	

SYM	GROUND COVER	QTY.	SIZE	CONDITION	REMARKS
	Fragaria x 'Lipstick' Lipstick Strawberry	300	4"	Pots	24" o/c.
	Lawn (sod or hydroseed)	5,720 SF			
	Seasonal color (annuals)	210 SF			

REFER TO SHEETS L102 FOR PLANTING DETAILS AND NOTES.

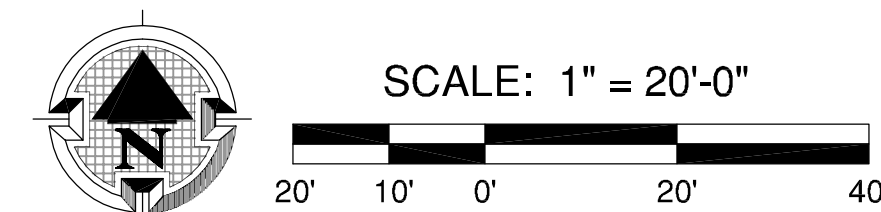


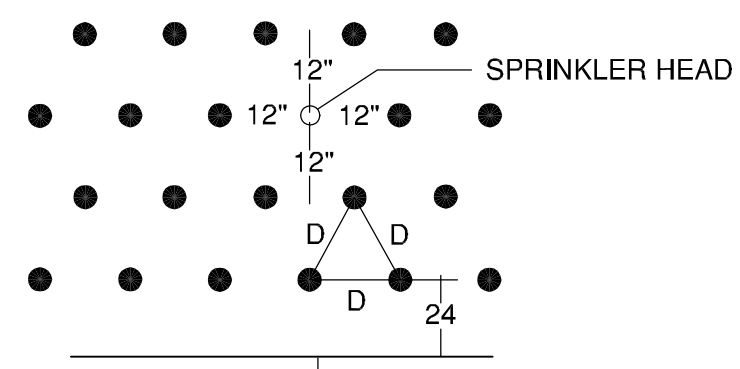
REVISIONS		
REV.	DATE	DESCRIPTION

SHEET NAME:  
PLANTING PLAN

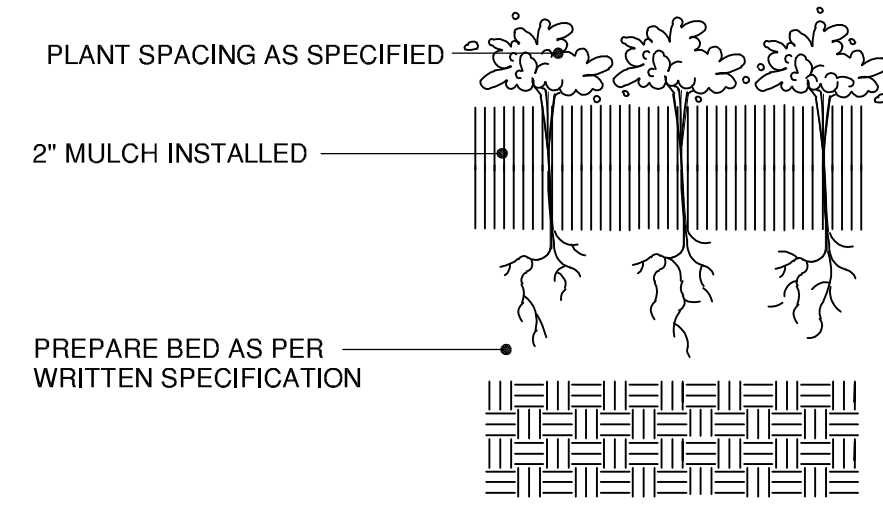
DRAWN BY: \_\_\_\_\_ TM  
CHECKED BY: \_\_\_\_\_ TM  
ISSUE DATE: 2/3/2022  
JOB NO.: 2203

SHEET:  
**L101**  
OF 2

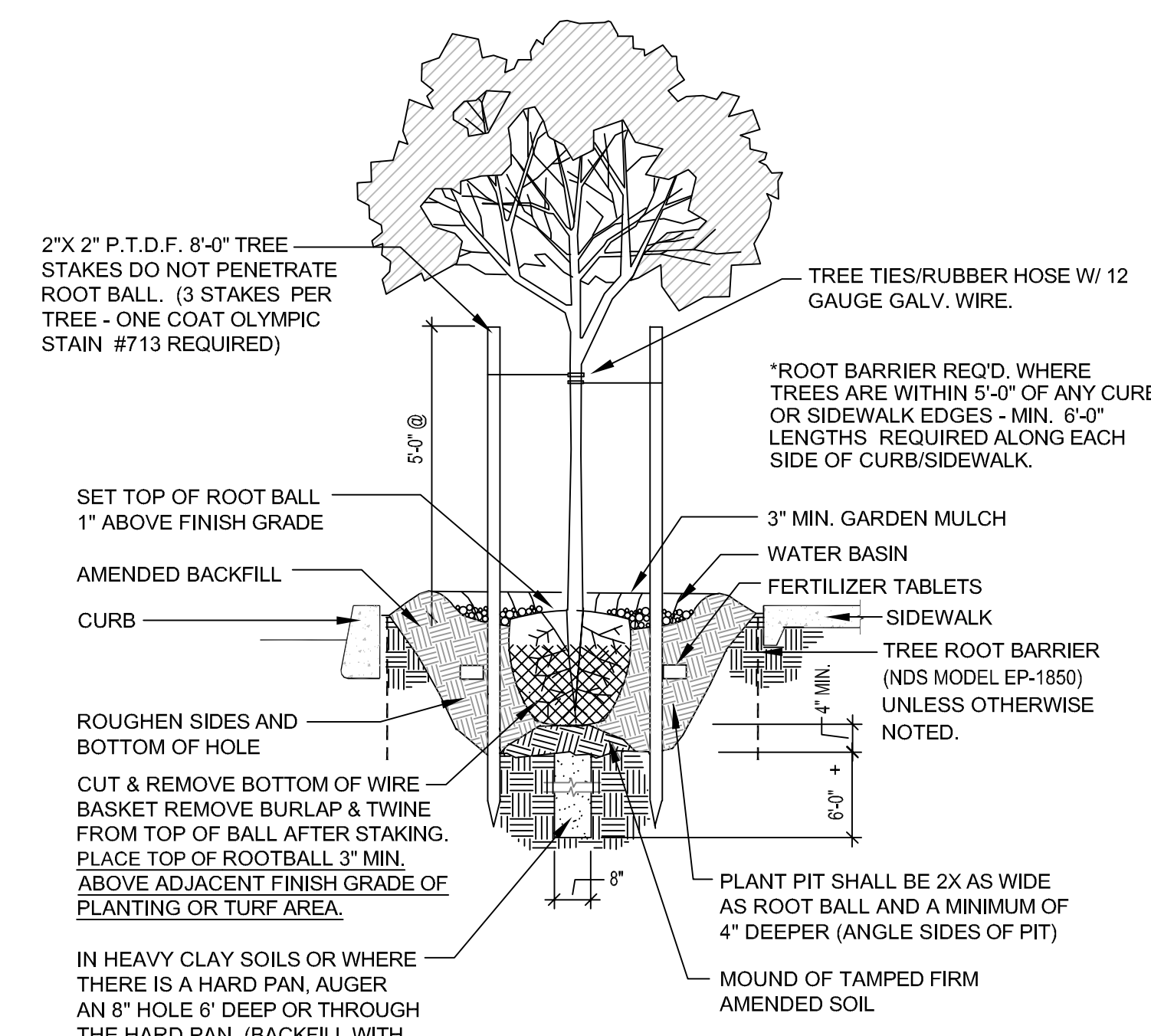




NOTE:  
LOCATE PLANTS SPACED EQUAL DISTANT (D)  
FROM EACH OTHER AS SPECIFIED AND  
MINIMUM OF 12" FROM SPRINKLER HEAD

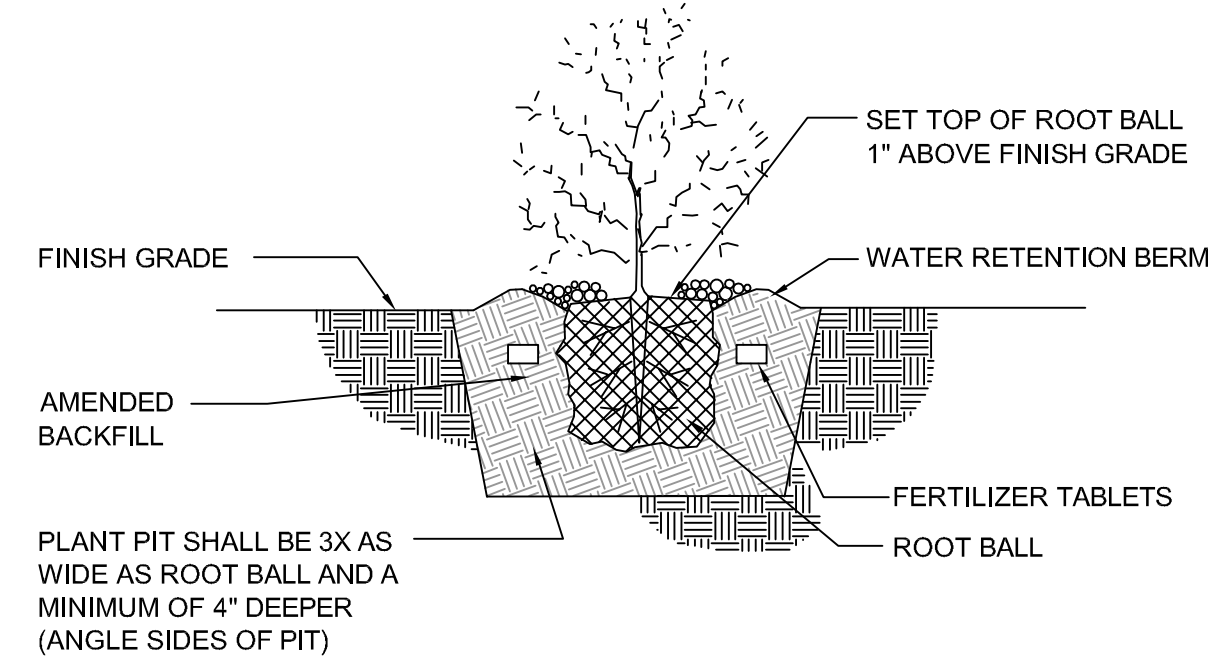


**GROUNDCOVER PLANTING DETAIL**  
N.T.S.



**STREET TREE PLANTING DETAIL**  
N.T.S.

- TYPICAL PLANTING NOTES:**
- B&B STOCK MAY BE SUBSTITUTED WITH CONTAINER STOCK OF EQUAL GRADE.
  - CONTAINER STOCK MAY BE SUBSTITUTED WITH B&B STOCK OF EQUAL GRADE.
  - PLANT MATERIAL SHALL CONFORM WITH AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z60.1, 2004 EDITION.
  - ALL TREES SHALL BE BRANCHED.
  - GARDEN MULCH ALL PLANTING BEDS WITH 3" MIN. LAYER OF SPECIFIED GARDEN MULCH.
  - IN THE EVENT OF A DISCREPANCY BETWEEN THIS MATERIAL LISTING AND THE DRAWINGS, THE DRAWINGS SHALL GOVERN THE PLANT SPECIES AND QUANTITIES REQ.
  - IN THE EVENT OF QUESTION OR LACK OF CLARITY ON DRAWINGS, LANDSCAPE CONTRACTOR IS TO CALL LANDSCAPE ARCHITECT BEFORE PROCEEDING.
  - LANDSCAPE CONTRACTOR IS TO NOTIFY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF PLANT MATERIAL TO APPROVE FINAL PLACEMENT.
  - LANDSCAPE CONTRACTOR TO VERIFY PLANT MATERIAL QUANTITIES QUANTITIES.
  - CONTRACTOR WILL PROVIDE A ONE YEAR WARRANTY ON ALL PROVIDED & INSTALLED PLANT MATERIAL FROM DATE OF FINAL APPROVAL BY OWNER'S REPRESENTATIVE.



**SHRUB PLANTING DETAIL**  
N.T.S.



**BURGER KING**  
InSite Real Estate  
121 S. HEZZIE LANE  
MOLALLA, OREGON

REVISIONS		
REV.	DATE	DESCRIPTION

SHEET NAME:  
**PLANTING  
DETAILS & NOTES**

DRAWN BY: \_\_\_\_\_ TM  
CHECKED BY: \_\_\_\_\_ TM  
ISSUE DATE: 2/3/2022  
JOB NO.: 2203

SHEET:  
**L102**  
OF 2



**LEGEND**

- LP 1 = INSTALL 96W LED TYPE III SHOEBOX LUMINAIRE W/HSS ON 20 FT METAL POLE.
- LP 2 = INSTALL 96W LED TYPE IV WIDE SHOEBOX LUMINAIRE ON 20 FT METAL POLE.
- LP 3 = INSTALL 96W LED TYPE V SHOEBOX LUMINAIRE ON 20 FT METAL POLE.
- LP EX = EXISTING LED LUMINAIRE ON METAL POLE.
- WP X = INSTALL 24W LED WALLPACK 11 FT HIGH #. (X = WALLPACK #).

**PRIVATE LIGHTING NOTES:**

1. LIGHT POLES SHALL BE 20-FOOT TALL, BRONZE METAL POLES.

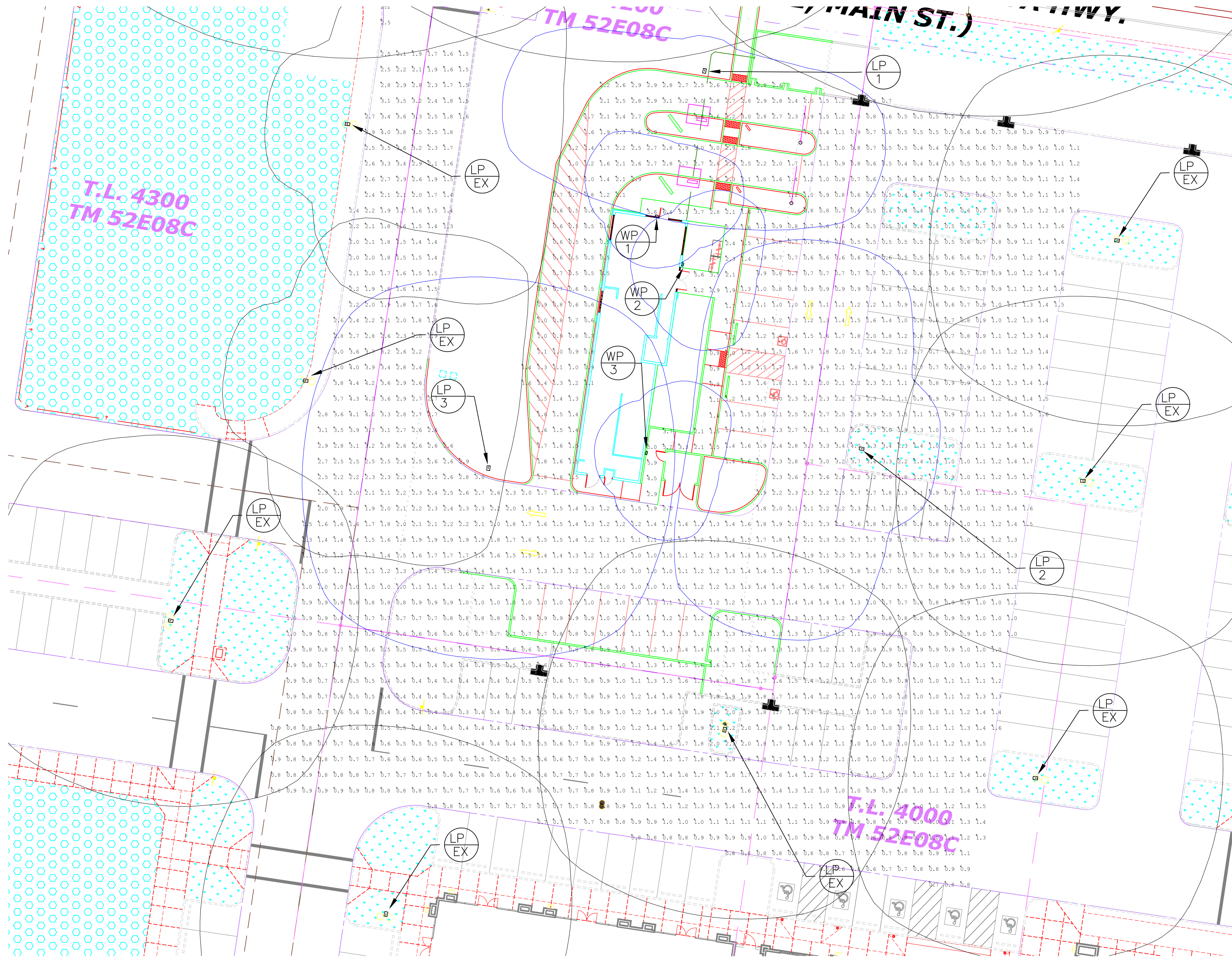
APPROVED LIGHT POLES ARE:  
COOPER SSS4M20F41

2. LUMINAIRES SHALL BE APPROVED, LED 240V, BRONZE "GLEON" LUMINAIRES.

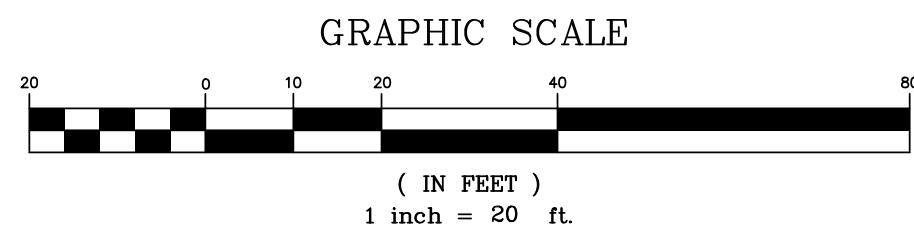
APPROVED LUMINAIRES ARE:  
LP1: 96W COOPER GLEON-SA3A-730-U-T3-BZ-HSS  
LP2: 96W COOPER GLEON-SA3A-730-U-T4W-BZ  
LP3: 96W COOPER GLEON-SA3A-730-U-T5WQ-BZ

3. WP: WALLPACKS SHALL BE APPROVED, 24W LED WALLPACKS MOUNTED 11-FOOT HIGH.

APPROVED WALLPACKS ARE:  
LITHONIA WPX1 LED P2 30K MVOLT DDBXD



LIGHT LEVEL REQUIREMENTS				
LOCATION	TARGET	LIGHT LEVEL	MINIMUM	MAX/MIN
PARKING LOT	TARGET	≥0.80 FC AVG	≥0.20 FC MIN	≤20:1 MAX/MIN
	ACHIEVED	1.34 FC AVG	0.30 FC MIN	14.67:1 MAX/MIN
BUILDING SIDEWALKS	TARGET	≥2.50 FC AVG	≥0.50 FC MIN	≤20:1 MAX/MIN
	ACHIEVED	2.76 FC AVG	0.90 FC MIN	7.11:1 MAX/MIN



LIGHTING DESIGN

Northstar Electrical Contractors  
11055 S.W. Clay Street  
Sherwood, Oregon 97140  
Phone 503-612-0840  
Fax 503-612-0891  
Email adam.suminski@NorthStarElect.com



BURGER KING  
MOLALLA, OR

Title: SITE LIGHTING  
Designed by: ADAM SUMINSKI  
Checked by: JESSE CULP  
Date: June 2, 2022

DWG. NO  
**EL1**

Project No.: 000000A



# Oregon

Kate Brown, Governor

**Department of State Lands**

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

[www.oregon.gov/dsl](http://www.oregon.gov/dsl)

BEFORE THE DIRECTOR OF THE DEPARTMENT OF  
STATE LANDS OF THE STATE OF OREGON

In the Matter of Removal-Fill Permit )  
Application 62917-GP ) Proposed Permit Decision and Order;  
) Notice of Right to a Hearing  
By Cascade Center Molalla, LLC )

**State Land Board**

Kate Brown  
Governor

Bev Clarno  
Secretary of State

Tobias Read  
State Treasurer

**Short and Plain Statement of the Permitting Decision:** The permit application is approved because the Department of State Lands (DSL or the Department) has determined that, when carried out in compliance with all terms and conditions outlined in the permit, the proposed removal-fill activity is consistent with the protection, conservation, and best use of the water resources of this state and will not unreasonable interfere with the paramount policy of this state to preserve the use of its waters for navigation, fishing, and recreation. See ORS 196.825.

**I. Applicable Law:**

- a. ORS Chapter 196 governs removal fill permits in Oregon. The Department administers Oregon's Removal-Fill Law, Oregon Revised Statutes (ORS) 196.795 to ORS 196.990, which protects the state's wetlands and waterways. See ORS 196.805. Unless an exception applies, a person may not remove material from waters of this state or fill waters of this state without a permit from DSL. ORS 196.810. Waters of this state include the all-natural waterways, tidal and non-tidal bays, intermittent streams, constantly flowing streams, lakes, wetlands, the Pacific Ocean that is in the boundaries of this state, and other water bodies. ORS 196.800; Oregon Administrative Rule (OAR) 141-085-0515; OAR 141-093-0100.
- b. Specifically, the statutes that govern removal-fill permits in Oregon, including the permit application at issue in this case, generally include the following:

- ORS 196.795 (Administration of State Removal or Fill Permits; General Permits);
- ORS 196.800 (Definitions);
- ORS 196.805 (Policy);
- ORS 196.810 (Removal from Bed or Banks of Waters; Permits; Exceptions);
- ORS 196.812 (Removal of Large Woody Debris);
- ORS 196.815 (Permit Applications; Fees);
- ORS 196.816 (Removal of Materials for Purpose of Maintaining Drainage and Protecting Agricultural Land);
- ORS 196.817 (Removal or Fill General Permits);
- ORS 196.818 (Wetland Delineation Reports; Fees);
- ORS 196.820 (Smith Lake, Bybee Lake Prohibition);
- ORS 196.825 (Permit Criteria; Consultation with Other Agencies);
- ORS 196.830 (Estuarine Resource Replacement; Other Permit Conditions);
- ORS 196.835 (Issuance of Permits; Procedure);
- ORS 196.845 (Investigations and Surveys of Location); and

ORS 196.850 (Waiver of Permit Requirement; Notice; Review).

The full text of these statutes may be viewed online at:  
[https://www.oregonlegislature.gov/bills\\_laws/ors/ors196.html](https://www.oregonlegislature.gov/bills_laws/ors/ors196.html).

The full text of these statutes may also be inspected in person during normal business hours at:  
Oregon Department of State Lands  
775 Summer St NE STE 100  
Salem, OR 97301.

- c. OAR Chapter 141, Divisions 85 and 93 implement the above statutory scheme and govern removal-fill permits in Oregon. The rules that govern removal-fill permits in Oregon, including the permit application at issue in this case, generally include the following:

**Div. 85 Removal-Fill Authorizations:**

OAR 141-085-0500 (General);  
OAR 141-085-0506 (Policy);  
OAR 141-085-0510 (Definitions);  
OAR 141-085-0515 (Removal-Fill Jurisdiction by Type of Water);  
OAR 141-085-0520 (Removal-Fill Jurisdiction by Volume of Material);  
OAR 141-085-0525 (Measuring and Calculating Volume of Removal and Fill);  
OAR 141-085-0530 (Exemptions for Certain Activities and Structures);  
OAR 141-085-0534 (Exemptions for Certain Voluntary Habitat Restoration Activities);  
OAR 141-085-0535 (Exemptions Specific to Agricultural Activities);  
OAR 141-085-0540 (Types of Authorizations);  
OAR 141-085-0545 (Fees; Amounts and Disposition);  
OAR 141-085-0550 (Application Requirements for Individual Permits);  
OAR 141-085-0555 (Individual Removal-Fill Permit Application Review Process);  
OAR 141-085-0560 (Public Review Process for Individual Removal - Fill Permit Applications);  
OAR 141-085-0565 (Department Determinations and Considerations in Evaluating Individual Permit Applications);  
OAR 141-085-0575 (Permit Appeals);  
OAR 141-085-0580 (Discovery in Contested Cases);  
OAR 141-085-0585 (Permit Conditions, Permit Expiration Dates and Permit Transfer);  
OAR 141-085-0590 (Renewal and Extension of Individual Removal-Fill Permits);  
OAR 141-085-0595 (Permit Requirements and Interagency Coordination for Department of Environmental Quality Approved Remedial Action, Corrections Facilities, Solid Waste Land Fills and Energy Facilities);  
OAR 141-085-0665 (Expedited Process for Industrial or Traded Sector Sites);  
OAR 141-085-0676 (Emergency Authorizations);  
OAR 141-085-0680 (Compensatory Mitigation (CM); Applicability and Principal Objectives);  
OAR 141-085-0685 (Functions and Values Assessment);  
OAR 141-085-0690 (Eligibility Requirements for CM);  
OAR 141-085-0692 (Mitigation Accounting);  
OAR 141-085-0694 (Special Requirement for CM);  
OAR 141-085-0695 (Administrative Protection of CM Sites);  
OAR 141-085-0700 (Financial Security for CM Sites);  
OAR 141-085-0705 (Requirements for CM Plans);  
OAR 141-085-0710 (Monitoring Requirements for CWM);

OAR 141-085-0715 (Mitigation for Temporary Impacts);  
OAR 141-085-0720 (Mitigation Banking Purpose, Applicability and Policies);  
OAR 141-085-0725 (Process for Establishing Mitigation Banks);  
OAR 141-085-0730 (Establishment of Mitigation Credits);  
OAR 141-085-0735 (Release, Use and Sale of Mitigation Credits);  
OAR 141-085-0740 (Authorization for Mitigation Banks);  
OAR 141-085-0745 (In-Lieu Fee Mitigation);  
OAR 141-085-0750 (Payments to and Expenditures from the Oregon Removal-Fill Mitigation Fund);  
OAR 141-085-0755 (Advance Mitigation); and  
OAR 141-085-0768 (Advance Aquatic Resource Plans).

**Div. 93: General Permits:**

OAR 141-093-0100 (General);  
OAR 141-093-0103 (Agency Process and Standards for Establishing General Permits);  
OAR 141-093-0104 (Project Applicability);  
OAR 141-093-0105 (Application Requirements and Completeness Review);  
OAR 141-093-0107 (Completeness and Eligibility Review);  
OAR 141-093-0110 (Public Review Process);  
OAR 141-093-0115 (Department Determinations and Considerations in Evaluating Applications);  
OAR 141-093-0120 (Expiration and Annual Billing);  
OAR 141-093-0130 9 (Appeal Process);  
OAR 141-093-0135 (General Conditions);  
OAR 141-093-0155 (Minor Removal-Fill Impacts - Purpose);  
OAR 141-093-0160 (Minor Removal-Fill Impact – Eligibility Requirements);  
OAR 141-093-0165 (Minor Removal-Fill Impacts - Compensatory Wetland Mitigation);  
OAR 141-093-0170 (Minor Removal-Fill Impacts - Authorized Activities); and  
OAR 141-093-0175 (Minor Removal-Fill Impacts - GP-Specific Conditions);

The full text of these rules may be viewed online at:

<https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=15700>.

The full text of these rules may also be inspected in person during normal business hours at:

Oregon Department of State Lands  
775 Summer St NE STE 100  
Salem, OR 97301.

**II. Findings of Fact and Findings of Ultimate Fact:**

1. The Department received a complete, written application from applicant on September 30, 2020 for the proposed removal-fill activity consisting of permanent fill to 0.08 acre of PEM wetland for commercial construction.
2. The Department circulated the complete application for 15-day public comment period October 20, 2020 to November 3, 2020 to parties including, affected local, state and federal agencies, affected tribal governments, adjacent landowners, and other parties requesting notification.
3. There were no comments that required a response to the Department
4. Based on all the information in the agency file in this matter, including the complete application, comments received, applicant response to comments, and the agency's own

investigations, the Department concludes as to the determinations in ORS 196.825(1) and (4), OAR 141-085-0565(3), and OAR 141-093-0115:

- a. The project described in the permit application and as conditioned in the proposed permit, is consistent with the protection, conservation, and best use of the water resources of this state as specified in ORS 196.600 to 196.905;
  - b. The project described in the permit application and as conditioned in the proposed permit would not interfere with the paramount policy of this state to preserve the use of its waters for navigation, fishing, and public recreation.
5. Based on all the information in the agency file in this matter, including the complete application, comments received, applicant response to comments, and the agency's own investigations, the Department concludes, as to the considerations in ORS 196.825(3), OAR 141-085-0565(4), OAR 141-093-0115.
- a. There is not an identified public need for the proposed fill or removal and social, economic, or other public benefits likely to result from the proposed fill or removal.
  - b. There is not an identified economic cost to the public if the proposed fill or removal is not accomplished.
  - c. The application describes 2 alternatives to the project for which the fill or removal is proposed. There are no practicable alternatives with lesser impact to waters of this state.
  - d. The application describes multiple alternative sites for the proposed removal or fill. There are no practicable alternative sites with lesser impact to waters of this state.
  - e. The proposed project conforms to sound policies of conservation because adverse effects to the aquatic resources have been reduced to the extent practicable and the proposed permit contains operating conditions for best management practices to further minimize adverse effects. No interference with public health and safety was identified in the application evaluation and public review processes.
  - f. There is not a conflict with existing public uses of the affected waters or adjacent land uses identified in the application evaluation and public review processes.
  - g. The proposed fill or removal is compatible with the governing comprehensive plan and land use regulations as described in the Land Use Compatibility Statement
  - h. The proposed fill and removal is not for streambank protection.
  - i. The application describes compensatory mitigation in the form of 0.08 credits of PEM wetland mitigation credits from the Garrett Creek Wetland Mitigation Bank. The mitigation is sufficient to offset anticipated spatial and function attribute losses resulting from the proposed fill or removal.

**III. Conclusions of Law:**

Based on the factors laid out in ORS Chapter 196 and OAR Chapter 141, Division 85, including ORS 196.825, OAR 141-085-0565, and OAR 141-093-0115, DSL should approve the permit application as conditioned in the proposed permit.

**IV. Proposed Order:**

The Department proposes approving the permit application with conditions and based on the factors laid out in ORS Chapter 196 and OAR Chapter 141, Division 85, including ORS 196.825, OAR 141-085-0565 and OAR 141-093-0130.

As described below, you have the right to request a hearing within 21 days. Prior to the expiration of the 21-day period, this proposed permit decision is not the final agency order on the matter, and the permittee should be aware that the decision could be changed prior to the expiration of the 21-day appeal period—either because the permittee requests a contested case hearing, or as otherwise allowed under the removal fill law. A permittee who begins work under a permit prior to issuance of a final order does so with acceptance of this risk.

**V. Hearing:**

You are entitled to request a hearing based on this Proposed Order as provided by the Oregon Administrative Procedures Act (ORS chapter 183) and the administrative rules implementing the Administrative Procedures Act, OAR Chapter 137, Division 3. See ORS 196.825(7); OAR 141-001-0005; OAR 141-001-0010; OAR 141-085-0575; OAR 141-093-0130.

If you want a hearing, you must file a written request for a hearing with the Department no later than 21 calendar days from the date of the permit decision. See ORS 196.825(7); OAR 141-085-0575; OAR 141-093-0130. If you are a corporation, partnership, limited liability company, unincorporated association, trust, or government body, you must either have an attorney licensed to practice law in Oregon submit a request for a contested case hearing on your behalf or ratify your hearing request within 28 days. See OAR 137-003-0550.

The Department has determined that due to the complexity of removal-fill permitting, a general denial of the matters or a general objection to all permit conditions in the request for a contested case proceeding does not provide sufficient information for a fair and efficient contested case and a more specific request is warranted. OAR 141-085-0575. All requests for a contested case proceeding under this section shall include a specific list of issues for the contested case proceeding. OAR 141-085-0575. The requester may amend their request to include additional issues or clarify existing issues within 15 days of the date that the case is referred to the Office of Administrative Hearings. OAR 141-085-0575.

You may mail a request for a hearing to:  
Department of State Lands  
Aquatic Resource Management Program  
775 Summer Street NE STE 100  
Salem, OR 97301.

If you request a hearing, you will be notified of the time and the place of the hearing. See OAR 137-003-0525. You may be represented by legal counsel at the hearing. ORS 183.417; OAR 137-003-0550. Corporations, partnerships, limited liability companies, unincorporated associations, trusts and government bodies must be represented by an attorney except as provided in OAR 137-003-0555 or as otherwise authorized by law. OAR 137-003-0550. Legal aid organizations may be able to represent you if you have limited financial resources. You will be given information on the procedures, right of representation, and other rights of parties relating to the substance and conduct of the hearing before commencement of the hearing. See ORS 183.413.

#### **VI. Jurisdiction and Authority to Hold a Hearing:**

The Department has jurisdiction over the issuance of removal-fill permits pursuant to ORS Chapter 196, and specifically, ORS 196.810. A permit decision constitutes an order in a contested case. See ORS 183.310(2)(a); ORS 196.825(7). If timely requested, a hearing is held as laid out in ORS 183.411 to ORS 183.471, OAR Chapter 137, Division 3, ORS Chapter 196, and OAR Chapter 141, Division 85. ORS 196.825(7).

#### **VII. Final Order and Defaults:**

If a request for a hearing is not received by the Department within this 21-day period, your right to a hearing shall be waived and this Proposed Order shall become the Final Order by default. See ORS 196.825(7); OAR 141-085-0575; OAR 141-093-0130.

If you request a hearing and then either withdraw your hearing request, notify the Department or administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Department may issue a final order by default. See ORS 183.417.

If the Department issues a final order by default, it designates its file on this matter, including any materials submitted by you that relate to this matter, as the record for purposes of supporting its decision.

If you proceed to a contested case hearing, a Final Order will not be issued until after the hearing concludes. See ORS 183.464; OAR 141-085-0575; OAR 141-093-0130.

#### **VIII. Federal Servicemembers Civil Relief Act:**

Active duty servicemembers have a right to stay contested case proceedings under the federal Servicemembers Civil Relief Act. See *generally* 50 USC 3901 *et seq.* For more information, contact the Oregon State Bar (800-452-8260), the Oregon Military Department (503-584-3571), or the nearest United States Armed Forces Legal Assistance Office (<http://legalassistance.law.af.mil>). The Oregon Military Department does not have a toll-free telephone number.

Department of State Lands  
775 Summer Street, Suite 100  
Salem, OR 97301-1279  
☎ 503-986-5200

Permit No.:	<u>62917-GP</u>
Permit Type:	<u>Minor Impacts to Wetlands</u>
Waters:	<u>Wetland</u>
County:	<u>Clackamas</u>
Expiration Date:	<u>November 24, 2021</u>

**CASCADE CENTER MOLALLA, LLC**

**IS AUTHORIZED IN ACCORDANCE WITH ORS 196.800 TO 196.990 TO PERFORM THE OPERATIONS DESCRIBED IN THE REFERENCED APPLICATION, SUBJECT TO THE SPECIAL CONDITIONS LISTED ON ATTACHMENT A AND TO THE FOLLOWING GENERAL CONDITIONS:**

1. This permit does not authorize trespass on the lands of others. The permit holder must obtain all necessary access permits or rights-of-way before entering lands owned by another.
2. This permit does not authorize any work that is not in compliance with local zoning or other local, state, or federal regulation pertaining to the operations authorized by this permit. The permit holder is responsible for obtaining the necessary approvals and permits before proceeding under this permit.
3. All work done under this permit must comply with Oregon Administrative Rules, Chapter 340; Standards of Quality for Public Waters of Oregon. Specific water quality provisions for this project are set forth on Attachment A.
4. Violations of the terms and conditions of this permit are subject to administrative and/or legal action, which may result in revocation of the permit or damages. The permit holder is responsible for the activities of all contractors or other operators involved in work done at the site or under this permit.
5. Employees of the Department of State Lands (DSL) and all duly authorized representatives of the Director must be permitted access to the project area at all reasonable times for the purpose of inspecting work performed under this permit.
6. Any permit holder who objects to the conditions of this permit may request a hearing from the Director, in writing, within twenty-one (21) calendar days of the date this permit was issued.
7. In issuing this permit, DSL makes no representation regarding the quality or adequacy of the permitted project design, materials, construction, or maintenance, except to approve the project's design and materials, as set forth in the permit application, as satisfying the resource protection, scenic, safety, recreation, and public access requirements of ORS Chapters 196, 390, and related administrative rules.
8. Permittee must defend and hold harmless the State of Oregon, and its officers, agents and employees from any claim, suit, or action for property damage or personal injury or death arising out of the design, material, construction, or maintenance of the permitted improvements.
9. Authorization from the U.S. Army Corps of Engineers may also be required.

**NOTICE:** If removal is from state-owned submerged and submersible land, the permittee must comply with leasing and royalty provisions of ORS 274.530. If the project involves creation of new lands by filling on state-owned submerged or submersible lands, you must comply with ORS 274.905 to 274.940 if you want a transfer of title; public rights to such filled lands are not extinguished by issuance of this permit. This permit does not relieve the permittee of an obligation to secure appropriate leases from DSL, to conduct activities on state-owned submerged or submersible lands. Failure to comply with these requirements may result in civil or criminal liability. For more information about these requirements, please contact Department of State Lands, 503-986-5200.

Anita Huffman, Aquatic Resource Coordinator  
Aquatic Resource Management  
Oregon Department of State Lands

  
**Authorized Signature**

November 24, 2020  
**Date**



## ATTACHMENT A

Permit Holder: Cascade Center Molalla, LLC

Project Name: Cascade Center Commercial Development

Special Conditions for Removal/Fill Permit No. 62917-GP

### **READ AND BECOME FAMILIAR WITH CONDITIONS OF YOUR PERMIT.**

The project site may be inspected by the Department of State Lands (DSL) as part of our monitoring program. A copy of this permit must be available at the work site whenever authorized operations are being conducted.

1. **Responsible Party:** By signature on the application, Kiril Ivanov is acting as the representative of Cascade Center Molalla, LLC. By proceeding under this permit, Cascade Center Mollalla, LLC agrees to comply with and fulfill all terms and conditions of this permit, unless the permit is officially transferred to another party as approved by DSL. In the event information in the application conflicts with these permit conditions, the permit conditions prevail.
2. **Authorization to Conduct Removal and/or Fill:** This permit authorizes 0.08 acres of wetland impacts with associated removal and fill of material in T05S R02E Section 08C, Tax Lots 801, 900, 700, 800, in Clackamas County, as referenced in the application, map and drawings (See Attachment B for project location), dated September 30, 2020.
3. **Changes to the Project or Inconsistent Requirements from Other Permits:** It is the permittee's responsibility to ensure that all state, federal and local permits are consistent and compatible with the final approved project plans and the project as executed. Any changes made in project design, implementation or operating conditions to comply with conditions imposed by other permits resulting in removal-fill activity must be approved by DSL prior to implementation.
4. **DSL May Halt or Modify:** DSL retains the authority to temporarily halt or modify the project or require rectification in case of unforeseen adverse effects to aquatic resources or permit non-compliance.
5. **DSL May Modify Conditions Upon Permit Renewal:** DSL retains the authority to modify conditions upon renewal, as appropriate, pursuant to the applicable rules in effect at the time of the request for renewal or to protect waters of this state.

### **Pre-Construction**

6. **Stormwater Management Approval Required Before Beginning Work:** Prior to the start of construction, the permittee must obtain a National Pollution Discharge Elimination System (NPDES) permit from the Oregon Department of Environmental Quality (DEQ), if one is required by DEQ.

### **General Construction Conditions**

7. **Water Quality Certification:** The Department of Environmental Quality (DEQ) may evaluate this project for a Clean Water Act Section 401 Water Quality Certification (WQC). If the evaluation

results in issuance of a Section 401 WQC, that turbidity condition will govern any allowable turbidity exceedance and monitoring requirements.

8. **Erosion Control Methods:** The following erosion control measures (and others as appropriate) must be installed prior to construction and maintained during and after construction as appropriate, to prevent erosion and minimize movement of soil into waters of this state.
  - a. All exposed soils must be stabilized during and after construction to prevent erosion and sedimentation.
  - b. Filter bags, sediment fences, sediment traps or catch basins, leave strips or berms, or other measures must be used to prevent movement of soil into waterways and wetlands.
  - c. To prevent erosion, use of compost berms, impervious materials or other equally effective methods, must be used to protect soil stockpiled during rain events or when the stockpile site is not moved or reshaped for more than 48 hours.
  - d. Unless part of the authorized permanent fill, all construction access points through, and staging areas in, riparian and wetland areas must use removable pads or mats to prevent soil compaction. However, in some wetland areas under dry summer conditions, this requirement may be waived upon approval by DSL. At project completion, disturbed areas with soil exposed by construction activities must be stabilized by mulching and native vegetative plantings/seeding. Sterile grass may be used instead of native vegetation for temporary sediment control. If soils are to remain exposed more than seven days after completion of the work, they must be covered with erosion control pads, mats or similar erosion control devices until vegetative stabilization is installed.
  - e. Where vegetation is used for erosion control on slopes steeper than 2:1, a tackified seed mulch must be used so the seed does not wash away before germination and rooting.
  - f. Dredged or other excavated material must be placed on upland areas having stable slopes and must be prevented from eroding back into waterways and wetlands.
  - g. Erosion control measures must be inspected and maintained as necessary to ensure their continued effectiveness until soils become stabilized.
  - h. All erosion control structures must be removed when the project is complete, and soils are stabilized and vegetated.
9. **Fuels, Hazardous, Toxic, and Waste Material Handling:** Petroleum products, chemicals, fresh cement, sandblasted material and chipped paint, wood treated with leachable preservatives or other deleterious waste materials must not be allowed to enter waters of this state. Machinery and equipment staging, cleaning, maintenance, refueling, and fuel storage must be at least 150 feet from OHW or HMT and wetlands to prevent contaminants from entering waters of the state. Refueling is to be confined to a designated area to prevent spillage into waters of this state. Barges must have containment system to effectively prevent petroleum products or other deleterious material from entering waters of this state. Project-related spills into waters of this state or onto land with a potential to enter waters of this state must be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311.
10. **Archaeological Resources:** If any archaeological resources, artifacts or human remains are encountered during construction, all construction activity must immediately cease. The State Historic Preservation Office must be contacted at 503-986-0674. You may be contacted by a Tribal representative if it is determined by an affected Tribe that the project could affect Tribal cultural or archeological resources.

**Compensatory Mitigation**

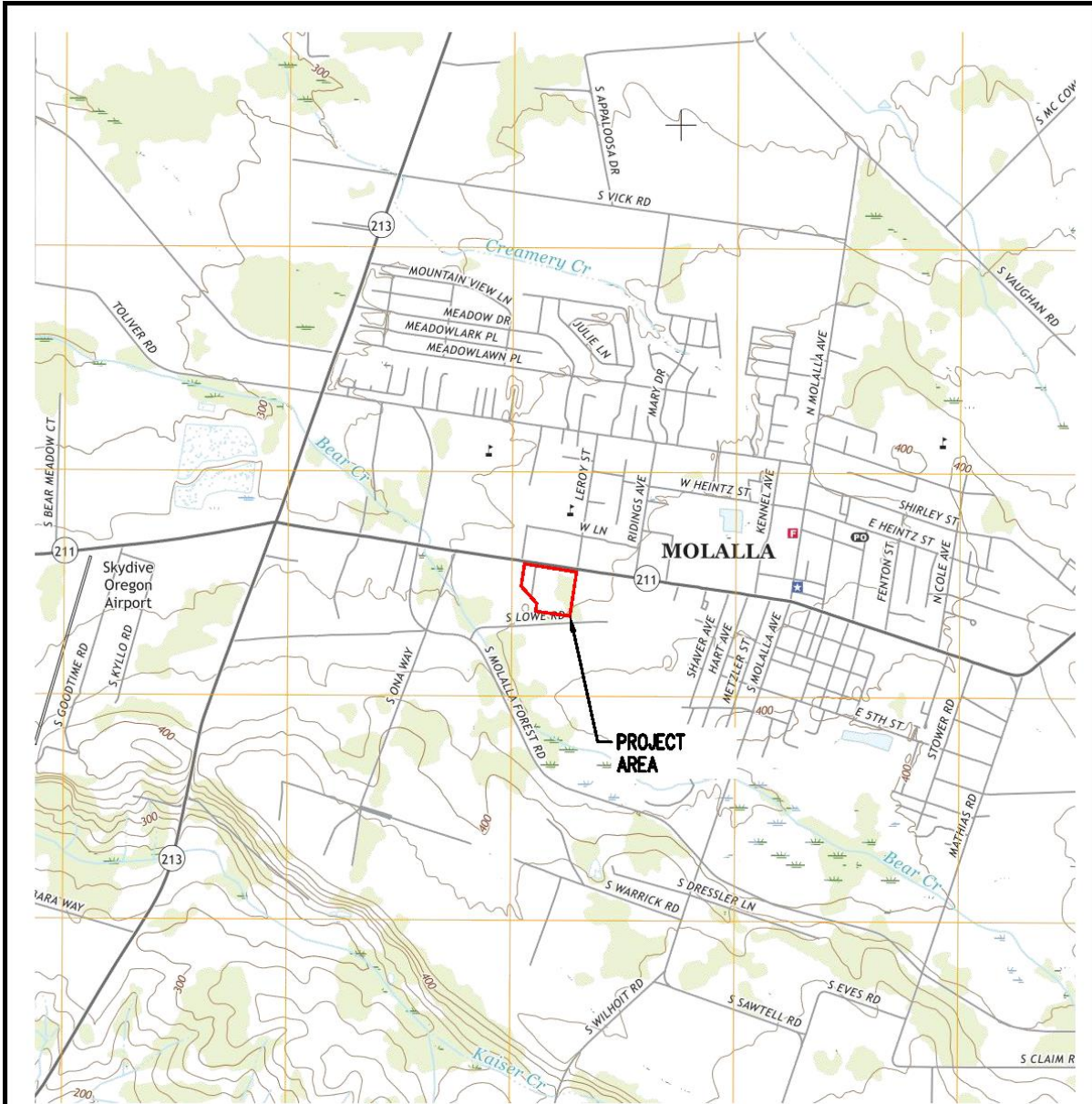
- 11. Mitigation Bank Credit Purchase:** Mitigation for the unavoidable loss of 008 acres of PEM, Slope wetland has been accomplished via purchase of 0.08 credits from the Garrett Creek Wetland Mitigation Bank, per the proof of purchase.

# ATTACHMENT B

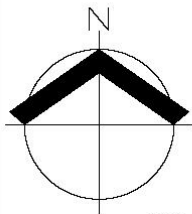
Permit Holder: Cascade Center Molalla, LLC

Project Name: Cascade Center Commercial Development

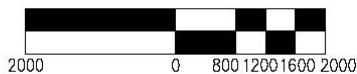
Maps and Drawings for Removal/Fill Permit No. 62917-GP



USGS 7.5' TOPOGRAPHIC SERIES  
QUADRANGLE: MOLALLA, OR (2017)



SCALE: 1" = 2000 FEET



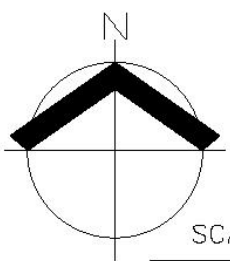
DATE: 09/18/2020

USGS SITE LOCATION MAP CASCADE CENTER COMMERCIAL DEVELOPMENT JPA		FIGURE 1
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: JWM CHKD: SAR AKS JOB: 7710

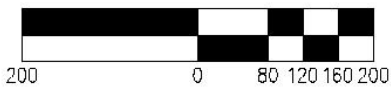




GOOGLE EARTH MAY 2019

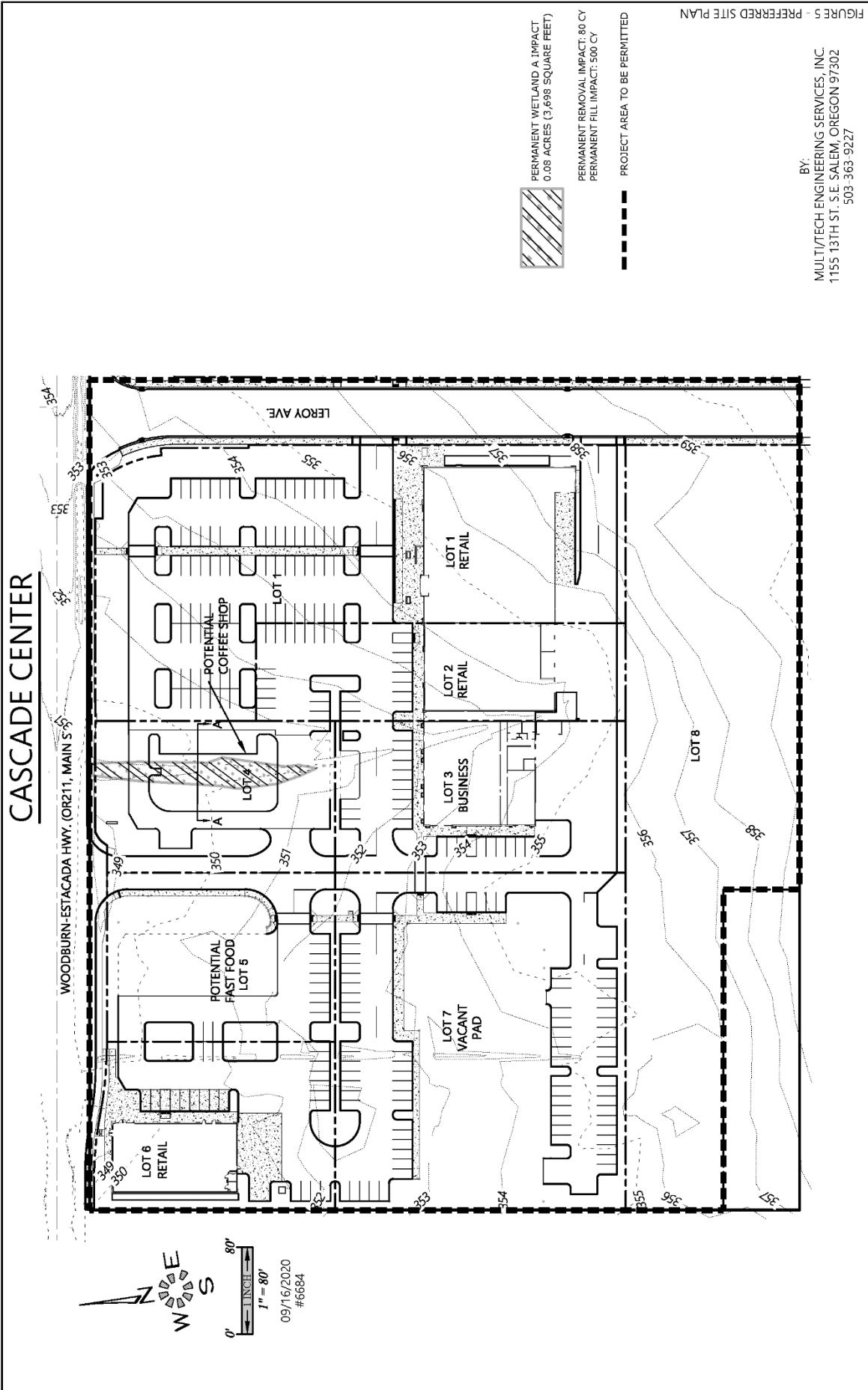


SCALE: 1" = 200 FEET



DATE: 09/18/2020

<b>AERIAL PHOTOGRAPH</b>		<b>FIGURE 3</b>
<b>CASCADE CENTER COMMERCIAL DEVELOPMENT JPA</b>		
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151    WWW.AKS-ENG.COM		DRWN: SR CHKD: JWM AKS JOB: 7710
		





First American Title Insurance Company  
National Commercial Services  
25 West Main Street, Suite 400  
Madison, Wisconsin 53703

Escrow Officer: Rachael Schroeder  
Phone: (608)286-3579  
Fax:  
E-mail RSchroeder@firstam.com

File No: NCS-1060756-MAD

Title Officer:  
Phone:  
Fax:  
E-mail

File No: NCS-1060756-MAD

### PRELIMINARY TITLE REPORT

ALTA Owners Standard Coverage	Liability	\$	TBD	Premium	\$	TBD
ALTA Owners Extended Coverage	Liability	\$		Premium	\$	
ALTA Lenders Standard Coverage	Liability	\$		Premium	\$	
ALTA Lenders Extended Coverage	Liability	\$		Premium	\$	
ALTA Leasehold Standard Coverage	Liability	\$		Premium	\$	
ALTA Leasehold Extended Coverage	Liability	\$		Premium	\$	
Endorsements	Liability	\$		Premium	\$	
Govt Service Charge				Cost	\$	
Other					\$	

We are prepared to issue Title Insurance Policy or Policies 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 03/31/2021 at 8:00 a.m., title to the fee simple estate is vested in:

Cascade Center Molalla LLC, an Oregon limited liability company

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 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.
6. The county tax roll discloses a mobile home on the herein described premises which is not included in title insurance coverage. Subject to requirements and provisions of O.R.S. 311.280 pertaining to mobile home taxes becoming liens on real property.
7. Rights of the public in and to that portion of the Land lying within any road, street and/or highway.
8. An easement for Ingress, egress, utility and incidental purposes, recorded April 20, 1982 as Fee No. [82010941](#) .  
In Favor of: Adjacent property owner  
Affects: as described therein
9. An easement for Ingress, egress, utility and incidental purposes, recorded July 16, 1986 as Fee No. [86026162](#) .  
In Favor of: Adjacent property owner  
Affects: as described therein
10. Restrictive Covenant to Waive Remonstrance, pertaining to Annexation to the City of Molalla including the terms and provisions thereof Recorded: July 23, 1996 as Fee No. [96053377](#)
11. The terms and provisions contained in the document entitled "City of Molalla Resolution 2010-01" recorded April 13, 2010 and June 18, 2013 as Fee Nos. [2010 022085](#) and [2013 042319](#) .
12. An easement for Underground sanitary sewer, storm drain, or water pipeline or pipelines and incidental purposes, recorded November 01, 2016 as Fee No. [2016 075479](#) .  
In Favor of: City of Molalla, a municipal corporation  
Affects: as described therein



13. A Deed of Trust to secure an original indebtedness of \$1,600,000.00 recorded March 14, 2017 as Fee No. [2017 016896](#) .
- |              |                              |
|--------------|------------------------------|
| Dated:       | March 10, 2017               |
| Trustor:     | Ivanov Investment Group, LLC |
| Trustee:     | Ticor Title                  |
| Beneficiary: | Molalla Holdings LLC         |

A document recorded January 28, 2021 as Fee No. [2021 009334](#) provides that Chicago Title Company of Oregon was substituted as trustee under the deed of trust.

The Deed of Trust/Mortgage was Partially reconveyed as to portion described in Parcel Reconveyance by instrument recorded January 28, 2021 under Fee No. [2021 009335](#).

Affects: The land and other property.

14. Covenants, conditions, restrictions and easements in the document recorded October 29, 2019 as Fee No. [2019 068303](#), but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.
- Said document contains an erroneous legal description.
15. Evidence of the authority of the individual(s) to execute the forthcoming document for Cascade Center Molalla, LLC, an Oregon limited liability company, copies of the current operating agreement should be submitted prior to closing.
16. Unrecorded leases or periodic tenancies, if any.

-END OF EXCEPTIONS-

INFORMATIONAL NOTES
---------------------

NOTE: This report does not include a search for Financing Statements filed in the office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the office of the County Clerk (Recorder) covering fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and book.

NOTE: Taxes for the year 2020-2021, paid in full.

Tax Amount:	\$4,223.35
Code No.:	035-039
Map & Tax Lot No.	52E08C 00800
Property ID/Key No.	01092203

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

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



*First American Title Insurance Company of Oregon*

SCHEDULE OF EXCLUSIONS FROM COVERAGE

1. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 2006  
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) 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).

2. American Land Title Association OWNER POLICY - 2006  
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, **costs, attorneys' fees, or** expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) 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.

## Exhibit "A"

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

PART OF THE RACHEL LARKIN DONATION LAND CLAIM IN THE SOUTHWEST ONE-QUARTER OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID DONATION LAND CLAIM SOUTH 81°30' EAST, 1055.6 FEET FROM THE NORTHWEST CORNER THEREOF;  
THENCE SOUTH 8°30' WEST AT RIGHT ANGLES TO SAID NORTH LINE, 270 FEET TO THE SOUTHWEST CORNER OF THAT TRACT CONVEYED TO N. SCOTT MALOY, ET UX, BY DEED RECORDED APRIL 20, 1982 AS FEE NO. [82010941](#), CLACKAMAS COUNTY RECORDS, AND THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING SOUTH 8°30' WEST, AT RIGHT ANGLES TO SAID NORTH LINE, 414.20 FEET TO THE SOUTH LINE OF THE NIGHTINGALE TRACT DESCRIBED IN [VOLUME 196, PAGE 0509](#), CLACKAMAS COUNTY DEED RECORDS,  
THENCE SOUTH 81°30' EAST ALONG SAID SOUTH LINE, 667.0 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THAT TRACT CONVEYED TO CHARLES L. ARCHER, ET UX, BY DEED RECORDED IN [VOLUME 339, PAGE 0523](#), CLACKAMAS COUNTY DEED RECORDS;  
THENCE NORTH 8°30' EAST ALONG THE WEST LINE OF SAID ARCHER TRACT, 684.2 FEET TO THE NORTH LINE OF AFORESAID DONATION LAND CLAIM;  
THENCE NORTH 81°31' WEST ALONG SAID NORTH LINE, 567 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF THAT TRACT CONVEYED TO WALTER T. AHO, ET EX, BY DEED RECORDED AUGUST 7, 1962, IN [VOLUME 608, PAGE 0284](#), CLACKAMAS COUNTY DEED RECORDS;  
THENCE SOUTH 8°30' WEST ALONG THE EAST LINE OF SAID AHO TRACT, 180 FEET TO THE SOUTHEAST CORNER THEREOF;  
THENCE CONTINUING SOUTH 8°30' WEST ALONG THE EAST LINE OF THE AFORESAID MALOY TRACT, 90 FEET TO THE SOUTHEAST CORNER THEREOF;  
THENCE NORTH 81°30' WEST ALONG THE SOUTH LINE THEREOF, 100 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYED TO STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION BY DONATION DEED RECORDED FEBRUARY 14, 2020 AS FEE NO. [2020 011076](#).

THE LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

**Exhibit D:**

*Public Works Comments*



**Public Works Department**

117 N Molalla Avenue

PO Box 248

Molalla, Oregon 97038

Phone: (503) 829-6855

Fax: (503) 829-3676

July 14, 2022

TO: Mac Corthell, Planning Director  
Dan Zinder, Assistant Planner  
Ronda Lee, Planning Specialist

FROM: Sam Miller, Sr Engineer Tech.

**RE: PROJECT NAME**

Based on a review of the materials submitted, Staff has prepared the following comments. These comments are applicable to the subject application; any subsequent modifications may require amendments and/or additions. These conditions do not include requirements already set forth in the municipal code.

**CONDITIONS**

1. Specific Requirements To This Site:

A. Transportation – in accordance with MMC 17-3.6.020 Transportation Standards:

1. A TIA was submitted and approved for the overall Cascade Center Development. Propose project sits within the Development known as lot 4. The TIA includes a fast-food restaurant (Burger King) for Cascade Center Development under Notice of Decision DRW01-2019 and proposal complies with development plan.
2. This project is within the Cascade Center development. Applicant is not proposing new connection to the public street system and the proposed development complies with the Cascade Center Development plan. All access to and from the proposed site shall be taken from the existing, approved Cascade Center access locations. No Additional access will be permitted.
3. Transportation SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from transportation SDC charges. SDC's shall be calculated and payable in accordance with the SDC methodology at the time of building permit authorization.

B. Storm - in Accordance with MMC 17-3.6.050 Storm Drainage and Surface Water Management:

1. This project is within the Cascade Center development. Applicant will be required to connect to storm system provided under Notice of Decision DRW01-2019 Cascade Center development.

2. Stormwater SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from stormwater SDC charges. SDC's shall be calculated and payable in accordance with the SDC methodology at the time of building permit authorization.
- C. Sanitary- in accordance with MMC 17-3.6.040 Sanitary Sewer Service Improvements:
1. This project is within the Cascade Center development. Applicant will be required to connect to sanitary system provided under Notice of Decision DRW01-2019 Cascade Center development.
  2. Sanitary SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from sanitary SDC charges. SDC's shall be calculated and payable in accordance with the SDC methodology at the time of building permit authorization.
- D. Water- in accordance with MMC 17-3.6.040 Water Service Improvements:
1. This project is within the Cascade Center development. Applicant will be required to connect to water system provided under Notice of Decision DRW01-2019 Cascade Center development.
  2. Should Fire Department regulations require additional fire flow that results in looping the water line through the site, then applicants engineer shall coordinate with Public Works for the extension of a public water line, and dedication of easements.
  3. Water SDC's – In accordance with MMC 13.14 this design review does increase the impacts to the public improvement facility and is therefore not exempt from water SDC charges. SDC's shall be calculated and payable in accordance with the SDC methodology at the time of building permit authorization.
- E. Parks:
1. Parks SDC's – In accordance with SMC 13.70.110 this commercial design review is exempt from parks SDC charges.
- F. Franchise Utility Services:
1. All utilities to the project shall be served underground services. No overhead crossings of public right of way shall be approved by the city.

## **DESIGN REQUIREMENTS & POLICIES**

1. General Requirements:
  - A. For commercial and industrial development projects, No building permit may be issued until all required public facility improvements are in place and approved by the City Engineer, or otherwise bonded, in conformance with the provision of the Code and the Public Works Design Standards in accordance with MMC 17-3.6 Public Facilities. All public facilities shall be completed and accepted by the Public Works Department prior to issuance of final occupancy.

- B. From the materials submitted, it appears that the storm drain, domestic water and sanitary sewer facilities will be obtained from main line connections and/or extensions. Separate engineering drawings reflecting the installation of these public utilities will be required.
- C. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, bonding, right-of-way and easements have been obtained and approved by staff, and Staff is notified a minimum of 24 hours in advance.
- D. Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements, if additional modifications or expansion of the sight distance onto adjacent streets is required.
- E. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Molalla Public Work's Standards.
- F. All survey monuments on the subject site or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
- G. Plans submitted for review shall meet the requirements described in Section 1 of the Molalla Standard Specifications for Public Works Construction.
- H. All utilities will be stubbed out to the far end of each street for future extension. The project shall utilize existing water, sewer, and storm water 'stub-outs' wherever possible. Water for domestic and fire protection shall be looped through the proposed site. Any 'stub-outs' determined to be not needed for the proposed development or any future development of the subject property shall be abandoned in accordance with the Molalla Standard Specifications for Public Works Construction.
- I. All public improvement designs shall meet the requirements of the Molalla Standard Specifications for Public Works Construction as amended by the Community Development Director.
- J. General Wetland Requirements – The applicant will be required to provide Public Works with a letter of concurrence from the Department of State Lands regarding any wetlands on the subject property.
- K. General Erosion Control – The applicant shall install, operate, and maintain adequate erosion control measures in conformance with the standards adopted by the City of Molalla and DEQ during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed. Applicant or Applicant's Contractor shall be responsible for all erosion control requirements under the 1200-C permit and shall coordinate directly with DEQ for questions related to 1200-C permit compliance.



**Exhibit E:**

*Molalla Fire District Comments*



# Molalla Rural Fire Protection District #73

P.O. Box 655 • Molalla, OR 97038  
320 N Molalla Ave. Molalla, OR 97038

Telephone: 503-829-2200  
Fax: 503-829-5794

Comments for 820 W Mains St  
July 10, 2022

1. Please identify location of dewar for Co2 and indicate if any monitoring is required.
2. A Knox box will be required if the business is not open 24/7. The box shall be located at the front entrance and not more than 80 inches give or take 2 inches from ground plane.
3. Please send details of the interior ladder along with the weight rating.
4. Please send copy of plans for the type one hood.
5. Molalla Fire will require a full set of plans in either hard copy or digital format prior to permitting

The above comments are based solely on the site plan provided. Molalla Fire reserves the right to review and comment on the plans that are to be submitted for full review or revisions to plans that have already been reviewed.

Review of submitted plans is not an approval of omissions, oversights or authorization of non-compliance with any regulations of this agency or of the regulations of any other agency. Comments on these plans should not be considered a precedent setting, as we will review each project on a case-by-case basis.

Michael C. Penunuri



[www.molallafire.org](http://www.molallafire.org)

