



PLANNING COMMISSION REGULAR SESSION AGENDA
Monday, August 10, 2020 - 7:00 PM
City Hall, Council Chambers, 169 SW Coast Hwy, Newport, OR 97365

This meeting will be held electronically. The public can live-stream this meeting at newportoregon.gov/citygov/comm/pc.asp. The meeting will also be broadcast on Charter Channel 190. Public comment may be made, via e-mail, up to two hours before the meeting start time at publiccomment@newportoregon.gov. Additionally, anyone wishing to speak on any agenda item, or during public comment, should e-mail their telephone number, and the item they wish to address, up to two hours before the start of the meeting, to s.marineau@newportoregon.gov, and staff will telephone that person with information on how to join the meeting.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF MINUTES

2.A Approval of the Planning Commission Work Session Meeting Minutes of July 27, 2020.
[Draft PC Work Session Minutes 07-27-2020](#)

2.B Approval of the Planning Commission Regular Session Meeting Minutes of July 27, 2020.
[Draft PC Reg Session Minutes 07-27-2020](#)

3. CITIZENS/PUBLIC COMMENT

A Public Comment Roster is available immediately inside the Council Chambers. Anyone who would like to address the Planning Commission on any matter not on the agenda will be given the opportunity after signing the Roster. Each speaker should limit comments to three minutes. The normal disposition of these items will be at the next scheduled Planning Commission meeting.

4. ACTION ITEMS

5. PUBLIC HEARINGS

5.A File 1-PD-20: OSU Student Housing Planned Development Amendments.

[Memorandum](#)

[Attachment A](#)

[Attachment B](#)

[Attachment C](#)

[Attachment D](#)

[Attachment E](#)

[Attachment F](#)

[Attachment G](#)

[Attachment H](#)

[Attachment I](#)

[Attachment J](#)

[Bonnie Serkin Email](#)

6. NEW BUSINESS

7. UNFINISHED BUSINESS

8. DIRECTOR COMMENTS

9. ADJOURNMENT

Draft MINUTES
City of Newport Planning Commission
Work Session
Newport City Hall Council Chambers by Video Conference
July 27, 2020
6:00 p.m.

Planning Commissioners Present by Video Conference: Jim Patrick, Lee Hardy, Bob Berman, Jim Hanselman, and Bill Branigan.

Planning Commissioners Absent: Mike Franklin (*excused*), and Gary East.

PC Citizens Advisory Committee Members Present by Video Conference: Dustin Capri.

PC Citizens Advisory Committee Absent: Greg Sutton (*excused*) and Braulio Escobar.

City Staff Present: Community Development Director (CDD) Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order.** Chair Patrick called the Planning Commission work session to order at 6:00 p.m.

2. **Unfinished Business.**

A. **File 1-Z-20 Draft Newport Municipal Code Amendments Related To Car Camping.** Tokos reviewed the House Bill that passed and how it applied to car camping. He noted that Benton and Washington Counties had options that the Commission should consider. He reviewed the Benton County ordinance which had a spacing requirement between vehicles and a perimeter setback. This wasn't in the city's draft because there were so many properties that went up to a property line. Tokos reviewed Washington County and their additional provisions that said camping could be no less than 10 feet from property lines, and storage and sanitary facilities could be no less than 20 feet from property lines of any residential use. He noted that Portland and Eugene added provisions for transitional housing that built in an allowance that didn't limit them to camping tents or other structures.

Tokos reported that Washington County limited the maximum number of vehicles for camping to three, and added "unless otherwise provided in statute" because they recognized it might come back up again in the legislative session to lift the three vehicle limitation. If they did lift the limitation entirely, one way to manage the numbers was to impose a spacing requirement like Benton County which was to space vehicles 12 feet apart. A typical parking space was 9 feet by 18 feet. Tokos thought the spacing could be done by stall rather than distance apart. This might be easier because the city was mainly dealing with parking lots. They could also put in language that said one stall separation where stripped. If a parking lot wasn't stripped, they could go with a fixed distance.

Tokos asked for the Commissioner's thoughts on changes before it was brought forward in a public hearing. Hardy asked how a homeless person could identify themselves if they didn't have a driver's license. Tokos explained that it would be the church's function to allow people to stay there. A person that was homeless for a long time might not have a driver's license or vehicles. Hardy thought the religious facilities needed to work in a way to identify the person's true identity. Tokos explained the guidelines in the code and asked if anything should be added. Hardy said it was easy to do a criminal background check to find qualified tenants. She explained that without this it could lead to abuses such as people who were runaways, and those who were hiding to avoid being served papers and arrest warrants. Hardy was concerned that religious facilities didn't have the sophistication to think about their inherent liabilities by housing certain types of individuals in their parking lots.

Patrick didn't think the spacing issue would work because properties abutted each other. He thought stall

spacing would work better. Tokos suggested they use Washington County's language as an outlet in case the legislature changed the three vehicle limit number. Berman liked this. Tokos asked for the Commissioner's thoughts on the visibility of storage and sanitary facilities. Patrick thought that screening from public view would be the easiest way to do it. Tokos thought going with stall spacing would manage the total numbers for a three vehicle limit. Berman said they needed an alternative to non-stripped lots. Tokos asked if one stall spacing was enough or if it should be different. Patrick thought it was enough. He asked if there were three car campers, did it mean there needed to be five stalls. Tokos confirmed it would.

Berman asked if they were addressing the allowance of a family of four in one car. He was concerned four people couldn't sleep in one car and there was a chance part of the family would end up in a tent outside. Tokos said the legislature during the special session made it clear that they were open to jurisdictions working on transitional housing under the statutory framework to allow camping in tents. He asked if the Commission wanted to work this way or stick to just allowing vehicle camping. Hanselman preferred not mingling concepts so rules could be targeted to the specific objective they were dealing with, instead of trying to cover both. He would rather it be just vehicles and say people would have to be confined to the vehicle. Hanselman had concerns on vehicles being "clown cars" where there were 10 people in a vehicle. He was also concerned that Section 13 allowed any person to offer any number of overnight camping on a person's property. Hanselman didn't want to see this extended to just any property. Berman didn't agree. He thought if someone had an open lot and they met the other requirements for having an onsite host, why not allow them to do it. Tokos explained that the access to sanitary facilities and the requirement for an onsite host would limit this. You could tailor the language to say that commercial and industrial zones were permissible. Berman thought they shouldn't have this in residential zones. Hanselman thought residential zones already had regulations for RV parking and camping unit. Tokos confirmed that the city ordinance didn't allow someone to set up an RV, connect into city services, and reside in it on a residential lot. This was only allowed as a temporary use when someone was building on their lot. Hanselman saw this as a direct conflict to allow homeless camping without letting someone use their RVs on their own property. He thought the Commission needed to be consistent on what the ordinance would allow when the possibility of changes being made by the legislation. If it was strictly religious institutions, it would help define it very clearly. Hanselman didn't think residential areas were well served for this.

Patrick thought car camping wouldn't work in residential zones and thought it should be in commercial and industrial zones. He thought someone with a large corner parking lot could do camping at those locations. Hardy asked if it would be left to the individual facilities to address the impact on density with respect to forcing religious institutions, participants and services to park on the street, or would they be putting limits on the duration a homeless person could live on a parking lot. Tokos explained that it would be up to the facility to determine how long they could stay. Hanselman thought this had been framed as an overnight camping event and asked if this changed. Tokos confirmed that the thought hadn't been framed as limiting it to a one night stay. The thought was that a limitation of three vehicles would force turnover. Hanselman asked if the vehicle would have to move after every night's stay. Tokos didn't think that detail had been determined. He asked if the Commission thought this should be regulated by the city or by the religious facilities. Hanselman had concerns that when people had to exit the parking lot everyday it set up a gold rush concept every night the lot was opened up for stays. He wanted to help make it easier for institutions. Hanselman also thought that allowing someone to use the space for seven consecutive days without moving was alright, and something to the Commission should explore. Berman thought this was arbitrary and didn't help to solve the problem. Tokos suggested that they leave it up to the facility to determine their standard. Berman asked if they didn't put a limitation, who would enforce the evictions. Tokos said it was the churches property and they would enforce. If it went further, they could do trespassing on the lot. Hardy thought the eviction laws could effect this and raising the minimum wage was better option. Patrick noted that any stay over 30 days meant the person was a tenant and would have to have an eviction. He wanted a limit so this wasn't a factor.

Tokos noted that what he heard was the Commission was open to expanding this beyond places of worship to commercial, industrial and public zoned properties; one stall spacing or 10 feet if not striped; add a screening requirement of storage and sanitary facilities; and they were okay with the change to a three vehicle limit unless the statute was revised. Berman thought that since many parking lots ran up to the sidewalks and curbs, they should add something about shielding. Tokos asked what the sanitary facilities should be screened from.

Berman thought they should be screened from public view. Hardy thought that was vague. Patrick thought there should be a setback for sanitary facilities. Tokos would add language for screening and spacing for sanitary facilities off of the property line. He noted that Washington County said sanitary and storage should be 20 feet away from property line from any residential use because they were worried about commercial use. Patrick agreed with keeping them away from residential. He asked if there were any religious facilities interested yet. Tokos said there hadn't been yet, but what they were trying to do was create a pathway/framework where there would be an option to do it. Berman asked if the County was doing this. Tokos didn't know. Berman asked Tokos to talk to the County to see if they were. Patrick suggested adding minor words in the language now until they figured out what the problems were.

Berman noted that one of the counties limited the size of the vehicle to 120 square feet. He felt this seemed very small. He wanted it framed to say it had to be an RV or tiny home. Berman just didn't want to cap the size of the living unit to be too small. Tokos reported that he would work the amendment into a work session to review first. The Commission was in general agreement with this.

3. New Business.

A. Review Scope Of Work For South Beach US 101 Commercial - Industrial Corridor Refinement Plan.

Tokos reviewed his memorandum. He noted there were four to five years left on the project and he was asking what the priorities should be. Currently they were assessing commercial and industrial lands along the Hwy 101 corridor; identifying development or land acquisition opportunities; looking for a consulting firm/team; working on financing plans; adapting a reuse of the properties on 32nd and 34th Streets and some relocations; and preparing a good active public engagement plan during the pandemic. The plan was to have the plan completed by the end of 2021. Work would start after the first of the year with an end around late summer or the fall of 2021.

Capri asked how the city would get rid of the property at 35th and HWY 101 and asked if it would be for sale. Tokos reported that this would be done through a competitive bid process. The thought was that they would attract a service retail after the traffic light was done. Capri asked if there were parameters for the use of the properties and if not, what happened to the property. Tokos explained that it was always service use, but wasn't just for a grocer. They could frame what the concept for the use of the property should be and roll that into the bid process. This was a City Council decision. Capri thought the mindset should be that the property should be at a discount, and it should be framed to incentivize a grocer in South Beach. Tokos said there were limitations on the site. A discussion ensued regarding the different standards grocers had to develop. Tokos reminded that a lot of retailers were open to modifying their standard plan, the conditions just needed to be right for them. He didn't think there was no justification to give \$100,000 for a concept for a 2.3 acre property along with a list of potential uses and a design template. Capri was concerned that a discount would be given to a larger corporation and there would be disappointment from the public and City Council because of it. Tokos thought there could be a range of retail use for the site. It would be framed more broadly and then they would have to ferret out what those uses would be. Capri was concerned about public perception and that they could be tearing down a restaurant just to build another, or selling the property with a discount to a big corporation. Tokos explained that this would have a lot to do with how they framed the proposal. He didn't see a circumstance where there would be a single use. You wouldn't want to limit it to a single use because you may not get that use at all. Capri thought that being more specific on how the property should be developed was more important when selling a property at a discount. Tokos thought they wouldn't want to go in saying what use it should be. They should give the public options and then get their input. Capri thought this process should be done before anyone bought the property.

Berman asked if the project would be pay as you go or bonding. He thought bonding required public authorization. Tokos didn't think bonding would be an option but more of a short term loan. A short term bank loan could almost double what they had in terms of available resource. Pay as you go limited it to the increment up to the year 2025, which was the deadline for new projects. A short term bank loan could leverage the last two years of increment and buy themselves basically an additional \$4,00,000 in project funds.

Tokos asked if the Commission was okay with this and noted he would run this by the City Council. Patrick

thought it was fine. Berman thought everything in the statement were things that needed to be done to get to a point where this needed to get wrapped up. Branigan noted he would go ahead with it.

Adjourn. The meeting adjourned at 6:59 p.m.

Respectfully submitted,

Sherrri Marineau,
Executive Assistant

Draft MINUTES
City of Newport Planning Commission
Regular Session
Newport City Hall Council Chambers by Video
July 27, 2020

Planning Commissioners Present by Video: Jim Patrick, Lee Hardy, Bob Berman, Jim Hanselman, and Bill Branigan.

Planning Commissioners Absent: Mike Franklin (*excused*), and Gary East.

City Staff Present: Community Development Director (CDD), Derrick Tokos; and Executive Assistant, Sherri Marineau.

1. **Call to Order & Roll Call.** Chair Patrick called the meeting to order in the City Hall Council Chambers at 7:00 p.m. On roll call, Commissioners Hardy, Berman, Hanselman, Branigan, and Patrick were present.

2. **Approval of Minutes.**

A. Approval of the Planning Commission Work Session Meeting Minutes of July 13, 2020 and the Planning Commission Regular Session Meeting Minutes of July 13, 2020.

Commissioner Berman submitted minor corrections to both meeting minutes.

MOTION was made by Commissioner Berman, seconded by Commissioner Hanselman to approve the Planning Commission Work Session and Regular Session Meeting Minutes of July 13, 2020 with minor corrections. The motion carried unanimously in a voice vote.

3. **Citizen/Public Comment.** None were heard.

4. **Action Items.**

A. **File 5-NCU-20: Final Order and Findings Approving Conversion of a Short-Term Rental From a 2-Bedroom to a 4-Bedroom Occupancy at 406 NW High Street.**

MOTION was made by Commissioner Branigan, seconded by Commissioner Berman, to approve the Final Order and Findings for File No. 5-NCU-20 with conditions. The motion carried unanimously in a voice vote.

5. **Public Hearings.** None were heard.

6. **New Business.** None were heard.

7. **Unfinished Business.** None were heard.

8. **Director Comments.** Tokos reviewed changes that needed to be made in order to conduct Zoom meetings for the Commission. The next public hearing would be for the OSU housing. They would allow people to dial in directly into the Zoom meeting, which would change how the Chair managed the meetings. Dial-in participants would have rules to stay muted until it was their turn to speak, and they would have to use the raised hand icon to speak. Before the meeting started, the participant would identify themselves so their information was accurately recorded. Tokos would work with Patrick to create a script. The Zoom meeting information would be put online and given to people. Patrick asked how they would manage how proponents, opponents and rebuttals spoke at public hearings. Tokos explained that the participant list would be established and those who are proponents would raise hands to speak, then they would move to

the proponents. Patrick asked who would control how participants were chosen to speak. Tokos explained that staff would be there for the initial logistics to enter the meeting and for renaming participants before the meeting. Once the meeting started, the Chair would do manage allowing people to speak and there would be a script. By allowing participants into the process they could engage through the whole process. Patrick asked if he had to be onsite at the city to manage this. He preferred being at home to use his larger monitor screens. Tokos didn't think there was any reason that he had to be onsite and could do at his house. He noted that there might be a times when someone didn't want to interface through video conference and there would be city staff available to organize them speaking on the phone. Berman thought it was important to make sure the host was able to mute people. Branigan asked if there was a limitation on the number of people who could participate in a Zoom meeting. Tokos reported there wasn't because the city had the enhanced version of the software to allow multiple people to join the meetings. Patrick suggested the Commissioners raise their hands when they wanted to participate during the meetings.

Berman noted the last two hearings were for Nonconforming Uses (NCUs) for short-term rentals (STRs) and asked if they needed to take a look at code changes to either not allow expansions of STRs by NUCs, or finding some other way to get this under control. Tokos explained that the Short-Term Rental Implementation Work Group might be the best group to discuss this with. At any time they could suggest the City Council take up target changes. Berman thought the NCU code needed some changes. Tokos didn't think two NCU changes was a trend but asked if there needed to be provisions for STRs outside of the permitted area. Berman thought it would be nice to look at this. Tokos would share this and the information on the two NUCs that were approved with the Work Group.

9. Adjournment. Having no further business, the meeting adjourned at 7:16 p.m.

Respectfully submitted,

Sherri Marineau
Executive Assistant

PLANNING STAFF REPORT

1. **APPLICANT:** Lori Fulton (Eric Philps/SERA Architects, authorized representative) (Oregon State University, property owners).
2. **REQUEST:** The applicant is proposing to modify the Final Development Plan for Phase 4 of Wilder Phase 1 to include five (5), two-story duplex-style dormitory buildings and a community center with a manager's apartment. The facility will accommodate up to 120 students. The prior concept, approved in 2018, envisioned a single, 63-unit dormitory building with the potential for two additional comparably sized buildings in future phases.
3. **LOCATION:** 4030 SE Harborton Street. The property is further identified as Tax Lot 01900 of Assessor's Map 11-11-20-AA. It is legally described as Lot 41 of the Wilder Phase 2 Subdivision Plat. For purposes of the Planned Development, the site is known as Phase 4 of the Preliminary and Final Development Plan for Wilder Phase 1.
4. **LOT SIZE:** Approximately 5.08 acres.
5. **STAFF REPORT**
 - A. **REPORT OF FACTS**
 - i. **Plan Designation:** High Density Residential.
 - ii. **Zone Designation:** R-3/"Medium Density Multi-Family Residential."
 - iii. **Surrounding Land Uses:** Land uses in the area near the subject property include a mix of developed and undeveloped industrial land, residential zoning that allows for single-family and multi-family uses, a trailer park, a mix of commercial uses, the former Central Lincoln PUD warehousing and substation facility, and public uses such as the Oregon Coast Community College (OCCC) Campus and Mike Miller Park.
 - iv. **Topography and Vegetation:** The subject property contains a mix of moderately steep sloped property. The site is forested except where land has been cleared for development.
 - v. **Existing Structures:** None.
 - vi. **Utilities:** Infrastructure to serve the multi-family development is complete, including SE 40th Street/SE Harborton Street (a collector roadway that provides access to the Wilder planned development) and associated local street, water, and sewer infrastructure from Highway 101 to the Village Center and the OCCC campus site. Street lights have also been installed along SE 40th Street/Harborton Street.
 - vii. **Development Constraints:** Steep slopes exist over the southern and eastern portions of the property. Additionally, the site contains wetlands formed along a small drainage that courses through the property from the northeast to the southwest.

viii. **Past Land Use Actions:**

File No. 1-PD-18. Modified the final development plan approved by the Newport City Council (File No. 2-CP-16/1-Z-16/1-SUB-16/1 & 2 PD-16) in order to construct a single, multi-family building with 63 sleeping units, 106 parking stalls, and outdoor space for residents. Two additional buildings of comparable size were envisioned as future phases. The previous concept envisioned a cluster of eleven multi-family buildings.

File No. 1-SUB-16/1 & 2 PD-16/2-CP-16/1-Z-16. Revised the Newport Comprehensive Plan Map from “Low-Density Residential” to “High Density Residential” for Phase 4 and Phase 6. This involves approximately 8.1 acres of land. The proposal further revised the Newport Zoning Map for Phase 4 and Phase 6 from R-2/“Medium Density Single-Family Residential” to R-3/“Medium Density Multi-Family Residential.” Additionally, the Comprehensive Plan Map was amended from “High Density Residential” to “Low-Density Residential” in the southerly portion of Phase 5. This involves approximately 2.2 acres of land. The Newport Zoning Map for the same southerly portion of Phase 5 was revised from R-3/“Medium Density Multi-Family Residential” to R-2/“Medium Density Single-Family Residential.” This amendment also adjusted the range of development in the preliminary and final development plan to reflect inclusion of additional multifamily units in Phase 4 and Phase 6 with corresponding decrease in single-family units. A “Multi-Family: Clustered” architectural style was added to the “Kit of Parts” to describe intended building form and design for student housing in Phase 4. A variance was also granted to the City’s parking standard for clustered multifamily residential uses, decreasing required spaces by approximately 13% relative to City code standards. The preliminary development plan was modified to show a revised mix of single-family and multifamily development in future phases east of Harborton Street and ‘Day Care’ and additional supporting Community Service uses were added as allowed uses in the R-3 Medium-Density Multifamily zone to facilitate colocation of support services for affordable housing residents in Phase 6. Amendments were adopted with Ordinance No. 2103 on September 6, 2016.

File No. 2-PD-15/3-PD-15/1-SUB-15. The preliminary planned development plan was amended to include a change to the zoning district boundary between R-3 Multi-Family Residential and C-1 Commercial zones that expanded the commercial area along the full length of College Way and increased the range of allowed uses in the C-1 zoned Village Center area to include retail sales and services, offices, lodging, community services like churches, educational institutions, and day care. The revised preliminary planned development plan also included a variance to the Zoning Ordinance satellite and shared parking regulations to permit future shared parking arrangements between Village Center users and the Oregon Coast Community College. The range of development anticipated in the preliminary and final planned development plans was amended to reflect completed build-out, current market conditions, and revised predictions and Accessory Dwelling Units (ADUs) were added as a development option in

Phases 2-4 subject to conditions approved by Newport Planning Commission. The Final Development Plan included a detailed site design for Phases 2-4, with updated street names and cross-section drawings. New street cross-sections and a micro-cottage development type were added to the “Kit of Parts.” Amendments were adopted by final order on June 24, 2015.

File No. 1-PD-14/2-PD-14. A minor amendment to the Preliminary Development Plan and Final Development Plan for Phase 1 of Wilder. Changes to the Preliminary Development Plan were limited to the Village Center commercial area, including authorization for required parking to extend across zoning boundaries when provided on the same lot or parcel as the proposed use and an allowance that on-street spaces count against off-street parking requirements provided the spaces are located within 200-feet of the lot or parcel upon which the use is located. The Final Development Plan included a layout for three commercial buildings in the Village Center. Amendments were adopted by final order on February 11, 2015.

File No. 2-PAR-14. Partitioned property identified as Tax Lot 100 of Lincoln County Assessor’s Tax Map 11-11-20 into two separate parcels. Additional right-of-way was also dedicated along College Way and adjacent to Harborton Street. The partition was approved by final order on September 15, 2014.

File No. 1-PD-10/2-PD-10/1-SUB-10. Modified the plans approved in File No. 5-PD-09/6-PD-09/3-SUB-09 by (1) modifying setbacks, (2) revising lot coverage standards, (3) adjusting lot size and densities for commercial and residential uses, (4) updating street, tract and housing category names, and (5) updating the subdivision lot configurations. The number of multi-family units was increased from a maximum of 120 to 150, bringing the total for all Phase 1 dwelling units to 383. The maximum commercial square footage was increased from 25,000 square feet to 36,000 square feet. Amendments were adopted by final order on June 28, 2010.

File No. 5-PD-09/6-PD-09/3-SUB-09. Modified the preliminary planned development plan to refine proposed residential areas, local street and pedestrian circulation patterns, open space and other tracts within sub phases 1A, 1B, and 1C; modified the final planned development plan illustrating the changes requested in File 5-PD-09; modified the tentative subdivision plat showing lots for mixed use and single and multi-family development, as well as various tracts for common open space and other common elements, and dedication of right-of-way and easements for public streets, pathways, and utilities. Amendments were adopted by final order on July 27, 2009.

File No. 1-PD-09/2-PD-09/3-PD-09/1-SUB-09. Modified the preliminary planned development plan to adjust land use designations consistent with Comprehensive Plan and Zoning Map amendments, revised the preliminary plan due to site conditions, and removed a portion of property that was being transferred to an abutting residential property owner; modified the final

planned development plan to reflect Comprehensive Plan and Zoning Map amendments and adjusted the boundary and size of the OCCC site; approved the final planned development plan for a portion of Phase 1; and tentative subdivision plan for a portion of Phase 1. Amendments were adopted by Final Order on March 30, 2009.

File No. 4-CP-08/2-Z-08. Modified the zoning designations of the approximate 86 acres annexed in 2007 to allow more flexibility and to reflect the OCCC parcel by Ordinance No. 1968 adopted December 1, 2008.

File No. 5-PAR-07. Partitioned the annexed property so that a portion could be conveyed to OCCC for construction of their central campus by final order adopted September 11, 2007.

File No. 1-AX-07/2-Z-07. Annexed property, which included the subject property, into the City and established zoning to allow the implementation of the South Beach Plan by Ordinance No. 1922 adopted June 18, 2007, and amended by Ordinance No. 1931 adopted August 6, 2007.

File No. 2-PD-07. Approved final development plan for OCCC central campus by final order adopted May 29, 2007.

File No. 1-PD-07. Approved tentative Plan for “South Beach Village” Phase 1 mixed use development and OCCC central campus by final order adopted May 29, 2007.

File No. 1-CP-06/1-UGB-06/2-CP-06/2-Z-06. (South Beach Neighborhood Plan as adopted in December 2006 by Newport Ordinance No. 1899) (concurrence with Urban Growth Boundary adjustment by Lincoln County Ordinance No. 447 adopted April 18, 2007).

ix. **Pre-application Meeting:** A pre-application meeting between the applicant and city staff was held on January 31, 2020.

x. **Planning Staff Report Attachments:**

Attachment "A" – Application form.

Attachment "B" – Lincoln County Assessor Property Report.

Attachment "C" – Applicant’s Final Development Plan narrative, by SERA Architects, dated 7/2/20.

Attachment "D" – Applicant’s stormwater narrative, by KPFF Engineering, dated 6/5/20.

Attachment "E" – 2018 Aerial image of the property.

Attachment "F" – 11x17 reduced copy of applicant’s site plans by SERA Architects, KPFF Engineering and Walker Macy, dated 7/2/20 and architectural renderings, by Oregon State University and Pinnacle Architecture, dated 7/2/20.

Attachment "G" – Lighting Specification Sheets (Cree and Bega-US).

Attachment "H" – Ord. #2103 (Current Preliminary Development Plan).

Attachment "I" – Wilder Kit of Parts (Multi-Family and Trail Sheets).

Attachment "J" – Notice of public hearing.

- B. **Explanation of the Request:** The applicant is proposing to construct five (5), two-story dormitory buildings and a community center with a manager's apartment to provide housing for students attending class at the Hatfield Marine Science Center campus. The units may fill other housing needs as well. Design of the dormitories is comparable to that of a two-story duplex, and the applicant refers to them as "duplex" units in their narrative and plans. Each dormitory unit will be just under 24-feet in height and 1,738+/- sq. ft. in size. The main floor will include one bedroom, an ADA restroom, kitchen, and living room. The second floor will consist of two bedrooms, a bathroom, and study loft. When outfitted with bunkbeds, each bedroom will accommodate four individuals, meaning each unit can house twelve (12) people.

The duplex buildings will be situated around a single-story community building that will include a multi-purpose room and kitchen, office, the Main Distribution Frame (MDF) that serves as the technology hub for the complex, restrooms, laundry facilities, storage space and a manager's apartment. The structure will be just under 22-feet in height and roughly 3,236 sq. ft. in size. Furniture floor plans for the dormitory and community buildings are included with the applicant's architectural renderings (Sheets P1.01 and P1.02, Attachment "F").

A total of 41 paved parking spaces will be constructed for tenants and guests, two of which will be ADA compliant. Parking wraps around the north and west sides of the buildings, with concrete sidewalks connecting parking areas to each dormitory unit and the community building. Bike racks will be installed for use by tenants and guests. They have been spaced out so that they can be conveniently accessed from each dormitory unit and the community building. Pole mounted, downward directed LED lights will be installed around the perimeter of the parking area, such that they are directed away from Harborton Street and adjoining property boundaries. Pathway lights will be LED bollards that are similarly downward directed. An LED light assembly will also be placed within an enclosed trash enclosure. Areas interior to the complex of buildings will be landscaped, with a concrete patio, outdoor seating and a barbeque being provided adjacent to the community building. A larger outdoor gathering area with a landscape wall, wood deck, barbeque pit and landscaping, is an optional element depending upon budget. If that feature is not installed, then the area will be landscaped.

Storm runoff will be treated and detained on-site with retention facilities and trench drains, with discharge into the downstream drainageway being limited to predeveloped conditions. Wetland areas will be filled and mitigated by the applicant as required by the Department of State Lands. Only a portion of the site will be cleared for development. Existing trees and understory vegetation will be retained to the west, south and east of the development site as outlined on the tree protection plan (Sheet L100, Attachment "F"). A public trail system will be constructed concurrent with this project, linking the student housing project with the larger Wilder and Mike Miller Park properties.

All items outlined above are illustrated on the applicant's site plans and architectural renderings (Attachment "F") and associated lighting details (Attachment "G"). Details on the storm drainage plan are included in the applicant's stormwater narrative (Attachment "D").

C. **Evaluation of the Request:**

- i. **Comments:** Public notice of the application and public hearing was mailed to surrounding property owners within 200 feet of the subject property and public entities and agencies on July 21, 2020. Notice of the public hearing was also published in the Newport News-Times on July 31, 2020. No comments were received in regards to the application.
- ii. **Applicable Criteria:** Pursuant to NMC 14.35.110 (C), this amendment to the Final Development Plan must be approved by the Planning Commission because it constitutes a material change in the character of the development, with the prior concept being a three-story, 63-unit dormitory building, with the potential for two additional comparably sized buildings in future phases. This application is subject to the same approval criteria as the previous Final Development Plan (NMC 14.35.110 (D)). The approval criteria are set forth in NMC Section 14.35.100 (for final development plan approval).
- vi. **Compliance with NMC Section 14.35.100, Criteria for Approval of the Final Development Plan.** The criteria for modifying a final development plan have been addressed as follows:

- (a) *NMC Section 14.35.100(A) The Final Development Plan must substantially conform to the land use and arterial street pattern as approved in the Preliminary Development Plan.*

The applicant notes that the Final Development Plan will not affect change to the current arterial street pattern, and the proposed location of curb-cut to the parking lot has not changed from the approved preliminary development plans.

The land use and arterial street pattern are depicted on Exhibit B of Ordinance No. 2103 (Attachment "H"). That ordinance placed R-3 zoning on the entire property and shows abutting SE Harborton Street as the principal roadway that will serve the development. No internal public streets are envisioned for this property.

- (b) *NMC Section 14.35.100(B) The proposed uses shall be compatible in terms of density and demand for public services with uses that would otherwise be allowed by the Comprehensive Plan.*

The applicant points out that the proposed development is intended for use as student housing for OSU Hatfield Marine Science Center students which was accepted in the previously amended Preliminary Development Plan, approved in Ordinance No. 2103.

Ordinance No. 2103 approved up to 130 units of multi-family development for this 5.08-acre property; however, it did not preclude less dense forms of housing otherwise permissible in an R-3 zone. The proposed duplex style dormitories will offer 30 rooms and there will be a manager's apartment in the commons building. This is substantially

less density than 130 multi-family units. Accordingly, the demand for public services, which have been scaled to support multi-family densities, will be lower with this project.

- (c) *NMC Section 14.35.100(C) Adequate services normally rendered by the city to its citizens must be available to the proposed development at the time of approval of the Final Development Plan. The developer may be required to provide special or oversize facilities to serve the planned development.*

The applicant indicates that they believe the site has, or will have, adequate services and access to serve the new dormitories and commons building. City normally provides public water, wastewater, and street services. Applicant's site plan (Attachment "F") shows that street service is available via SE 40th/Harberton Street. Water and sewer services are available and tapped to the property from mains located in the street. The applicant will be extending a water main into the property for domestic water and fire suppression purposes, and their site plan illustrates that there is adequate land area to accommodate the main and utility easement within the drive isle (Sheet C500, Attachment "F").

- (d) *NMC Section 14.35.100(D) Access shall be designed to cause minimum interference with traffic movement on abutting streets.*

The applicant notes, and the site plan illustrates, that access will remain at the existing curb cut, similar to the previously approved Final Development Plan (File 1-PD-18) and Ordinance No. 2103.

- (e) *NMC Section 14.35.100(E) The plan shall provide for adequate landscaping and effective screening for off-street parking areas and for areas where nonresidential use or high-density residential use could be detrimental to residential uses.*

The applicant points out that, per the site plan, off-street parking has been oriented to the north and west side of the site where native landscaping has been preserved and enhanced to provide natural screening. The residents front doors are directed towards the communal courtyard where the natural landscape has been preserved where possible to create as little disturbance to existing native plantings. Additionally, existing topography/grading has been maintained where possible to minimize need for retaining and changes to drainage. Landscape screening including trees, tall grasses, & shrubs are utilized to screen the residences from parking areas.

This standard is directed at screening parking areas and high-density residential uses, which can be large buildings, from lower density residential uses, which are principally to the east. The Tree Preservation Plan (Sheet L100, Attachment "F") shows that mature trees east, west and south of the development will be preserved. This, in conjunction with the terrain, provides effective screening.

- (f) *NMC Section 14.35.100(F) The arrangement of buildings, parking areas, signs, and other facilities shall be designed and oriented to minimize noise and glare relative to adjoining property.*

The applicant notes that, per the proposed site plan (Attachment "F"), the arrangement of buildings facing a central communal courtyard acts to shelter views away from the parking area and adjacent properties. The existing landscape buffer on the east portion of the site has also been preserved and enhanced, providing a significant noise/glare buffer in the form of established trees for the dwelling units from the adjacent properties. The applicant further points out that the northern location of the trash enclosure, and associated landscaping, also acts as a privacy buffer for the residents from the SE Harborton Street.

- (g) *NMC Section 14.35.100(G) Artificial lighting, including illuminated signs and parking areas lights, shall be so arranged and constructed as not to produce direct glare on adjacent property or otherwise interfere with the use and enjoyment of adjacent property.*

Sheet E010 of Attachment "F" illustrates where lighting is to be installed, and Attachment "G" contains the specifications for the listed light fixtures. This information shows that care has been taken to orient lighting internal to the property, utilizing low-glare downward directed fixtures. Accordingly, the lighting should not produce direct glare onto adjacent property or otherwise interfere with the use and enjoyment of adjacent property.

- (h) *NMC Section 14.35.100(H) The area around the development can be developed in substantial harmony with the proposed plan.*

The applicant notes that the "Kit of Parts" guidelines laid out in the Wilder Development Plan (Attachment "I") will be utilized to harmonize with the adjacent sites through the blending of landscape into the site, the providing of shared outdoor space for residents as is done around the communal building and plaza, and through use of sloped roof forms.

The plan further shows a pedestrian trail connecting to Tract G. While that tract of land is not a part of this amendment, it was a part of the plan approved with Ordinance No. 2103 that requires the construction of a public trail between Harborton and the existing public trail system to the east. Ordinance No. 2103 further requires that the public trail and Tract G be dedicated to the City concurrent with development of the student housing project. The trail shown on the site plan extends to the border of Tract G, indicating that the two trails will connect. Since the alignment of the Tract G trail is not shown, it is unclear how the connection will occur. It is possible that terrain limitations will dictate minor revisions to the trail alignment depicted on the site plan. Such a change would be of such a minor nature that it would not warrant further amendment to the Final Development Plan.

- (i) NMC Section 14.35.100(I) *The plan can be completed within a reasonable period of time.*

The current construction schedule is an anticipated 11-month duration from the date that the permit is obtained to substantial completion. This is in keeping with timelines for projects of this nature and scale.

- (j) NMC Section 14.35.100(J) *The streets are adequate to serve the anticipated traffic.*

Considering the previously approved build-out which included a significantly greater density of 130 units on this same site, the collector roadway SE 40th/Harboton Street will more than adequately accommodate this significantly reduced density which now includes 11 dwelling units with a total of 31 sleeping rooms. Even with the trip cap limitations at the unsignalized intersection of SE 40th and US 101, there is still a sufficient number of trips under the cap to accommodate the applicant's use.

- (k) NMC Section 14.35.100(K) *Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.*

City staff has advised the applicant that the downstream drainage way does not have capacity to accept unrestricted run-off from this project. Drainage presently flows off the property into a privately-owned pond west of the applicant's site, before crossing under SE 40th Street into culverts that run parallel to SE Ash Street. The piped drainage is then channeled to the northeast as part of the public drainage system, eventually out-falling into Yaquina Bay. The applicant proposes on-site stormwater management of storm runoff attributed to a 25-year, 24-hour storm. This will be accomplished by providing a flow control structure coupled with storage in underground chambers and above grade vegetated basins. Water, natural gas, telecommunication, power, and sanitary sewer utilities will be connected to utility lateral stubs previously installed to serve the site as planned.

A utility plan illustrating these features is included with the site plan package (Sheet C500, Attachment "F"). The applicant's approach to managing storm run-off is further outlined in their stormwater narrative (Attachment "D").

- (l) NMC Section 14.35.100(L) *Land shown on the Final Development Plan as common open space shall be conveyed under one of the following options: 1) To a public agency that agrees to maintain the common open space and any buildings, structures, or other improvements that have been placed on it; 2) To an association of owners of tenants, created as a non-profit corporation under the laws of the State, which shall adopt and impose a declaration of covenants and restrictions on*

the common open space that is acceptable to the Planning Commission as providing for the continuing care of the space. Such an association shall be formed and continued for the purpose of maintaining the common open space.

The applicant notes that, per Ordinance No. 2103, Tract G will be conveyed to the City concurrent with the development of this project for use by the City as an open space/nature trail area.

(m) NMC Section 14.35.100(M) *The Final Development Plan complies with the requirements and standards of the Preliminary Development Plan.*

The applicant's site plan (Attachment "F") shows that the off-street parking standard of 1.3 parking spaces per unit (31 sleeping rooms in 11 dwelling units with 41 parking spaces), setbacks, and landscaping requirements will be met. Building elevations included with the site plan illustrate that the structures will be well below the 45-foot height limit approved with Ordinance No. 2103.

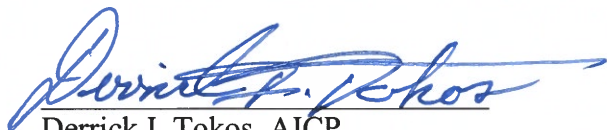
(n) NMC Section 14.35.100(N) *No building shall be erected in a planned development district except within an area contained in an approved Final Development Plan, and no construction shall be undertaken in that area except in compliance with the provisions of said plan. All features required in the Final Development Plan shall be installed and retained indefinitely or until approval has been received from the Planning Commission or Community Development Director for modification.*

The applicant acknowledges that until approval of the Final Development Plan by the Newport Planning Commission has taken place, no construction shall be performed within the subject area. When such approval takes place, said construction will conform to the approved plan.

D. Conclusion: If the Planning Commission finds that the applicant meets the criteria established in the Zoning Ordinance for granting modifications to the Final Development Plan then the Commission can approve the request. The Commission may attach reasonable conditions of approval, which the Commission finds are necessary to satisfy the approval criteria. Conditions of approval need to be relate to the applicable criteria and request (must have a rational nexus) and need to be roughly proportional to the impact created by the development in order to be constitutionally permissible as conditions of approval. The burden on demonstrating that conditions of approval have both a rational nexus and are roughly proportional is on the government, not the applicant. If, on the other hand, the Commission finds that the request does not comply with the criteria and cannot be made to comply through reasonable conditions of approval (as required by ORS 197.522), then the Commission should make findings for denial.

6. Staff Recommendation: The applicant has demonstrated that the approval criteria have been satisfied, subject to the following conditions:

- A. Conditions from prior City approvals of the Wilder planned development remain in effect, except as modified herein.
- B. The new water main and any other City utilities the applicant intends to extend into the property, along with the associated easements, shall be subject to review and approval by the Newport Public Works Department. Such utilities are to be in place, and easements dedicated to the City of Newport, prior to issuance of a certificate of occupancy.
- C. The applicant/owner shall install an on-site stormwater detention system to manage run-off attributed to a 25-year, 24-hour storm, with discharge into the downstream drainageway being limited to predeveloped conditions. The Newport Public Works Department shall confirm that the proposed drainage improvements can handle run-off for this design storm prior to issuance of a building permit.
- D. Applicant/owner may modify the alignment of the pedestrian trail to address terrain constraints and user needs, including the point where the trail connects with the public trail extension applicant is constructing on Tract G. Such changes will not necessitate the submittal of a Final Development Plan amendment.



Derrick I. Tokos, AICP
Community Development Director
City of Newport

August 5, 2020



City of Newport Land Use Application

Attachment "A"
1-PD-20

Applicant Name(s):	Property Owner Name(s) <i>if other than applicant</i>
Lori Fulton (Oregon State University)	Same as Applicant
Applicant Mailing Address:	Property Owner Mailing Address:
850 SW 35th St. / Corvallis, OR 97331	
Applicant Phone No.	Property Owner Phone No.
541-760-6240	
Applicant Email	Property Owner Email
lori.fulton@oregonstate.edu	
Authorized Representative(s): <i>Person authorized to submit and act on this application on applicant's behalf</i>	
Eric Philps (SERA Architects)	
Authorized Representative Mailing Address:	
338 NW 5th Ave. / Portland, OR 97209	
Authorized Representative Telephone No.	
503-445-7332	
Authorized Representative Email. ericp@seradesign.com	

Project Information

Property Location: <i>Street name if address # not assigned</i>	
4030 SE Harborton Street	
Tax Assessor's Map No.: 11s11w20AA	Tax Lot(s): 11-11-20-AA-01900-00
Zone Designation: 1900	Legal Description: <i>Add additional sheets if necessary</i>
Comp. Plan Designation: Wilder Phase 2	NE1/4 NE1/4 Sec20 T11S R11W WM Lincoln County
Brief description of Land Use Request(s):	
<i>Examples:</i>	
1. Move north property line 5 feet south	Planned Unit Development Final Plan
2. Variance of 2 feet from the required 15-foot front yard setback	

Existing Structures: if any

N/A

Topography and Vegetation:

Refer to Civil & Landscape Exhibits

Application Type (please check all that apply)

<input type="checkbox"/> Annexation	<input type="checkbox"/> Interpretation	<input type="checkbox"/> UGB Amendment
<input type="checkbox"/> Appeal	<input type="checkbox"/> Minor Replat	<input type="checkbox"/> Vacation
<input type="checkbox"/> Comp Plan/Map Amendment	<input type="checkbox"/> Partition	<input type="checkbox"/> Variance/Adjustment
<input checked="" type="checkbox"/> Conditional Use Permit	<input checked="" type="checkbox"/> Planned Development	<input type="checkbox"/> PC
<input checked="" type="checkbox"/> PC	<input type="checkbox"/> Property Line Adjustment	<input type="checkbox"/> Staff
<input type="checkbox"/> Staff	<input type="checkbox"/> Shoreland Impact	<input type="checkbox"/> Zone Ord/Map
<input type="checkbox"/> Design Review	<input type="checkbox"/> Subdivision	<input type="checkbox"/> Amendment
<input type="checkbox"/> Geologic Permit	<input type="checkbox"/> Temporary Use Permit	<input type="checkbox"/> Other

FOR OFFICE USE ONLY

File No. Assigned: 1-PD-20

Date Received: 7/9/2020 Fee Amount: 1,202 Date Accepted as Complete:

Received By: sm Receipt No. 4227 Accepted By:

City Hall
169, SW Coast Hwy
Newport, OR 97365
541.574.0629



City of Newport Land Use Application

I understand that I am responsible for addressing the legal criteria relevant to my application and that the burden of proof justifying an approval of my application is with me. I also understand that this responsibility is independent of any opinions expressed in the Community Development and Planning Department Staff Report concerning the applicable criteria.

I certify that, to the best of my knowledge, all information provided in this application is accurate.

	2 July 2020
Applicant Signature(s)	Date

	7/6/2020
Property Owner Signature(s) (if other than applicant)	Date

	7/6/2020
Authorized representative Signature(s) (if other than applicant)	Date

Please note application will not be accepted without all applicable signatures.

Please ask staff for a list of application submittal requirements for your specific type of request.

Lincoln County Property Report

Attachment "B"

1-PD-20

Account # & Prop. Info		Account Details		Owner & Address	
Account #:	R531085	Neighborhood:	SNNB	Owner and	STATE OF OREGON
Map Taxlot:	11-11-20-AA-01900-00	Property Class:	960	Mailing Address:	% OREGON STATE UNIVERSITY REAL ESTATE 3015 SW WESTERN BLVD CORVALLIS, OR 97333
Tax Map:	11s11w20AA			Site Address(es):	4030 SE HARBORTON ST
Web Map:	View Map				
Info:	WILDER PHASE 2, LOT 41, ACRES 5.08, DOC201612374				
Document:	DOC201612374				
Tax Code:	104				
Acres:	5.08				

Improvements					
No Inventory					
Value History					
Year	Imp.	Land	Total Market	Total Assessed	Levied Tax
2019	0	183,860	183,860	0	18.75
2018	0	183,860	183,860	0	18.75
2017	0	183,860	183,860	0	18.75
2016	0	0	0	0	0
2015	0	0	0	0	0
2014	0	0	0	0	0
2013	0	0	0	0	0
2012	0	0	0	0	0
Sales History					
Sale Date	Price	Document	Type	Code	
12/27/2016	\$576,300	201612374	27	SWD	

Land	Related Accounts	Disclaimer								
<table border="1"> <thead> <tr> <th>Description</th> <th>Acres</th> <th>Market Value</th> <th>Special Use Value</th> </tr> </thead> <tbody> <tr> <td>RESIDENTIAL TRACT 5.08</td> <td>183,860</td> <td></td> <td></td> </tr> </tbody> </table>	Description	Acres	Market Value	Special Use Value	RESIDENTIAL TRACT 5.08	183,860				<p>For assessment purposes only. Lincoln County makes no warranty as to the accuracy of the information provided. Users should consult with the appropriate City, County or State Department or Agency concerning allowed land uses, required permits or licenses, and development rights on specific properties before making decisions based on this information. Tax data exported 10/2019.</p>
Description	Acres	Market Value	Special Use Value							
RESIDENTIAL TRACT 5.08	183,860									
Today's Date: 07/30/2020										

Attachment "C"

1-PD-20

SERAARCHITECTURE
URBAN DESIGN + PLANNING
INTERIOR DESIGN

02 July 2020

Attn: City of Newport - Community Development (Planning) Department
Newport City Hall
169 SW Coast Hwy
Newport, OR 97365

Re: OSU (HMSC) Newport Housing – Wilder Phase 2
Taxlot: 11-11-20-AA-01900-00
4030 SE Harborton Street
SERA Project No.2003017

Dear City of Newport Planner(s),

The following information has been provided for review and approval for the Planned Unit Development Final Plan for the property noted above.

1. *(Exhibit A) A current 18" x 24" Lincoln County Assessor's tax map(s) showing the subject property and the notification area (all properties within 200 feet of the subject property).*
2. *(Exhibits B-D) A list of names and addresses of property owners, as shown in the records of the Lincoln County Assessor, within the notification area described in #1 above.*
3. *Nine (9) copies of the final development plan showing the following:*

Refer to attached Drawing Set (12 sheets) which graphically addresses items A-E below

- (a) *Proposed land uses, building locations, and housing unit densities.*
 - (b) *Proposed circulation patterns indicating the status of street ownership.*
 - (c) *Proposed open space locations and uses.*
 - (d) *Proposed grading and drainage patterns.*
 - (e) *Proposed methods of water supply and sewage disposal.*
4. Written findings addressing the following criteria laid out in the Newport Municipal Code:
 - (a) *NMC Section 14.35.100(A) The Final Development Plan must substantially conform to the land use and arterial street pattern as approved in the Preliminary Development Plan.*

As previously approved in the amended PUD (Ordinance No. 2103) the proposed R-3 zoning is acceptable for this site. This Final Development Plan will not affect change to the current arterial street pattern, and the proposed location of curb-cut to the parking lot has not changed from the approved preliminary development plans.

- (b) *NMC Section 14.35.100(B) The proposed uses shall be compatible in terms of density and demand for public services with uses that would otherwise be allowed by the Comprehensive Plan.*

The proposed development is intended for use as student housing for OSU Hatfield Marine Science Center students which was accepted in the previously amended PUD, approved in Ordinance No. 2103. The proposed density of the duplex dwelling units is 1,738 sf/unit which complies within the R-3 zoning density.

- (c) *NMC Section 14.35.100(C) Adequate services normally rendered by the city to its citizens*

must be available to the proposed development at the time of approval of the Final Development Plan. The developer may be required to provide special or oversize facilities to serve the planned development.

The Applicant acknowledges, as is indicated in the proposed site plan, that adequate utility services are available along SE 40th/Harborton Street to serve the proposed R-3 zoning. Public water and sewer service mains run along the main collector street (SE 40th/Harborton St.) and are tapped for this property. A water main for domestic and fire water services will need to be extended into the site along with necessary easement(s) in conformance with City of Newport Public Works Department. The proposed plat has adequate area to accommodate such easements and had the easements as a condition of approval for previous development plans. All other utilities extended from SE 40th/Harborton Street are proposed as either franchise or private utilities within the property and will be arranged with the respective utility operators.

- (d) *NMC Section 14.35.100(D) Access shall be designed to cause minimum interference with traffic movement on abutting streets.*

Per the previously approved PUD amendment Ordinance No. 2103, and the proposed site plan, no changes are proposed to the curb cut location for vehicular access into the site along SE 40th/Harborton Street.

- (e) *NMC Section 14.35.100(E) the plan shall provide for adequate landscaping and effective screening for off-street parking areas and for areas where nonresidential use or high-density residential use could be detrimental to residential uses.*

Per the proposed site plan, off-street parking has been oriented to the North & West side of the site where all native surrounding landscape has been preserved and enhanced to naturally screen. The residents front doors are directed towards the communal courtyard where natural landscape has been preserved where possible to create as little disturbance to existing native plantings. Existing topography/grading has been maintained where possible to minimize need for retaining and changes to drainage. Landscape screening including trees, tall grasses, & shrubs are utilized to screen the residences from parking areas.

- (f) *NMC Section 14.35.100(F) The arrangement of buildings, parking areas, signs, and other facilities shall be designed and oriented to minimize noise and glare relative to adjoining property*

Per the proposed site plan, the arrangement of buildings facing a central communal courtyard acts to shelter views away from the parking area and adjacent properties. The existing landscape buffer on the East portion of the site has also been preserved and enhanced, providing a significant noise/glare buffer in the form of established trees for the dwelling units from the adjacent properties. The Northern location of the trash enclosure also acts as a privacy buffer for the residents from the Harborton Street.

- (g) *NMC Section 14.35.100(G) Artificial lighting, including illuminated signs and parking areas lights, shall be so arranged and constructed as not to produce direct glare on adjacent property or otherwise interfere with the use and enjoyment of adjacent property.*

Refer to sheet E010 for the proposed low-glare downwardly-directed lighting intended to minimize light pollution for adjacent properties. Fixture locations are shown on the site plan with Fixture info included on E010.

- (h) *NMC Section 14.35.100(H) The area around the development can be developed in substantial harmony with the proposed plan.*

The "Kit of Parts" guidelines laid out in the Wilder Development plan will be utilized to harmonize with the adjacent sites through the blending of landscape into the site, the providing of shared outdoor space for residents as is done around the communal building and plaza, and through use of sloped roof forms.

The plan further shows a pedestrian trail connecting to Tract G. While that tract of land is not a part of this amendment, it was a part of the plan approved with Ordinance No. 2103 that requires the construction of a public trail between Harborton and the existing public trail system to the east. Ordinance No. 2103 further requires that the public trail and Tract G be dedicated to the City concurrent with development of the student housing project. The trail shown on the site plan extends to the border of Tract G, indicating that the two trails will connect. Since the alignment of the Tract G trail is not shown, it is unclear how the connection will occur. It is possible that terrain limitations will dictate minor revisions to the trail alignment depicted on the site plan. Such a change would be of such a minor nature that it would not warrant further amendment to the Final Development Plan.

(i) NMC Section 14.35.100(I) The plan can be completed within a reasonable period of time.

The current construction schedule is an anticipated 11-month duration from the date that the permit is obtained to substantial completion. This is in keeping with timelines for projects of this nature and scale.

(j) NMC Section 14.35.100(J) The streets are adequate to serve the anticipated traffic.

Considering the previously approved build-out which included a significantly greater density of 130 units on this same site, the collector roadway SE 40th/Harborton street will more than adequately accommodate this significantly reduced density which now includes 11 dwelling units with a total of 31 sleeping rooms. Even with the trip cap limitations at the unsignalized intersection of SE 40th and US 101, there is still a sufficient number of trips under the cap to accommodate the applicant's use even as the greater Wilder development area continues to be annexed.

(k) NMC Section 14.35.100(K) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

City staff has advised the applicant that the downstream drainage way does not have capacity to accept unrestricted run-off from this project. Drainage flows off-site into a privately-owned pond west of the applicant's property before crossing under SE 40th Street into culverts that run parallel to SE Ash Street. The piped drainage is then channeled to the northeast as part of the public drainage system, eventually out-falling into Yaquina Bay. The applicant proposes on-site stormwater management of storm runoff attributed to a 25-year, 24-hour storm. This will be accomplished by providing a flow control structure coupled with storage in underground chambers and above grade vegetated basins. Water, natural gas, tele-communication, power, and sanitary sewer utilities will be connected to utility lateral stubs previously installed to serve the site as planned.

(l) NMC Section 14.35.100(L) Land shown on the Final Development Plan as common open space shall be conveyed under one of the following options:

- 1) To a public agency that agrees to maintain the common open space and any buildings, structures, or other improvements that have been placed on it;*
- 2) To an association of owners of tenants, created as a non-profit corporation under the laws of the State, which shall adopt and impose a declaration of covenants and restrictions on the common open space that is acceptable to the Planning Commission as providing for the continuing care of the space. Such an association shall be formed and continued for the purpose of maintaining the common open space.*

Per Ordinance No. 2103, tract G will be conveyed to the city concurrently with the development of this project for use by the city as open space/nature trail.

(m) NMC Section 14.35.100(M) The Final Development Plan complies with the requirements and standards of the Preliminary Development Plan.

The current site plan provides for 1.3 spaces per sleeping unit (31 sleeping rooms in 11 dwelling units with 41 parking spaces), setbacks in conformance with NMC and Landscape screening requirements in conformance with the zoning. The proposed building elevations show we are well below the maximum building height allowed at 45' approved with Ordinance 2103.

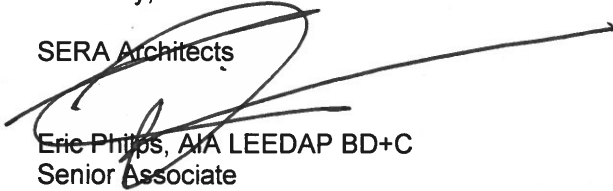
(n) NMC Section 14.35.100(N) No building shall be erected in a planned development district except within an area contained in an approved Final Development Plan, and no construction shall be undertaken in that area except in compliance with the provisions of said plan. All features required in the Final Development Plan shall be installed and retained indefinitely or until approval has been received from the Planning Commission or Community Development Director for modification.

The applicant acknowledges that until approval of the final development plan by the Newport Planning commission has taken place, no construction shall be performed within the subject area. When such approval takes place, said construction will conform to the approved plan.

5. Land Use Application Fee Calc
 \$1,150.00
 + 52.00 [+ \$52.00 per plat (1 plat)]
 \$1,202.00 Total (Refer to attached check)

Sincerely,

SERA Architects



Eric Phillips, AIA LEEDAP BD+C
 Senior Associate

Stormwater Narrative

OSU Newport Housing

Design Development

Prepared for: Oregon State University

Prepared by: Nathan Patterson, PE

June 5, 2020 | KPFF Project #2000071

KPFF'S COMMITMENT TO SUSTAINABILITY

As a member of the US Green Building Council, KPFF is committed to the practice of sustainable design and the use of sustainable materials in our work.

When hardcopy reports are provided by KPFF, they are prepared using recycled and recyclable materials, reflecting KPFF's commitment to using sustainable practices and methods in all of our products.

Project Description

This narrative describes the stormwater management design strategies for proposed development of the Oregon State University (OSU) Newport Housing project in Newport, Oregon. The project includes the construction of several housing units, a community building, and associated parking and gathering areas. The basis for the stormwater design is the Standard Local Operating Procedures for Endangered Species (SLOPES) requirements, DEQ 401 Water Quality Permit requirements, and City of Newport requirements. The purpose of the proposed stormwater management facilities is to protect existing public stormwater infrastructure and improve the overall health of the watershed.

The site is located to the south of SE 40th Street (Harborton St) in Newport, Oregon, east of Ash Street and north of 43rd Street. The site consists of 5.09 acres of forested land. See Figure 1 below.



Figure 1: Site Location

Existing Conditions

The existing site consists of predominantly coniferous forest area with substantial duff and topsoil layers. Natural grades direct the majority of the site's surface flows to a small central wetland. The wetland is connected to a natural drainageway to the south via a culvert that outfalls at the edge of the property into a natural drainage channel. Public stormwater from SE 40th Street is collected in ditches along the perimeter of the property and piped onto the site. Downstream from the site, flows ultimately drain to a pond located on private property. This pond overflows to the public piped facility that routes to Yaquina Bay.

Proposed Conditions

The proposed improvements include a partial fill of the wetland for the building construction (per all necessary DEQ, DSL, and Army Corp permits). Site stormwater will be collected via a new private storm sewer network and piped to an outfall that will drain through the existing wetland to remain. All impervious areas will be treated and collected into this piped network, including vehicular pavements, pedestrian walkways, and roofs. Portions of the site to remain undisturbed, as well as the off-site drainage from SE 40th Street will be intercepted and piped to bypass the onsite treatment and detention facilities. These facilities are summarized below and described in the following sections.

Table 1: Summary of Project Requirements

Project Requirement	Authority Having Jurisdiction	Proposed Solution
Pollutant Removal	SLOPES / DEQ	Vegetated Filtration Basin
Low Impact Development	SLOPES	Vegetated Filtration Basin
Flow Control (½-2-yr through 10-yr storms)	SLOPES	Underground Storage Chambers
Flow Control (25-yr storm)	City of Newport	Underground Storage Chambers

Stormwater Management Plan

DEQ Approved Stormwater Management Manual

The project will elect to implement the use of the 2016 City of Portland Stormwater Management Manual for design of vegetated stormwater facilities.

Low Impact Development Applications

The following Low Impact Development (LID) techniques have been implemented into the design of this site:

- Proposed grading will mimic natural drainage patterns as much as possible.
- The undeveloped eastern portion of the site will remain undisturbed.
- Vegetated surface water quality elements will be used to the maximum extent feasible.

Preliminary geotechnical investigations show that the site's soils demonstrated low permeability, making infiltration of stormwater infeasible. This information was obtained via subsurface exploration from two boreholes and ten test pits performed in March 2017 by Foundation Engineering, Inc.

Water Quality Treatment

Design Storm

The water quality design storm per ODOT requirements is a 1.64-inch 24-hour type 1A storm. A factor must be applied to the calculation of each water quality design storm based on a climate zone breakdown. The City of Newport falls in Climate Zone 1, which applies a factor of 50% to the 2-year, 24-hour storm. The ODOT design 2-year 24-hour storm for the area in which this site resides is a 3.28-inch 24-hour type 1A storm. Applying the climate zone factor yields a 1.64-inch 24-hour type 1A water quality storm.

Vegetated Stormwater Treatment

Vegetated Filtration Basins (VFBs) are located throughout the site and will treat pollution generating impervious areas by filtering stormwater through growing media. The VFBs are proposed with flat-bottoms and 3H:1V side slopes. Due to poor site infiltration rates, each facility will contain both a perforated underdrain and an overflow inlet. Ponding depth will vary from 6" minimum to 18" maximum with 2" minimum freeboard above the overflow elevation.

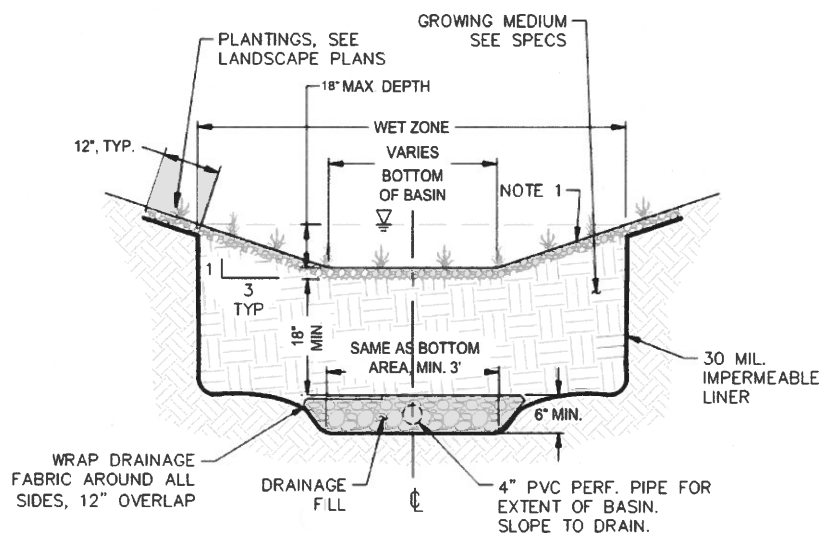


Figure 2: Typical Vegetated Filtration Basin (VFB)

Water Quantity Detention

Design Requirements

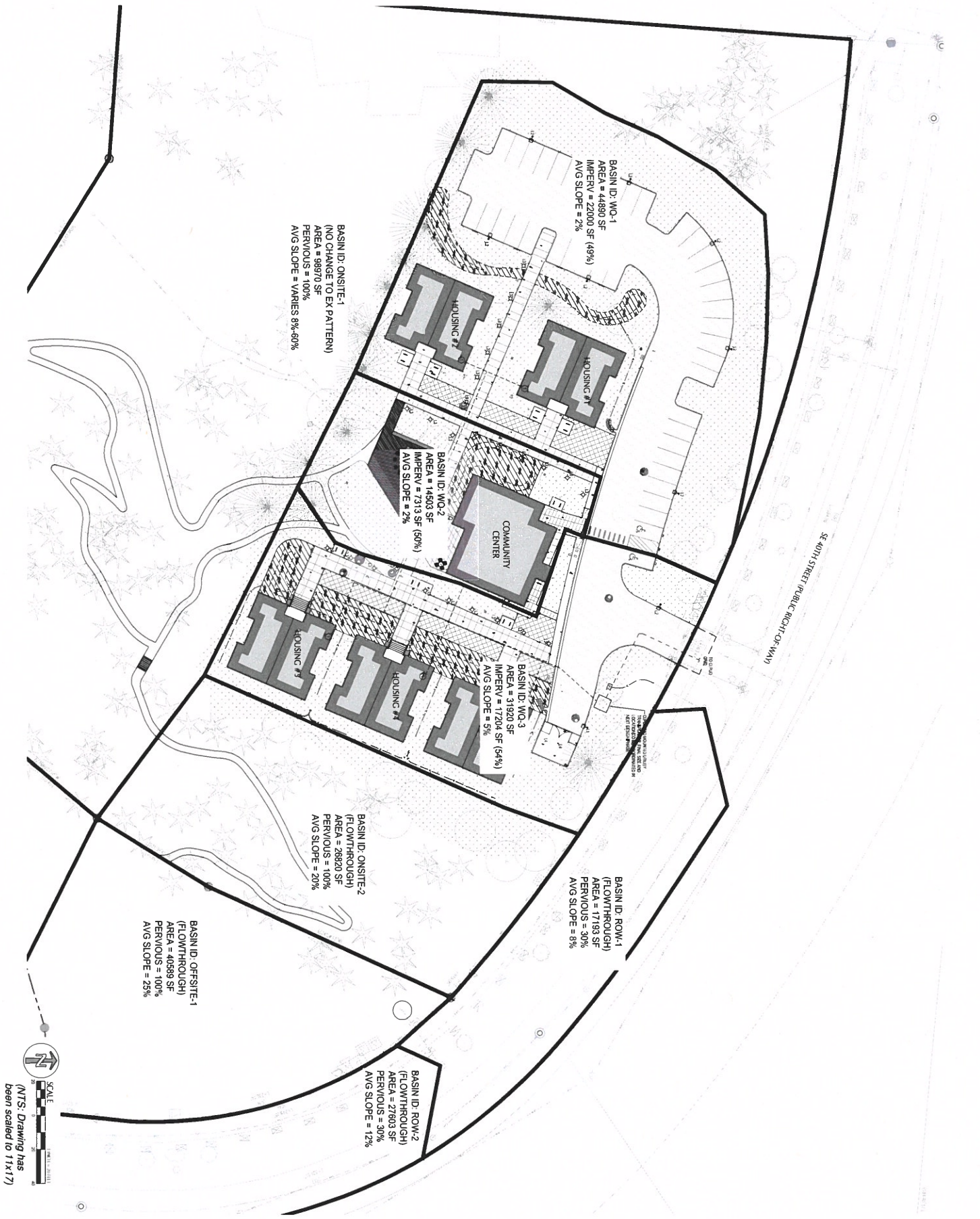
The SLOPES requirements for flow control are that the runoff from the developed condition is mitigated to predevelopment levels between the following 24-hour storm event recurrence periods:

- ½ the 2-year (1.64 inches)
- 10-year (4.25 inches)

Additionally, due to known complications with the receiving stormwater pond located downstream, the City of Newport requires the 24-hour 25-year storm (5.20 inches) be detained to match predeveloped runoff conditions. This requirement is a condition in the Notice of Decision dated March 27, 2018 (#1-PD-18). This condition allows for the requirement to be revisited and modified should the downstream pond issues be resolved. Due to the project timeline, the proposed approach is to provide detention for both the SLOPES and City requirements noted above in a single facility.

Flow Control Design

The proposed detention will consist of StormTech MC-3500 underground arch chambers (or similar) and rock backfill used for additional storage. Once runoff is treated for water quality it is routed to this facility. A flow control manhole will be located at the outlet of the detention system. It will contain multiple orifices to control peak runoff rates and an overflow weir to pass storms larger than the 24-hour, 25-year storm. Preliminary storm modeling indicates approximately 9,700 cubic feet of storage will be required.



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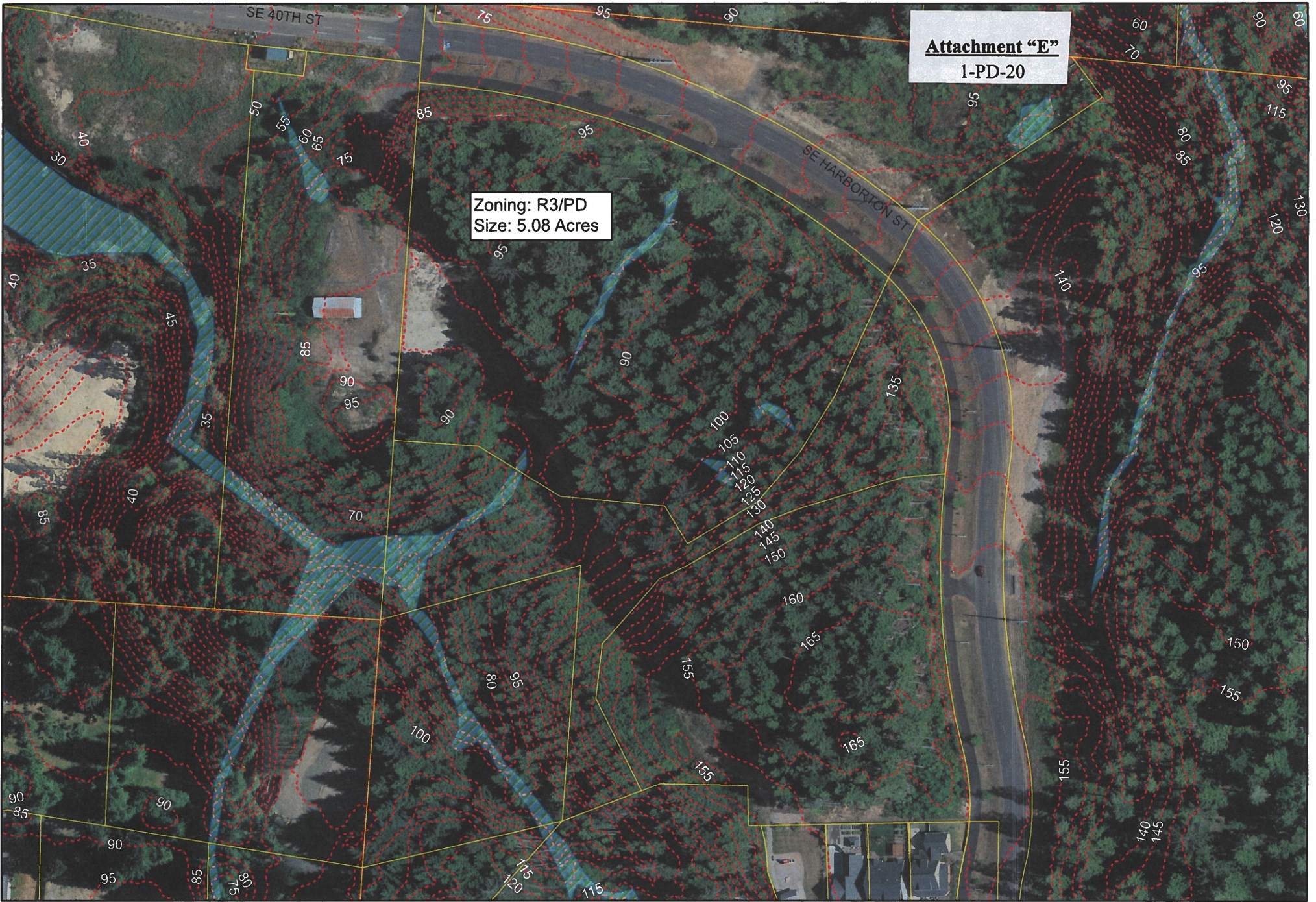
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BASIN MAP

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SCALE: AS SHOWN
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Attachment "E"
1-PD-20

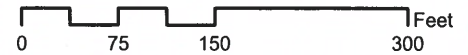
Zoning: R3/PD
Size: 5.08 Acres

NEWPORT City of Newport
 Community Development Department
 169 SW Coast Highway Phone: 1.541.574.0629
 Newport, OR 97365 Fax: 1.541.574.0644

OSU Student Housing Property
(4030 SE Harborton Street)

Image Taken July 2018
 4-inch, 4-band Digital Orthophotos
 Quantum Spatial, Inc. Corvallis, OR

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CIVIL SITE PLAN NOTES

- 1. SEE LANDSCAPE PLANS FOR DESIGN OF CONCRETE PAVING

(X) SITE KEY NOTES

#	DESCRIPTION	DETAIL REF.
1	STANDARD CONCRETE CURB	1/C600
2	MOUNTABLE CONCRETE CURB AND GUTTER	2/C600
3	CURB ENDING	3/C600
4a	CURB SPILLWAY - TYPE A	4/C600
4b	CURB SPILLWAY - TYPE B	5/C600
5	DETECTABLE WARNING	9/C600
6	ACCESSIBLE PARKING STRIPING AND LAYOUT	1/C601
7	4"-WIDE WHITE STRIPE	
8	CROSSWALK STRIPING	
9	SITE WALL (SEE LANDSCAPE PLANS)	
10	TRASH ENCLOSURE CURB (SEE ARCHITECTURAL PLANS FOR ENCLOSURE SCREENING AND GATE)	8/C500
11	STAR (SEE LANDSCAPE PLANS)	
12	TRAIL (SEE LANDSCAPE PLANS)	

CIVIL SITE PLAN LEGEND

	PROPERTY LINE
	SAWCUT LINE (SEE SHEET C200)
	CONVEYANCE SWALE
	CONCRETE PAVING (SEE LANDSCAPE PLANS)
	ASPHALT PAVING
	VEGETATED FILTRATION BASIN
	DECK (SEE LANDSCAPE PLANS)
	VEHICULAR PERMEABLE PAVER GRID (SEE LANDSCAPE PLANS)
	LANDSCAPING (SEE LANDSCAPE PLANS)
	SITE WALL (SEE LANDSCAPE PLANS)

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SITE PLAN

C300

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UTILITY PLAN

C500

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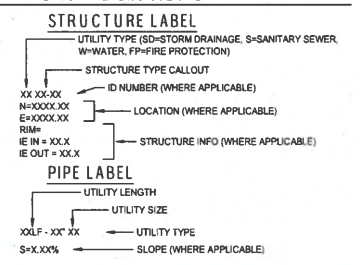
SHEET NOTES

- PIPE BEDDING AND BACKFILL FOR ALL UTILITIES SHALL BE DONE PER DETAIL 1/C602.
- STRUCTURES LOCATIONS ARE BASED ON CENTER OF STRUCTURE.
- INSTALL THRUST BLOCK ON FIRE AND WATER LINES PER DETAIL RD250/C604.
- INSTALL 4" PERFORATED FOUNDATION IN DRAIN ROCK ENCASUREMENT AS DIRECTED BY FOUNDATION ENGINEER.

UTILITY KEY NOTES

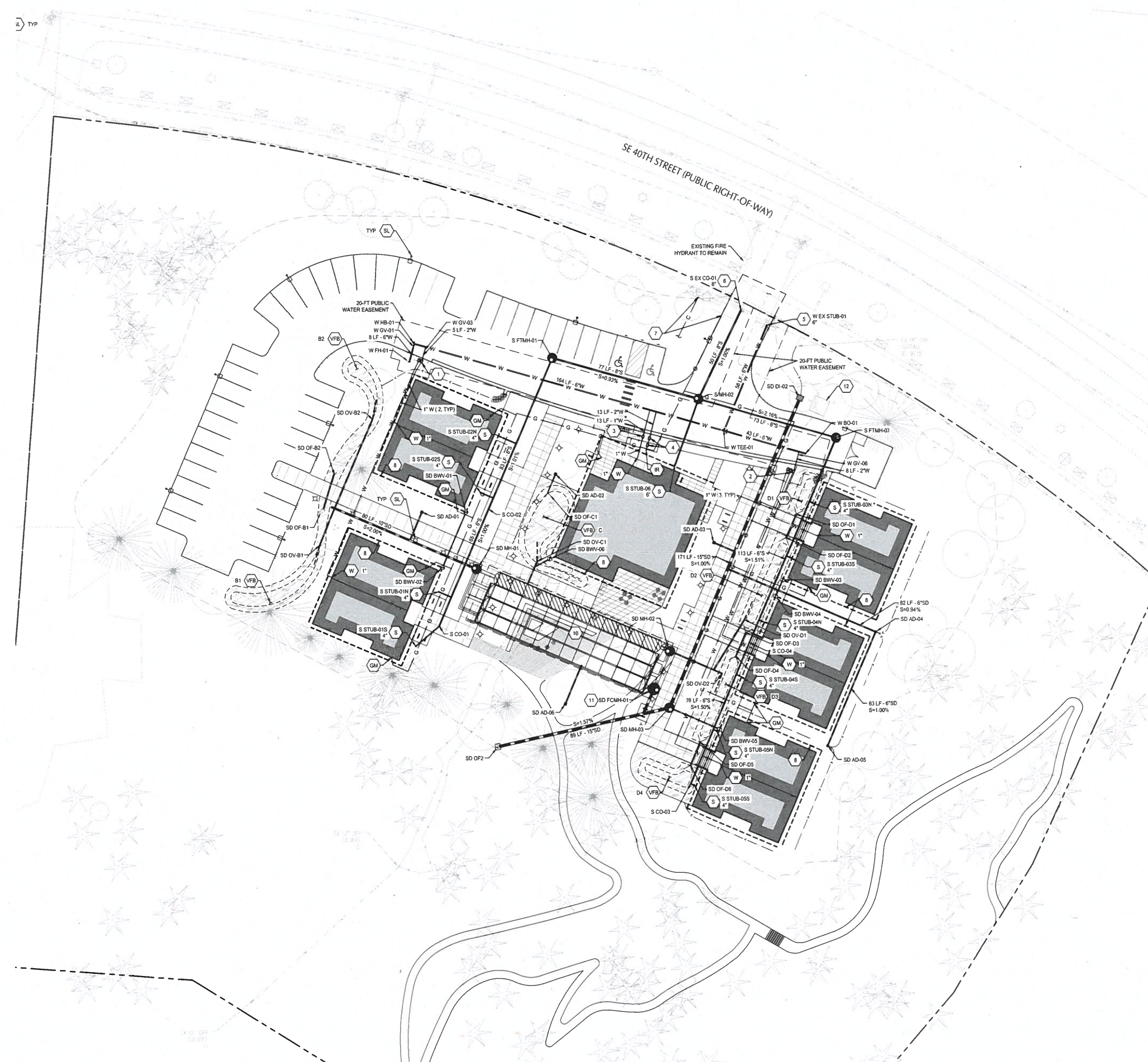
- | NOTE | DESCRIPTION | DETAIL REF. |
|------|---|-----------------------------|
| 1 | INSTALL 2" DOMESTIC WATER SERVICE LATERAL TO MASTER VALVE BEHIND CURB. CONNECT TO 2" COPPER MANIFOLD WITH (2) 1" METERED SERVICES. | 560-9/
C606 |
| 2 | INSTALL 2" DOMESTIC WATER SERVICE LATERAL WITH 2" CORP STOP AND 2" GV. CONNECT TO 2" COPPER MANIFOLD WITH (3) 1" METERED SERVICES. | 560-9/
C606 |
| 3 | INSTALL 1" DOMESTIC WATER LATERAL AND METERED SERVICE. | RD274/
C604 |
| 4 | INSTALL 2" IRRIGATION WATER LATERAL AND METERED SERVICE. INSTALL 2" DOUBLE CHECK IN BOX. | RD274/
C604
8/C604 |
| 5 | PRIOR TO CONSTRUCTION, FIELD VERIFY LOCATION, DEPTH AND SIZE OF PUBLIC WATER STUB. PROVIDE RESTRAINED CONNECTION TO EXISTING PIPE AND INSTALL STRADDLE BLOCK. | |
| 6 | PRIOR TO CONSTRUCTION, FIELD VERIFY LOCATION, DEPTH AND SIZE OF PUBLIC SEWER LATERAL. PROTECT EXISTING CLEANOUT AND EXTEND NEW PIPE TO MH-02. | |
| 7 | EXTEND FRANCHISE TELECOM AND NATURAL GAS UTILITIES FROM EXISTING STUB LOCATIONS. | |
| 8 | INSTALL PERIMETER 4" PERFORATED FOUNDATION DRAIN CONNECT TO BACKWATER VALVE. | |
| 10 | INSTALL APPROXIMATELY 9,700 CF DETENTION WITH 48 MC-3500 STORMTECH ARCH CHAMBERS. PROVIDE IMPERMEABLE LINER PER MANUFACTURER'S SPECIFICATION. | PG1-4/
C605
PG-3/C606 |
| 11 | INSTALL 60" FLOW CONTROL MANHOLE WITH CONTROL ORIFICES FOR 1/2 THE 2-YR THROUGH 25-YR STORMS. | 8/C602 |
| 12 | ELECTRICAL TRANSFORMER, FINAL LOCATION TO BE COORDINATED IN SUBSEQUENT DESIGN. SEE ELECTRICAL PLAN. | |
| GM | GAS METER LOCATION. COORDINATE ROUTING AND PLACEMENT WITH NW NATURAL. | |
| IR | IRRIGATION POINT OF CONNECTION. SEE IRRIGATION PLANS FOR CONTINUATION. | |
| S | CONNECT TO WASTE LINE AT CLEANOUT. SEE PLUMBING PLANS FOR CONTINUATION. SIZE AS NOTED. | |
| SD | CONNECT DOWNSPOUTS TO VFB AT SPLASH BLOCK (TYPICAL). | |
| SL | SITE LIGHTING. SEE ELECTRICAL PLAN. | |
| VFB | VEGETATED FILTRATION BASIN. ID AS SHOWN. INSTALL 10 LF 4" PERFORATED AT EACH OVERFLOW INLET. | 5.6.7/C603 |
| W | CONNECT TO COLD WATER SYSTEM. SIZE AS NOTED. | |
| II | UTILITY CROSSING. PROVIDE 12" MIN CLEARANCE. U.N.O. | |

UTILITY LABEL LEGEND



STRUCTURE TYPE

CALLOUT	DESCRIPTION	DETAIL REF.
AD	AREA DRAIN	3/C602
BO	BLOW OFF ASSEMBLY	RD282/C604
BWV	BACKWATER VALVE	2/C603
CB	CATCH BASIN	
CO	CLEANOUT TO GRADE	1/C603
DC	IRRIGATION DOUBLE CHECK VALVE	8/C603
DI	DITCH INLET	4/C602
FCMH	FLOW CONTROL MANHOLE	8/C602
FD	FOUNDATION DRAINAGE	3/C603
FDC	FIRE DEPARTMENT CONNECTION	
FI	FIRE HYDRANT	RD250/C604
FTMH	FLAT TOP/SHALLOW MANHOLE	
GV	GATE VALVE	9/C603
HB	HORIZONTAL BEND	6.7/C602
MH	MANHOLE	
OF	OUTFALL TO VFB / VFB CONNECTOR PIPE	6/C600
OF2	OUTFALL WITH RIPRAP ARMOR IN CHANNEL	5/C600
OV	OVERFLOW INLET	2/C602
PLUG	PLUG	
STUB	STUB	
TB	THRUST BLOCK	RD250/C604
TEE	TEE CONNECTION	
VB	VERTICAL BEND	
WM	WATER METER	
WYE	WYE CONNECTION	



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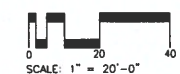
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- LEGEND**
- LIMIT OF WORK
 - VERTICAL TIMBER SHORING
 - TREE PROTECTION FENCE
 - △ PROTECT EXISTING TREE TO REMAIN
 - ⊗ EXISTING TREE TO BE REMOVED

- GENERAL NOTES**
1. CONTRACTOR TO NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES BETWEEN THE PLANS AND THE EXISTING CONDITIONS BEFORE STARTING WORK.
 2. ALL WORK SHALL BE PERFORMED IN STRICT ACCORDANCE WITH THE TEMPORARY TREE AND PLANT PROTECTION SPECIFICATIONS FOR THE PROJECT.



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TREE PROTECTION PLAN
L100
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LEGEND

- LIMIT OF WORK
- [Pattern] CONCRETE PAVING - PEDESTRIAN
- [Pattern] CONCRETE PAVING - PLAZA INTEGRAL COLOR OR PAVERS
- [Pattern] CONCRETE PAVING - VEHICULAR (SEE CIVIL)
- [Pattern] PERMEABLE PAVE GRID - VEHICULAR
- [Pattern] GRAVEL / NATURE TRAIL
- [Pattern] LAWN
- [Pattern] PLANTING AREA, TYPE I
- [Pattern] PLANTING AREA, TYPE II
- [Pattern] PLANTING AREA, TYPE III
- [Pattern] STORMWATER PLANTING AREA
- [Symbol] (5 L703) WOOD DECK
- [Symbol] CONCRETE BRIDGE
- [Symbol] (2 L702) TACTILE WARNING PAVERS, SEE CIVIL
- [Symbol] (2 L702) CONCRETE SEAT WALL
- [Symbol] TABLE AND CHAIRS FURNISHED BY OWNERS
- [Symbol] PROPOSED TREE
- [Symbol] EXISTING TREE

GENERAL NOTES

1. CONTRACTOR TO NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES BETWEEN THE PLANS AND THE EXISTING CONDITIONS BEFORE STARTING WORK.



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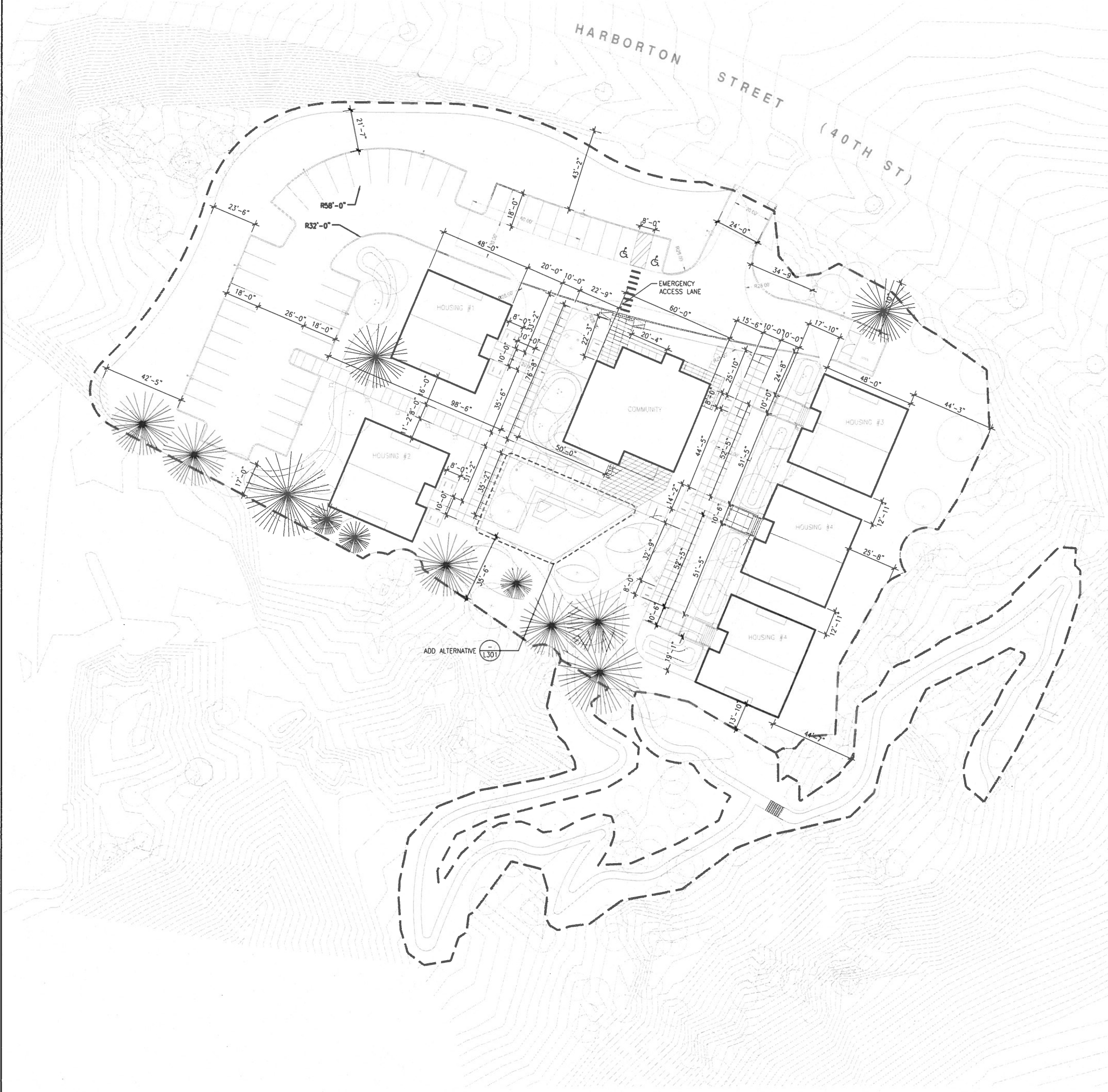
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MATERIAL PLAN L200

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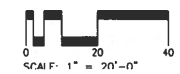
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LEGEND

---	LIMIT OF WORK
---	BUILDING GRIDLINE
---	CENTERLINE
---	EXTENSION OF BUILDING FACE
---	ISOLATION JOINT
---	DOWELLED ISOLATION JOINT
B	BEARING
C	CHORD LENGTH
EQ	EQUAL
L	LENGTH OF CURVE
OC	ON CENTER
POB	POINT OF BEGINNING
PC	POINT OF CURVATURE
PCC	POINT OF COMPOUND CURVATURE
PRC	POINT OF REVERSE CURVATURE
PI	POINT OF INTERSECTION
PT	POINT OF TANGENCY
R	RADIUS
RP	RADIUS CENTER POINT
SP	SPACES
VF	VERIFY IN FIELD
⊖	ALIGN
⊗	BUILDING GRID

- LAYOUT NOTES**
1. SITE SURVEY WAS PREPARED BY AKS ENGINEERING AND FORESTRY ON 09-29-2017. ALL COORDINATES SHOWN ON THE DRAWINGS ARE BASED UPON THE COORDINATE SYSTEM ESTABLISHED BY THE SURVEYOR. WALKER MACY ASSUMES NO RESPONSIBILITY FOR ACCURACY OF SURVEYED CONDITIONS AS SHOWN. SURVEY INFORMATION IS PROVIDED FOR REFERENCE ONLY.
 2. DO NOT SCALE FROM THE DRAWINGS. THE LOCATION OF FEATURES NOT SPECIFICALLY DIMENSIONED MAY NOT BE DETERMINED BY SCALE. IF CONFLICTS ARISE IN THE FIELD, CONTACT OWNER'S REPRESENTATIVE FOR RESOLUTION.
 3. ALL DIMENSIONS ARE TO THE BUILDINGS GRIDLINES AND WALLS OR BACK OF CURBS, UNLESS OTHERWISE NOTED.
 4. ALL CURVED OBJECTS SHALL HAVE SMOOTH, CONTINUOUS CURVES WITH CONSISTENT RADII AS INDICATED. EACH CURVE SHALL MEET ADJACENT CURVES OR LINEAR SECTIONS ON THE TANGENT, UNLESS NOTED OTHERWISE.



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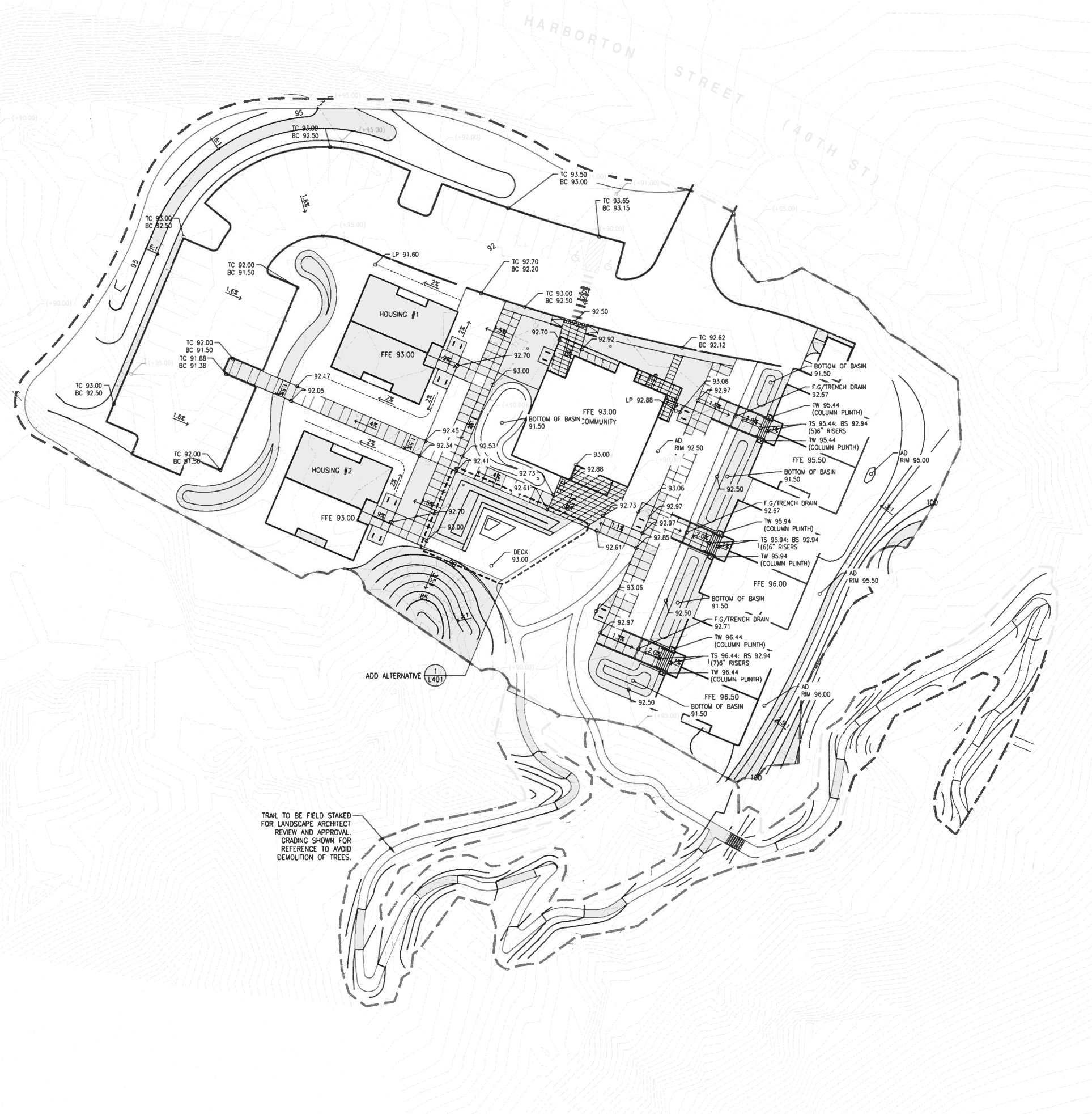
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LAYOUT PLAN
L300

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LEGEND

	LIMIT OF WORK
	104 PROPOSED CONTOUR
	(104) EXISTING CONTOUR
	104.72 PROPOSED SPOT ELEVATION
	(104.70) EXISTING SPOT ELEVATION
	4:1 4.9% DIRECTION AND PERCENTAGE OR RATIO OF SLOPE
	FFE FINISH FLOOR ELEVATION
	FG FINISH GRADE
	BS BOTTOM OF STEP
	TS TOP OF STEP
	BW BOTTOM OF WALL (AT FG OF PAVING)
	TW TOP OF WALL
	TD TOP OF DECK
	TR TOP OF RAMP
	BR BOTTOM OF RAMP
	TB TOP OF BENCH
	RIM RIM ELEVATION

- GRADING NOTES**
1. VERIFY ACCURACY OF EXISTING GRADES AND INTERPOLATED ELEVATIONS PRIOR TO BEGINNING WORK. NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCY PRIOR TO BEGINNING WORK.
 2. PROTECT ALL TREES INDICATED TO REMAIN.
 3. ALL PROPOSED GRADES ARE TO MEET AND BLEND IN WITH EXISTING GRADING AT PROJECT LIMIT, PROPERTY LINES, BUILDING LINES AND EXISTING CURBS.
 4. 'ROUND OFF' ALL SHARP RIDGES EXISTING ON SITE WHETHER OR NOT SUCH CONDITIONS ARE INDICATED ON PLANS.
 5. NOTIFY THE OWNER'S REPRESENTATIVE TO REVIEW ROUGH GRADES PRIOR TO PLACEMENT OF TOPSOIL; AND FINE GRADING PRIOR TO PLANTING.
 6. ALL AREAS SHALL HAVE POSITIVE DRAINAGE TO APPROVED DRAINAGE STRUCTURES OR CONVEYANCES.
 7. PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS AT 0.5% SLOPE, MINIMUM.
 8. ALL WALKWAYS AND PAVED AREAS SHALL HAVE SMOOTH AND CONTINUOUS ELEVATION CHANGES.
 9. SET STRAIGHT GRADES BETWEEN GIVEN ELEVATIONS, UNLESS OTHERWISE INDICATED.
 10. PROVIDE 2% MAX. SLOPE, PERPENDICULAR TO DIRECTION OF TRAVEL, ON ALL PAVED PEDESTRIAN SURFACES, UNLESS NOTED OTHERWISE.
 11. GRADE BREAK LINES ARE SHOWN GRAPHICALLY TO ILLUSTRATE DRAINAGE PATTERNS AND ARE NOT TO BE INSTALLED AS ACTUAL JOINT LINES, EXCEPT WHERE THEY COINCIDE WITH PAVING JOINTS.
 12. INSTALL DRAINS IN PAVING, SQUARE WITH AND ALIGNING TO PAVING JOINTS AS SHOWN.
 13. VERIFY IN FIELD THAT AS-BUILT CONDITIONS MATCH PRECISE ELEVATIONS INDICATED ON PLANS.
 14. SITE SURVEY WAS PREPARED BY AKS Engineering and Forestry ON 9/29/2017. ALL GRADES SHOWN ON THE DRAWINGS ARE BASED UPON THE DATUM ESTABLISHED BY THE SURVEYOR. WALKER MACY ASSUMES NO RESPONSIBILITY FOR ACCURACY OF SURVEYED CONDITIONS AS SHOWN. SURVEY INFORMATION IS PROVIDED FOR REFERENCE ONLY. NOT ALL SURVEYED SPOT ELEVATIONS ARE SHOWN.

TRAIL TO BE FIELD STAKED FOR LANDSCAPE ARCHITECT REVIEW AND APPROVAL. GRADING SHOWN FOR REFERENCE TO AVOID DEMOLITION OF TREES.

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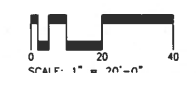
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GRADING PLAN
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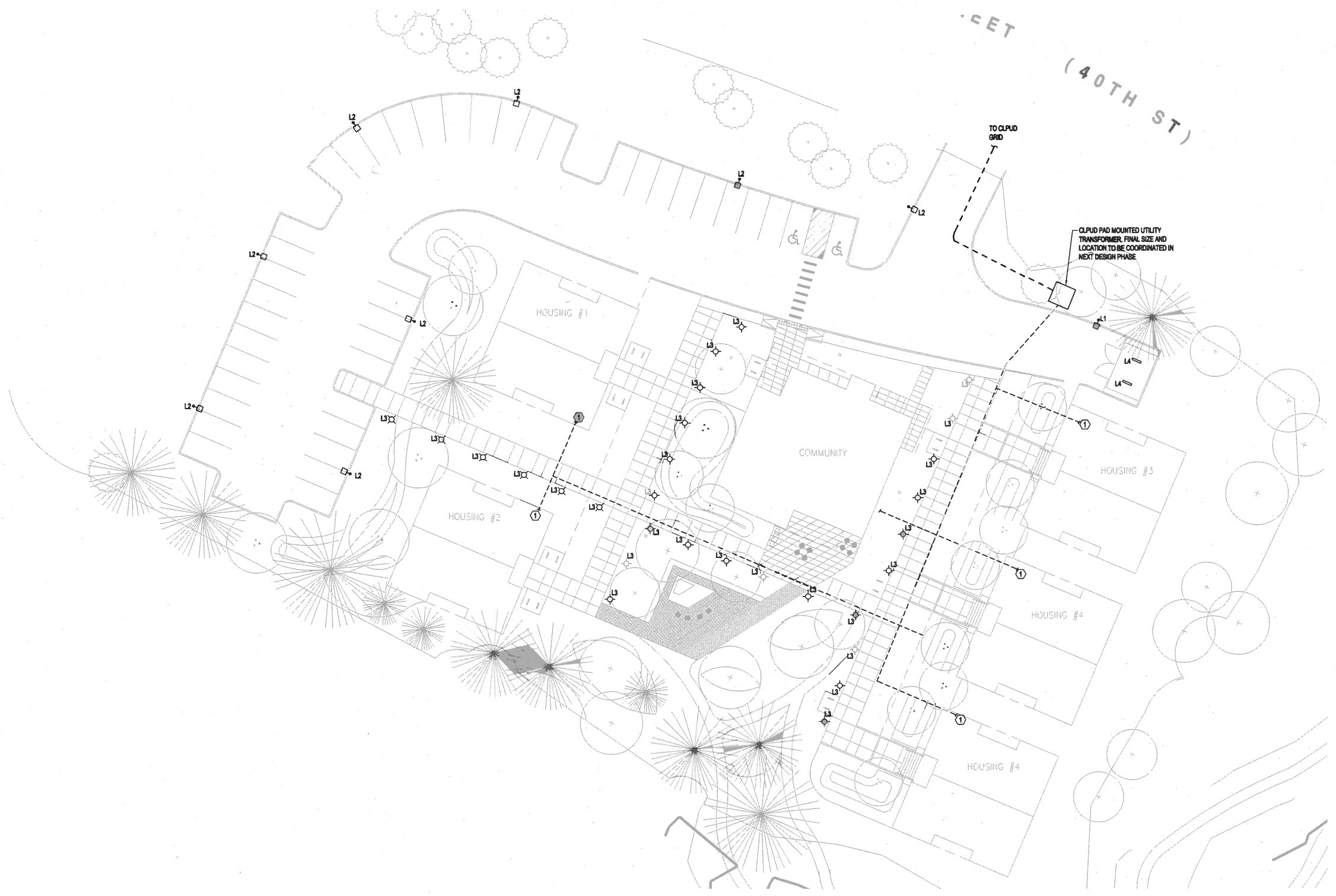
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**SITE PLAN -
ELECTRICAL
E010**

LAND USE PACKAGE

- NOTES:**
- ELECTRICAL FEED TO HOUSING BUILDING. HOUSING BUILDING BEING PROVIDED UNDER A SEPARATE CONTRACT. COORDINATE FINAL STUB-UP LOCATION AND REQUIREMENTS WITH HOUSING DESIGN-BUILD CONTRACTOR PRIOR TO ROUGH-IN.



EXTERIOR LUMINAIRE SCHEDULE

FIXTURE TYPE	PRODUCT DESCRIPTION	PRODUCT	BASIS OF DESIGN MANUFACTURER	SIZE	INPUT WATTS	LAMP SOURCE	POWER SUPPLY	INPUT VOLTAGE	FINISH	MOUNTING	NOTES
L1	LED POLETOP AREA/FLOOD LUMINAIRE TYPE 5 DISTRIBUTION MARINE LISTED	OSQ 5ME	CREE	27.2" x 8.1" x 3.1"	860	LED, 3000-400K 70-80CRI, 24700 LM	INTEGRAL	120V	AS SELECTED BY ARCHITECT	POLE MOUNTED +25'-0" AFG	PROVIDE MARINE LISTED POLE. REFER TO DETAIL 2/E-501 FOR POLE BASE DETAIL. SEE PLANS FOR NUMBER OF HEADS PER POLE.
L2	LED POLETOP AREA/FLOOD LUMINAIRE TYPE 3 DISTRIBUTION MARINE LISTED	OSQ 3ME	CREE	27.2" x 8.1" x 3.1"	858	LED, 3000-400K 70-80CRI, 27300 LM	INTEGRAL	120V	AS SELECTED BY ARCHITECT	POLE MOUNTED +25'-0" AFG	PROVIDE MARINE LISTED POLE. REFER TO DETAIL 2/E-501 FOR POLE BASE DETAIL.
L3	LED PATHWAY BOLLARD MARINE LISTED	77 237	BEGA-US	27 1/2" x 4 1/8" x 3 1/2"	3	LED, 3000K 90CRI, 135 LM	INTEGRAL, MAGNETIC TRANSFORMER	120V	AS SELECTED BY ARCHITECT	BOLLARD	
L4	VAPOR-TIGHT WET LISTED LED	WS SERIES	CREE	51.8" X X6.8" X 4.3"	30	LED, 3000K 90CRI, 4100 LM	INTEGRAL	UNIV	AS SELECTED BY ARCHITECT	SURFACE	

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GENERAL NOTES - SITE PLAN

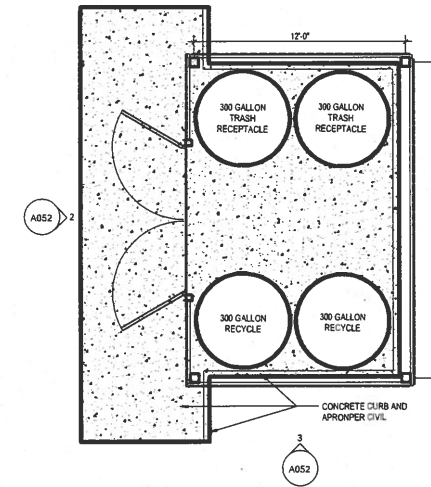
A. CIVIL AND LANDSCAPE INFORMATION SHOWN FOR REFERENCE ONLY - REFER TO CIVIL AND LANDSCAPE DRAWINGS FOR SITEWORK INFORMATION.



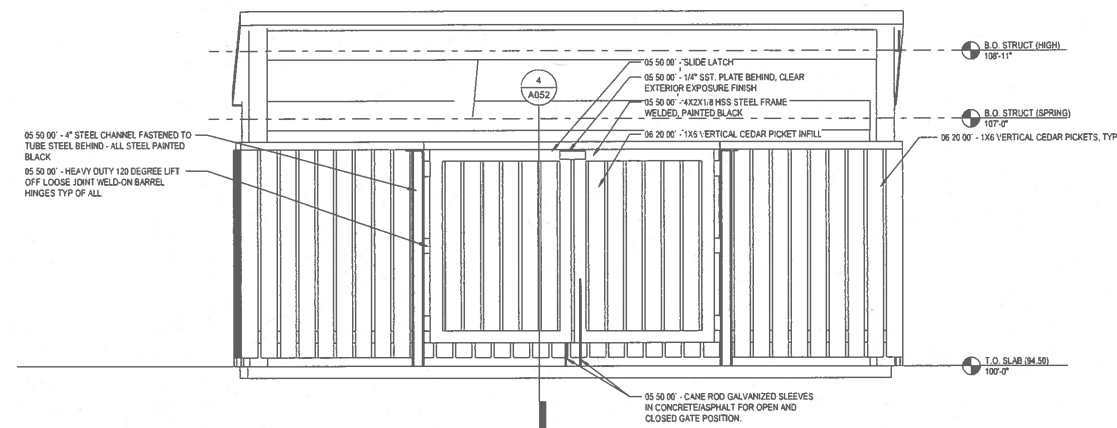
ARCHITECTURE
URBAN DESIGN + PLANNING
INTERIOR DESIGN

PORTLAND/OAKLAND
SERADESIGN.COM

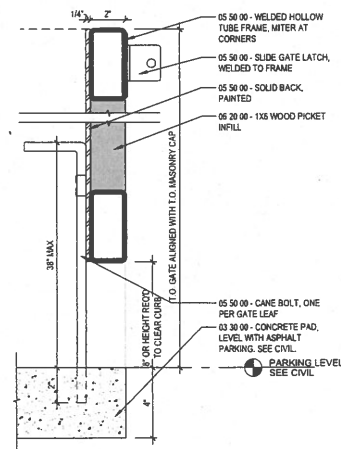
PRELIMINARY
NOT FOR CONSTRUCTION



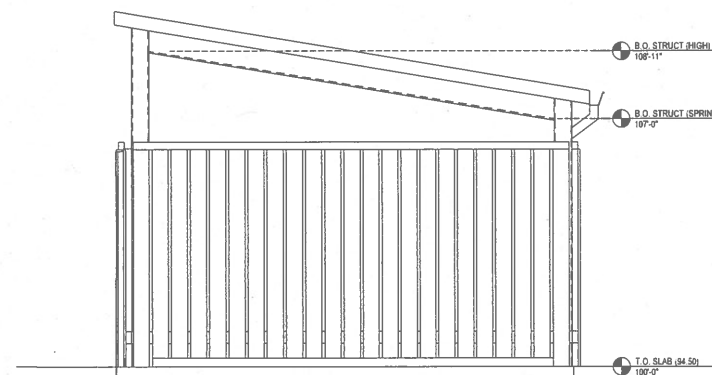
1 SITE PLAN - TRASH ENCLOSURE
1/4" = 1'-0"



2 WEST ELEVATION - TRASH ENCLOSURE
1/2" = 1'-0"



4 TRASH GATE SECTION
3" = 1'-0"



3 SOUTH ELEVATION - TRASH ENCLOSURE
1/2" = 1'-0"

OSU NEWPORT HOUSING
OREGON STATE UNIVERSITY
3105 SW WESTERN BLVD.
CORVALLIS, OR 97331

REVISIONS

CHECKED BY: EP
ISSUE DATE: 02 JULY 2020
PROJECT NO: 20030117

ENLARGED SITE
PLAN - TRASH
ENCLOSURE

A052

LAND USE PACKAGE



1 FIRST FLOOR FURNITURE PLAN
1/4" = 1'-0"

MANAGER'S APT	853 SF
COMM BLDG	2,383 SF
TOTAL	3,236 SF



OSU NEWPORT HOUSING
HARBORTON STREET -- NEWPORT, OREGON

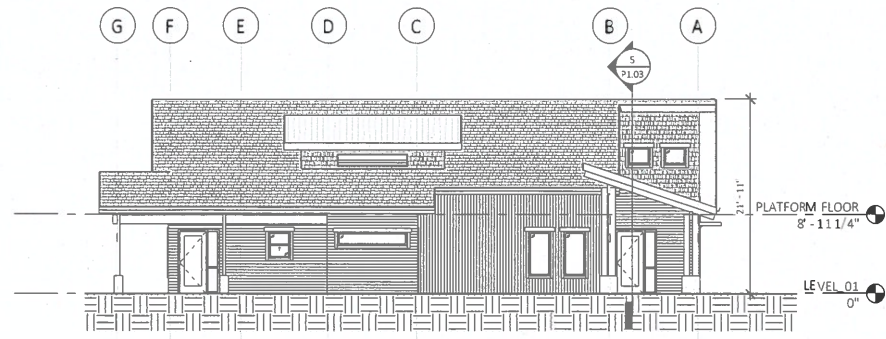
COMMUNITY BUILDING FURNITURE FLOOR PLAN



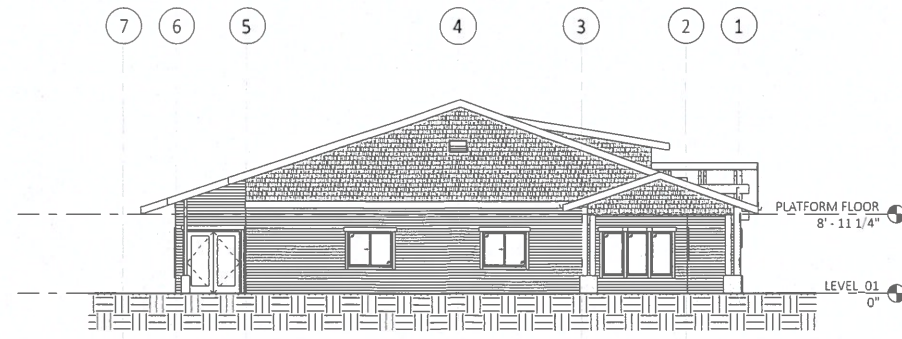
ENHANCING LIVES AND COMMUNITIES
INTEGRITY • INNOVATION • COLLABORATION

LAND USE PACKAGE
07/02/2020

P1.01








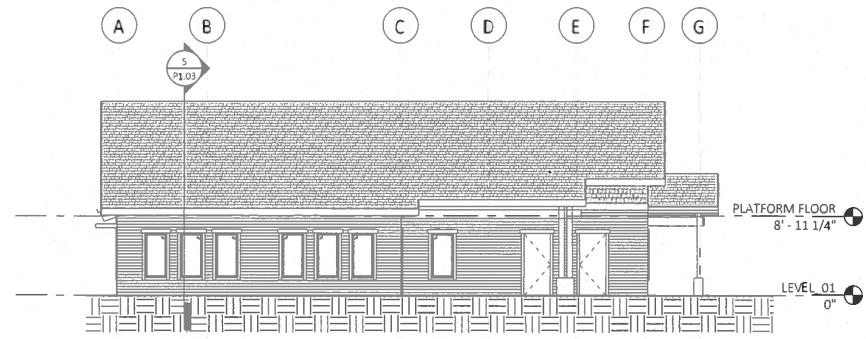
1 NORTH ELEVATION
1/8" = 1'-0"



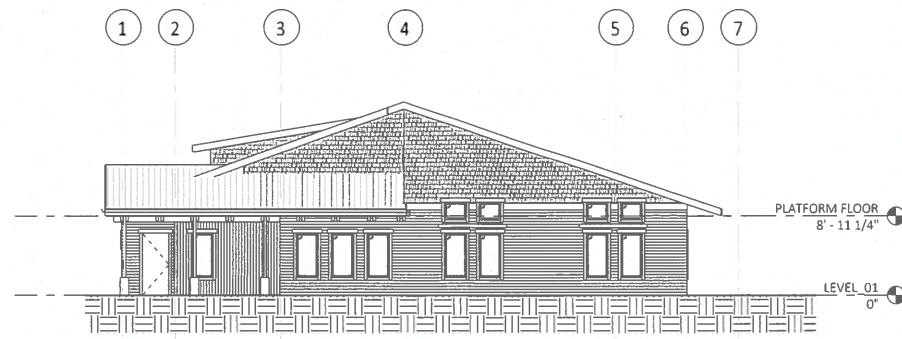
2 EAST ELEVATION
1/8" = 1'-0"

ELEVATION MATERIALS LEGEND

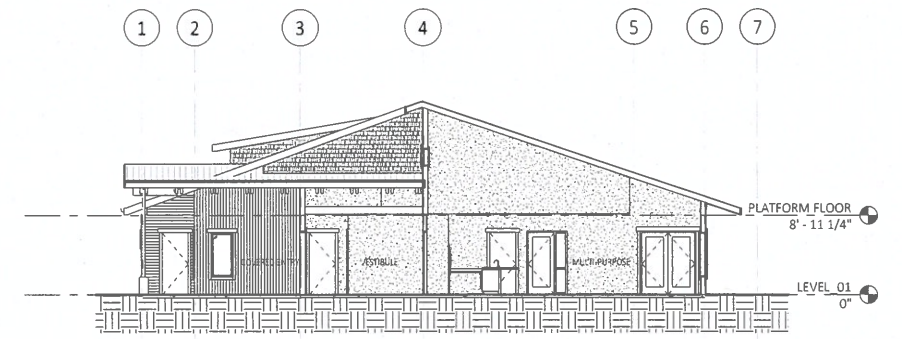
-  ASPHALT SHINGLE ROOFING
-  STANDING SEAM METAL ROOFING
-  VERTICAL CEDAR TONGUE & GROOVE SIDING
-  LAP SIDING
-  SHAKE SHINGLE SIDING



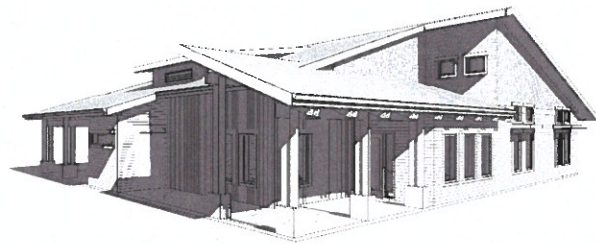
3 SOUTH ELEVATION
1/8" = 1'-0"



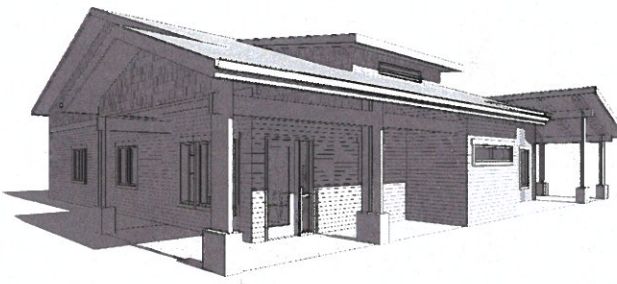
4 WEST ELEVATION
1/8" = 1'-0"



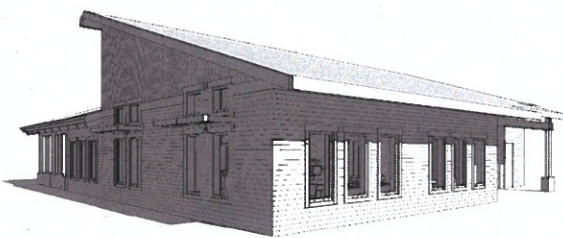
5 BUILDING SECTION
1/8" = 1'-0"



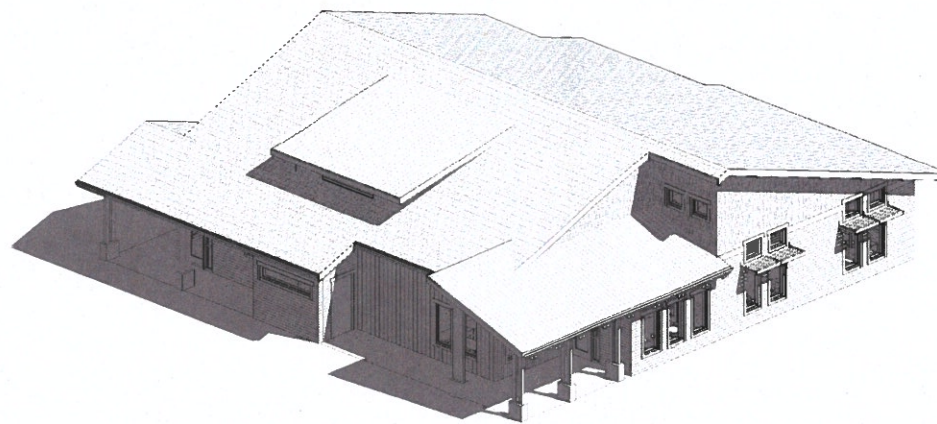
6 3D VIEW 1- COMMUNITY BUILDING MAIN ENTRANCE



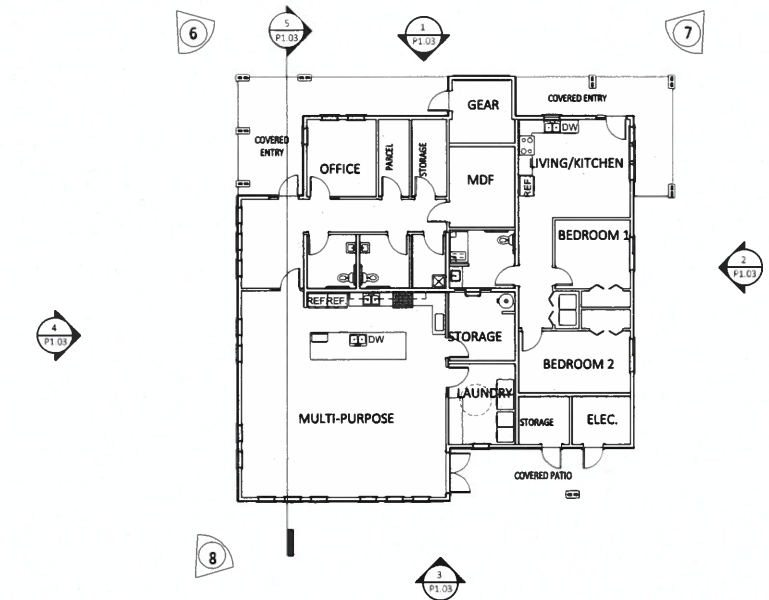
7 3D VIEW 2- MANAGER'S APARTMENT ENTRANCE



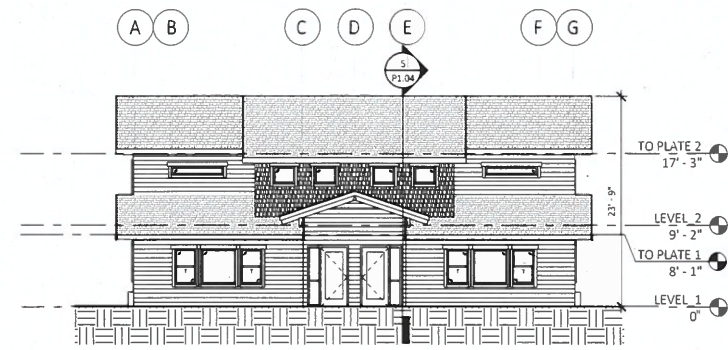
8 3D VIEW 3- EXTERIOR VIEW OF MULTI-PURPOSE ROOM



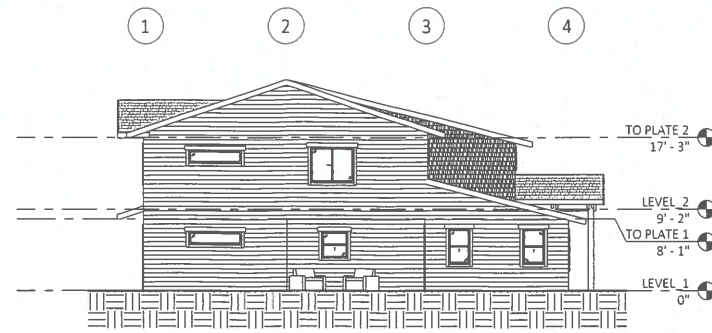
9 ISOMETRIC VIEW



KEY PLAN



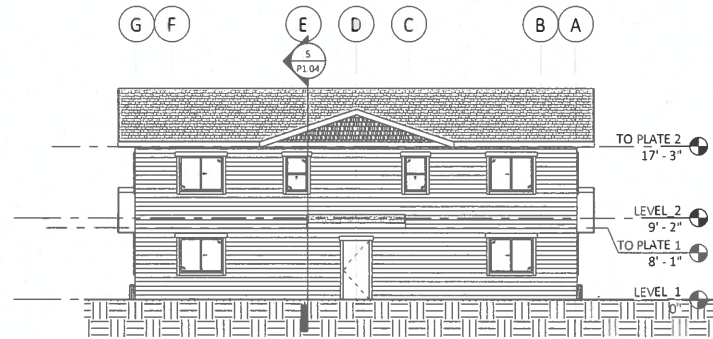
1 FRONT ELEVATION
1/8" = 1'-0"



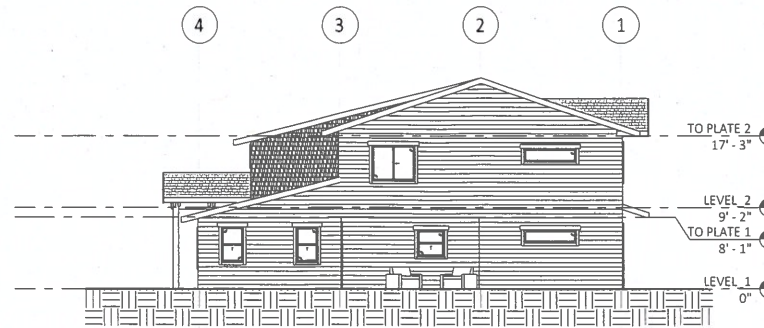
2 SIDE ELEVATION 1
1/8" = 1'-0"

ELEVATION MATERIALS LEGEND

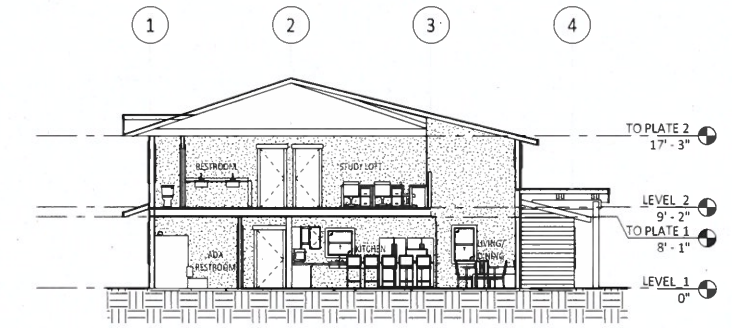
- ASPHALT SHINGLE ROOFING
- LAP SIDING
- SHAKE SHINGLE SIDING



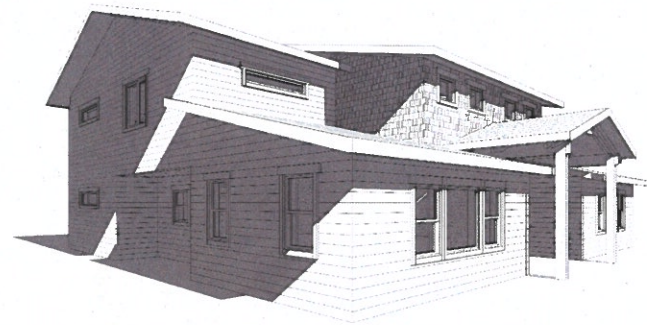
3 REAR ELEVATION
1/8" = 1'-0"



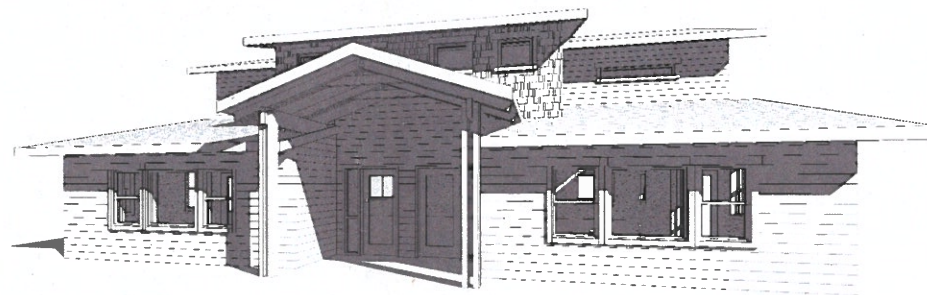
4 SIDE ELEVATION 2
1/8" = 1'-0"



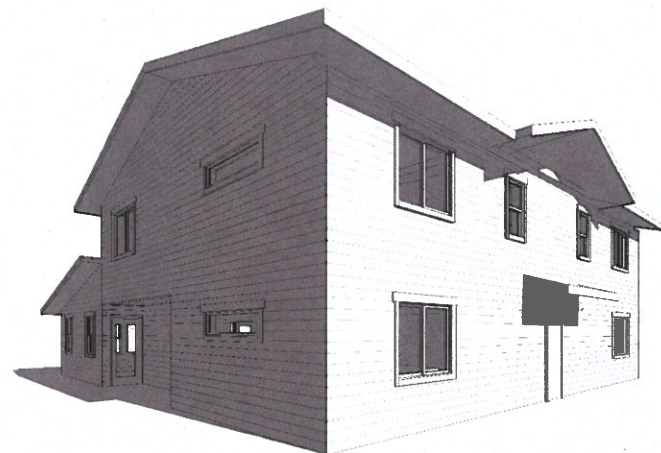
5 BUILDING SECTION
1/8" = 1'-0"



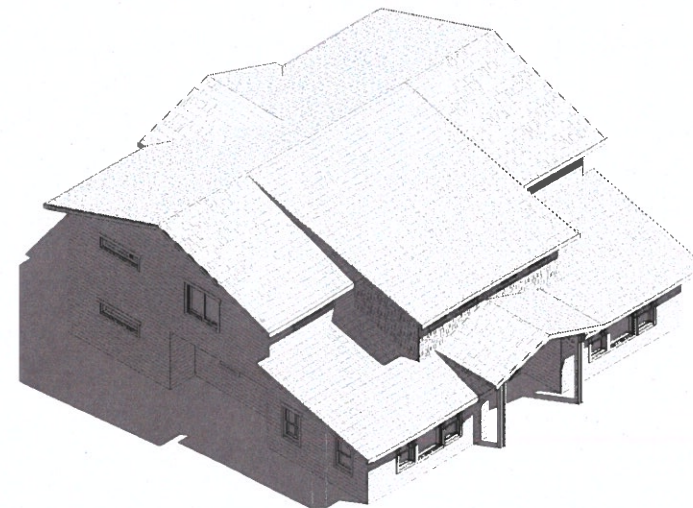
6 3D VIEW 1



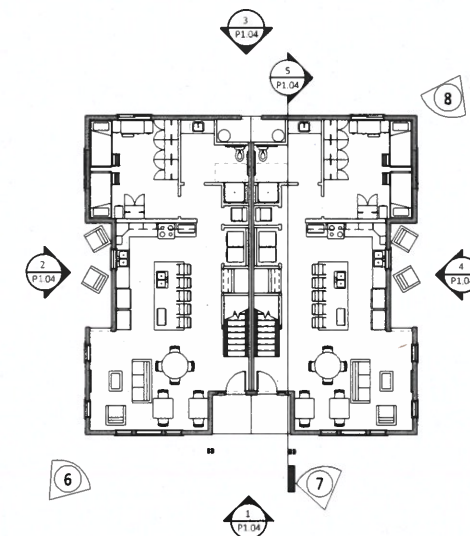
7 3D VIEW 2



8 3D VIEW 3



9 ISOMETRIC VIEW



KEY PLAN

Attachment "G"

1-PD-20



OSQ SERIES

LED SPECIFICATION-GRADE AREA LUMINAIRE

Ready to turn your lighting poles into money trees.

CREE 



OSQ Series LED Area Luminaire

ADVANCING LIGHT THROUGHOUT YOUR SITE.

EXCEPTIONAL LIGHT QUALITY

Without precise optical control high output lighting can be wasteful, or worse, objectionable to neighboring properties. Utilizing our NanoOptic® Technology, the OSQ Series has the right optics to effectively meet the illumination needs of projects while minimizing waste and spill light.

ENERGY SAVINGS

The next generation of area lighting surpasses traditional lighting technology with market-leading optical performance and an extensive lifetime, leading to energy savings of up to 80 percent compared to HID.

INCREASING OPPORTUNITIES

We continue to advance LED lighting solutions that outperform our first generation of luminaires. The OSQ Series High Output can now deliver up to 68,691 lumens — improving our replacement range for applications using multiple 1000W HID.



OSQ Series
Adjustable Arm Mount



OSQ Series High Output
Direct Arm Mount

TECHNOLOGY WITH PROVEN PERFORMANCE.

Cree is the originator of today's LED lighting technology and is 100 percent committed to the continued advancement of solid state lighting. That's why we strive to find ways to continuously improve our products and offer more value to our customers. We know there are a lot of great opportunities to use LED lighting in outdoor applications, and finding the right lighting solution to fit your needs is our business.

NanoOptic® Technology

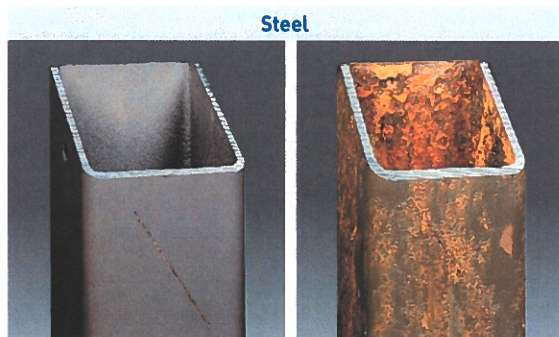
With patented NanoOptic® Technology available in more than 20 distributions, Cree® outdoor LED fixtures provide precise optical control for exceptional application performance and energy savings. The NanoOptic® refractor system offers superior light control with more lumens delivered in the target area, improved uniformity ratios and controlled high-angle brightness.

Cree TrueWhite® Technology



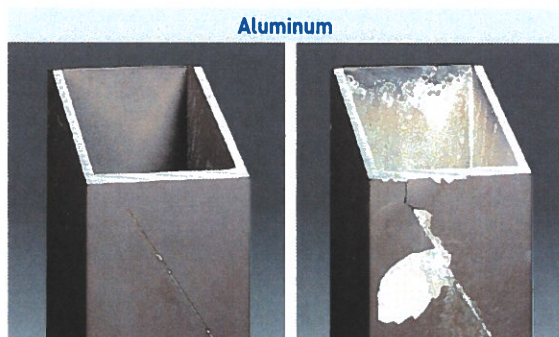
Available with the OSQ High Output luminaire (5000K): A revolutionary way to generate high-quality white light, Cree TrueWhite® Technology is a patented approach that delivers an exclusive combination of 90+ CRI, beautiful light characteristics and lifelong color consistency, all while maintaining high luminous efficacy. Colors show truer, spaces are brighter and significant energy savings are real.

Colorfast DeltaGuard® Finish



Colorfast DeltaGuard

Typical 5-Stage



Colorfast DeltaGuard

Typical 5-Stage

Premium Protection Against the Elements

Our exclusive Colorfast DeltaGuard finish features an E-coat epoxy primer with an ultra-durable powder topcoat providing excellent resistance to corrosion, ultraviolet degradation and abrasion. Backed by a 10-year limited finish warranty, the OSQ Series LED area luminaire will look great long after the competition fades away.

Salt Fog Test Results

The same 3mm thickness of powder topcoat was applied to each of the four pole section samples (shown left), which were then scored and exposed to a salt fog test for 2,500 hours. The results are clear — our Colorfast DeltaGuard finish stood up to the test, proving our ability to protect your investment even in the most grueling conditions.

Visit lighting.cree.com to learn more.

OPTICS YOU CAN COUNT ON.

Traditional luminaire technologies offer limited optical selections. With our patented NanoOptic® Technology, the choices keep coming. We have highly-efficient optics available in multiple distributions to provide new possibilities for highly-optimized target illumination performance and the flexibility you need to achieve the specific illumination requirements for each unique application.



Multiple Optic Choices for the Flexibility You Need

Type II Medium (2ME)



Type III Medium (3ME)



Type IV Medium (4ME)



Type V Medium (5ME)



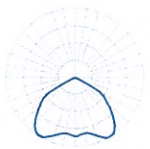
Type V Short (5SH)



Automotive Frontline™ (AF)



120° Flood (120D)

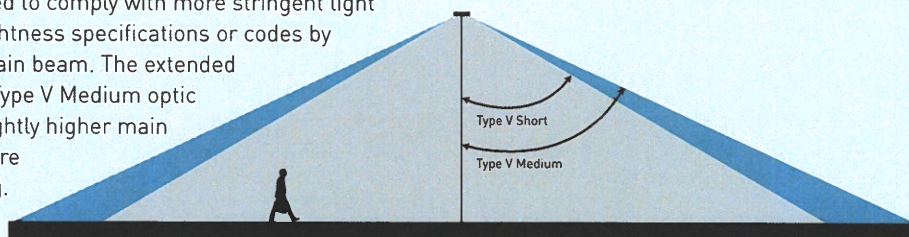


Wide Sign (WSN)



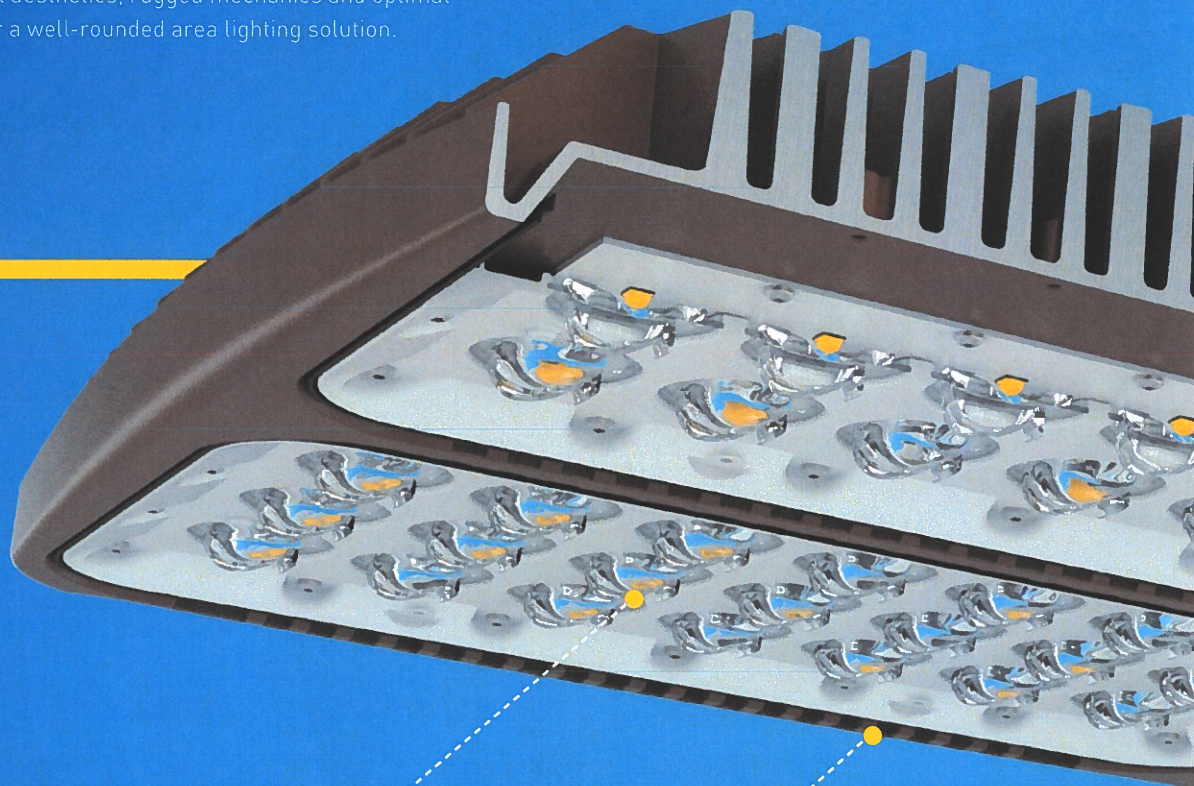
This graphic representation illustrates the LED optical fine-tuning range that Cree can provide. The gray area represents Type V Short optic coverage used to comply with more stringent light spill and high angle brightness specifications or codes by incorporating a lower main beam. The extended blue area indicates the Type V Medium optic coverage that uses a slightly higher main beam to allow wider, more economical pole spacing.

LED Optical Fine-Tuning Range



TIMELESS DESIGN WITH THE TECHNOLOGY OF THE FUTURE.

Cree blends architectural aesthetics, rugged mechanics and optimal performance together for a well-rounded area lighting solution.



NanoOptic® Precision Delivery Grid™ optics efficiently deliver light where you need it, not where you don't. Innovation in LED and optical technologies allows the OSQ Series to deliver unmatched target efficacy, and the lowest total cost of ownership compared to previous generations of Cree LED Area Lights

Our exclusive Colorfast DeltaGuard® finish features an industry-leading 10-year warranty. The housing goes through six cleaning stages, eight pretreatment stages and an epoxy e-coat before the baked on, ultra-durable powder topcoat is applied

Passive thermal management approach utilizes a flow through heat sink to efficiently draw heat away from the LED chip package, maximizing performance and reliability

Pressure control vent prevents moisture and liquid from entering the luminaire

Access Door allows for quick and easy access to feed wire during installation



SEEKING BETTER LIGHT

The OSQ Series blends extreme optical control, advanced thermal management and light quality to bring you the latest advancements in LED technology. And we didn't stop there — we added a clean, modern housing and versatile mounting options all with an attractive price point. Whether you have a new construction or upgrade application, the OSQ Series is perfect for parking lots, internal roadways and general site lighting.

PRODUCT SUMMARY

Efficacy: Up to 139 LPW

NanoOptic® Precision Delivery Grid™ optic

Made in the U.S.A. of U.S. and imported parts

Limited Warranty*: 10 years on luminaire/10 years on Colorfast DeltaGuard® finish

ACCESSORIES

Backlight Shield

Designed to control backlight - put the light where you want it and not where you don't.

Bird Spikes

Designed to prevent birds from landing or setting up a nest on the luminaire.

Hand-Held Remote

For successful implementation of the programmable multi-level option, a minimum of one hand-held remote is required. OSQ Medium and Large only.

CERTIFICATIONS



CONSTRUCTION & MATERIALS

- Slim, low profile design minimizes wind load requirements
- Luminaire housing is rugged die cast aluminum with an integral, weathertight LED driver compartment and high performance heat sink
- Convenient interlocking mounting method on direct arm mount. Mounting adapter is rugged die cast aluminum and mounts to 3-6" (76-152mm) square or round pole, secured by two 5/16-18 UNC bolts spaced on 2" (51mm) centers
- Adjustable arm that mounts to a horizontal or vertical 2" (51mm) IP, 2.375-2.50" (60-64mm) O.D. steel tenon. Tenon length must be a minimum of 3.75" (95mm)
- Adjustable arm mount can be adjusted 180° in 5.0° increments
- Includes 13.4" (340mm) 18/5 or 16/5 leads exiting the luminaire. When ordered with R option, 13.4" (340mm) 18/7 or 16/7 leads are provided
- Designed for uplight and downlight applications
- Exclusive Colorfast DeltaGuard® finish features an E-Coat epoxy primer with an ultra-durable powder topcoat, providing excellent resistance to corrosion, ultraviolet degradation and abrasion.

ELECTRICAL SYSTEM

- **Input Voltage:** 120-277V or 347-480V, 50/60Hz, Class 1 drivers
- **Power Factor:** > 0.9 at full load
- **Total Harmonic Distortion:** < 20% at full load
- Integral 10kV surge suppression protection standard
- **10V Source Current:** 0.15mA; 0.30mA (OSQ-HO)

REGULATORY & VOLUNTARY QUALIFICATIONS

- cULus Listed (65L pending)
- Suitable for wet locations
- Consult factory for CE Certified products
- Certified to ANSI C136.31-2001, 3G bridge and overpass vibration standards
- 10kV surge suppression protection tested in accordance with IEEE/ANSI C62.41.2
- Luminaire and finish endurance tested to withstand 5,000 hours of elevated ambient salt fog conditions as defined in ASTM Standard B 117
- Meets Buy American requirements within ARRA
- DLC and DLC Premium qualified versions available. Some exceptions apply.*
- Enclosure rated IP66 per IEC 60598-1 when ordered without the R option

*Please refer to www.designlights.org/OPL for most current information.

†For complete details on Cree 10-year limited warranty go to lighting.cree.com/warranty

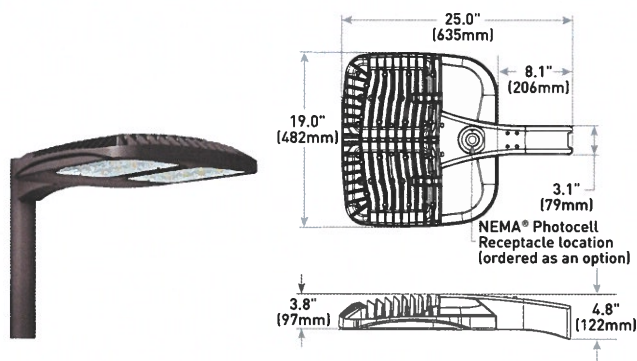
Product specifications subject to change at any time. Visit lighting.cree.com to find the most up-to-date information.

McLaren



OSQ MEDIUM

UP TO 400W HID REPLACEMENT



PERFORMANCE SUMMARY

Initial Delivered Lumens: Up to 17,291 lumens

Input Power: 86 watts; 130 watts

Color Rendering Index (CRI): Minimum 70 CRI (4000K & 5700K; 3000K asymmetric optics); 80 CRI (3000K symmetric optics)

Dimensions:

Direct Arm: L: 25" [635mm] / W: 19" [482mm] / H: 4.8" [122mm]
Adjustable Arm: L: 27.6" [701mm] / W: 19" [482mm] / H: 3.8" [97mm]

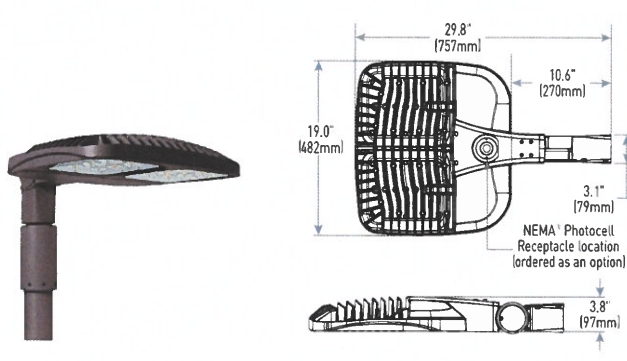
CCT: 3000K (+/- 300K), 4000K (+/- 300K), 5700K (+/- 500K)

Weight: 26.5 lbs. (12kg)

Replaces up to: 250W HID ('B' Input power designator);
400W HID ('K' Input power designator)

OSQ LARGE

UP TO 1000W HID REPLACEMENT



PERFORMANCE SUMMARY

Initial Delivered Lumens: Up to 27,103 lumens

Input Power: 166 watts; 215 watts

Color Rendering Index (CRI): Minimum 70 CRI (4000K & 5700K; 3000K asymmetric optics); 80 CRI (3000K symmetric optics)

Dimensions:

Direct Arm: L: 27.2" [691mm] / W: 19" [482mm] / H: 4.8" [122mm]
Adjustable Arm: L: 29.8" [757mm] / W: 19" [482mm] / H: 3.8" [97mm]

CCT: 3000K (+/- 300K), 4000K (+/- 300K), 5700K (+/- 500K)

Weight: 28.5 lbs. (13kg)

Replaces up to: 750W HID ('T' Input power designator);
1000W HID ('U' Input power designator)

ORDERING INFORMATION

Mount (Luminaire must be ordered separately)

Example: Mount: OSQ-AASV + Luminaire: OSQ-A-NM-2ME-B-40K-UL-SV

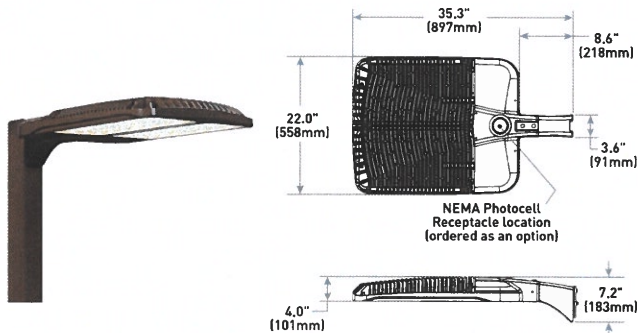
Product	Color Options
OSQ-AA Adjustable Arm OSQ-DA Direct Arm	SV Silver BK Black BZ Bronze WH White

Luminaire (Mount must be ordered separately)

Product	Version	Mounting	Optic	Input Power Designator	CCT	Voltage	Color Options	Options	
OSQ	A	NM No Mount	Asymmetric	B 86W K 130W	30K 3000K 40K 4000K 57K 5700K	UL Universal 120-277V UH Universal 347-480V	BK Black BZ Bronze SV Silver WH White	DIM 0-10V Dimming F Fuse ML Multi-Level PML Programmable Multi-Level, 20-40' Mounting Height PML2 Programmable Multi-Level, 10-30' Mounting Height Q9 Field Adjustable Output R NEMA® Photocell Receptacle RL Rotate Left RR Rotate Right	
			2ME Type II Medium						
			3ME Type III Medium						
			4ME Type IV Medium	T 166W U 215W					
			Symmetric						
			5ME Type V Medium						
			5SH Type V Short						
			WSN Wide Sign						
			15D 15° Flood						
			25D 25° Flood						
			40D 40° Flood						
			60D 60° Flood						

OSQ HIGH OUTPUT

MULTIPLE 1000W HID REPLACEMENT



PERFORMANCE SUMMARY

Utilizes Cree TrueWhite® Technology on 5000K Luminaires

Initial Delivered Lumens: Up to 68,691 lumens

Input Power: Up to 550 watts; 341W; 420W or 550W

Color Rendering Index (CRI): Minimum 70 CRI (3000K, 4000K & 5700K); 90 CRI (5000K)

CCT: 3000K (+/- 300K), 4000K (+/- 300K), 5000K (+/- 300K), 5700K (+/- 500K)

Dimensions:

Direct Arm: L: 35.3" (897mm) / W: 22" (558mm) / H: 7.2" (183mm)

Adjustable Arm: L: 38.1" (968mm) / W: 22" (558mm) / H: 4.6" (118mm)

Weight: DA Mount: 67.5 lbs. (30.6kg); AA Mount: 70.9 lbs. (32.2kg)

Replaces: Multiple 1000W HID

APPLICATIONS



Parking

Whether you're trying to attract business or simply want to create a safe and secure environment, well lit parking lots are extremely important and offer significant savings. The OSQ Series delivers energy savings up to 80 percent when compared to HID lights — a dramatic improvement to both parking lots and pocketbooks.



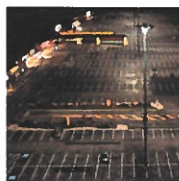
Internal Roadway

With uniform targeted illumination, the OSQ luminaire minds its own business by directing light only where it's needed and provides precise cut-off where it isn't. Equipped with advanced optical control, the luminaire reduces light pollution and minimizes wasted energy.



Flood

Bathe your outdoor façades and signage in crisp, uniform white light that creates an impressive and inviting space. With remarkable color quality and smooth white light, buildings will stand out in the crowd.



High Mast

Extreme mounting heights leads to higher costs in maintenance. Avoid unnecessary relamping with our OSQ-HO luminaires that are built to last. Compared to other area lighting options, the OSQ-HO is smaller and lighter, making it easier to install with existing high mast rings. Oh, and we have a 10 year limited warranty.



Automotive

Attract customers with an outdoor showcase that leads to a better shopping experience. Available with Cree TrueWhite® Technology and utilizing our FrontlineOptic™, the OSQ™ High Output delivers exceptional color quality (90CRI) to the frontline — ensuring true-to-life paint colors are on full display.

ORDERING INFORMATION

Mount (Luminaire must be ordered separately)

Example: Mount: OSQ-HO-AA-SV + Luminaire: OSQ-HO-A-NM-2ME-40L-40K-UL-SV

Product

Color Options

OSQ-HO-AA Adjustable Arm

OSQ-HO-DA Direct Arm

SV Silver

BK Black

BZ Bronze

WH White

Luminaire (Mount must be ordered separately)

Product	Version	Mounting	Optic	Lumen Package	CCT	Voltage	Color Options	Options
OSQ-HO High Output	A	NM No Mount	Asymmetric	40L 50L 65L	30K 3000K 40K 4000K 50K 5000K (90 CRI) 57K 5700K	UL Universal 120-277V UH Universal 347-480V UM Universal 208-480V	BK Black BZ Bronze SV Silver WH White	F Fuse Q9/Q8/Q7/Q6/Q5/Q4/Q3/Q2/Q1 Field Adjustable Output R NEMA® 7-Pin Photocell Receptacle RL Rotate Left RR Rotate Right
			2ME Type II Medium					
			3ME Type III Medium					
			4ME Type IV Medium					
			AF Automotive FrontlineOptic™					
			Symmetric					
			5ME Type V Medium					
			5SH Type V Short					
			WSN Wide Sign					
			15D 15° Flood					
			25D 25° Flood					
			40D 40° Flood					
			60D 60° Flood					
			120D 120° Flood					

Visit lighting.cree.com or contact a Cree lighting representative to learn more.

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CAT/BRCH-C027 Rev. Date: 08/16/17



WS4™

4' LED Wet Location Linear Vapor Tight

Product Description

The Cree WS Series is a versatile IP65/IP66 rated and NSF certified rated fixture that provides sealed protection against dust and water ingress. Constructed of a one-piece, durable fiberglass housing and available with either diffused acrylic or polycarbonate lenses; the WS Series can be suspended or surface mounted while maintaining its operating range of -25°C - +40°C (-13°F - +104°F).

Applications: Food processing, animal containment, parking garages, garden centers, breezeways, cold-storage and other industrial applications

Performance Summary

Initial Delivered Lumens: 4,100 or 6,100 lumens

Efficacy: Up to 142 LPW

Input Wattage: 30 or 43 watts

CRI: Minimum 80 CRI

CCT: 3500K, 4000K, 5000K

Input Voltage: 120-277 VAC or 347-480 VAC

Limited Warranty*: 5 years

Mounting: Ceiling, wall, or suspended

Dimming: 0-10V dimming to 10%

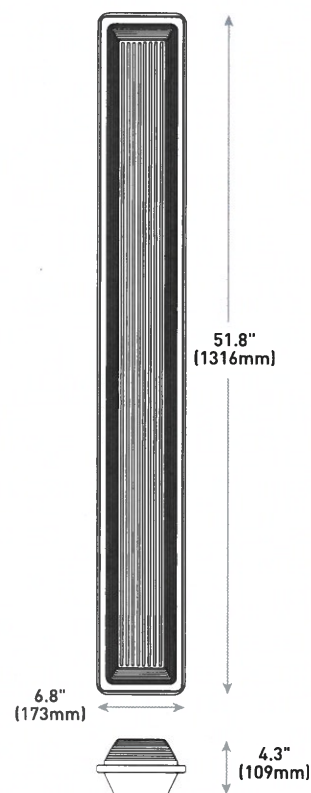
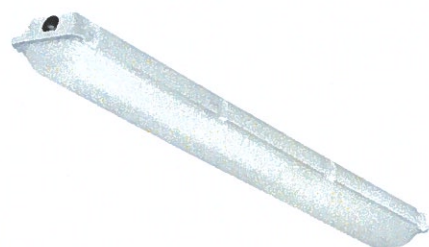
Operating Temperature Range: Up to +40°C (104°F)

* See <http://lighting.cree.com/warranty> for warranty terms

Accessories

Field-Installed	
Tamper Proof Kit WS4TPK - Includes 4 tamper proof screws and bit	Stainless Steel Safety Cables SC-5C - 5.0' (1.5m) Cable - Two required per luminaire - Non-NSF certified
Tamper Proof Kit for Stainless Steel Latches WSSSL4TPK - Includes 4 tamper proof screws and bit	

Luminaire (shown with LRA lens)



Ordering Information

Example: WS4-C-40L-LFA-35K-8-UL

WS4	C				8		
Product	Series	Lumen Package	Lens	CCT	CRI	Voltage	Options
WS4	C	40L 30W, 4,100 lumens 60L 43W, 6,100 lumens	LFA Frosted Acrylic LFP Frosted Polycarbonate LRA Ribbed Acrylic	35K 3500K 40K 4000K 50K 5000K	8 80+ CRI	UL 120-277 Volt UH 347-480 Volt	SSL Stainless Steel Latches - Required for car wash applications



Rev. Date: V6 10/11/2018

US: lighting.cree.com

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Canada: www.cree.com/canada



T (800) 473-1234 F (800) 890-7507

WS4™ 4' LED Wet Location Linear Vapor Tight

Product Specifications

CONSTRUCTION & MATERIALS

- Molded one-piece reinforced fiberglass housing
- Two 3/4" IP entry points are provided (one at each end of the housing) for continuous feed
- Includes eight captive white thermoplastic latches standard; stainless steel (#316) latches optional
- Suitable for ceiling and wall mount
- Includes two stainless steel (#316) mounting brackets and bails for surface or suspended mounting
- Weight:** 11.4 lbs. (5.2kg)

OPTICAL SYSTEM

- Three injection molded lens choices: frosted ribbed acrylic, frosted acrylic, and frosted UV-stabilized polycarbonate
- Polyurethane gasketing is poured in place, providing a continuous, seamless seal

ELECTRICAL SYSTEM

- Input Voltage:** 120-277V or 347-480V, 50/60Hz
- Power Factor:** > 0.9 at full load
- Total Harmonic Distortion:** < 20% at full load
- Operating Temperature Range:** -25°C to +40°C (-13°F to +104°F)
- Transient Protection:** 6kV/3kA tested in accordance to IEEE/ANSI
- When code dictates fusing, a slow blow fuse or type C/D breaker should be used to address inrush current

CONTROLS

- Continuous dimming to 10% with 0-10V DC control protocol standard
- 10V Source Current:** 0.15mA
- Use only lighting controls with neutral connection or controls intended for use with LED fixtures
- Reference dimming document for additional information

REGULATORY & VOLUNTARY QUALIFICATIONS

- cULus Listed
- Suitable for wet locations
- IP65 and IP66 rated in accordance with IEC Publication 60598-1 rated
- Intended for covered canopy use
- Requires minimum 90°C supply conductors
- RoHS compliant. Consult factory for additional details
- Assembled in the U.S.A. of U.S. and imported parts
- DLC Premium qualified. Please refer to www.designlights.org/QPL for most current information
- NSF Splash-Zone 2 Certified.
Refer to <http://info.nsf.org/Certified/Food/> for additional details
- CA RESIDENTS WARNING:** Cancer and Reproductive Harm - www.p65warnings.ca.gov

Electrical Data*										
Lumen Package	CCT	Delivered Lumens (all lenses)	System Watts 120-480V	Efficacy (LPW)	Total Current (A)					
					120V	208V	240V	277V	347V	480V
40L	All	4,100	30	137	0.25	0.14	0.13	0.11	0.09	0.06
60L	All	6,100	43	142	0.36	0.21	0.18	0.15	0.12	0.09

* Electrical data at 25°C (77°F). Actual wattage may differ by +/- 10% when operating between 120-480V +/- 10%

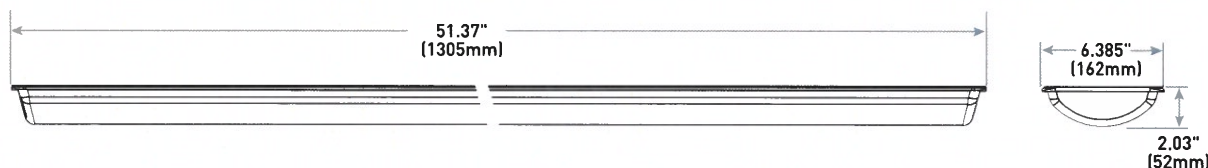
WS Series Ambient Adjusted Lumen Maintenance ¹						
Ambient	Initial LMF	25K hr Projected ² LMF	50K hr Projected ² LMF	75K hr Calculated ³ LMF	100K hr Calculated ³ LMF	
0°C (32°F)	1.04	0.98	0.92	0.87	0.82	
5°C (41°F)	1.03	0.97	0.91	0.86	0.81	
10°C (50°F)	1.03	0.97	0.91	0.86	0.81	
15°C (59°F)	1.02	0.96	0.91	0.85	0.81	
20°C (68°F)	1.01	0.93	0.88	0.83	0.78	
25°C (77°F)	1.00	0.93	0.87	0.82	0.77	
30°C (86°F)	0.99	0.92	0.87	0.82	0.77	
35°C (95°F)	0.98	0.91	0.86	0.81	0.77	
40°C (104°F)	0.97	0.91	0.85	0.80	0.76	

¹ Lumen maintenance values at 25°C (77°F) are calculated per TM-21 based on LM-80 data and in-situ luminaire testing. Luminaire ambient temperature factors (LATF) have been applied to all lumen maintenance factors

² In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times (6X) the IESNA LM-80-08 total test duration (in hours) for the device under testing (DUT) i.e. the packaged LED chip

³ In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times (6X) the IESNA LM-80-08 total test duration (in hours) for the device under testing (DUT) i.e. the packaged LED chip

LFP and LFA Lenses (lens only)



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CREE 

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LED garden and pathway bollard

Post construction: One piece extruded aluminum. All aluminum in the construction is marine grade and copper free.

Lamp Enclosure: One piece die cast aluminum housing attached to post by two (2) stainless steel set screws. Matte safety glass lens. Fully gasketed using a one piece molded silicone gasket.

Electrical: 2.1W LED luminaire, 3.4 total system watts, -30°C start temperature. Integral 12V AC driver provided must be operated using remote magnetic transformer. Standard LED color temperature is 3000K with a >90 CRI.

Note: LEDs supplied with luminaire. Due to the dynamic nature of LED technology, LED luminaire data on this sheet is subject to change at the discretion of BEGA-US. For the most current technical data, please refer to www.bega-us.com.

Anchor base: Anchor post provided made of galvanized steel. Bollards are secured to post using two (2) stainless steel set screws.

Finish: Available in four standard BEGA colors: Black (BLK); White (WHT); Bronze (BRZ); Silver (SLV). To specify, add appropriate suffix to catalog number. Custom colors supplied on special order.

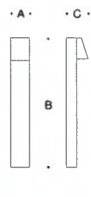
Please note: BEGA's approach to product design is to innovate, not follow. With a steadfast commitment to quality, each product is conceived to satisfy a general or specific lighting task as defined by its architectural or exterior surroundings. The Home and Garden Collection is designed specifically for use in Residential and Light Commercial applications. Please reference our standard BEGA portfolio when mounting provisions for the rigorous demands of high-use commercial and/or vandal prone settings are required.

CSA certified to U.S. and Canadian standards, suitable for wet locations. Protection class IP65

Weight: 6.3 lbs.

Luminaire Lumens: 136

Type:
 BEGA Product:
 Project:
 Voltage:
 Color:
 Options:
 Modified:



	Lamp	A	B	C	D
77237	with direct burial anchorage 2.1 W LED	3 1/2	27 1/2	4 1/8	-



ORDINANCE NO. 2103

**AN ORDINANCE AMENDING THE NEWPORT COMPREHENSIVE PLAN AND
ZONING MAPS AND APPROVING PROPOSED REVISIONS TO THE
PHASE 1 WILDER PLANNED DEVELOPMENT
(Newport File No. 2-CP-16/1-Z-16/1-SUB-16/1 & 2 PD-16)**

WHEREAS, Ronald L. Adams, Oregon State University, on behalf of the owner Landwaves, Inc. (Elizabeth Decker/JET Planning, authorized representative), submitted an application to the City of Newport on June 7, 2016 to amend the Newport Comprehensive Plan Map, Newport Zoning Map and Phase 1 Wilder Planned Development to allow construction of 130 student housing apartments to support their expanding Newport operations centered around the Hatfield Marine Science Center; and

WHEREAS, the proposed modifications transfer density and multi-family units already approved for Phase 1 Wilder from phases near the Village Center area to the northwest corner of the site (Phase 4), closest to the Hatfield Marine Science Center; and

WHEREAS, the owner, Landwaves, Inc., has applied for additional modifications to facilitate development of a 12-unit affordable housing project and support services in the northern portion of the site known as Phase 6, on the opposite side of Harborton Street from the Oregon State University student housing project; and

WHEREAS, Landwaves, Inc. further amended the application to modify development standards within the Phase 1 Wilder Planned Development, and

WHEREAS, property subject to this application is identified by the Lincoln County Assessor's Office as Tax Lots 100 and 103 of Assessor's Map 11-11-20 consisting of 41.24 acres of the 60 acres included in Phase 1 Wilder; and

WHEREAS, to accommodate the amendments the Newport Comprehensive Plan Map must be revised from "Low Density Residential" to "High Density Residential" for Phases 4 and 6, which accounts for approximately 8.1 acres of land; and

WHEREAS, the Newport Zoning Map for Phases 4 and 6 must likewise be amended from R-2/"Medium Density Single-Family Residential" to R-3/"Medium Density Multi-Family Residential"; and

WHEREAS, to partially offset this increase in density for Phases 4 and 6, approximately 2.2 acres of land in the Village Center area will be transitioned from a Comprehensive Plan Map designation of "High Density Residential" to "Low Density Residential" with a corresponding change on the Newport Zoning Map from R-3/"Medium Density Multi-Family Residential" to R-2/"Medium Density Single-Family Residential"; and

WHEREAS, the mix of housing types in the Phase 1 Wilder Planned Development has been adjusted to include additional multi-family units for Phases 4 and 6 with corresponding reductions to the number of permitted single-family units so that the maximum number of dwellings for Phase 1 is 345, which is the same as what was previously approved; and

WHEREAS, the submitted application, as supplemented by the applicant's authorized representative and city staff, contains findings of compliance with the policies and standards set forth in the "Administration of the Plan" element of the Newport Comprehensive Plan and Newport

Municipal Code Chapters 14.35 and 14.36, which set out approval criteria for amending the Newport Comprehensive Plan Map, Newport Zoning Map and Planned Developments; and

WHEREAS, the Newport Planning Commission held a public hearing on July 25, 2016 for the purpose of reviewing the application for compliance with applicable approval criteria and to provide a recommendation to the Newport City Council; and

WHEREAS, the Planning Commission's public hearing, above, was duly held in accordance with all applicable state and local law, and, after due deliberation and consideration of the proposed changes, the Planning Commission did recommend that the application be approved; and

WHEREAS, the Newport City Council held a public hearing on September 6, 2016, to consider the amendments to the Newport Comprehensive Plan Map proposed in the application and voted in favor of the changes, after considering the recommendation of the Planning Commission, public testimony, and evidence and argument in the record; and

WHEREAS, information in the record, including affidavits of mailing and publication, demonstrate that appropriate public notification was provided for both the Planning Commission and City Council public hearings.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. The findings set forth above and in the attached Exhibit "A" are hereby adopted in support of the amendments to the Newport Comprehensive Plan Map and Newport Zoning Map adopted by Sections 2, and 3 of this Ordinance.

Section 2. The Comprehensive Plan Map of the City of Newport is hereby amended as depicted with Exhibit "B"

Section 3. The Zoning Map of the City of Newport is hereby amended as depicted and described with Exhibits "C" and "D"

Section 4. The findings and conditions set forth in Exhibit "A" are hereby adopted in support of the amendments requested to the Preliminary Development Plan, Final Development Plan and Tentative Plat for Wilder Phase 1.

Section 4. This Ordinance shall take effect 30 days after passage.

Date adopted and read by title only: Sept. 6, 2016

Signed by the Mayor on Sept. 7, _____, 2016.

Sandra Roumagoux
Sandra Roumagoux, Mayor

ATTEST: Lindy Brees
Margaret M. Hawker, City Recorder

Approved as to form:
[Signature]
City Attorney

Cindy Brees on behalf of
City Recorder

EXHIBIT "A"
ORD #2103

File No. 1-SUB-16/1 & 2 PD-16/2-CP-16/1-Z-16

FINDINGS OF FACT

- I. The applicant, Ronald L. Adams, Oregon State University, on behalf of the owner Landwaves, Inc. (Elizabeth Decker/JET Planning, authorized representative), submitted an application to the City of Newport on June 7, 2016 to amend the Newport Comprehensive Plan Map, Newport Zoning Map and Phase 1 Wilder Planned Development to accomplish the following:
- A. Revises the Newport Comprehensive Plan Map from "Low-Density Residential" to "High Density Residential" for Phase 4 and Phase 6. This involves approximately 8.1 acres of land.
 - B. Revises the Newport Zoning Map for Phase 4 and Phase 6 from R-2/"Medium Density Single-Family Residential" to R-3/"Medium Density Multi-Family Residential."
 - C. Revises the Newport Comprehensive Plan Map from "High Density Residential" to "Low-Density Residential" in the southerly portion of Phase 5. This involves approximately 2.2 acres of land.
 - D. Revises the Newport Zoning Map for the same southerly portion of Phase 5 from R-3/"Medium Density Multi-Family Residential" to R-2/"Medium Density Single-Family Residential."
 - E. Adjusts the range of development in preliminary and final development plan to reflect inclusion of additional multifamily units for student housing in Phase 4 and Phase 6 with corresponding decrease in single-family units. The maximum number of permitted dwelling units for Phase 1 of Wilder is 345, which is the same as what was previously approved.
 - F. Adds "Multi-Family: Clustered" as an additional multifamily residential development type in the "Kit of Parts" to describe intended building form and design for student housing in Phase 4.
 - G. Allows a variance to the City's parking standard for clustered multifamily residential uses, decreasing required spaces by approximately 13% relative to City code standards, to reflect increased access to multimodal transportation options within Wilder and multimodal connections to primary destinations, specifically the OSU Hatfield Marine Science Center.
 - H. Modifies the preliminary development plan to show revised mix of single-family and multifamily development in future phases east of Harborton Street.
 - I. Introduces 'Day Care' and additional supporting Community Service uses as allowed uses in the R-3 Medium-Density Multifamily zone to facilitate colocation of support services for affordable housing residents in Phase 6.
 - J. Expands Final Development Plan to include Phase 6.
 - K. Eliminates Accessory Dwelling Units (ADUs) as a development option for Phase 4.

- L. Amend Preliminary Development Plan, Final Development Plan and Tentative Plat to divide Phase 2B, planned for apartment development, into two separate lots.
- II. The subject property includes Tax Lots 100 & 103 of Assessor's Map 11-11-20 (Parcels 1 and 2, Partition Plat 2015-01) and the Plat for Wilder Phase 1, Book 18 Page 46. In sum, the application encompasses approximately 60 acres of land. The property is located in the South Beach neighborhood directly east and northeast of Mike Miller Park and is accessed from US 101 at SE 40th Street.
- III. Staff reports the following facts in connection with the application:
- A. Plan Designation: Commercial, High Density Residential, and Low Density Residential.
 - B. Zone Designation: R-2/"Medium Density Single-Family Residential," R-3/"Medium Density Multi-Family Residential," and C-1/"Retail and Service Commercial."
 - C. Surrounding Land Uses: The South Beach neighborhood contains a mix of public, commercial, water-dependent and water-related, industrial and residential uses. Land uses in the area near the subject property include a mix of developed and undeveloped industrial land, residential zoning that allows for single-family and multi-family uses, a trailer park, a mix of commercial uses, the Central Lincoln People's Utility District (PUD) warehousing and substation facility, and public uses such as the Oregon Coast Community College (OCCC) Campus, Mike Miller Park and the Newport Waste Water Treatment facility.
 - D. Topography and Vegetation: The subject property contains a mix of level and moderately steep sloped property. The site is forested except where land has been cleared for development.
 - E. Existing Structures: The initial subdivision plat of 40 lots is substantially developed with a range of residential housing types and the public park and playground area included with that phase has been completed. A retail commercial building has also been constructed at the intersection of Harborton Street and College Way
 - F. Utilities: Infrastructure to serve the 40-unit residential development is complete, including SE 40th Street/SE Harborton Street (a collector roadway that provides access to the Wilder planned development) and associated local street, water, and sewer infrastructure from Highway 101 to the Village Center and the OCCC campus site. Street lights have also been installed along SE 40th Street/Harborton Street.
 - G. Development Constraints: Portions of the property contain moderately steep slopes. There are also isolated pockets of wetlands, the locations of which have been delineated by the property owner.
 - H. Past Land Use Actions:

File No. 2-PD-15/3-PD-15/1-SUB-15. The preliminary planned development plan was amended to include a change to the zoning district boundary between R-3 Multi-Family Residential and C-1 Commercial zones that expanded the commercial area along the full length of College Way and increased the range of allowed uses in the C-1 zoned Village Center area to include retail sales and services, offices, lodging, community services like

churches, educational institutions, and day care. The revised preliminary planned development plan also included a variance to the Zoning Ordinance satellite and shared parking regulations to permit future shared parking arrangements between Village Center users and the Oregon Coast Community College. The range of development anticipated in the preliminary and final planned development plans was amended to reflect completed build-out, current market conditions, and revised predictions and Accessory Dwelling Units (ADUs) were added as a development option in Phases 2-4 subject to conditions approved by Newport Planning Commission. The Final Development Plan included a detailed site design for Phases 2-4, with updated street names and cross-section drawings. New street cross-sections and a micro-cottage development type were added to the "Kit of Parts." Amendments were adopted by final order on June 24, 2015.

File No. 1-PD-14/2-PD-14. A minor amendment to the Preliminary Development Plan and Final Development Plan for Phase 1 of Wilder. Changes to the Preliminary Development Plan were limited to the Village Center commercial area, including authorization for required parking to extend across zoning boundaries when provided on the same lot or parcel as the proposed use and an allowance that on-street spaces count against off-street parking requirements provided the spaces are located within 200-feet of the lot or parcel upon which the use is located. The Final Development Plan included a layout for three commercial buildings in the Village Center. Amendments were adopted by final order on February 11, 2015.

File No. 2-PAR-14. Partitioned property identified as Tax Lot 100 of Lincoln County Assessor's Tax Map 11-11-20 into two separate parcels. Additional right-of-way was also dedicated along College Way and adjacent to Harborton Street. The partition was approved by final order on September 15, 2014.

File No. 1-PD-10/2-PD-10/1-SUB-10. Modified the plans approved in File No. 5-PD-09/6-PD-09/3-SUB-09 by (1) modifying setbacks, (2) revising lot coverage standards, (3) adjusting lot size and densities for commercial and residential uses, (4) updating street, tract and housing category names, and (5) updating the subdivision lot configurations. The number of multi-family units was increased from a maximum of 120 to 150, bringing the total for all Phase 1 dwelling units to 383. The maximum commercial square footage was increased from 25,000 square feet to 36,000 square feet. Amendments were adopted by final order on June 28, 2010.

File No. 5-PD-09/6-PD-09/3-SUB-09. Modified the preliminary planned development plan to refine proposed residential areas, local street and pedestrian circulation patterns, open space and other tracts within sub phases 1A, 1B, and 1C; modified the final planned development plan illustrating the changes requested in File 5-PD-09; modified the tentative subdivision plat showing lots for mixed use and single and multi-family development, as well as various tracts for common open space and other common elements, and dedication of right-of-way and easements for public streets, pathways, and utilities. Amendments were adopted by final order on July 27, 2009.

File No. 1-PD-09/2-PD-09/3-PD-09/1-SUB-09. Modified the preliminary planned development plan to adjust land use designations consistent with Comprehensive Plan and Zoning Map amendments, revised the preliminary plan due to site conditions, and removed a portion of property that was being transferred to an abutting residential

property owner; modified the final planned development plan to reflect Comprehensive Plan and Zoning Map amendments and adjusted the boundary and size of the OCCC site; approved the final planned development plan for a portion of Phase 1; and tentative subdivision plan for a portion of Phase 1. Amendments were adopted by Final Order on March 30, 2009.

File No. 4-CP-08/2-Z-08. Modified the zoning designations of the approximate 86 acres annexed in 2007 to allow more flexibility and to reflect the OCCC parcel by Ordinance No. 1968 adopted December 1, 2008.

File No. 5-PAR-07. Partitioned the annexed property so that a portion could be conveyed to OCCC for construction of their central campus by final order adopted September 11, 2007.

File No. 1-AX-07/2-Z-07. Annexed property, which included the subject property, into the City and established zoning to allow the implementation of the South Beach Plan by Ordinance No. 1922 adopted June 18, 2007, and amended by Ordinance No. 1931 adopted August 6, 2007.

File No. 2-PD-07. Approved final development plan for OCCC central campus by final order adopted May 29, 2007.

File No. 1-PD-07. Approved tentative Plan for “South Beach Village” Phase 1 mixed use development and OCCC central campus by final order adopted May 29, 2007.

File No. 1-CP-06/1-UGB-06/2-CP-06/2-Z-06 (South Beach Neighborhood Plan as adopted in December 2006 by Newport Ordinance No. 1899) (concurrence with Urban Growth Boundary adjustment by Lincoln County Ordinance No. 447 adopted April 18, 2007).

- IV. Upon submission and acceptance of the application, the Community Development (Planning) Department mailed notice of the proposed actions on June 15, 2016 to property owners within 200 feet required to receive such notice by the Newport Zoning Ordinance, to various City departments, and to public/private utilities and agencies within Lincoln County. The notice referenced the criteria by which the application was to be assessed and invited persons to provide written comment and/or attend a public hearing before the Newport Planning Commission scheduled for 7:00 pm, July 25, 2016. The notice of the Planning Commission hearing was also published in the Newport News-Times on July 15, 2016.
- V. At the July 25, 2016 public hearing, a statement of rights and relevance and applicable criteria were read. The Planning Commission disclosed any ex parte contact, conflicts of interest, and/or bias. No objections were made to any of the Planning Commissioners hearing the matter. The Planning Commission received the staff report and heard testimony in support of the request from the applicant, and received testimony in support and in opposition to the request from members of the public. After taking testimony, the Commission deliberated and elected to recommend to the City Council that the application be approved. The Planning Staff Report with Attachments is hereby incorporated by reference into the findings. The Planning Staff Report Attachments included the following:

- A. Attachment "A" – Applicant's Narrative, prepared by JET Planning, revised July 20, 2016 with Appendices A through K, summarized as follows:
1. Appendix A – Application Form
 2. Appendix B – Assessor's Tax Map
 3. Appendix C – List of Property Owners within Notification Area
 4. Appendix D – Preliminary Title Report
 5. Appendix E – Written Letters from Utility Providers
 6. Appendix F – Preliminary Development Plan
 7. Appendix G – Final Development/Tentative Subdivision Plan (reduced set)
 8. Appendix H – Kit of Parts
 9. Appendix I – Comprehensive Plan Maps and Legal Descriptions
 10. Appendix J – SE Harborton Street Cross-Section
 11. Appendix K – Cross-Section Drawing Through Phases 3 and 4
- B. Attachment "B" – Wilder Community Master Development Plan Set, prepared by 2G Associates and JET Planning, revised July 20, 2016 (19 sheets, scaled drawings).
- C. Attachment "C" – Copy of Newport Ordinance No. 2076, Amending the Housing Element of the Newport Comprehensive Plan
- D. Attachment "D" – Notice of Public Hearing and Map
- E. Attachment "E" – Notice of June 28, 2016 Neighborhood Outreach Meeting, mailed by Oregon State University and dated June 17, 2016
- F. Attachment "F" – Email Exchange between Community Development Director Derrick Tokos and Jon Holbrook, dated June 23, 2016
- G. Attachment "G" – Email Exchange between Community Development Director Derrick Tokos and Valerie Grigg Devis with the Oregon Department of Transportation (ODOT) dated June 24th to July 5th. ODOT has no concerns with the proposal.
- H. Attachment "H" – Staff Completeness Review Letter, dated July 1, 2016
- I. Attachment "I" – Letter from Sara Schreiber, Wilder Resident, dated July 7, 2016, expressing concerns about noise, traffic congestion, and environmental impacts of the project.
- J. Attachment "J" – Email from Lola Jones, Executive Director, Samaritan House, Inc., dated July 20, 2016 responding to Ms. Schreiber's correspondence.
- K. Attachment "K" – July 21, 2016 email from Elizabeth Decker responding to the staff completeness review.
- VI. At the July 25, 2016 public hearing, written testimony was provided, in the form of a July 24, 2016 email, from Denise Guild in support of the Oregon State University (OSU) proposal but in opposition to the 12-unit multi-family project proposed by Samaritan House for transitional housing (Attachment "L"). A July 24, 2016 letter was submitted by Jim Shaw in support of the OSU proposal (Attachment "M") and a July 25, 2016 letter was provided by the Fair Housing Council of Oregon indicating that their organization supports the proposal but desires to see the City's decision squarely address its Statewide Planning Goal 10 obligations (Attachment "N").

- VII. For the September 6, 2016 public hearing before the Newport City Council, notice to property owners within 200 feet of the subject site, to various City departments, and to public/private utilities and agencies within Lincoln County was provided on August 15, 2016. The notice referenced the criteria by which the application was to be assessed and invited persons to provide written comment and/or attend the public hearing. Notice of the City Council hearing was also published in the Newport News-Times on August 26, 2016 (Attachment "Q").
- VIII. For amendments to the Newport Comprehensive Plan or Comprehensive Plan Map, the Newport Comprehensive Plan Section entitled "Administration of the Plan" (p. 287-289), requires findings describing the nature of the changes to the Comprehensive Plan Map and why they are necessary to carry-out (a) a public need for the change; or (b) a significant change in community attitudes or priorities; or (c) a demonstrated conflict with another plan goal or policy that has a higher priority; or (d) a change in a statute or statewide agency plan; or (e) applicable statewide planning goals.

Revisions to Newport Zoning Maps must satisfy the provisions of NMC 14.36.010, which requires that the change furthers a public necessity and promotes the general welfare of the community.

Major changes to approved Preliminary and Final Development Plans must satisfy the same standards that would apply to a new application (NMC 14.35.110(D)). Criteria for approval of a Preliminary Development Plan are listed in NMC Sections 14.35.020, 14.35.030, and 14.35.070 and criteria for Final Development Plans are listed in Section 14.35.100. Additionally, the criteria for tentative subdivision plat approval must be satisfied. Those standards are listed in Chapter 13.05 of the Newport Municipal Code.

CONCLUSIONS

- I. Compliance with Comprehensive Plan Map Amendment Approval Criteria. An amendment to the Newport Comprehensive Plan Map must comply with the Newport Comprehensive Plan Section entitled "Administration of the Plan" (p. 285-292), which requires findings describing the nature of the changes to the Comprehensive Plan Map and why they are necessary to carry-out, what is in this case a public need for the change.

The applicant points out that this request seeks to modify the location of the Low-Density Residential and High-Density Residential designations within the Wilder Planned Development boundaries. In total, the applicant proposes to add 8.1 acres of High-Density Residential in place of existing Low-Density Residential in the northeast corner of the site, with a corresponding reduction of 2.2 acres of High-Density Residential to the north and east of the Village Center to be changed to Low-Density Residential. (See Attachment "A," Appendix I, Proposed Comprehensive Plan Map.) The proposed amendment will result in a net increase of 4.7 acres of High-Density Residential and a net decrease of 5.2 acres of Low-Density Residential as shown in the following table:

	Existing (acres)	Proposed (acres)
Retail Commercial	5.3	5.5 ¹
High-Density Residential	9.5	14.2
Low-Density Residential	45.1	39.9
Total	59.9	59.6²

Notes: (1) Minor boundary adjustment approved with Case file #2-PD-15 and #3-PD-15.

(2) Acre discrepancy due to rounding; total area remains the same as proposed.

The applicant notes that the proposed amendment will not result in a net increase to housing units, traffic generation or infrastructure demand because the subject areas remain bound by the terms of the Wilder Planned Development. The Planned Development limits the applicant to a maximum of 345 dwelling units, with associated traffic and infrastructure improvements, across a 60-acre site. The applicant does not propose any increase to the total dwelling units as a result of the requested Comprehensive Plan Map Amendment, simply a relocation of multifamily and single-family units within the development to better site multifamily development serving OSU students closest to the Hatfield Marine Science Center to the north of the development.

The proposed map amendment is necessary to carry-out a public need for the change, which is one of the criteria for amending the Comprehensive Plan. The proposed map amendment accommodates student housing for Oregon State University (OSU), which is expanding its campus at the Hatfield Marine Science Center (HMSC). The City, Lincoln County and OSU collaborated in 2014 to complete a housing study. That study resulted in an amendment to the Housing Element of the Newport Comprehensive Plan that calls for the City to work with the owners of the Wilder Development and other area partners to adjust zoning to allow student housing and other multi-family housing in South Beach, given that the Wilder property is located outside of the tsunami inundation area and is in close proximity to HMSC (Attachment "C," Policy 9, Implementation Measure 3). As the applicant notes, providing student housing in the location identified as Phase 4 will decrease pressure citywide for multifamily or other reasonably priced rental accommodations, decreasing competition with Newport residents for an already limited supply of housing. This Comprehensive Plan Map amendment places High-Density Residential land as close to the OSU facilities as is reasonably possible, and is necessary in order for zoning to be placed on the property that would allow for multi-family development.

The Housing Element of the Comprehensive Plan also calls for the City to collaborate with its partners on the provision of government assisted housing (Policy 2) and to locate high-density development along major transportation corridors (Policy 4). Both of these objectives are accomplished with respect to the Samaritan House proposal. The 12-unit Samaritan House project is situated across from the OSU student Housing site in Phase 6. It borders SE Harborton Street, which is a collector roadway and transit corridor. The applicant notes that accommodating the Samaritan House proposal in Wilder helps to satisfy urban housing needs, by meeting the needs of low-income families transitioning from a temporary homeless shelter to more permanent housing accommodations that are affordable to very low-income households. They note that there are no similar facilities elsewhere in Newport or Lincoln County to meet these needs, and additional High-Density Residential designated land is needed to site this development in an area with ready access to amenities such as parks, multimodal transportation, and commercial services in the Village Center.

The July 25, 2016 letter from the Fair Housing Council of Oregon (Attachment "N") asks that the City specifically address Statewide Planning Goal 10 language that states "the availability of

adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density” shall be encouraged. This Goal 10 aspirational requirement is encapsulated in Goals 1 and 2 of the Housing Element of the Newport Comprehensive Plan and was specifically addressed in the City’s Buildable Lands and Housing Needs Assessment conducted in 2011 and updated in 2014. That assessment identified a deficiency of affordable, multi-family units and pointed out that student housing would need to be developed to support expansion of the Hatfield Marine Science Center Campus to avoid displacing the City’s workforce and driving up rents in what is already a tight market. These proposals by OSU and Samaritan House respond to these concerns by increasing the City’s supply of affordable and student housing multi-family units.

For these reasons, the City Council concludes that sufficient information has been provided to justify the proposed Comprehensive Plan Map amendment.

- II. Compliance with Newport Zoning Map Approval Criteria: This application seeks to modify the location of the R-2 Medium-Density Single Family and R-3 Medium-Density Multi Family zones within the Wilder Planned Development boundaries consistent with the requested Comprehensive Plan Map Amendment. (See Attachment "A", Exhibit F.) The changes result in an 8.1-acre increase in R-3 zoning in the northwest corner of the site for Phases 4 and 6 of the Wilder Planned Development that is partially offset by a 2.2-acre reduction in R-3 zoning to the north and east of the Village Center, resulting in a net 4.7-acre increase of R-3 zoning. Because the changes are proposed within a Planned Development, the overall density and housing units approved through the planned development process will limit the development potential that would otherwise be allowed in the proposed R-3-zoned areas, ensuring that there will be no net increase in housing units or traffic impacts resulting from the proposed zoning change.

Revisions to Newport Zoning Maps must satisfy the provisions of NMC 14.36.010, which requires that the change furthers a public necessity and promotes the general welfare of the community. The City council accepts the above analysis, along with that contained in the previous section justifying the Comprehensive Plan Amendment, as sufficient reasons to conclude that these standards have been met.

- III. Compliance with NMC Section 14.35.020, Permitted Uses. *An approved Planned Development Permit may only include those uses permitted outright or conditionally in the underlying district...*

The applicant proposes uses permitted both outright and conditionally. In the C-1 commercial zone, the following uses have been approved, as defined by the Newport Municipal Code:

- Retail sales and services, excluding bulk retail
- Community services, including churches
- Hotels
- Offices
- Educational institutions
- Day care facilities
- Housing over commercial including live-work units

The applicant proposes single-family and two-family residential uses in the R-2 zone, and single-family, two-family and multifamily uses in the R-3 zone. With this application, the applicant also proposes to allow Day Care Facilities with accessory Community Service uses such as personal development education, counseling, and distribution of donations to clients as outright permitted uses; they are permitted conditionally in the R-3 zone.

Parks and trails are proposed in all zones of the Planned Development.

IV. Compliance with NMC 14.35.030, Accessory Uses in Planned Development. *In addition to the accessory uses typical for the primary or conditional uses authorized, accessory uses approved as part of a planned development may include the following uses:*

- A. *Golf courses.*
- B. *Private parks, lakes or waterways.*
- C. *Recreation areas.*
- D. *Recreation buildings, clubhouses or social halls.*
- E. *Other accessory structures that the Planning Commission finds are designed to serve primarily the residents of the planned development and are compatible to the design of the planned development.*

Accessory Dwelling Units (ADUs) have previously been approved for Phases 1, 2D, 3 and 4 in Wilder; however, they are no longer proposed for Phase 4 and are not requested for Phase 6. No other accessory uses are proposed other than those customary for the primary and conditional uses.

V. Compliance with NMC Section 14.35.070, Criteria for Approval of a Preliminary Development Plan. The criteria for modifying a preliminary development plan have been addressed as follows:

- A. NMC Section 14.35.070(A) *Except as set forth in sub-section (A)(2) of this section, a planned development shall be on a tract of land at least two acres in low-density residential areas.*

Wilder Phase 1 is 60 acres in size, exceeding the 2-acre minimum site size for a planned development.

- B. NMC Section 14.35.070(B)(1) *The minimum lot area, width, frontage, and yard requirements otherwise applying to individual buildings in the zone in which a planned development is proposed do not apply within a planned development.*

The applicant previously received approval for modifications to the minimum lot area, minimum lot widths, and setbacks required for lots within the R-2, R-3, and C-1 zoning districts for each development type. See pages 13-14 (Attachment "A") for approved dimensional standards. No further modifications are requested with this application.

- C. NMC Section 14.35.070(B)(2) *If the spacing between main buildings is not equivalent to the spacing that would be required between buildings similarly developed under this Code on separate parcels, other design features shall provide light, ventilation, and other characteristics equivalent to that obtained from the spacing standards.*

The applicant notes that, as previously proposed, design features will be incorporated into the development that provide light, ventilation, and other characteristics equivalent to that obtained from the spacing standards. The design features of the development are identified in the "Kit of Parts" (Appendix H, Attachment "A") and include such things as buildings with multi-planed sloped roofs, porches, balconies, variations in materials and colors, use of natural materials to blend with the surroundings, large shared common green spaces, etc.

- D. *NMC Section 14.35.070(B)(3) Buildings, off-street parking and loading facilities, open space, landscaping, and screening shall provide protection outside the boundary lines of the development comparable to that otherwise required of development in the zone.*

The applicant points out in their narrative that buildings, off-street parking and loading facilities, open space, landscaping, and screening will provide protection outside the boundary lines of the development comparable to that otherwise required of the development in the zone.

The proposed residential areas of the site are shielded/buffered from adjacent property to the north, west, and east by steep ravines and dense existing vegetation. Each lot will be fully landscaped, and street trees are provided along all streets, which will provide another level of buffering.

The Village Center area abuts the Oregon Community College (OCCC) campus, a non-residential use, to the south and west. The proposed buildings, proposed landscaping, and existing vegetation will provide a level of screening from the OCCC campus.

Furthermore, the surface parking areas within the Village Center area, which will serve apartments, commercial and mixed-use buildings, are located behind or to the side of buildings rather than between buildings and adjacent streets and off-site properties. This greatly limits noise and glare from vehicles and parking lot lighting relative to adjoining properties. There will not be any bright or noisy loading docks for large trucks, given the small-scale operation of the retail being proposed.

The off-street parking areas in Phases 4 will be screened with a mixture of topographic changes, landscaping buffers, and location of facilities primarily to the sides of buildings. In Phase 6, the parking area will be located in front of the buildings to comply with the terms of the PUD easement along the parcel, which prohibits any permanent structures within the easement and allows parking. Landscaping will be provided in Phase 6 between the parking area and Harborton Street to minimize the visual impacts; consistent with the terms of the easement, landscaping will consist of grass and shrubs rather than trees that could interfere with the electric lines. (See Attachment "A," Appendix G, Sheet 19 for landscaping plan for Phases 4 and 6.)

- E. *NMC Section 14.35.070(B)(4) The maximum building height shall, in no event, exceed those building heights prescribed in the zone in which the planned development is proposed, except that a greater height may be approved if surrounding open space within the planned development, building setbacks, and other design features are used to avoid any adverse impact due to the greater height.*

The applicant has previously received approval for three-story buildings that are up to 45 feet in height in the R-3 District, which will apply to development in Phases 4 and 6. No other building height modifications are proposed. The height of multifamily structures in Phase 4 will be visually mitigated from other areas within and adjacent to the development through a combination of topographical changes and existing tree buffers. (See cross-section in Appendix K, Attachment "A").

- F. *NMC Section 14.35.070(B)(5)* The building coverage for any planned development shall not exceed that which is permitted for other construction in the zone exclusive of public and private streets.

The building coverage in the Preliminary Planned Development shall not exceed the maximum allowed in the zones, such standards being as follows:

Zone	Percentage Building Coverage Maximum Allowed
R-2	57%
R-3	60%
C-1	85-90%

- G. *NMC Section 14.35.070(C)(1)* The planned development may result in a density in excess of the density otherwise permitted within the zone in which the planned development is to be constructed not to exceed 5%...

In their narrative, the applicant notes that they are not seeking to increase the density above what is permitted in the R-2 and R-3 base zones. The total units proposed for Phase 1 of Wilder in the preliminary development plan is 258-345 units on 54.3 gross acres of land zoned R-2 and R-3, or an average density of 4.7 to 6.3 units per acre. Density of individual developments in Phases 4 and 6 will also comply with the maximum density for the R-3 zone of no more than one unit per 1,250 SF. Phase 4 is proposed at 130 units on 5.09 acres, or one unit per 1,706 SF. Phase 6 is proposed at 12 units on 1.78 acres, or one unit per 6,461 SF due to development constraints associated with the 75-foot PUD easement. Phase 2B is proposed at 28 units on a combined 34,369 SF, or one unit per 1,227 SF, which is less than a 2% increase in density relative to the 1,250 SF per unit standard consistent with the 5% increase allowed by this section.

- H. *NMC Section 14.35.070(D)(1)* No open areas may be accepted as common open space within a planned development unless it meets the following requirements: (1) The location, shape, size, and character of the common open space is suitable for the planned development; (2) The common open space is for amenity or recreational purposes, and the uses authorized are appropriate to the scale and character of the planned development, considering its size, density, expected population, topography, and the number and type of dwellings provided; (3) Common open space will be suitably improved for its intended use, except that common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements to be permitted in the common open space are appropriate to the uses which are authorized for the common open space; (4) The development schedule that is part of the development plan coordinates the improvement of

the common open space and the construction of buildings and other structures in the common open space with the construction of residential dwellings in the planned development; and (5) If buildings, structures, or other improvements are to be made in the common open space, the developer shall provide a bond or other adequate assurance that the buildings, structures, and improvements will be completed. The City Manager shall release the bond or other assurances when the buildings, structures, and other improvements have been completed according to the development plan.

The applicant points out that they completed recreation improvements in Tract “A” and Tract “B” of Wilder Phase 1 to create Wilder Twin Park and trail connections to Mike Miller Park, both dedicated to the public. With this application, the applicant will create Tract “G” which is an open space parcel that extends the existing trails from Tract “B” and Wilder Twin Park north to Harborton Street, to be dedicated with Phase 4.

These tracts are designed and configured to accommodate the trail connections shown on the plans. The trails create a pedestrian amenity that enhances the development and establish connectivity between residential areas that would not otherwise exist given the layout of the residential phases. This criterion calls for construction of the trails to be coordinated with the residential development that they will serve and the applicant has indicated that they are prepared to construct the trails at the time Phase 4 is built.

- I. *NMC Section 14.35.070(E) The planned development is an effective and unified treatment of the development possibilities on the project site while remaining consistent with the Comprehensive Plan and making appropriate provisions for the preservation of natural features such as streams and shorelines, wooded cover, and rough terrain.*

The proposed Planned Development Modification is an effective and unified treatment of the development possibilities on the site and makes appropriate provisions for preservation of natural features. The proposal also meets the purpose statement of the Planned Development pursuant to NMC 14.35.010, which is “to encourage variety in the development pattern of the community and the use of a creative approach to land development.”

The applicant points out that the design intent of the Planned Development is to create a livable, viable mixed-use community built on the principles of environmental sustainability. It will feel indigenous to the Oregon Coast in scale, design, and economics. The proposal achieves the purpose statements of the Planned Development by meeting the following design objectives:

- Create a vibrant Village Center that will provide commercial, office, and higher density residential uses to serve the residential population, support the OCCC campus, and create jobs for local residents.
- Graduate residential density outward from the Village Center to create an appropriate transition to the lower density areas of the site, with a second node of multifamily density at the northeast corner of the site buffered from the intervening single-family development.
- Provide for a variety of housing types to accommodate different needs, incomes, and a sense of place and community.

- Design and construct to sustainable standards to lessen the impact to the natural environment and to reduce long term operational costs.
- Develop a transportation system that accommodates multiple-modes of transportation to encourage walking, bike riding, etc., and reduce energy use.
- Provide for an extensive network of open space and parks, including walking and biking trails, throughout the site.
- Protect and provide for management of significant natural resource areas on site, including wetlands, streams, and natural vegetation, by clustering development on buildable portions of the site.

The modifications to Phases 4 and 6 will integrate a dynamic element of student housing and affordable housing, respectively, into Wilder to better maximize and activate the multimodal transportation options, mixed-use development in the Village Center, and open space opportunities throughout Wilder. The lotting changes to Phase 2B will have no impact on the provision of a mix of residential densities to support a vibrant Village Center.

- J. *NMC Section 14.35.070(F)* *The planned development will be compatible with the area surrounding the project site and with no greater demand on public facilities and services than other authorized uses for the land.*

The proposed uses within the Master Plan for Phase 1 of Wilder comply with the City's Comprehensive Plan and zoning and are consistent with the adopted South Beach Neighborhood Plan, as well as other approved development applications for the site. The Phase 1 site is compatible with the surrounding area in that it is consistent with these previously approved plans and it is reasonable to assume that the surrounding area will continue to develop according to these plans.

The location and level of public services needed to support this planned development, including utilities and streets, were also estimated and planned for in the South Beach Neighborhood Plan and a detailed infrastructure analysis and traffic study was prepared for the prior Phase 1 Planned Development approvals. The applicant has also obtained service letters from the various utility providers that serve the site indicating that services are available and can be further extended to serve the site (Appendix E, Attachment "A").

The major infrastructure necessary to serve the overall Phase 1 site identified in the previously approved plans has already been constructed. This includes the Collector roadway facilities, 40th Street and Harborton Street, from Highway 101 to College Way. College Way has also been constructed between Harborton Street and the College's main campus building. Major utility facilities, including water and sewer lines, have also been constructed within 40th Street, Harborton Street, and College Way to serve Phase 1 of Wilder. All streets and utilities are in place to serve the proposed development in Phases 4 and 6, the subject of this modification. Additional infrastructure will be developed for Phases 2 and 3 as detailed in the previous application, #2-PD-15, and no changes are proposed to those phases with the exception of additional utility connections to serve the two lots now proposed in Phase 2B.

The Newport Public Works Department provided preliminary feedback on the proposed utility plans and driveway alignments that was incorporated into the July 1, 2016 completeness review letter (Attachment "H"), but has not had an opportunity to review the July 20, 2016 revised plan set (Attachment "B") prior to the Planning Commission hearing. Tim Gross, City Engineer, provided comments on July 26, 2016 asking that the applicant to revise its utility plans for Phases 2B, 4 and 6 (Attachment "O"). The applicant's engineer responded with a memo dated August 18, 2016 and revised utility drawings plan sheets 16 and 17 (Attachment "P". The question before the Planning Commission was whether or not the planned development modifications will place a greater demand on public facilities and services than other authorized uses for the land. The applicant has aligned the driveways for Phases 4 and 6 in response to staff feedback, added sidewalk along the Phase 6 street frontage, and has put together a program for extending utilities to Phases 2B, 4 and 6 that responds to the City Engineer's concerns. While the City Engineer has not yet completed his review of the August 18th resubmittal, he did indicate that public facilities are adequate to serve the development. Given the above, and the Commission's favorable recommendation, the City Council concludes that this standard has been satisfied even though there may be a need for minor modifications to the layout of utilities.

- K. *NMC Section 14.35.070(G) Financial assurance or bonding may be required to assure completion of the streets and utilities in the planned development prior to final approval.*

The applicant agrees to either complete construction of streets and utilities or provide the necessary financial assurances or bonding to ensure completion of the streets and development within each phase or micro-phase prior to recordation of a final subdivision plat for such phases.

VI. **Compliance with NMC Section 14.35.100, Criteria for Approval of the Final Development Plan.** The criteria for modifying a final development plan have been addressed as follows:

- A. *NMC Section 14.35.100(A) The Final Development Plan must substantially conform to the land use and arterial street pattern as approved in the Preliminary Development Plan.*

As shown in the attached Final Development Plan/Tentative Subdivision Plan (Attachment "B"), the Final Development Plan land uses and street pattern match the approved Preliminary Development Plan for the overall Phase 1 of Wilder, as modified by the accompanying Preliminary Development Plan Major Modification. (See Appendix G, Attachment "A"). A change in the R-2 and R-3 zoning districts and related land uses is proposed with this application, and is reflected in the proposed Final Development Plan. No changes are proposed to the street pattern.

- B. *NMC Section 14.35.100(B) The proposed uses shall be compatible in terms of density and demand for public services with uses that would otherwise be allowed by the Comprehensive Plan.*

The Proposed Final Development Plan includes uses that are allowed in the Comprehensive Plan and is compatible with the adopted South Beach Neighborhood Plan. The proposed maximum density for the site remains as previously approved, with a maximum of 345 dwelling units in the development and an increase to the minimum density from 172 units to

258 units. A total of 245 of the allowed 345 units are proposed within the Final Development Plan. The location and level of public services necessary to serve the site were estimated and planned for in the South Beach Neighborhood Plan. Therefore, the proposal will not result in any additional demand on public services beyond what was planned for this site.

- C. *NMC Section 14.35.100(C) Adequate services normally rendered by the city to its citizens must be available to the proposed development at the time of approval of the Final Development Plan. The developer may be required to provide special or oversize facilities to serve the planned development.*

The applicant states that they intend to ensure that adequate services are in place or will be made available at time of development of Wilder as outlined within the infrastructure report that was prepared for the original Preliminary Development Plan approval.

The major Collector roadway facilities that serve the development, 40th Street and Harborton Street, have already been constructed through the site from Highway 101 to College Way. Harborton Street will be completed with a sidewalk on the north/east side along the Phase 6 frontage with this application.

Major utility facilities, including water and sewer lines, have also already been constructed within 40th Street, Harborton Street, and College Way to serve Phase 1 of Wilder and the College campus. The applicant has prepared detailed utility plans that illustrate how these facilities will be further extended to serve development within the site. (See Attachment "A," Appendix G, Sheets 15-18 and Attachment "P"). Storm water facilities will also be constructed on site to collect and treat run-off from impervious surfaces prior to being discharged to on-site drainage ways.

As previously noted, the City of Newport Public Works Department requested modifications to the utility plan sheets and has not yet had an opportunity to review the August 18, 2016 submittal by the applicant that was intended to address their concerns (Attachment "P"). While the applicant has made provisions for extending public services to the proposed lots in Phases 2B, 4 and 6 that the Council is relying upon to conclude that this standard has been satisfied, some modifications to the layout of utilities may be required before the City will accept them as part of the public system.

- D. *NMC Section 14.35.100(D) Access shall be designed to cause minimum interference with traffic movement on abutting streets.*

The planned access systems have been designed to efficiently and safely access the site while minimizing impacts on local abutting streets.

Primary traffic access will be provided by two-lane Collector roadways, 40th Street and Harborton Street, and College Way. The Collector roadways have been constructed from US 101 east and south to College Way pursuant to prior approvals for the Planned Development. These streets constitute the northern part of a loop road system that will ultimately connect to 50th Street on the south and then west to US 101. The remaining portion of the loop connecting to 50th Street will be constructed as the Master Plan builds out, providing secondary access to the site. In the mean-time, the southern part of the loop system has been

constructed as a gravel access road for emergency vehicles and construction vehicles only. The City has been granted an access easement to the southern part of the loop system.

Phases 4 and 6 will take access from Harborton Street, and provide internal circulation with private drive aisles. In response to staff feedback, the applicant modified the driveway approach points for Phases 4 and 6 so that they are aligned across from each other, improving traffic safety. Phase 2B will front Harborton Street, and take access from the proposed 46th Street with additional frontage and on-street parking along Ellis Street.

- E. NMC Section 14.35.100(E) *The plan shall provide for adequate landscaping and effective screening for off-street parking areas and for areas where nonresidential use or high-density residential use could be detrimental to residential uses.*

The applicant points out in their narrative that a revised landscaping plan has been prepared for Phases 4 and 6, refining a plan previously approved as part of Case file #2-PD-09. (See Attachment "A," Appendix G, Sheet 19.) Sustainable native plantings have been used where appropriate throughout the site to blend with the natural landscape. Street trees and landscaped curb extensions are provided along all local streets. Landscape curb-extensions will double as stormwater planter swales that provide for a natural means to collect and treat run-off from the development.

The surface parking areas for Phases 4 and 6 serving medium-density development will be screened with a combination of landscaping, topographical changes, and location of parking areas to the sides of buildings where feasible.

A combination of enhanced entry landscaping and enhanced forest edge planting is proposed along the east side of Harborton Street, which will be part of the screening for the off-street parking area in Phase 6. Grass and shrubs will be planted under the power lines and trees will be planted beyond 75-feet. This will create a transition between the street and the off-street parking area in Phase 6 and between the street and the adjacent residential areas in future Phase 5.

The surface parking area in Phase 2B is located interior to the site and will be screened by proposed apartment buildings and site landscaping.

- F. NMC Section 14.35.100(F) *The arrangement of buildings, parking areas, signs, and other facilities shall be designed and oriented to minimize noise and glare relative to adjoining property.*

The applicant points out that the buildings and parking areas in Phases 2B, 4 and 6 will be located to screen adjacent properties from noise and glare. Phase 4 will be buffered from Wilder properties to the south and east by significant open space and a ravine, from properties to the west by open space and landscaping, and from Harborton Street to the north by landscaping. The majority of the parking in Phase 4 is located internal to the site and screened by the proposed apartment buildings to minimize the noise and glare that may be associated with the parking areas. In Phase 6, landscaping will be used to minimize the noise and glare associated with parking areas and buildings; landscaping along Harborton to screen the parking areas will be consistent with the restrictions for development in the PUD easement.

- G. NMC Section 14.35.100(G) *Artificial lighting, including illuminated signs and parking areas lights, shall be so arranged and constructed as not to produce direct glare on adjacent property or otherwise interfere with the use and enjoyment of adjacent property.*

Artificial lighting used on site will be arranged and constructed to minimize direct glare on adjoining property. Low-impact pedestrian scale lighting will be used throughout the development and will be shielded where necessary. As noted above, surface parking areas and associated parking lot lighting within Phases 2B, 4 and 6 will be shielded by building placement and landscaping buffers.

- H. NMC Section 14.35.100(H) *The area around the development can be developed in substantial harmony with the proposed plan.*

The applicant notes that the areas proposed within the Final Development Plan are designed to be compatible with the overall Master Plan for the greater Wilder site, which extends beyond the limits of the current Preliminary Development Plan for Phase 1 of Wilder and the city limits, and includes off-site properties. The design features a pedestrian-oriented Village Center adjacent to the College that will be the hub of activity within the site, supplemented by a node of multifamily development in the northeast corner of the site. The lower density residential portions of the site are buffered from the Village Center by graduated density and from the multifamily node by significant open space and topographical changes in Tract "G." Enhanced pedestrian connections link all uses within the Final Development Plan area.

- I. NMC Section 14.35.100(I) *The plan can be completed within a reasonable period of time.*

As shown in the proposed development schedule (Page 19, Attachment "A"), the plan can be completed within a reasonable period with steady development planned over the next 10 years. The major public infrastructure necessary to serve the development, including 40th Street and Harborton Street to College Way, have already been constructed per the prior development approvals for the site.

- J. NMC Section 14.35.100(J) *The streets are adequate to serve the anticipated traffic.*

As part of the prior annexation of the site into the City of Newport, the City adopted Ordinance 1931 to address potential transportation impacts of Phase 1 by adopting a trip cap. A traffic analysis was prepared in conjunction with the annexation of the Wilder site to demonstrate how proposed development within Phase 1 can be accommodated within the limitations of the trip cap.

Subsequently, the City, Lincoln County, and ODOT worked to establish an alternative mobility standard for US 101 south of the Yaquina Bay Bridge which resulted in the creation of increased transportation system capacity, replacing the trip cap. The City reserved 403 trips from the Trip Budget for properties in the annexation area, including 257 weekday PM peak hour trips allocated to Wilder. Under the City's trip vesting standards, Phase 1 of Wilder will have tentatively vested 313 trips total for development proposed within this Final Development Plan, superseding the Trip Budget limit. (See discussion of trips at page 25, Attachment "A".) The City will confirm the actual number of vested trips by letter should

these amendments to Phase 1 Wilder be approved, consistent with NMC 14.43.080. The streets have been shown to be adequate for proposed development in the Final Development Plan, which is a portion of the full build-out of 345 units analyzed and approved in the Preliminary Development Plan.

- K. NMC Section 14.35.100(K) *Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.*

The applicant notes that they believe the planned utilities that will serve the development to be adequate and appropriate for the land use. Utilities, including water and sewer, have already been constructed through the Wilder site along 40th Street and Harborton Street from Highway 101 to the OCCC campus. As shown in the proposed utility plans, water and sewer will be extended from existing stubs in Harborton to serve development in Phases 4 and 6 and new water and sewer will be constructed in 46th Street to serve Phase 2B (Attachment "A," Appendix G, Sheets 15-18 and Attachment "P"). Stormwater facilities are also proposed that will collect and treat run-off from impervious surfaces within the development before being discharged to on-site drainage ways.

The Council concludes that the applicant has established that it is feasible to construct utility and drainage facilities adequate to serve the population densities and types of development envisioned for Phases 2B, 4 and 6. Additional information is needed to confirm that the size and location of the infrastructure conforms to Public Works Department design guidelines for acceptance as part of the City system. These details can be worked through as part of the building permitting process.

- L. NMC Section 14.35.100(L) *Land shown on the Final Development Plan as common open space shall be conveyed under one of the following options: 1) To a public agency that agrees to maintain the common open space and any buildings, structures, or other improvements that have been placed on it; 2) To an association of owners of tenants, created as a non-profit corporation under the laws of the State, which shall adopt and impose a declaration of covenants and restrictions on the common open space that is acceptable to the Planning Commission as providing for the continuing care of the space. Such an association shall be formed and continued for the purpose of maintaining the common open space.*

The applicant notes that Tracts "G" will be conveyed to the City for trail and open space uses, which is one of the listed options.

- M. NMC Section 14.35.100(M) *The Final Development Plan complies with the requirements and standards of the Preliminary Development Plan.*

The Final Development Plan will comply with the provisions of the modified Preliminary Development Plan proposed concurrently with this application.

- N. NMC Section 14.35.100(N) *No building shall be erected in a planned development district except within an area contained in an approved Final Development Plan, and no construction shall be undertaken in that area except in compliance with the provisions of said plan. All features required in the Final Development Plan shall be installed and retained*

indefinitely or until approval has been received from the Planning Commission or Community Development Director for modification.

In their narrative, the applicant acknowledges that no construction will be completed outside of the area or out of compliance with the approved Final Development Plan.

VII. Compliance with NMC Chapter 13.05, Criteria for Approval of the Tentative Subdivision Plat. The criteria for modifying a tentative subdivision plat have been addressed as follows:

A. NMC Section 13.05.015(A), Criteria for Consideration of Modification to Street Design. *As identified throughout the street standard requirements, modifications may be allowed to the standards by the approving authority. In allowing for modifications, the approving authority shall consider modifications of location, width, and grade of streets in relation to existing and planned streets, to topographical or other geological/environmental conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system as modified shall assure an adequate traffic circulation system with intersection angles, grades, tangents, and curves appropriate for the traffic to be carried considering the terrain. Where location is not shown in the Transportation System Plan, the arrangement of streets shall either:*

- (a) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or*
- (b) Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.*

An updated street circulation plan for Phase 1 of the Wilder Master Plan is provided as part of the concurrent Preliminary Planned Development Modification application. (See Attachment "A," Appendix G.) The proposed circulation plan has been refined to accommodate grading, utilities, and site layout for Phases 2B, 4 and 6.

No new roads are proposed to serve Phases 2B, 4 and 6. The Phase 2B lots will be served by the existing SE Harborton Street, and the proposed 46th Street and Ellis Street. The development in Phases 4 and 6 will take access from SE Harborton Street, an existing collector constructed with previous phases of development, and will provide onsite circulation within the phases through private drive aisles.

Natural features, such as steep topography, creeks, and wetlands, prevent any additional local street connections to surrounding parcels through Phases 4 and 6.

B. NMC Section 13.05.015(B), Minimum Right-of-Way and Roadway Width. *Unless otherwise indicated on the development plan, the street right-of-way and roadway widths shall not be less than the minimum width in feet shown in the following table:*

<i>Type of Street</i>	<i>Minimum Right-of-Way Width</i>	<i>Minimum Roadway Width</i>
<i>Arterial, Commercial and Industrial</i>	<i>80 feet</i>	<i>44 feet</i>
<i>Collector</i>	<i>60 feet</i>	<i>44 feet</i>

<i>Minor Street</i>	<i>50 feet</i>	<i>36 feet</i>
<i>Radius for turn-around at end of cul-de-sac</i>	<i>50 feet</i>	<i>45 feet</i>
<i>Alleys</i>	<i>25 feet</i>	<i>20 feet</i>

Modifications to this requirement may be made by the approving authority where conditions, particularly topography, geology, and/or environmental constraints, or the size and shape of the area of the subdivision or partition, make it impractical to otherwise provide buildable sites, narrower right-of-way and roadway width may be accepted. If necessary, slope easements may be required.

The previously approved Planned Development application for the site included a “Kit of Parts” that identified typical neo-traditional street sections, including roadway and right-of-way widths, for each unique street type that could be located within the Master Plan site. (See Attachment "A," Appendix H.) SE Harborton Street, which provides access to both Phases 4 and 6, has already been constructed to approved “Kit of Parts” standards and approved engineering drawings, with a 75-foot right-of-way and 24-foot roadway width. (See Attachment "A," Appendix J, Detail 4.) No new streets are planned with Phases 4 and 6; however, a 5-foot wide sidewalk will be constructed along SE Harborton Street fronting Phase 6 within the existing right-of-way to provide connectivity to the west.

In Phase 2B, 46th Street and Ellis Street will be built to approved standards for Village Center Road sections. (See Attachment "A," Appendix H, pages 14-15.) No changes to the roadways are proposed to accommodate the creation of two lots in place of one lot; the two lots will continue to have frontage on public streets.

- C. *NMC Section 13.05.015(C), Reserve Strips.* *Reserve strips giving a private property owner control of access to streets are not allowed.*

This criterion is not applicable. There are no reserve strips proposed for the subdivision.

- D. *NMC Section 13.05.015 (D), Alignment.* *Streets other than minor streets shall be in alignment with existing streets by continuations of their center lines. Staggered street alignment resulting in "T" intersections shall leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and, in no case, shall be less than 100 feet. If not practical to do so because of topography or other conditions, this requirement may be modified by the approving authority.*

The applicant notes that this criterion is not applicable; the applicant does not propose any new streets creating any new alignments in Phases 4 and 6 and 46th and Ellis Street alignments have already been approved.

- E. *NMC Section 13.05.015(E), Future Extensions of Streets.* *Proposed streets within a land division shall be extended to the boundary of the land division. A turnaround if required by the Uniform Fire Code will be required to be provided. If the approval authority determines that it is not necessary to extend the streets to allow the future division of adjoining land in accordance with this chapter, then this requirement may be modified such that a proposed street does not have to be extended to the boundary of the land division.*

As described above, the collector roadway that serves the site, identified as Harborton Street, has already been constructed through Phase 1 of the Wilder Master Plan site south to a point just beyond the intersection of Harborton Street and College Way. Harborton Street transitions to 40th Street in the north of the Planned Development, which extends across the development's western boundary running east-west to intersect with Highway 101. No new streets are proposed within Phases 4 and 6 that would require additional extensions. In Phase 2B, 46th and Ellis Streets have been approved, with Ellis Street continuing to the south to intersect with College Way.

F. NMC Section 13.05.015(F), Intersection Angles.

1. *Streets shall be laid out to intersect at right angles.*
2. *An arterial intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection.*
3. *Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection.*
4. *Intersections which contain an acute angle of less than 80 degrees or which include an arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line.*
5. *No more than two streets may intersect at any one point.*
6. *If it is impractical due to topography or other conditions that require a lesser angle, the requirements of this section may be modified by the approval authority. In no case shall the acute angle in Subsection F.1. be less than 80 degrees unless there is a special intersection design.*

The applicant notes that this criterion is not applicable because no new streets are proposed.

- G. NMC Section 13.05.015(G), Half Street. *Half streets are not allowed. Modifications to this requirement may be made by the approving authority to allow half streets only where essential to the reasonable development of the land division, when in conformity with the other requirements of these regulations and when the city finds it will be practical to require the dedication of the other half when the adjoining property is divided. Whenever a half street is adjacent to a tract property to be divided, the other half of the street shall be provided.*

This criterion is not applicable. The proposed subdivision does not include any half-street improvements.

- H. NMC Section 13.05.015(H), Sidewalks. *Sidewalks in conformance with the city's adopted sidewalk design standards are required on both sides of all streets within the proposed land division and are required along any street that abuts the land division that does not have sidewalk abutting the property within the land division. The city may exempt or modify the requirement for sidewalks only upon the issuance of a variance as defined in the Zoning Ordinance.*

On Harborton Street, a 12-foot wide multiuse path has been constructed on the south/west side of the street that serves Phase 4. An additional 5-foot wide sidewalk will be constructed on the north/east side of Harborton along the Phase 6 frontage to provide a direct pedestrian

connection from the multifamily residential development to an existing sidewalk along the north side of 40th Street at its intersection with Chestnut Street. In sum, these improvements will provide adequate pedestrian circulation for both sides of the street.

Future pedestrian connectivity along the north side of Harborton Street, south and east of Phase 6, will be developed with plans for Phase 5 and may include alternative connections such as an off-street trail. Sidewalks will be constructed along 46th and Ellis Streets in Phase 2B consistent with approved Village Center roadway cross-sections. Sidewalks are supplemented with multiuse pathways and nature trails to enhance pedestrian connectivity throughout Wilder.

- I. NMC Section 13.05.015(I), Cul-de-sac. *A cul-de-sac shall have a maximum length of 400 feet and serve building sites for not more than 18 dwelling units. A cul-de-sac shall terminate with a circular turn-around meeting minimum Uniform Fire Code requirements. Modifications to this requirement may be made by the approving authority. A pedestrian or bicycle way may be required by easement or dedication by the approving authority to connect from a cul-de-sac to a nearby or abutting street, park, school, or trail system to allow for efficient pedestrian and bicycle connectivity between areas if a modification is approved and the requested easement or dedication has a rational nexus to the proposed development and is roughly proportional to the impacts created by the proposed land division.*

This criterion is not applicable as there are no cul-de-sacs proposed in Phases 2B, 4 and 6.

- J. NMC Section 13.05.015(J), Street Names. *Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names and numbers shall conform to the established pattern in the city, as evident in the physical landscape and described in City of Newport Ordinance No. 665, as amended.*

The applicant notes that street names in Wilder Phase 1 have been previously approved by the Planning Commission and no changes are proposed. Ellis, Fleming, Geneva and Harborton Streets will continue through the development, and numbered streets will be named consistent with the established pattern in the city. The street names are identified on the plat. (See Attachment "A," Appendix G, Sheets 7-10).

- K. NMC Section 13.05.015(K), Marginal Access Street. *Where a land division abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting constrained in a non-access reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.*

This criterion is not applicable. The proposed land division does not abut or contain an existing or proposed arterial street.

- L. NMC Section 13.05.015(L), Alleys. *Alleys shall be provided in commercial and industrial districts. If other permanent provisions for access to off-street parking and loading facilities are provided, the approving authority is authorized to modify this provision if a determination is made that the other permanent provisions for access to off-street parking*

and loading facilities are adequate to assure such access. The corners of alley intersections shall have a radius of not less than 12 feet.

This criterion is not applicable because there are no alleys proposed within Phases 2B, 4 and 6. Off-street parking in Phases 4 and 6 will be accessed directly from Harborton Street and served with private drive aisles. Off-street parking in Phase 2B will be accessed from 46th Street.

- M. *NMC Section 13.05.020(A), Blocks General. The length, width, and shape of blocks for non-residential subdivisions shall take into account the need for adequate building site size and street width, and shall recognize the limitations of the topography.*

Not applicable because there is no non-residential development proposed with Phases 2B, 4 and 6.

- N. *NMC Section 13.05.020(B), Block Size. No block shall be more than 1,000 feet in length between street corners. Modifications to this requirement may be made by the approving authority if the street is adjacent to an arterial street or the topography or the location of adjoining streets justifies the modification. A pedestrian or bicycle way may be required by easement or dedication by the approving authority to allow connectivity to a nearby or abutting street, park, school, or trail system to allow for efficient pedestrian and bicycle connectivity between areas if a block of greater than 1,000 feet if a modification is approved and the requested easement or dedication has a rational nexus to the proposed development and is roughly proportional to the impacts created by the proposed land division.*

Block lengths in excess of 1,000 feet are not proposed.

- O. *NMC Section 13.05.025(A), Utility lines. Easements for sewers and water mains shall be dedicated to the city wherever a utility is proposed outside of a public right-of-way. Such easements must be in a form acceptable to the city. Easements for electrical lines, or other public utilities outside of the public right-of-way shall be dedicated when requested by the utility provider. The easements shall be at least 12 feet wide and centered on lot or parcel lines, except for utility pole tieback easements, which may be reduced to six (6) feet in width.*

Easements for sewer and water mains, public utilities and electrical lines outside of the public right-of-way will be provided within the subdivision plat per the above requirements. Public sewer, water and drainage easements will be provided in Phases 4 and 6 based on location of utilities and fire hydrants, as needed, in a form acceptable to the city. A 75-foot-wide easement for the electrical lines on the northeast side of Harborton Street has already been recorded, and will be maintained with development of Phase 6. No sewers or water mains are proposed outside of public right-of-way in Phase 2B and the applicant is prepared to put in place a drainage easement that will run along the property line running through the Phase 2B parking lot.

- P. *NMC Section 13.05.025(B), Utility Infrastructure. Utilities may not be placed within one foot of a survey monument location noted on a subdivision or partition plat.*

The applicant notes that utilities will not be placed within one foot of a survey monument location. Final utility locations will be provided in future construction plan submittals to the City.

- Q. *NMC Section 13.05.025(C), Water Course. If a tract is traversed by a water course such as a drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of the water course, and such further width as will be adequate for the purpose. Streets or parkways parallel to the major water courses may be required.*

Stormwater drains through the site in existing stormwater systems, roadside swales, and natural low spots in undeveloped areas. There are no significant water bodies or water courses identified within the Wilder site except for two small wetlands. The small wetland in Phase 4 will be filled. The small wetland in Phase 6 will be retained. The applicant proposes to route Phase 4 stormwater in a public storm drain from Harborton Street to an existing drainage way to the south of Phase 4. As previously discussed, additional analysis is needed to determine whether or not a public storm drain system is needed to adequately convey Phase 4 runoff. City staff and the applicant can work through this issue prior to the City Council hearing.

- R. *NMC Section 13.05.030(A) The size (including minimum area and width) of lots and parcels shall be consistent with the applicable lot size provisions of the Zoning Ordinance, with the following exception:*

Where property is zoned and planned for business or industrial use, other widths and areas may be permitted at the discretion of the Planning Commission. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

R-3 zoning is proposed for both Phases 4 and 6, to facilitate multifamily development. Phase 4, Lot 1 will total 5.08 acres and Phase 6, Lot 1 will total 1.78 acres, satisfying the 5,000 SF minimum requirement for the R-3 zone. Phase 2B is also zoned R-3, and Lot 27 will total 13,623 SF and Lot 28 will total 20,746 SF, meeting the minimum standard.

- S. *NMC Section 13.05.030(B) Each lot and parcel shall possess at least 25 feet of frontage along a street other than an alley.*

Both lots proposed for Phases 4 and 6 will have in excess of 25 feet of frontage along Harborton Street. Lot 27 in Phase 2B will have in excess of 25 feet of frontage along Harborton Street and 46th Street, and Lot 28 will have sufficient frontage along 46th and Ellis Streets.

- T. *NMC Section 13.05.030(C) Through lots and parcels are not allowed. Modifications may be made by the approving authority where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities or to overcome specific disadvantages of topography and orientation. The approving authority may require a planting screen easement at least 10 feet wide and across which there shall be*

no right of access. Such easement may be required along the line of building sites abutting such a traffic artery or other incompatible use.

No through lots or parcels are proposed with these phases.

- U. *NMC Section 13.05.030(D)* *The side lines of lots and parcels shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve. Modifications to this requirement may be made by the approving authority where it is impractical to do so due to topography or other conditions or when the efficient layout of the land division has the lines running as close to right angles (or radial) as practical.*

The proposed lot lines in Phase 2B run at right angles to Harborton Street on the north and south edges of the lots. The proposed lot lines in Phases 4 and 6 run at right angles to Harborton Street on the west edge of the lots. On the eastern edge of the lots in Phases 4 and 6, the lot lines run near to radial while accommodating significant topographical changes. The eastern side line of Tract "G" in particular is shaped by a steep ravine in between Phases 4 and 3, and sited to accommodate a public nature trail.

- V. *NMC Section 13.05.030(E), Special Setback Lines.* *All special building setback lines, such as those proposed by the applicant or that are required by a geological report, which are to be established in a land division, shall be shown on the plat, or if temporary in nature, shall be included in the deed restrictions.*

This criterion is not applicable. There are no special setback lines proposed.

- W. *NMC Section 13.05.030(F), Maximum Lot and Parcel Size.* *Proposed lots and parcels shall not contain square footage of more than 175% of the required minimum lot size for the applicable zone. Modifications to this requirement may be made by the approving authority to allow greater square footage where topography or other conditions restrict further development potential or where the layout of the land division is designed and includes restrictions to provide for extension and opening of streets at intervals which will permit a subsequent division into lots or parcels of appropriate size for the applicable zone designation.*

The lots in Phases 2B, 4 and 6 are larger than 175% of the required minimum lot size in order to accommodate multifamily development at densities consistent with the R-3 zone. As this is a Planned Development, the Council concludes that the lot sizes depicted on the applicant's plans are the minimum needed to accommodate the development.

- X. *NMC Section 13.05.030(G), Development Constraints.* *No lot of parcel shall be created with more than 50% of its land area containing wetlands or lands where the city restricts development to protect significant Statewide Land Use Planning Goal 5 or Goal 17 resources, except that areas designated as open space within a land division may contain up to 100% of a protected resource.*

Lot 1 of Phase 4 contains a small wetland totaling 2,053 SF, or less than 1% of the lot; the wetland will be filled and mitigated with development. Lot 1 of Phase 6 includes a small wetland totaling 1,548 SF, or approximately 2% of the lot, and will be protected with

development. Tract "G" in Phase 4 is designated as open space and includes steep slopes and ravines. (See Attachment "A," Appendix G, Sheet 16 and Attachment "P"). There are no wetlands or other resources in the proposed Phase 2B lots.

- Y. NMC Section 13.05.030(H), Lots and Parcels within Geological Hazard Areas. *Each new undeveloped lot of parcel shall include a minimum 1,000 square foot building footprint within which a structure could be constructed and which is located outside of active and high hazard zones and active landslide areas (See Section 2-4-7 of the Zoning Ordinance for an explanation of hazard zones). New public infrastructure serving a lot or parcel shall similarly be located outside of active and high hazard zones and active landslide areas.*

All of Phase 1 of Wilder is located outside of Geologic Hazard Areas as mapped by the City of Newport; this criterion does not apply.

- Z. NMC Section 13.05.035(A). *Improvement work, including excavation in the excess of 100 cubic yards, shall not be commenced until plans have been checked for adequacy and approved by the city. To the extent necessary for evaluation of the proposal, the plans shall be required before approval of the tentative plan of a subdivision or partition.*

The applicant acknowledges that engineering plans must be submitted to the city prior to construction of any public improvements.

- AA. NMC Section 13.05.035(B). *Improvement work shall not commence until after the city is notified, and, if work is discontinued for any reason, it shall not be resumed until after the city is notified.*

The applicant agrees to notify the city before commencing improvement work.

- BB. NMC Section 13.05.035(C). *Public improvements shall be constructed under the inspection and to the satisfaction of the city engineer. The city may require change in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.*

The applicant agrees to construct the improvements under the inspection and to the satisfaction of the city engineer.

- CC. NMC Section 13.05.035(D). *Underground utilities, sanitary sewers, and storm drains installed in streets shall be constructed prior to the surfacing of the streets. Stubs for service connection for underground utilities and sanitary sewers shall be placed to allow future connections without disturbing the street improvements.*

Utilities in Phases 4 and 6 will connect to stubs already placed in Harborton Street. Connections to existing utility stubs will be coordinated to minimize re-surfacing of Harborton Street. Utilities in Phase 2B will be constructed prior to construction of 46th Street. (See Attachment "A," Appendix G, Sheet 17 and Attachment "P" for Utility Plan.)

DD. NMC Section 13.05.035(E). *A map showing public improvements as built shall be filed with the city upon completion of the improvements.*

The applicant agrees to file as-built plans with the city.

EE. NMC Section 13.05.035(F). *Public improvements shall not be commenced until any appeals of the subdivision approval are resolved.*

The applicant has indicated that they will abide by this requirement.

FF. NMC Section 13.05.040(A)(1), Streets. *All streets, including alleys, within the land division, streets adjacent but only partially within the land divisions, and the extension of land division streets to the intersecting paving line of existing streets with which the land division streets intersect, shall be graded for the full right-of-way width. The roadway shall be improved to a width of 36 feet or other width as approved by the approval authority by excavating to the street grade, construction of concrete curbs and drainage structures, placing a minimum of six inches of compacted gravel base, placement of asphaltic pavement 36 feet in width or other width as approved by the approval authority and approximately two inches in depth, and doing such other improvements as may be necessary to make an appropriate and completed improvement. Street width standards may be adjusted as part of the tentative plan approval to protect natural features and to take into account topographic constraints and geologic risks.*

The streets serving Phases 4 and 6 have already been constructed and extended through the development, including the minimum width required for the applicable "Kit of Parts" street sections approved for use in Wilder. SE Harborton Street will be completed with an attached sidewalk on the north/east side of the street along the Phase 6 frontage. Construction of the sidewalk will occur concurrent with the development. Harborton Street, where it fronts Phase 2B, has also been completed, and 46th and Ellis Streets fronting the lots in Phase 2B will be constructed to the approved Village Center cross-sections with development of this phase.

GG. NMC Section 13.05.040(A)(2) Surface Drainage and Storm Sewer System. *Drainage facilities shall be provided within the land division and to connect the land division drainage to drainage ways or storm sewers outside the land division. Design of drainage within the land division shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the land division and to allow extension of the system to serve such areas.*

As illustrated in the utility plan, drainage facilities are proposed within the subdivision to connect the subdivision to drainage ways outside the subdivision in accordance with City standards. (See Attachment "A," Appendix G, Sheets 15-18 and Attachment "P"). The applicant originally proposed to route Phase 4 storm water in a public storm drain from Harborton Street to the existing drainage way south of Phase 4. They have since modified their plans such that roadway drainage will continue to be managed in the roadside swale. For Phase 4, on-site storm drainage will be collected into a private system and discharged into a drainage immediately south of the development. This addressed concerns raised by the Public Works Department.

Phase 2B storm water will be collected in a drainage way along the proposed lot line down the middle of the parking lot shared by both lots through an easement, draining to 46th Street.

HH. NMC Section 13.05.040(A)(3), Sanitary Sewers. *Sanitary sewers shall be installed to serve each lot or parcel in accordance with standards adopted by the City, and sewer mains shall be installed in streets as necessary to connect each lot or parcel to the city's sewer system.*

A sewer main is already installed in Harborton Street and will provide service to the development in Phases 4 and 6. A sewer main is planned along 46th Street which will provide service to the two lots in Phase 2B. As illustrated in the utility plan, sanitary sewers will be installed to serve each lot in accordance with standards adopted by the City. (See Attachment "A," Appendix G, Sheets 15-18 and Appendix "P").

II. NMC Section 13.05.040(A)(4), Water. *Water mains shall be installed to allow service to each lot or parcel and to allow for connection to the city system, and service lines or stubs to each lot shall be provided. Fire hydrants shall be installed as required by the Uniform Fire Code. The city may require that mains be extended to the boundary of the land division to provide for future extension or looping.*

A water main is already installed in Harborton Street and will provide service to the development in Phases 4 and 6. A water main is planned along 46th Street which will provide service to the two lots in Phase 2B. As illustrated in the utility plan, water mains and fire hydrants will be installed to serve each lot in accordance with standards adopted by the City. (See Attachment "A," Appendix G, Sheets 15-18 and Attachment "P")

JJ. NMC Section 13.05.040(A)(5), Sidewalks. *Required sidewalks shall be constructed in conjunction with the street improvements except as specified below:*

- a. *Delayed Sidewalk Construction. If sidewalks are designed contiguous with the curb, the subdivider may delay the placement of concrete for the sidewalks by depositing with the city a cash bond equal to 115 percent of the estimated cost of the sidewalk. In such areas, sections of sidewalk shall be constructed by the owner of each lot as building permits are issued. Upon installation and acceptance by the city engineer, the land owner shall be reimbursed for the construction of the sidewalk from the bond. The amount of the reimbursement shall be in proportion to the footage of sidewalks installed compared with the cash bond deposited and any interest earned on the deposit.*
- b. *Commencing three (3) years after filing of the final plat, or a date otherwise specified by the city, the city engineer shall cause all remaining sections of sidewalk to be constructed, using the remaining funds from the aforementioned cash bond. Any surplus funds shall be deposited in the city's general fund to cover administrative costs. Any shortfall will be paid from the general fund.*
- c. *Notwithstanding the above, a developer may guarantee installation of required sidewalks in an Improvement Agreement as provided in Section 13.05.090(C).*

SE Harborton Street has been constructed consistent with approved construction drawings including a 12-foot-wide multiuse path along the south/west side of Harborton Street which will serve Phases 2B and 4. A sidewalk will be constructed along the north/east side of Harborton Street fronting Phase 6 to provide a direct pedestrian

connection to the west. Sidewalks will be constructed along 46th and Ellis Streets with Phase 2B. (See Attachment "A," Appendix G, Sheets 4 and 5).

KK. *NMC Section 13.05.040(B). All public improvements shall be designed and built to standards adopted by the city. Until such time as a formal set of public works standards is adopted, public works shall be built to standards in any existing published set of standards designated by the city engineer for the type of improvement. The city engineer may approve designs that differ from the applicable standard if the city engineer determines that the design is adequate.*

Public improvements will be designed and built to city standards or approved standards in the "Kit of Parts."

LL. *NMC Section 13.05.040(C). Public improvements are subject to inspection and acceptance by the city. The city may condition building or occupancy within the land division on completion and acceptance of required public improvements.*

The applicant understands that they must abide by this requirement.

MM. *NMC Section 13.05.045(A). Tentative plans for land divisions shall be approved only if public facilities and utilities (electric and phone) can be provided to adequately service the land division as demonstrated by a written letter from the public facility provider or utility provider stating the requirements for the provision of public facilities or utilities (electric and phone) to the proposed land division.*

The Pioneer Telephone Cooperative and Central Lincoln PUD have confirmed that they can provide service for the proposed subdivision. (See Attachment "A," Appendix E.)

NN. *NMC Section 13.05.045(B). For public facilities of sewer, water, storm water, and streets, the letter must identify the:*

1. *Water main sizes and locations, and pumps needed, if any, to serve the land division.*
2. *Sewer mains sizes and locations, and pumping facilities needed, if any, to serve the land division.*
3. *Storm drainage facilities needed, if any, to handle any increased flow or concentration of surface drainage from the land division, or detention or retention facilities that could be used to eliminate need for additional conveyance capacity, without increasing erosion or flooding.*
4. *Street improvements outside of the proposed development that may be needed to adequately handle traffic generated from the proposed development.*

The City provided a letter on September 18, 2015, identifying the utilities serving Wilder in a general manner as it related to the adequacy of services for the Planned Development proposed in #2-PD-15 and #3-PD-15. (See Attachment "A," Appendix E.) The modifications proposed with this application do not change the total amount and intensity of proposed development; however, there are service details that must still be addressed as it relates to Phases 2B, 4 and 6. Formal confirmation from the

Public Works Department that the services planned for these phases are adequate can be provided prior to the City Council hearing.

- OO. NMC Section 13.05.050(A), Underground Utilities and Service Facilities, Undergrounding. *All utility lines within the boundary of the proposed land divisions, including, but not limited to, those required for electric, telephone, lighting, and cable television services and related facilities shall be placed underground, except surface-mounted transformers, surface-mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, high capacity electric and communication feeder lines, and utility transmission lines operating at 50,000 volts or above. The subdivider shall make all necessary arrangements with the serving utility to provide the underground service.*

All utility facilities within the subdivision will be designed in accordance with this standard. The main Central Lincoln PUD transmission lines through South Beach will be located above ground within a 75-foot right-of-way along the north/east side of Harborton Street.

- PP. NMC Section 13.05.050(B), Underground Utilities and Service Facilities, Non-City-Owned Utilities. *As part of the application for tentative land division approval, the applicant shall submit a copy of the preliminary plat to all non-city-owned utilities that will serve the proposed subdivision. The subdivider shall secure from the non-city-owned utilities, including but not limited to electrical, telephone, cable television, and natural gas utilities, a written statement that will set forth their extension policy to serve the proposed land division with underground facilities. The written statements from each utility shall be submitted to the city prior to the final approval of the plat for recording.*

The Pioneer Telephone Cooperative and Central Lincoln PUD have confirmed that they can provide service for the proposed subdivision. (See Attachment "A," Appendix E.)

- QQ. NMC Section 13.05.055, Street Lights. *Street lights are required in all land divisions where a street is proposed. The city may adopt street light standards. In the absence of adopted standards, street lights shall be placed in new land divisions to assure adequate lighting of streets and sidewalks within and adjacent to the land division.*

There are already street lights installed along Harborton Street to serve Phases 4 and 6 consistent with approved construction drawings; no new street lights are proposed with this application. Proposed street light locations along 46th and Ellis Streets were reviewed and approved with previous applications. (See Attachment "A," Appendix G, Sheets 15-18 and Attachment "P").

- RR. NMC Section 13.05.060, Street Signs. *Street name signs, traffic control signs and parking control signs shall be furnished and installed by the city.*

As required, street signs, traffic control signs and parking control signs will be furnished and installed by the City Street Department.

SS. NMC Section 13.05.065, Monuments. *Upon completion of street improvements, monuments shall be reestablished and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines.*

The applicant acknowledges that they must reestablish and protect monuments, as required.

TT. NMC Section 13.05.090(A), Final Plat Requirements for Land Divisions Other than Minor Replats or Partitions, Submission of Final Plat. *Within two years after tentative plan approval, such other time established at the time of tentative plan approval, or extensions granted under this chapter, the owner and/or applicant (collectively referred to as the "developer") shall cause the land division to be surveyed and a final plat prepared. If the developer elects to develop the land division in phases, final plats for each phase shall be completed within the time required (e.g. Phase I completed within two years, Phase II completed within the next two years, etc.). The final plat shall be in conformance with the approved tentative plan, this chapter, ORS Chapter 92, and standards of the Lincoln County Surveyor.*

The applicant notes that, as previously conditioned in #1-SUB-09, the developer will have up to four years to submit the final plat for the initial phase of development and an additional four years for each subsequent phase of development included in the tentative subdivision plan.

OVERALL CONCLUSION

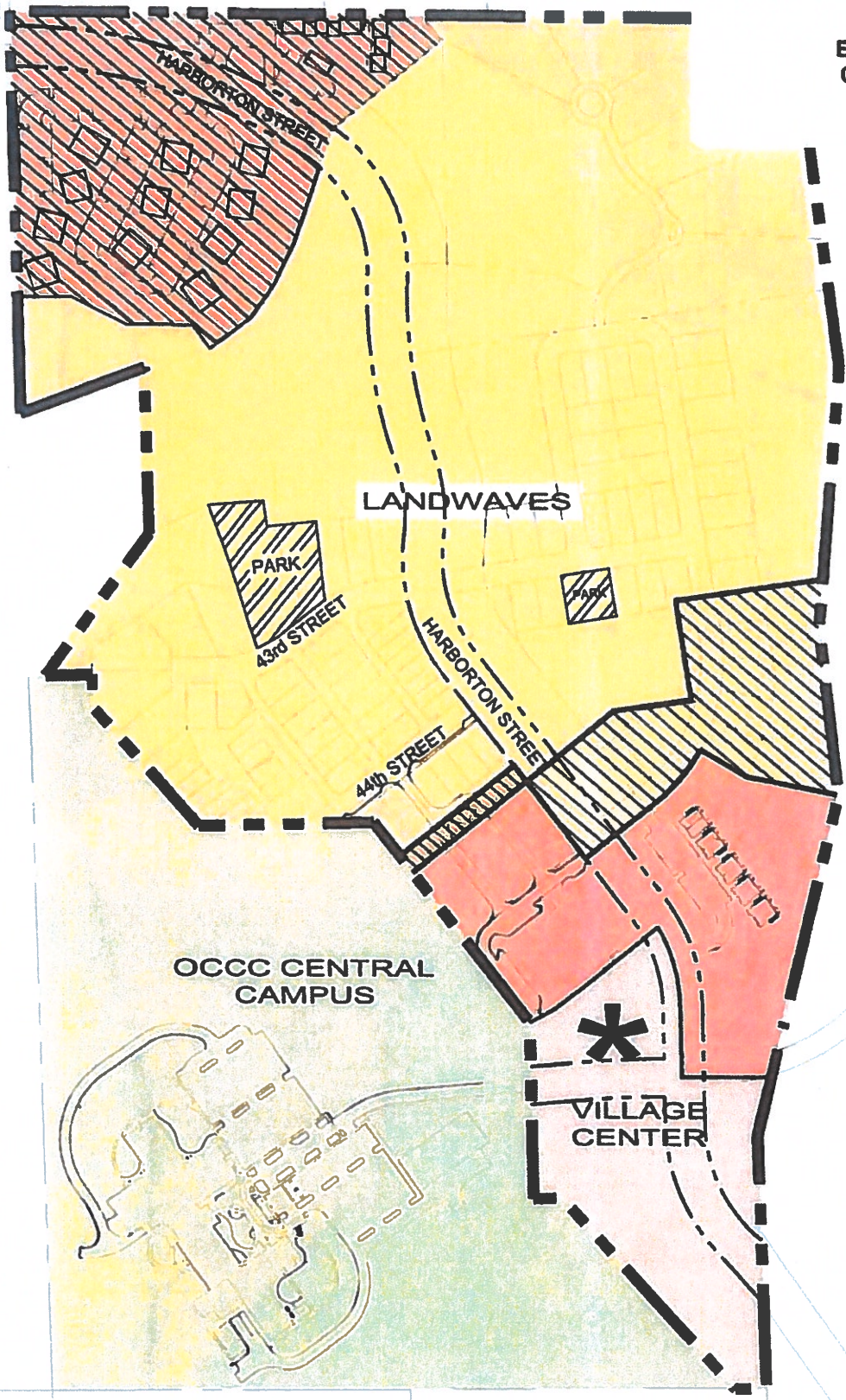
Based on the staff report, the application material, and other evidence and testimony in the record, the City Council concludes that the request as presented in the application materials complies with the approval criteria set forth herein provided conditions are imposed on the modified preliminary development plan final development plan; and tentative subdivision plat for Phase 1 Wilder as follows:

1. Conditions from prior City approvals of the Wilder planned development remain in effect, except as modified herein.
2. Trail improvements on Tract "G" are to be constructed in a manner acceptable to the Newport Parks and Recreation Department. Installation of the improvements shall occur prior to certificates of occupancy being issued for Phase 4 development. Trail development for Tract "H" shall occur prior to a final plat being recorded for that phase of development.
3. A sidewalk with a width of at least 5-feet shall be constructed on the north/east side of Harborton along the Phase 6 frontage in accordance with applicable City of Newport standards and is subject to approval and acceptance by the City of Newport Public Works Department prior to certificates of occupancy being issued for Phase 6 development.
4. Accessory Dwelling Units (ADUs) in the Wilder Planned Development shall be limited to Wilder Phases 1B, 1C, 2D, and 3. Standards for the approval of ADU units are to remain as previously approved.

5. Necessary utilities as applicable (including sewer, water, and/or storm drainage/sewer and over which the City of Newport has jurisdiction) internal or adjacent to Phases 4 and 6 shall be designed and constructed in conformance with the applicable City of Newport standards and as approved by the City of Newport Public Works Department prior to issuance of certificates of occupancy within said phases.
6. Utility easements proposed within Phases 2B, 4 and 6 shall be dedicated with the final plats for the respective phases.
7. The applicant shall comply with the applicable improvement procedure requirements of NMC 13.05.035 (Public Improvements) and 13.05.040, except as modified with this approval.
8. As requested by the applicant, and consistent with NMC 13.05.090(A), a final plat for at least one phase of the proposed development must be submitted within four years of the date of this approval and a four-year time limit applies to each subsequent phase of development. The final plats for all phases must conform to the approved tentative subdivision plat and adhere to the requirements for preparation of a final plat contained in the Newport Municipal Code.

EXHIBIT "B"
ORD # 2103

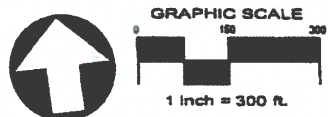
Ph 4 OSU Student Housing plan set\Proposed Comprehensive Plan Map.dwg
 Ph 4 OSU Student Housing - Village Ph 4\4 Planning\Drawings\Community Map1
 C:\Users\jerry\Documents\Projects\OSU Student Housing\Prop...



ACREAGES BY ZONING

SYMBOL	ZONING	AREA AC.
	PUBLIC	24.2
	COMMERCIAL	5.5
	HIGH DENSITY RESIDENTIAL	6.1
	HIGH DENSITY RESIDENTIAL PROPOSED EXISTING LOW DENSITY RESIDENTIAL	9.1
	LOW DENSITY RESIDENTIAL	37.7
	LOW DENSITY RESIDENTIAL PROPOSED EXISTING HIGH DENSITY RESIDENTIAL	2.2

WILDER
PROPOSED COMPREHENSIVE
PLAN MAP



PREPARED FOR:
landwaves
 2712 SE 20th Ave.
 Portland, Oregon 97202
 TEL: (503) 221-0167
 FAX: (503) 221-0741

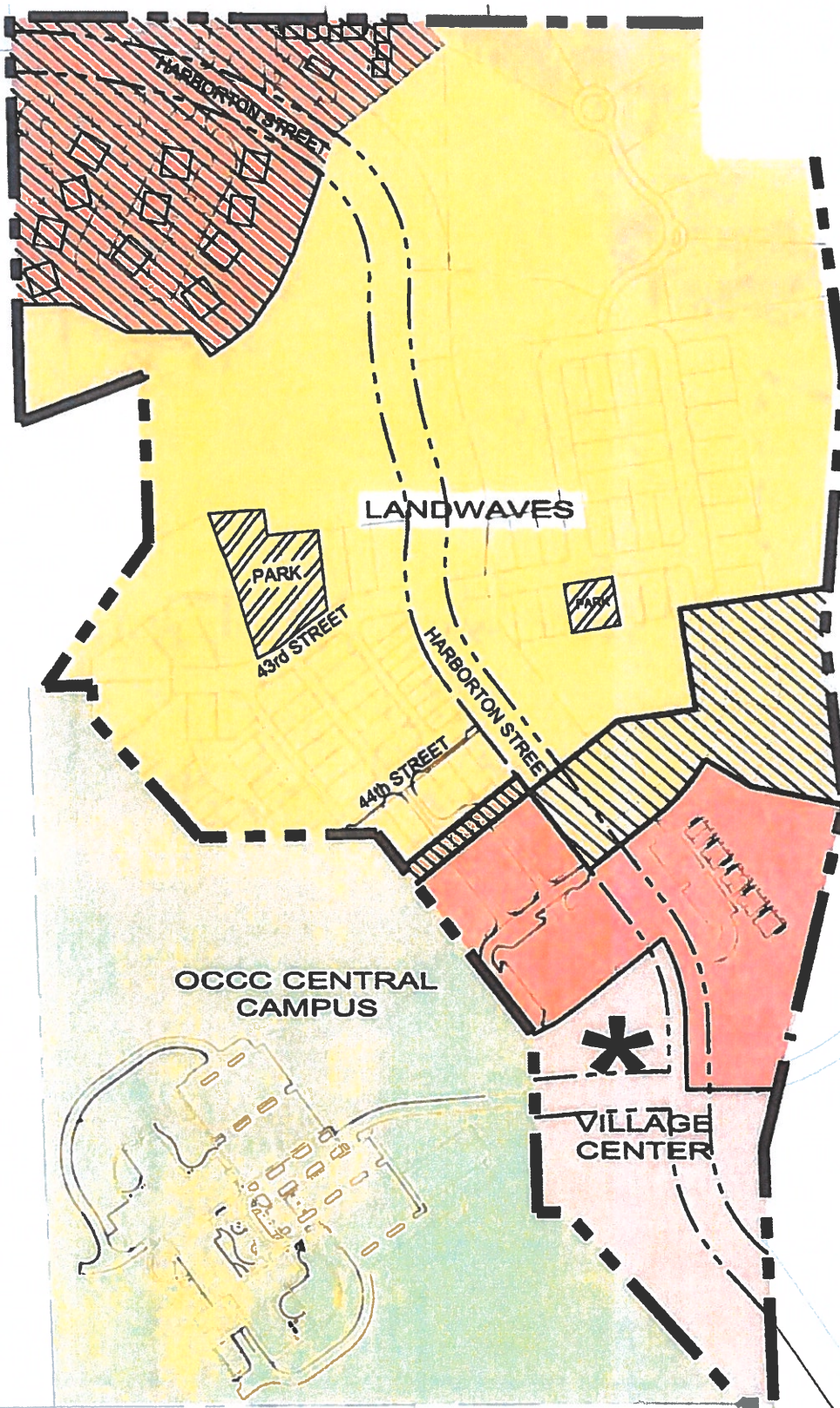
PREPARED BY:

 400 COLUMBIA STREET
 SUITE 100
 VANCOUVER, WA 98660
 PHONE 503-838-8750

JET Planning, LLC
 215 W 4th Street s/a 215
 Vancouver, WA 98660

Date: 7-20-16
 Job No LAN005

EXHIBIT "C"
ORD # 2103

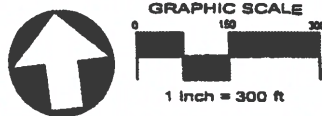


ACREAGES BY ZONING

SYMBOL	ZONING	AREA (AC)
	P1	24.2
	C1	55
	R3	14.2
	PROPOSED R3 FORMER R2	
	R2	38.9
	PROPOSED R2 FORMER R3	

WILDER

PROPOSED ZONING MAP



PREPARED FOR:
landwaves
2712 SE 20th Ave.
Portland, Oregon 97202
TEL (503) 221-0167
FAX (503) 221-0741

PREPARED BY:
 400 COLUMBIA STREET
SUITE 100
VANCOUVER, WA 98660
PHONE 503-929-8750

JET Planning, LLC
215 W 4th Street ste 215
Vancouver, WA 98660

Date: 7-20-16
Job No: LAND05

EXHIBIT "D"
ORD # 2103



AKS ENGINEERING & FORESTRY VANCOUVER
9600 NE 126th Avenue, Suite 2520, Vancouver, WA 98682
P: (360) 882-0419 F: (360) 882-0426

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

**LEGAL DESCRIPTION
FOR
WILDER ZONING**

ZONE R-3 NORTH

Being a portion of the Northeast quarter of Section 20, Township 11 South, Range 11 West, Willamette Meridian, and Parcel 2 of Partition Plat recorded in Book 2015, Page 1, City of Newport, Lincoln County, Oregon, more particularly described as follows:

COMMENCING at a brass cap marking the Northeast quarter of Section 20, Township 11 South, Range 11 West, Willamette Meridian, as shown in Partition Plat recorded in Book 2015, Page 1;

THENCE North 84°40'37" West along the North line of said Section 20, also being the North line of Parcel 2 of said Partition Plat, for a distance of 571.71 feet to the **POINT OF BEGINNING**;

THENCE South 36°40'45" East, leaving said North line, for a distance of 60.77 feet;

THENCE South 56°02'46" West, for a distance of 265.91 feet;

THENCE South 26°56'02" West, for a distance of 77.78 feet;

THENCE South 24°24'13" West, for a distance of 156.90 feet;

THENCE South 31°39'42" West, for a distance of 76.90 feet;

THENCE South 40°07'01" West, for a distance of 80.40 feet;

THENCE South 59°22'16" West, for a distance of 98.11 feet;

THENCE North 30°37'44" West, for a distance of 53.12 feet;

THENCE North 84°53'51" West, for a distance of 126.42 feet;

THENCE North 58°20'19" West, for a distance of 115.76 feet;

THENCE North 85°55'23" West, for a distance of 101.66 feet to the West Line of Parcel 2 of Partition Plat Book 2015, Page 1;

THENCE North 04°04'37" East, along the West line of said Parcel 2, for a distance of 535.11 feet to the most Northwesterly corner of said Parcel 2;



THENCE South 84°40'37" East along the North line of said Section 20 and the North line of said Parcel 2, for a distance of 779.14 feet to the POINT OF BEGINNING.

This property contains 7.97 Acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Carl A. Beseda

OREGON
JULY 25, 1985
CARL A. BESEDA
02712LS



AKS ENGINEERING & FORESTRY VANCOUVER
 9600 NE 126th Avenue, Suite 2520, Vancouver, WA 98682
 P: (360) 882-0419 F: (360) 882-0426

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

LEGAL DESCRIPTION
For
WILDER ZONING

ZONE R-2

Being a portion of the Northeast quarter of Section 20, and the Northwest quarter of Section 21, Township 11 South, Range 11 West, Willamette Meridian, and Parcel 2 of Partition Plat recorded in Book 2015, Page 1, and Wilder Phase 1 recorded in Book 18 Page 46, City of Newport, Lincoln County, Oregon, more particularly described as follows:

BEGINNING at a brass cap marking the Northeast quarter of Section 20, Township 11 South, Range 11 West, Willamette Meridian, as shown in Partition Plat recorded in Book 2015, Page 1;

THENCE South 03°56'17" West along the East line of said Section 20, also being along a Easterly line of Parcel 2 of said Partition Plat, for a distance of 46.44 feet;

THENCE South 39°05'17" East, leaving said East line, along the Easterly line of Parcel 2, for a distance of 215.49 feet;

THENCE South 01°56'14" East, along said Easterly line, for a distance of 458.64 feet;

THENCE South 01°13'22" West, along said Easterly line, for a distance of 474.86 feet;

THENCE South 01°14'34" East, along said Easterly line, for a distance of 314.61 feet;

THENCE North 73°57'52" West, leaving said Easterly line, or a distance of 172.42 feet;

THENCE North 55°05'17" West, for a distance of 100.00 feet to a point on a curve;

THENCE along the arc of a non-tangent 342.00 foot radius curve to the right, the radius point of which bears South 55°05'17" East, through a central angle of 22°26'37", for an arc length of 133.97 feet, the chord of which bears South 46°08'02" West for a distance of 133.11 feet;

THENCE South 57°21'21" West, for a distance of 170.41 feet to the Westerly Right-of-Way line of Harborton Street (also known as 40th Street);



THENCE North 32°38'39" West, along said Westerly Right-of-Way line, for a distance of 216.90 feet;

THENCE South 57°21'21" West, leaving said Westerly Right-of-Way line, for a distance of 275.00 feet to the Westerly line of Parcel 2 of Partition Plat Book 2015 Page 1;

THENCE North 32°38'46" West, along the Westerly line of said Parcel 2, for a distance of 79.27 feet to an angle point in the Westerly line Parcel 2;

THENCE North 86°16'43" West, along the Southwesterly line of Parcel 2, also being the Southerly line of Wilder Phase 1 as recorded in Book 18 Page 46, Lincoln County plat records, for a distance of 279.32 feet;

THENCE North 36°52'23" West, along the Westerly line of Wilder Phase 1, for a distance of 294.78 feet to an angle point in the Westerly line of Wilder Phase 1;

THENCE North 03°34'25" East, along said Westerly line, for a distance of 60.07 feet to another angle point in said Westerly line;

THENCE North 86°24'59" West, along said Westerly line, for a distance of 88.01 feet to another angle point in said Westerly line;

THENCE North 41°46'00" East, along said Westerly line, for a distance of 332.07 feet to the most Northerly Northwest corner of Wilder Phase 1, also being a Westerly corner of Parcel 2 of Partition Plat per Book 2015, Page 1;

THENCE North 04°04'00" East, along the Westerly line of said Parcel 2, for a distance of 309.00 feet;

THENCE South 74°48'56" West, along the most Northerly-South line of Parcel 2, for a distance of 249.11 feet to the West line of Parcel 2;

THENCE North 04°04'37" East, along the West line of said Parcel 2, for a distance of 216.53 feet;

THENCE South 85°55'23" East, leaving said West line of said Parcel 2, for a distance of 101.66 feet;

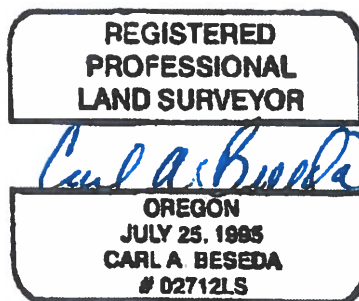
THENCE South 58°20'19" East, for a distance of 115.76 feet;

THENCE South 84°53'51" East, for distance of 126.42 feet;

THENCE South 30°37'44" East, for a distance of 53.12 feet;

THENCE North 59°22'16" East, for a distance of 98.11 feet;
 THENCE North 40°07'01" East, for a distance of 80.40 feet;
 THENCE North 31°39'42" East, for a distance of 76.90 feet;
 THENCE North 24°24'31" East, for a distance of 156.90 feet;
 THENCE North 26°56'02" East, for a distance of 77.78 feet;
 THENCE North 56°02'46" East, for a distance of 265.91 feet;
 THENCE North 36°40'45" West, for a distance of 60.77 feet to the North line of said Section 20, also being the North line of said Parcel 2;
 THENCE South 84°40'37" East, along said North line, for a distance of 571.71 feet to the POINT OF BEGINNING.

This property contains 39.85 Acres, more or less.





AKS ENGINEERING & FORESTRY VANCOUVER
 9600 NE 126th Avenue, Suite 2520, Vancouver, WA 98682
 P: (360) 882-0419 F: (360) 882-0426

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

LEGAL DESCRIPTION
For
WILDER ZOING

ZONE R-3 SOUTH

Being a portion of the Northeast quarter of Section 20, Township 11 South, Range 11 West, Willamette Meridian, and Parcel 2 of Partition Plat recorded in Book 2015, Page 1, City of Newport, Lincoln County, Oregon, more particularly described as follows:

COMMENCING at a brass cap marking the Northeast quarter of Section 20, Township 11 South, Range 11 West, Willamette Meridian, as shown in Partition Plat recorded in Book 2015, Page 1;

THENCE South 03°56'17" West along the East line of said Section 20, also being along a Easterly line of Parcel 2 of said Partition Plat, for a distance of 46.44 feet;

THENCE South 39°05'17" East, leaving said East line, along the Easterly line of Parcel 2, for a distance of 215.49 feet;

THENCE South 01°56'14" East, along said Easterly line, for a distance of 458.64 feet;

THENCE South 01°13'22" West, along said Easterly line, for a distance of 474.86 feet;

THENCE South 01°14'34" East, along said Easterly line, for a distance of 314.61 feet to the **POINT OF BEGINNING**;

THENCE South 18°55'03" West, along said Easterly line, for a distance of 545.03 feet;

THENCE North 85°19'10" West, for a distance of 149.39 feet to the centerline of Harborton Street (also known as 40th Street);

THENCE North 04°40'50" East, along the centerline of said Harborton Street, for a distance of 132.57 feet to a point of curvature;



THENCE continuing along the centerline of said Harborton Street, along the arc of 319.00 foot radius curve to the left, through a central angle of $30^{\circ}15'32''$, for an arc length of 168.47 feet; the long chord of which bears North $10^{\circ}26'56''$ West for a distance of 166.52 feet;

THENCE leaving said centerline, South $57^{\circ}21'14''$ West, along the North line of Parcel 1 of Partition Plat per Book 2015 Page 1, for a distance of 271.17 feet;

THENCE South $67^{\circ}00'47''$ West, continuing along the North line of said Parcel 2, for a distance of 55.18 feet to the Northwest corner of Parcel 1, also being an angle point in the West line of Parcel 2 of said Partition Plat;

THENCE North $32^{\circ}38'46''$ West, along the West line of said Parcel 2, for a distance of 392.30 feet;

THENCE North $57^{\circ}21'21''$ East leaving the West line of said Parcel 2, for a distance of 275.00 feet to the Westerly Right-of-Way line of Harborton Street (also known as 40th Street);

THENCE South $32^{\circ}32'39''$ East, along said Westerly Right-of-Way line, for a distance of 216.90 feet;

THENCE North $57^{\circ}21'21''$ East, leaving said Westerly Right-of-Way line, for a distance of 170.41 feet to a point of curvature;

THENCE along the arc of a 342.00 foot radius curve to the left, through a central angle of $22^{\circ}26'37''$, for an arc length of 133.97 feet, the long chord of which bears North $46^{\circ}08'02''$ East for a distance of 133.11 feet;

THENCE South $55^{\circ}05'17''$ East, for a distance of 100.00 feet;

THENCE South $73^{\circ}57'52''$ East, for a distance of 172.42 feet to the **POINT OF BEGINNING**.

This property contains 6.20 Acres, more or less.





AKS ENGINEERING & FORESTRY VANCOUVER
 9600 NE 126th Avenue, Suite 2520, Vancouver, WA 98682
 P: (360) 882-0419 F: (360) 882-0426

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

LEGAL DESCRIPTION

For WILDER ZOING

ZONE C-1

Being a portion of the Northeast quarter of Section 20 and the Northwest quarter of Section 21, Township 11 South, Range 11 West, Willamette Meridian, and Parcel 2 of Partition Plat recorded in Book 2015, Page 1, City of Newport, Lincoln County, Oregon, more particularly described as follows:

COMMENCING at a brass cap marking the Northeast quarter of Section 20, Township 11 South, Range 11 West, Willamette Meridian, as shown in Partition Plat recorded in Book 2015, Page 1;

THENCE South 03°56'17" West along the East line of said Section 20, also being along a Easterly line of Parcel 2 of said Partition Plat, for a distance of 46.44 feet;

THENCE South 39°05'17" East, leaving said East line, along the Easterly line of Parcel 2, for a distance of 215.49 feet;

THENCE South 01°56'14" East, along said Easterly line, for a distance of 458.64 feet;

THENCE South 01°13'22" West, along said Easterly line, for a distance of 474.86 feet;

THENCE South 01°14'34" East, along said Easterly line, for a distance of 314.61 feet;

THENCE South 18°55'03" West, along said Easterly line, for a distance of 545.03 feet to the **POINT OF BEGINNING**;

THENCE South 18°55'03" West, for a distance of 108.21 feet to the East line of said Section 20;

THECNE South 03°56'17" West, along the East line of said Section 20, for a distance of 118.34 feet to a brass cap marking the East quarter corner of said Section 20;

THENCE North 85°19'10" West, along the most Southerly line of Parcel 2 of Partition Plat recorded in Book 2015 Page 1, for a distance of 59.05 feet;



THENCE North 37°29'37" West, along a Westerly line of said Parcel 2, for a distance of 482.65 feet to an angle point in said Westerly line;

THENCE North 85°18'44" West, along a Southwesterly line of said Parcel 2, for a distance of 53.84 feet to an angle point in the Westerly line of Parcel 2;

THENCE North 04°40'51" East, along said Westerly line, for a distance of 176.02 feet to the Northwest corner of Parcel 1 of said Partition Plat;

THENCE North 67°00'47" East, along the North line of said Parcel 1, for a distance of 55.18 feet to an angle point in said North line;

THENCE North 57°21'14" East, along said North line, for a distance of 271.17 feet to a point on a curve at the centerline of Harborton Street (also known as 40th Street);

THENCE along said centerline, along the arc of a non-tangent 319.00 foot radius curve to the right, the radius point of which bears South 64°25'18" West, through a central angle of 30°15'32", for an arc length of 168.47 feet, the long chord of which bears South 10°26'56" East for a distance of 166.52 feet;

THENCE continuing along said centerline, South 04°40'50" West, for a distance of 132.57 feet;

THENCE South 85°19'10" East, leaving said centerline, for a distance of 149.39 feet to the **POINT OF BEGINNING.**

This property contains 5.47 Acres, more or less.



WILDER ZONING MAP

BEING IN A PORTION OF THE NE 1/4 OF SECTION 20 AND THE NW 1/4 OF SECTION 21, T.11S., R.11W., W.M., AND LYING WITHIN PARCELS 1 & 2 OF PARTITION PLAY BOOK 2015 PAGE 1 AND WILDER PHASE 1 BOOK 18 PAGE 46, CITY OF NEWPORT, LINCOLN COUNTY, OREGON



LINE	DIRECTION	LENGTH
L1	S85°55'23"E	101.66'
L2	S58°20'19"E	115.76'
L3	S84°53'51"E	126.42'
L4	S30°37'44"E	53.12'
L5	N59°22'16"E	98.11'
L6	N40°07'01"E	80.40'
L7	N31°39'42"E	76.90'
L8	N24°24'13"E	156.90'
L9	N26°56'02"E	77.78'
L10	N56°02'46"E	265.91'
L11	N36°40'45"W	60.77'
L12	S73°57'52"E	172.42'
L13	S55°05'17"E	100.00'
L14	N57°21'21"E	170.41'
L15	N32°38'39"W	216.90'
L16	N57°21'21"E	275.00'
L17	S65°19'10"E	149.39'
L18	S04°40'50"W	132.57'
L19	N57°21'14"E	271.17'
L20	N67°09'47"E	55.18'

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	342.00'	22°26'37"	133.97'	N46°08'02"E 133.11'
C2	319.00'	30°15'32"	168.47'	N10°26'56"W 166.52'

REGISTERED PROFESSIONAL LAND SURVEYOR

Carl A. Beseda

OREGON
JULY 24, 1985
CARL A. BESEDA
0271215

DATE: 07-18-2016

EXHIBIT

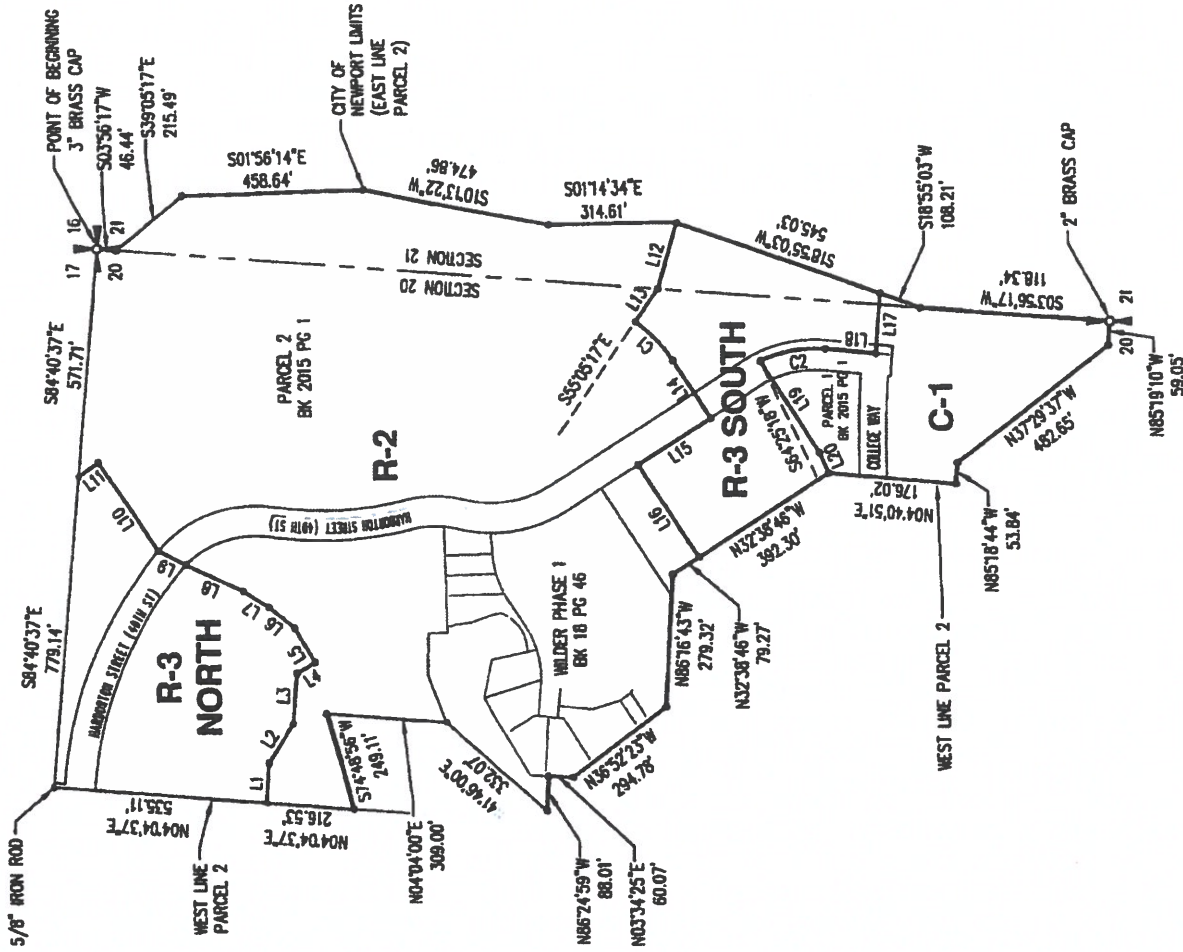
WILDER ZONING MAP

A

AKS ENGINEERING & FORESTRY, LLC
9600 NE 126TH AVE, STE 2520
VANCOUVER, WA 98682
P: 360.882.0419 F: 360.882.0426 aks-eng.com

AKS

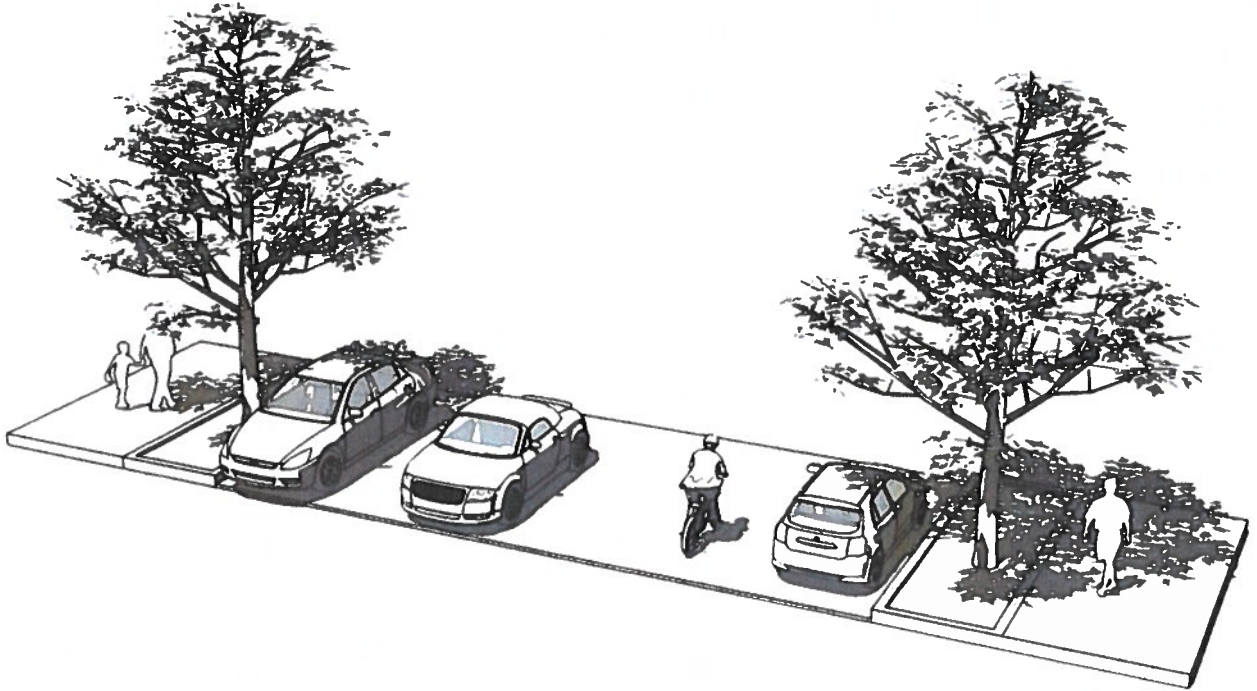
ERRATA
CHANGE CARD
AKS JOB# 5203



Wilder

Community Master Plan

Kit of Parts



prepared for
LandWaves
2712 SE 20th Ave.
Portland, OR 97202

landwaves^{inc}

prepared by
SERA Architects
338 NW Fifth Avenue
Portland, Oregon 97209



[4.2]
may 2016

Development Types

IN ZONE...

R3



Apartment building (Denver, CO)



Apartment building in a single family neighborhood context

Sustainability Factors

- ◇ Green building certification
- ◇ Potential for building scale mechanical systems
- ◇ Higher land efficiencies
- ◇ More supportive of transit
- ◇ Green landscape standards

Multi-Family

Multi-family housing is a long-established housing type in cities and towns of all sizes, and in all cultures. In modern construction, several types are common:

Apartments are owned by one party with tenants renting their individual units

Condominiums ('condos') are owned by the individual tenant, who also typically owns an interest in the common areas of the property. A homeowners association manages the joint ownership areas.

Flats are units on one floor of a multi-story building with conventional floor-to-floor heights.

Lofts are units that have a higher floor-to-floor height and typically have a mezzanine loft within, often over the kitchen/bath areas.

Multi-family units can be arranged in numerous configurations (e.g. along corridors, around courtyards, off of circulation balconies, etc.). Each of these layouts lead to different building types. Smaller buildings oriented off of a common stair landing at each level can often fit in well with single family building massing.

Multi-family housing also can be located with other uses on the ground floor, especially retail and commercial uses. This helps increase the level of activity in central areas, with benefits for retailers and the public space.



Apartments near University of Portland

General Specifications

Unit Size:	500 - 1100 sf
Unit Height:	1 - 2 story
Parking:	off street, shared, and/or ganged garages
Private Outdoor Space:	shared commons, balconies, patios
Density range / typ. lot size:	8 - 12 du/acre
Target price range:	\$

Development Types

Multi-Family: Clustered

Clustered Apartments could serve nearby institutions of higher education, such as OCCC and OSU, as well as others in the community. The units can vary in size, and can be shared among multiple residents.

IN ZONE...

R3



Student Apartments, Lewis & Clark University, Portland, OR - use of bays, trims, and massing to break down the scale of multi-family structures



Finding the appropriate scale and level of detail is key to integrating multi family housing into Wilder.



Student Apartments: Bastyr University: Kenmore, Washington

Sustainability Opportunities

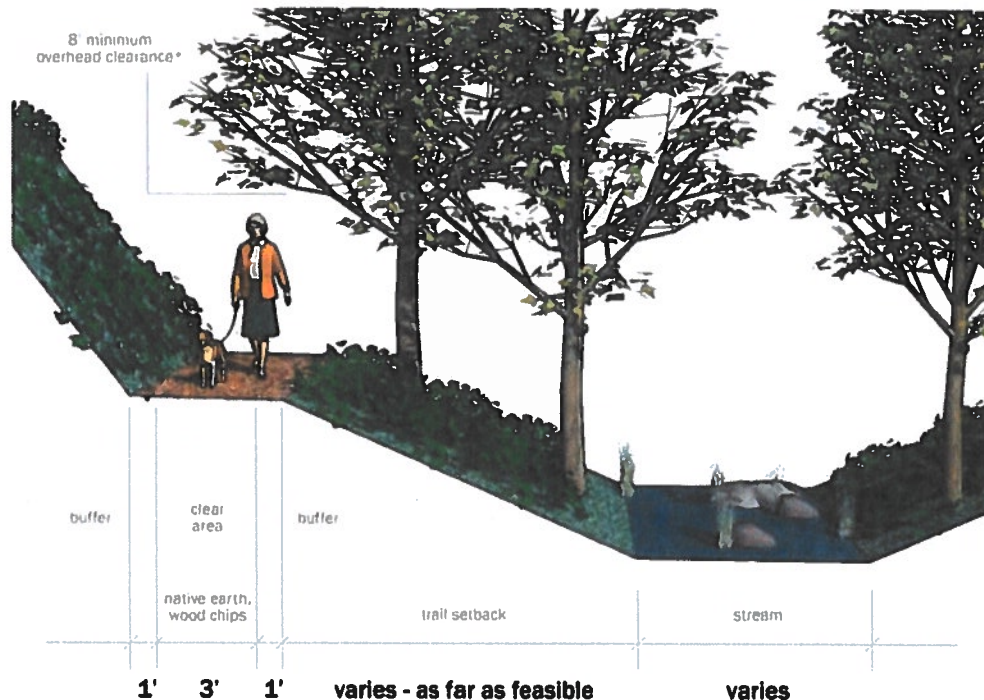
- ⊕ Green building certification
- ⊕ Pre-fabricated construction
- ⊕ Potential for building or district scale mechanical systems
- ⊕ Higher land efficiencies
- ⊕ More supportive of transit
- ⊕ Green landscape standards

General Specifications

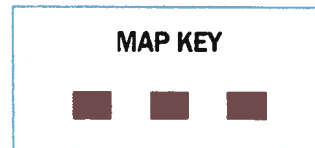
Unit Size:	300-800 sf
Unit Height:	2-3 story
Parking:	off street, shared, and/or ganged garages
Private Outdoor Space:	shared commons, balconies, patios
Density range / typ. lot size:	12-34 du/acre
Target price range:	\$

Natural Trails

Natural trails are soft-surface walking/hiking trails that provide recreation opportunities and access to nature in the community. Natural trails can support bicycling and equestrian use if designed properly, but are generally intended to serve pedestrians.



*if equestrians and bicyclists are expected to use the trail system, overhead clearance should be at least 10'



natural trails



Guidelines

surface	earth, wood chip, gravel
width	5-feet
cross-slope	2%, down slope
horizontal slope	15% maximum
vertical clearance - pedestrians only	8-foot minimum
vertical clearance - bikes and horses	10-foot minimum
trail setback from waterways	as much as feasible

Considerations

- Trail systems significantly contribute to the marketability of the community and increase property values.
- A natural soft-surface trail system is the best way to access some of the best parts of Wilder and its surrounding areas. By contouring along the steep eastern slopes of the property, residents can walk with relative ease to Idaho Point, King Slough, and other parts of the community in a completely natural environment.
- This type of trail system is relatively easy to construct and maintain when done properly. It also provides an opportunity to improve some existing land conditions by improving drainage, stabilizing slopes with native vegetation, and removing invasive plants like Himalayan blackberry and Scotch Broom.

Sustainability Options

- employ "green" trail construction techniques
- use native earth as much as possible
- utilize local lumber for small bridges, retaining walls, railings and fences
- minimize switchbacks (to cut down on trail cutting and erosion)
- use low-impact boardwalks through wetlands and other wet areas
- avoid long sustained grades or utilize water bars to control drainage and erosion

**CITY OF NEWPORT
NOTICE OF A PUBLIC HEARING¹**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Newport, Oregon, will hold a public hearing on Monday, August 10, 2020, to consider the following requests related to the Wilder development.

File No. 1-PD-20.

Applicant & Owner: Lori Fulton, Oregon State University, property owner (Eric Philps, SERA Architects, authorized representative).

Location: 4030 SE Harborton St (Lincoln County Assessor's Map 11-11-20-AA; Tax Lot 1900).

Requests: The applicant is amending the Final Development Plan for Phase 4 of the Wilder Phase 1 Final Development Plan (most recently modified in Case File #1-PD-18) to include five (5), two-story duplex dormitory buildings and a community center with a manager's apartment. The facility will accommodate up to 160 students. Storm run-off will be managed on-site due to downstream conveyance limitations.

Applicable Criteria: Pursuant to NMC 14.35.110 (C), this amendment to the Final Development Plan must be approved by the Planning Commission because it constitutes a material change in the character of the development, with the prior concept being a three-story, 63-unit dormitory building, with the potential for two additional comparably sized buildings in future phases. This application is subject to the same approval criteria as the previous Final Development Plan (NMC 14.35.110 (D)). The approval criteria are set forth in NMC Section 14.35.100 (for final development plan approval).

Testimony: Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances that a person believes applies to the decision. Failure to raise an issue with sufficient specificity to afford the City and the parties an opportunity to respond to that issue precludes an appeal (including to the Land Use Board of Appeals) based on that issue. Testimony may be submitted in written or oral form. Oral and written testimony will be taken during the course of the public hearing. Letters to the Community Development (Planning) Department (address below under "Reports/Application Material") must be received by 5:00 p.m. the day of the hearing or submitted to the Planning Commission during the hearing. The hearing will include a report by staff, testimony (both oral and written) from those in favor (including the applicant) or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application.

Reports/Application Material: The staff report may be reviewed or a copy purchased at the Newport Community Development (Planning) Department, City Hall, 169 SW Coast Hwy, Newport, Oregon 97365, seven days prior to the hearing. The application materials (including the application and all documents and evidence submitted in support of the application), the applicable criteria, and other file material are available for inspection at no cost or copies may be purchased for reasonable cost at this address.

Contact: Derrick Tokos, Community Development Director, (541) 574-0626 (address above in "Reports/Application Material").

Time/Place of Hearing: Monday, August 10, 2020, 7:00 p.m. in the Newport City Hall Council Chambers (address above in "Reports/Application Materials").

MAILED: July 21, 2020.

PUBLISHED: Friday, July 31, 2020/Newport News-Times.

¹ This notice is being sent to affected property owners within 200 feet of the subject property (according to Lincoln County tax records), affected public/private utilities/agencies within Lincoln County, and affected city departments.

**CITY OF NEWPORT; OREGON
ATTN: MCCARTHY PENELOPE
CITY ATTORNEY
169 SW COAST HWY
NEWPORT; OR 97365**

**JOHN LLC &
ED W LLC
588 VISTA DR
NEWPORT; OR 97365**

**KUTZ KAROL M
PO BOX 1630
NEWPORT; OR 97365**

**LANDWAVES INC
2712 SE 20TH AVE
PORTLAND; OR 97202**

**STATE OF OREGON
% OREGON STATE UNIVERSITY
REAL ESTATE
3015 SW WESTERN BLVD
CORVALLIS; OR 97333**

**STOCKER MARION E ESTATE
9566 LOGSDEN RD
SILETZ; OR 97380**

**TRYON GARY E &
TRYON VERNON &
TRYON ROBERT & TRYON LOREN
PO BOX 975
WALDPORT; OR 97394**

**LORI FULTON
OREGON STATE UNIVERSITY
850 SW 35TH ST
CORVALLIS; OR 97331**

**ERIC PHILPS
SERA ARCHITECTS
338 N 5TH AVE
PORTLAND, OR 97209**

Adjacent Property Owners Within 200 Ft

File No. 1-PD-20

NW Natural
ATTN: Dave Sanders
 1405 SW Hwy 101
 Lincoln City, OR 97367

Email: Lisa Phillips
DLCD Coastal Services Center
 lisa.phillips@state.or.us

CenturyLink
ATTN: Corky Fallin
 740 State St
 Salem OR 97301

Lincoln County Assessor
Lincoln County Courthouse
 225 W Olive St
 Newport OR 97365

Lincoln County Surveyor
 880 NE 7th St
 Newport OR 97365

WVCC
 911 Dispatch
 555 Liberty St SE Rm P-107
 Salem OR 97301-3513

Lincoln County Clerk
Lincoln County Courthouse
 225 W Olive St
 Newport OR 97365

Central Lincoln PUD
ATTN: Jack Perkins
 PO Box 1126
 Newport OR 97365

Charter Communications
 355 NE 1st St
 Newport OR 97365

Lincoln County School District
ATTN: Superintendent
 PO Box 1110
 Newport OR 97365

Lincoln County Commissioners
Lincoln County Courthouse
 225 W Olive St
 Newport OR 97365

Lincoln County Library District
 PO Box 2027
 Newport OR 97365

US Post Office
ATTN: Postmaster
 310 SW 2nd St
 Newport OR 97365

OR Parks & Recreation Dept.
 5580 S Coast Hwy
 South Beach OR 97366

Pioneer Telephone Co-Op
 PO Box 631
 Philomath OR 97370

Lincoln County Planning Dept
 210 SW 2nd St
 Newport OR 97365

Joseph Lease
 Building Official

Jason Malloy
 Police Chief

Secretary of State
 136 State St Capitol
 Salem OR 97310

Derrick Tokos
 Community Development Director

Tim Gross
 Public Works

Laura Kimberly
 Library

Jim Protiva
 Parks & Rec

Spencer Nebel
 City Manager

Michael Cavanaugh
 Parks & Rec

Beth Young
 Associate Planner

Mike Murzynsky
 Finance Director

Rob Murphy
 Fire Chief

Clare Paul
 Public Works

EXHIBIT 'A'
(Affected Agencies)
File No.
1-PD-20

MEMO

City of Newport
Community Development Department



(delivered via email)

Date: July 21, 2020

To: Spencer Nebel, City Manager
Tim Gross, Public Works
Clare Paul, Public Works
Rob Murphy, Fire
Jason Malloy, Police
Mike Murzynsky, Finance
Michael Cavanaugh, Parks & Rec.
Laura Kimberly, Library
Derrick Tokos, Community Development
Beth Young, Associate Planner
Joseph Lease, Building Official
Public Utilities

From: Sherri Marineau, Executive Assistant

RE: File #1-PD-20

I have attached a copy of a public notice concerning a land use request. The notice contains a brief explanation of the request, a property description and map, and a date for a public hearing.

You may want to review this information to determine if there are any effects to your department and if you would like to make comments. We must have your comments at least 10 days prior to the hearing period in order for them to be considered. **Should no response be received, a "no comment" will be assumed.**

sm

Attachment

Sherry Marineau

From: Sherry Marineau
Sent: Tuesday, July 21, 2020 9:19 AM
To: Derrick Tokos; Spencer Nebel; Tim Gross; Robert Murphy; Michael Murzynsky; Joseph Lease; Jason Malloy; Laura Kimberly; Michael Cavanaugh; Beth Young; Clare Paul
Subject: Planned Development Permit 1-PD-20
Attachments: File 1-PD-20 City Dept & Utilities Notification.pdf; File 1-PD-20 Notice - PC.pdf

Attached is a notice concerning a land use request. The notice contains an explanation of the request, a property description and map, and a date for the public hearing. Please review this information to see if you would like to make any comments. We must have your comments at least 10 days prior to the hearing period in order for them to be considered. **Should no response be received, a "no comment" will be assumed.**

Sherry Marineau
City of Newport
Community Development Department
169 SW Coast Highway
Newport, OR 97365
ph: 541.574.0629 fax: 541.574.0644
s.marineau@newportoregon.gov



**CITY OF NEWPORT
NOTICE OF A PUBLIC HEARING**

The City of Newport Planning Commission will hold a public hearing on Monday, August 10, 2020, at 7:00 p.m. in the City Hall Council Chambers to consider File No. 1-PD-20, a request submitted by Lori Fulton, Oregon State University (Eric Philps, SERA Architects, representative) to amend the Final Development Plan for Phase 4 of the Wilder Phase 1 Final Development Plan (most recently modified in Case File #1-PD-18) to include five (5), two-story duplex dormitory buildings and a community center with a manager's apartment. The facility will accommodate up to 160 students. Storm run-off will be managed on-site due to downstream conveyance limitations. The location of the subject property is 4030 SE Harborton St (Lincoln County Assessor's Map 11-11-20-AA; Tax Lot 1900). Pursuant to NMC 14.35.110 (C), this amendment to the Final Development Plan must be approved by the Planning Commission because it constitutes a material change in the character of the development, with the prior concept being a three-story, 63-unit dormitory building, with the potential for two additional comparably sized buildings in future phases. This application is subject to the same approval criteria as the previous Final Development Plan (NMC 14.35.110 (D)). The approval criteria are set forth in NMC Section 14.35.100 (for final development plan approval). Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances that a person believes applies to the decision. Failure to raise an issue with sufficient specificity to afford the City and the parties an opportunity to respond to that issue precludes an appeal (including to the Land Use Board of Appeals) based on that issue. Testimony may be submitted in written or oral form. Oral and written testimony will be taken during the course of the public hearing. Letters to the Community Development (Planning) Department (address below under "Reports/Application Material") must be received by 5:00 p.m. the day of the hearing or submitted to the Planning Commission during the hearing. The hearing will include a report by staff, testimony (both oral and written) from those in favor (including the applicant) or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application. The staff report may be reviewed or a copy purchased at the Newport Community Development (Planning) Department (address above) seven days prior to the hearing. The application materials (including the application and all documents and evidence submitted in support of the application), the applicable criteria, and other file material are available for inspection at no cost or copies may be purchased for reasonable cost at this address. Contact Derrick Tokos, Community Development Director, (541) 574-0626, d.tokos@newportoregon.gov (mailing address above).

(FOR PUBLICATION ONCE ON FRIDAY, JULY 31, 2020)

LEGAL DEADLINES:
WEDNESDAY EDITION:
5:00pm Thursday
FRIDAY EDITION: 5:00pm Tuesday

NOTICE OF SHERIFF'S SALE #20-0550

On August 31st, 2020, at the hour of 10:00 a.m., at the Lincoln County Sheriff's Office, 225 W Olive St., Rm 203, in the City of Newport, Oregon, the defendant's interest will be sold, subject to redemption, in the real property commonly known as: 3560 SE Fleet Avenue, Lincoln City, OR 97367. The court case number is 17CV47016, United States of America, acting through the Rural Housing Service or successor agency, United States Department of Agriculture, plaintiff(s) vs. Unknown Heirs and Devisees of Ann Blair Clark, deceased; all other persons or parties unknown claiming any right, title, lien, or interest in the Property described in the Complaint herein; and Oregon Department of Human Services defendant(s). This is a public auction to the highest bidder for cash or cashier's check, in hand. For more details go to <http://www.oregon-sheriffssales.org/county/lincoln/> JY10 JY11 JY12 JY24 JY31 (48-31)

PUBLISHED SUMMONS

Case No. 19JU06932; IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR LINCOLN COUNTY, Juvenile Department; In the Matter of MATTHEW JOHN GEMBALA-PORREDA JR, A Child. TO: Ashley Dawn Gembala. IN THE NAME OF THE STATE OF OREGON; A petition has been filed asking the court to terminate your parental rights to the above-named child for the purpose of placing the child for adoption. YOU ARE REQUIRED TO PERSONALLY APPEAR BEFORE the Lincoln County Court at 225 West Olive Street Courtroom 300, Newport, Oregon 97365, on the 24th day of August 2020 at 11:00 a.m. and on the 9th day of September 2020 at 8:30 a.m. to admit or deny the allegations of the petition and to personally appear at any subsequent court-ordered hearing. YOU MUST APPEAR PERSONALLY IN THE COURTROOM ON THE DATE AND AT THE TIME LISTED ABOVE. AN ATTORNEY MAY NOT ATTEND THE HEARING IN YOUR PLACE. THEREFORE, YOU

MUST APPEAR EVEN IF YOUR ATTORNEY ALSO APPEARS. This summons is published pursuant to the order of the circuit court judge of the above-entitled court, dated July 7, 2020. The order directs that this summons be published once each week for three consecutive weeks, making three publications in all, in a published newspaper of general circulation in Lincoln County. Date of first publication: July 17, 2020. Date of last publication: July 31, 2020. NOTICE: READ THESE PAPERS CAREFULLY; IF YOU DO NOT APPEAR PERSONALLY BEFORE THE COURT OR DO NOT APPEAR AT ANY SUBSEQUENT COURT-ORDERED HEARING, the court may proceed in your absence without further notice and TERMINATE YOUR PARENTAL RIGHTS to the above-named child either ON THE DATE SPECIFIED IN THIS SUMMONS OR ON A FUTURE DATE, and may make such orders and take such action as authorized by law. RIGHTS AND OBLIGATIONS; (1) YOU HAVE A RIGHT TO BE REPRESENTED BY AN ATTORNEY IN THIS MATTER. If you are currently represented by an attorney, CONTACT YOUR ATTORNEY IMMEDIATELY UPON RECEIVING THIS NOTICE. Your previous attorney may not be representing you in this matter. IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY and you meet the state's financial guidelines, you are entitled to have an attorney appointed for you at state expense. TO REQUEST APPOINTMENT OF AN ATTORNEY TO REPRESENT YOU AT STATE EXPENSE, YOU MUST IMMEDIATELY CONTACT the Lincoln Juvenile Department at 225 West Olive Street, Newport, Oregon 97365, phone number (541) 265-4236, between the hours of 8:00 a.m. and 5:00 p.m. for further information. IF YOU WISH TO HIRE AN ATTORNEY, please retain one as soon as possible and have the attorney present at the above hearing. If you need help finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll free in Oregon at (800) 452-7636. IF YOU ARE REPRESENTED BY AN ATTORNEY, IT IS YOUR RESPONSIBILITY TO MAINTAIN CONTACT WITH YOUR ATTORNEY

AND TO KEEP YOUR ATTORNEY ADVISED OF YOUR WHEREABOUTS. (2) If you contest the petition, the court will schedule a hearing on the allegations of the petition and order you to appear personally and may schedule other hearings related to the petition and order you to appear personally. IF YOU ARE ORDERED TO APPEAR, YOU MUST APPEAR PERSONALLY IN THE COURTROOM, UNLESS THE COURT HAS GRANTED YOU AN EXCEPTION IN ADVANCE UNDER ORS 419B.918 TO APPEAR BY OTHER MEANS INCLUDING, BUT NOT LIMITED TO, TELEPHONIC OR OTHER ELECTRONIC MEANS. AN ATTORNEY MAY NOT ATTEND THE HEARING(S) IN YOUR PLACE. PETITIONER'S ATTORNEY: Michelle Branam, Assistant Attorney General, Department of Justice, 1162 Court Street NE Salem, OR 97301-4096 Phone: (503) 934-4400, ISSUED this 9th day of July, 2020. Issued by: Michelle Branam #032737, Assistant Attorney General. JY17 JY24 JY31 (50-31)

NOTICE TO INTERESTED PERSONS

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF LINCOLN; PROBATE DEPARTMENT, ESTATE OF SAMUEL GRAVES WILCOX, DECEASED, CASE No. 20PB04470. Notice is given pursuant to ORS 113.155 that Jennifer A. Bedford has been appointed personal representative of the above estate. All persons having claims against the estate are required to present them within four (4) months after the date of the first publication of this Notice, or their claims may be barred. Claims are to be presented at the address of the attorney for the personal representative, set forth below. All persons whose rights may be affected by this estate proceeding may obtain additional information from the records of the Circuit Court, the personal representative, or Jeffrey C. Hollen, attorney for the personal representative. Date of first publication: July 24th, 2020. Jeffrey C. Hollen, OSB #761757, Attorney for Personal Representative 541-574-1630, P.O. Box 1167 615 SW Hubert Street, Suite A Newport, OR 97365. Jennifer A. Bedford, Personal Representative, 622 Prospect Ave #1 South

Pasadena, CA 91030. JY24 JY31 A7 (56-07)

NOTICE TO INTERESTED PERSONS

IN THE CIRCUIT COURT FOR THE STATE OF OREGON FOR THE COUNTY OF LINCOLN, Probate Department. In the Matter of the Estate of Gary Louis Dick Case No. 20PB04084. Notice: The Circuit Court of the State of Oregon, for the County of Lincoln, has appointed the undersigned as the Personal Representative of the Estate of Gary Louis Dick, deceased. All persons having claims against said estate are required to present the same, with proper vouchers to Kathryn Dick c/o Holbrook & Associates LLC, Douglas R. Holbrook, 131 NW 20th Street Suite C, Newport OR 97365 within four months from the date of first publication of this notice as stated below, or they may be barred. All persons whose rights may be affected by this proceeding may obtain additional information from the records of the court, the Personal Representative, or the Attorney for the Personal Representative. Dated and first published July 24th, 2020. PERSONAL REPRESENTATIVE: Kathryn Dick c/o Douglas R. Holbrook, Holbrook & Associates LLC 131 NW 20th Street Suite C Newport OR 97365, Telephone (541) 265-2300 JY24 JY31 A7 (59-07)

NOTICE OF A PUBLIC HEARING

CITY OF NEWPORT; The City of Newport Planning Commission will hold a public hearing on Monday, August 10, 2020, at 7:00 p.m. in the City Hall Council Chambers to consider File No. 1-PD-20, a request submitted by Lori Fulton, Oregon State University (Eric Philips, SERA Architects, representative) to amend the Final Development Plan for Phase 4 of the Wilder Phase 1 Final Development Plan (most recently modified in Case File #1-PD-18) to include five (5), two-story duplex dormitory buildings and a community center with a manager's apartment. The facility will accommodate up to 160 students. Storm run-off will be managed on-site due to downstream conveyance limitations. The location of the subject property is 4030 SE Harborton St (Lincoln County Assessor's Map 11-11-20-AA; Tax Lot 1900). Pursuant to NMC 14.35.110 (C), this

amendment to the Final Development Plan must be approved by the Planning Commission because it constitutes a material change in the character of the development, with the prior concept being a three-story, 63-unit dormitory building, with the potential for two additional comparably sized buildings in future phases. This application is subject to the same approval criteria as the previous Final Development Plan (NMC 14.35.110 (D)). The approval criteria are set forth in NMC Section 14.35.100 (for final development plan approval). Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances that a person believes applies to the decision. Failure to raise an issue with sufficient specificity to afford the City and the parties an opportunity to respond to that issue precludes an appeal (including to the Land Use Board of Appeals) based on that issue. Testimony may be submitted in written or oral form. Oral and written testimony will be taken during the course of the public hearing. Letters to the Community Development (Planning) Department (address below under "Reports/Application Material") must be received by 5:00 p.m. the day of the hearing or submitted to the Planning Commission during the hearing. The hearing will include a report by staff, testimony (both oral and written) from those in favor (including the applicant) or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application. The staff report may be reviewed or a copy purchased at the Newport Community Development (Planning) Department (address above) seven days prior to the hearing. The application materials (including the application and all documents and evidence submitted in support of the application), the applicable criteria, and other

file material are available for inspection at no cost or copies may be purchased for reasonable cost at this address. Contact Derrick Tokos, Community Development Director, (541) 574-0626, d.tokos@newportoregon.gov (mailing address above). JY31 (61-31)

PUBLISHED SUMMONS

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR LINCOLN COUNTY, Juvenile Department. Case No. 20JU04074; In the Matter of CYLIS DEAN CONVERSE, A Child. TO: Shelbi Lee Converse, aka Shelbi Snelling, aka Shelbi Converse Snelling. IN THE NAME OF THE STATE OF OREGON; A petition has been filed asking the court to terminate your parental rights to the above-named child for the purpose of placing the child for adoption. YOU ARE REQUIRED TO PERSONALLY APPEAR BEFORE the Lincoln County Court at 225 W Olive Street, Newport, Oregon 97365, on the 25th day of August 2020 at 8:30 a.m. to admit or deny the allegations of the petition and to personally appear at any subsequent court-ordered hearing. YOU MUST APPEAR PERSONALLY IN THE COURTROOM ON THE DATE AND AT THE TIME LISTED ABOVE. AN ATTORNEY MAY NOT ATTEND THE HEARING IN YOUR PLACE. THEREFORE, YOU MUST APPEAR EVEN IF YOUR ATTORNEY ALSO APPEARS. This summons is published pursuant to the order of the circuit court judge of the above-entitled court, dated July 16, 2020. The order directs that this summons be published once each week for three consecutive weeks, making three publications in all, in a published newspaper of general circulation in Lincoln County. Date of first publication: July 24, 2020. Date of last publication: August 7, 2020. NOTICE: READ THESE PAPERS CAREFULLY; IF YOU DO NOT APPEAR PERSONALLY BEFORE THE COURT OR DO NOT APPEAR AT ANY SUBSEQUENT COURT-ORDERED HEARING, the court may proceed in your absence without further notice and TERMINATE YOUR PARENTAL RIGHTS to the above-named child either ON THE DATE SPECIFIED IN THIS SUMMONS OR ON A FUTURE DATE, and may make such orders and

take such action as authorized by law. RIGHTS AND OBLIGATIONS; (1) YOU HAVE A RIGHT TO BE REPRESENTED BY AN ATTORNEY IN THIS MATTER. If you are currently represented by an attorney, CONTACT YOUR ATTORNEY IMMEDIATELY UPON RECEIVING THIS NOTICE. Your previous attorney may not be representing you in this matter. IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY and you meet the state's financial guidelines, you are entitled to have an attorney appointed for you at state expense. TO REQUEST APPOINTMENT OF AN ATTORNEY TO REPRESENT YOU AT STATE EXPENSE, YOU MUST IMMEDIATELY CONTACT the Lincoln Juvenile Department at 225 West Olive Street, Newport, Oregon 97365, phone number (541) 265-4236, between the hours of 8:00 a.m. and 5:00 p.m. for further information. IF YOU WISH TO HIRE AN ATTORNEY, please retain one as soon as possible and have the attorney present at the above hearing. If you need help finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll free in Oregon at (800) 452-7636. IF YOU ARE REPRESENTED BY AN ATTORNEY, IT IS YOUR RESPONSIBILITY TO MAINTAIN CONTACT WITH YOUR ATTORNEY AND TO KEEP YOUR ATTORNEY ADVISED OF YOUR WHEREABOUTS. (2) If you contest the petition, the court will schedule a hearing on the allegations of the petition and order you to appear personally and may schedule other hearings related to the petition and order you to appear personally. IF YOU ARE ORDERED TO APPEAR, YOU MUST APPEAR PERSONALLY IN THE COURTROOM, UNLESS THE COURT HAS GRANTED YOU AN EXCEPTION IN ADVANCE UNDER ORS 419B.918 TO APPEAR BY OTHER MEANS INCLUDING, BUT NOT LIMITED TO, TELEPHONIC OR OTHER ELECTRONIC MEANS. AN ATTORNEY MAY NOT ATTEND THE HEARING(S) IN YOUR PLACE. PETITIONER'S ATTORNEY: Michelle Branam, Assistant Attorney General, Department of Justice, 1162 Court Street NE Salem, OR 97301-4096 Phone: (503) 934-4400, ISSUED this 9th day of July, 2020. Issued by: Michelle Branam #032737, Assistant Attorney General. JY17 JY24 JY31 (50-31)

HOCUS-FOCUS BY HENRY BOLTINOFF

M G O I U F T T H
A E K H O T
O N L I R E E S

OUR FRIEND HAS WON A HORSE!

Junior by Charles Barr

MILK MILE MALE

Derrick Tokos

From: Bonnie Serkin <Bonnie@eenw.com>
Sent: Thursday, August 06, 2020 11:44 AM
To: Derrick Tokos
Cc: Lori Fulton
Subject: Oregon State University student housing

Dear Derrick,

Oregon State University staff and their architects have given Landwaves a full presentation on the proposed student housing project for Wilder Phase 2. We have approved the design. But beyond that, we appreciate the sensitivity of the OSU team to both the design guidelines and the spirit of Wilder. Landwaves enthusiastically supports OSU's application now before the Newport Planning Commission.

Bonnie Serkin
Chief Operating Officer
Landwaves, Inc.

Sent from my iPhone