

Wilder Development Plan

A Project Located in
City of Newport, Oregon

Prepared for

Landwaves, Inc.
2712 SE 20th Ave
Portland, OR 97202

Oregon State University,
Leasing & Strategic Real Property Management
3015 SW Western Blvd
Corvallis, OR 97333

Prepared by

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I. GENERAL INFORMATION

Applicant: Oregon State University
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3015 SW Western Blvd
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Property Owner : Landwaves, Inc.
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Request: Tentative Subdivision Plan, Preliminary Development Plan Major Modification for Phase 1 of Wilder, Final Development Plan Major Modification for Phase 1 of Wilder, Comprehensive Plan Map Amendment, Zoning Ordinance Map Amendment

Previous Case Files: 1-SUB-15, Tentative Subdivision Plan; 2-PD-15, Preliminary Development Plan Major Modification for Phase 1 of Wilder; 3-PD-15, Final Development Plan Major Modification for Phase 1 of Wilder; approved in combined Final Order dated June 24, 2015

General Location: South Beach-Wilder Master Plan Area

Assessor's Number: R364534, R529961

Map & Tax Lot: 11-11-20-00-00100-00
11-11-21-00-00700-00
11-11-21-00-01300-00

Legal Description: Parcels 1 and 2, Partition Plat No. 2015-01

Zoning Designations: R-2 (Medium-Density Single Family)
R-3 (Medium-Density Multifamily)
C-1 (Retail & Service Commercial)

Comprehensive Plan Designations: Low-Density Residential
High-Density Residential
Retail Commercial

II. OVERVIEW

Background

The owner, Landwaves, Inc., received multiple previous approvals for Phase 1 of Wilder, a Planned Development in the South Beach neighborhood designed to be a sustainable, vibrant, mixed-use development.

The applicant, Oregon State University (OSU),¹ is applying for modifications to allow development of student housing to support their expanding Newport operations centered around the Hatfield Marine Science Center. The proposed modifications would transfer density and multifamily units already approved in Wilder from phases near the Village Center to the northwest corner of the site, closest to the OSU campus on the south shore of the Yaquina Bay. OSU is applying for a Comprehensive Plan Map Amendment and Zoning Ordinance Map Amendment to allow multifamily development in the northwest corner of the site known as Phase 4, and a related Tentative Subdivision Plan, Preliminary Planned Development Major Modification and Final Planned Development Major Modification.

The owner, Landwaves, is also applying 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. The project will require changes to the Comprehensive Plan Map, Zoning Ordinance Map, Tentative Subdivision Plan, Preliminary Planned Development and Final Planned Development. Phase 4 and Phase 6 modifications are bundled in this application for streamlined review.

This application also includes minor changes proposed to Phase 2B, planned for apartment development, to split an existing lot to better facilitate development financing and timelines.

The total site for Phase 1 of Wilder is approximately 60 acres in size, including lots that have already been final platted, dedicated parks and open space, and right-of-way. This application affects Tax Lots 100 and 103 of Assessor's Tax Map 11-11-20 consisting of approximately 41.24 acres. The site is located in the South Beach neighborhood directly east of Mike Miller Park and south of 40th Street on land zoned R-2, R-3 and C-1. Full build-out of Phase 1 of Wilder will include four different sizes of single-family lots, cottage clusters, flex lots suitable for row houses, duplexes and micro-cottages, multifamily units, and commercial development.

As previously approved, Phase 1 of Wilder will be constructed in several phases and micro-phases to allow phasing of needed improvements to each portion of the Master Plan site as it develops.

Previous Land Use Approvals

The City of Newport has granted multiple land use approvals for Phase 1 of Wilder, and this application seeks to modify previous planned development approvals, obtain

¹ OSU is listed as the applicant for this set of applications, however, the project is truly a collaboration between OSU and Landwaves, who is the property owner and has been the applicant for all previous Wilder applications. OSU is considered the applicant for Phase 4, and Landwaves is the applicant for Phase 6 and all other phases.

approval for a new tentative subdivision plan, and amend the Comprehensive Plan and Zoning Ordinance maps focused on changes to Phase 4 to accommodate the proposed student housing. The original Preliminary Development Plan for "South Beach Village Phase I," which included the area now known as Phase 1 of Wilder, was approved on May 29, 2007. (Case file #1-PD-07) Subsequent modifications to the Preliminary Development Plan for Phase 1 of Wilder² were approved as case file #1-PD-09, #5-PD-09, #1-PD-10, #3-PD-10, #1-PD-14, and #2-PD-15. The Final Development Plan for portions of Phase 1 of Wilder was initially approved March 30, 2009 (Case file #2-PD-09) and subsequently modified in case file #6-PD-09, #2-PD-10, #2-PD-14, and #3-PD-15. The Tentative Subdivision Plat for Phase 1 of Wilder was approved as case file #1-SUB-09 and modified through case file #3-SUB-09, #1-SUB-10 and #1-SUB-15, and Final Subdivision Plat for Wilder Phase 1, which includes a portion of Phase 1 of Wilder, was recorded in April 2010. The parent lot for Phase 1 of Wilder was initially partitioned in 2007 as two parcels, Map & Tax Lot 11-11-20-AD-03100-00 and 11-11-20-00-00100-00. (Case file #5-PAR-07, recorded November 29, 2007.) A second partition in 2014 divided Map & Tax Lot 11-11-20-00-00100-00 into two parcels, creating Map & Tax Lot 11-11-20-00103-00 of approximately 0.89 acres. (Case file #2-PAR-14, recorded in December 2014.)

Goals of Modifications Achieved through the 2009 Approvals:

- Minimized grading in Tract "A" Park associated with street improvements.
- Responded to market conditions.
- Eliminated need for a Variance for street length.
- Maximize usable park area in Tract "A".
- Improved access to Lots 38 thru 40 of Wilder Phase 1.
- Increased number of homes that are alley-loaded with fewer garage doors facing on to local streets.
- Provided a continuous pedestrian connection through all phases.
- Created repeating patterns of decorative pavement throughout the site, including a "woonerf" and auto courts.
- Modified phasing plan to address construction practicalities.
- Created orderly self-orienting blocks.
- Incorporated flexibility into the plan to accommodate market conditions.

Goals of Modifications Achieved through the 2010 Approvals:

- Reflected changes that have occurred through the Final Plat for Wilder Phase 1.

² As used throughout this document, "Phase 1 of Wilder" or simply "Phase 1" refers to the entire 62-acre site. Phase 1 of Wilder will include multiple sub-phases which are referred to throughout the development plan as "Wilder Phases 1, 2, 3", etc. Wilder Phase 1 (a sub-phase of Phase 1 of Wilder) has been final platted, and is referred to here as "Wilder Phase 1," the designation assigned by the Lincoln County Surveyor.

- Modified setbacks to provide flexibility to accommodate homes as proposed by builders.
- Updated street and tract names.
- Revised lot coverage standards to be consistent with Codes, Covenants and Restrictions.
- Revised housing category names to be consistent with marketing names.
- Prepared updated exhibit depicting platting of Phase 1B in conjunction with 1C.
- Allowed Accessory Dwelling Units (ADUs) in Phase 1B and 1C.

Goals of Modifications Achieved through the 2014 Approvals:

- Partitioned Tax Lot 100 of Assessor's Tax Map 11-11-20 into two parcels, including one parcel to be developed for commercial use in the Village Center.
- Revised parking plan to include on-street and off-street parking to serve the Village Center area, modifying circulation plan.

Goals of Modifications Achieved through the 2015 Approvals:

- Adjusted zoning district border between R-3 Multifamily Residential and C-1 Commercial zones to expand commercial area along the full length of College Way.
- Expanded 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.
- Allowed variance to satellite and shared parking regulations to allow future shared parking arrangements between Village Center users and the Oregon Coast Community College.
- Adjusted range of development anticipated in the preliminary and final development plans to reflect completed build-out, current market conditions, and revised predictions.
- Allowed for ADUs beyond Wilder Phase 1 in Phases 2-4 subject to conditions approved by Newport Planning Commission.
- Expanded Final Development Plan to include Phases 2-4.
- Updated street names and cross-sections to serve proposed development in Phases 2-4, including modifications to street widths in response to conditions of approval.
- Adopted variations of existing cross-sections to amend the "Kit of Parts," including modifications to street widths shown in "Kit of Parts" to match street cross-sections to be constructed.
- Adopted new residential development type, micro-cottages, as part of the "Kit of Parts."

Goals of Current Modifications:

- Revise zoning and comprehensive plan designation for Phase 4 and Phase 6 to R-3 Medium-Density Multifamily zoning and High-Density Residential designation from R-2 Medium-Density Single Family zoning and Low-Density Residential designation, with corresponding change to single family zoning and designation from multifamily zoning and designation on the east side of Harborton Street north of the Village Center, with no net impacts to maximum allowed dwelling units and related traffic or utility needs.
- Adjust 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, consistent with total maximum dwelling units previously approved for Phase 1 of Wilder.
- Add "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.
- Allow variance to parking standard for clustered multifamily residential uses to decrease required spaces by approximately 13% relative to City code standard, to reflect increased access to multimodal transportation options within Wilder and multimodal connections to primary destinations, specifically the OSU Hatfield Marine Science Center.
- Modify preliminary development plan to show revised mix of single-family and multifamily development in future phases east of Harborton Street.
- Introduce '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.
- Expand Final Development Plan to include Phase 6.
- Amend Preliminary Development Plan, Final Development Plan and Tentative Plat to divide Phase 2B, planned for apartment development, into two separate lots.

Summary of Requested Applications

1. **Comprehensive Plan Map Amendment:**
The applicant proposes to change the comprehensive plan designation for Phase 4 and Phase 6 to High-Density Residential designation from Low-Density Residential designation, with a corresponding change to Low-Density Residential from High-Density on the east side of Harborton Street north of the Village Center to minimize the net change to High-Density Residential acres. As part of the planned development, there are no changes to the total number of dwelling units proposed within Phase 1 of Wilder as a result of this amendment, simply a relocation of density within the development.
2. **Zoning Map Ordinance Amendment:**
The applicant proposes to change the zoning for Phase 4 and Phase 6 to R-3 Medium-Density Multifamily zoning from R-2 Medium-Density Single Family to accommodate student and affordable housing. The zoning on the east side of Harborton Street north of the Village Center will be changed correspondingly from R-

3 Medium-Density Multifamily zoning to R-2 Medium-Density Single Family to partially offset the additional R-3 acres in Phases 4 and 6.

3. Tentative Subdivision Plan Modification:

The applicant proposes to modify the tentative subdivision plan for portions of Phase 1 of Wilder specific to proposed Wilder Phases 4 and 2B and to include a new parcel for Phase 6 in the tentative plan. The plan was previously approved as case file #1-SUB-09 and modified through case file #3-SUB-09, #1-SUB-10 and #1-SUB-15. The proposed modifications provide for a single lot in Phase 4 intended for multifamily development in place of individual single-family lots and cottage lots previously proposed, divide the existing single multifamily lot in Phase 2B into two separate lots for multifamily development, and create a single parcel for multifamily development in Phase 6. As previously conditioned, the proposed phased tentative plat will be valid for a period of at least 10 years.

4. Preliminary Development Plan Major Modification for Phase 1 of Wilder:

The applicant proposes to modify the approved Preliminary Development Plan for Phase 1 of Wilder (most recently modified in case file #2-PD-15) through a major modification. This application proposes to add multifamily development to the northwest corner of the site, shown as Phase 4, in place of single-family development, to accommodate student housing for OSU; add multifamily development to north of the site, shown as Phase 6, in place of single-family development, to accommodate an affordable housing project; replace multifamily development in the southeast corner of the site with single-family development to balance the proposed development for Phases 4 and 6; introduce a new multifamily residential development type to the "Kit of Parts" called Multi-Family: Clustered for the proposed student housing development; allow a variance to the multifamily clustered residential parking standard to decrease required spaces in recognition of available multimodal transportation alternatives; allow 'Day Care' and supporting Community Services uses as permitted uses in the R-3 Medium-Density Multifamily zone; create two multifamily lots in Phase 2B with no change to the number of units or necessary infrastructure; adjust range of development for various residential types with no net increase in maximum allowed units; and adjust multifamily and single-family lot configurations for future phases of development east of Harborton St.

The essential tenets of Wilder remain the same: the Village Center continues to be the heart of activity serving a spectrum of residential development types that gradually reduce in density farther from the Village Center, with the addition of a node of student housing, located closest to the OSU Hatfield Marine Science Center, and affordable housing strategically located near the entrance to Wilder. The new multifamily node of student and affordable housing will be buffered from surrounding single-family uses by open space and changes in topography. A revised Preliminary Development Plan is included which depicts the proposed changes. (See Appendix F.) All other aspects of the Planned Development remain as previously approved.

5. Final Development Plan Major Modification for Portions of Phase 1 of Wilder:

The applicant proposes to modify the approved Final Development Plan for Phase 1 of Wilder. (Case file #2-PD-09, #6-PD-09, #2-PD-10, #2-PD-14, #3-PD-15). The Final Development Plan proposes detailed development, including streets, buildings, landscaping, open space etc., within the portion of Phase 1 of Wilder on the west side of Harborton Street. This application expands the Final Development Plan to encompass Phase 6 as well. (See Appendix G.)

The major modifications to the Final Development Plan incorporate changes in Phase 4 to facilitate student housing, in Phase 2B to create two lots in place of a single lot, and in Phase 6 to facilitate affordable housing consistent with the changes to the Preliminary Development Plan. All other aspects of the Final Development Plan remain the same.

III. PRELIMINARY AND FINAL DEVELOPMENT PLAN PROVISIONS

Note: This section combines approvals from all previous preliminary and final development plans, with new provisions underlined and changes ~~struck out~~. The goal is to provide a single, central reference point for the continued build-out of Wilder. Where standards are not specified in the Development Plan, the Newport Municipal Code provisions for zoning and subdivision apply.

Geographic Extent:

Phase 1 of Wilder is located in the South Beach neighborhood and is bounded by Mike Miller Park and the Oregon Coast Community College (OCCC) on the west, 40th Street along the north, the City limits on the east and the south. The site is approximately 62 acres in size, including infrastructure and lots that have already been final platted. The Preliminary Development Plan has been approved for the full Phase 1 of Wilder, and the Final Development Plan has been approved for the portion of Phase 1 of Wilder on the west side of Harborton Street, which includes Wilder Phases 1 (already constructed), 2A (partially completed), 2B, 2C, 2D, 2E, 2F, 3, and 4. This application expands the Final Development Plan to include Phase 6 on the northeast side of Harborton.

See Appendices F and G, showing the full extent of Phase 1 of Wilder in the Preliminary Development Plan, and the portions included in the Final Development Plan.

Design Intent:

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 following design objectives:

- *Create a vibrant Village Center that will provide commercial, office, community service, lodging, day care, and higher density residential uses to serve the residential population, support the OCCC campus, and create jobs for local residents.*

The proposed plan concentrates commercial services and residential density around a pedestrian-scale Village Center that is adjacent to the OCCC campus. This enables residents of the community and students to obtain services, attend school, and work within walking distance of where they live. This design accommodates increasing population density, while promoting a reduction in energy use. The objective is to create a convenient and livable environment for residents and visitors of the community.

- *Graduate residential density outward from the Village Center to create an appropriate transition to the lower density areas of the site.*

The proposed graduated density design ensures that development will be compatible and in harmony with the area. The location of the various

proposed uses and development intensity is appropriate to site-specific conditions, such as adjacent uses and topography.

The Village Center is the heart of activity within the development located next to the college campus. It features housing over commercial such as live-work arrangements, offices, cafes, small retail shops, services, and entertainment uses, community services, educational institutions, day care, lodging, and apartments. To the north, micro-cottages, row houses, garden apartments and urban flats will provide a transition to the lower density development areas within the site outside of the Village Center. The central portion of the site features single-family detached homes, including cottage cluster housing, and homes on Village, Classic, Grand, and Edge lots. ~~The far northern portion of the site, which includes some steeper topography, features mostly larger lots for the development of hillside homes with views of the surrounding area as well as a cottage cluster designed around a common open space.~~

The proposed plan also includes a node of multifamily residential units in the northwest corner of the site to accommodate student housing for OSU and affordable housing. The student housing node will be buffered from the single-family development in Phase 3 by open space and vegetation, and its location on Harborton Street near 40th Street will provide convenient access to multimodal connections to the OSU Hatfield Marine Science Center to the north. The affordable housing cluster on the northeast side of Harborton Street will transition to medium-density residential in Phase 7, and be buffered from single-family development in Phase 5 to the east by open space, changes in topography, and vegetation.

- *Provide for a variety of housing types to accommodate different needs, incomes, and a sense of place and community.*

The design of buildings within the proposed development is outlined in the "Kit of Parts." It includes a variety of housing types and sizes at varying densities that cannot be achieved within the strict limits of the underlying zoning such as, multifamily apartments, multifamily clustered apartments, cottage cluster housing, micro-cottages, and single family homes on four different general lot sizes. This design will accommodate different needs and incomes resulting in a more diverse, attractive, and sustainable community, including affordable housing. Some of the housing types are suitable for the use of high quality pre-fabricated materials, such as panelized construction, which will reduce construction costs and result in a more affordable product for the community.

The buildings also accommodate design features that help create a unique sense of place and community. This includes such things as classic front porches, cottage cluster housing centered on a green space that allows sharing of resources between neighbors, and locating parking areas and garages/carports behind buildings accessible through alleys.

- *Design and construct to sustainable standards to lessen the impact to the natural environment and to reduce long-term operational costs.*

As outlined in the previously approved "Kit of Parts," this objective of promoting energy efficiency is incorporated into all aspects of site design. This includes such things as, designing buildings to achieve green building certification; designing streets to incorporate sustainable design features such as stormwater bio-swales, incorporating native vegetation for landscape plantings throughout the development; and generally using energy efficient and recycled materials whenever possible.

- *Develop a transportation system that accommodates multiple modes of transportation to encourage walking, bike riding, etc., and reduce energy use.*

As outlined in the previously approved "Kit of Parts," the proposed development includes neo-traditional street designs to accommodate multiple modes of transportation and create a sense of place and promote traffic calming. These streets include such features as curb extensions, wider sidewalks within the Village Center, and on-street parking. The multimodal transportation network within Wilder will also connect to the City's broader transportation network, such as routes north of Wilder to provide multimodal connections for OSU students to access Hatfield Marine Science Center.

- *Provide for an extensive network of open space and parks, including walking and biking trails, throughout the site.*

Preserved natural areas, trails, and parks are fully integrated into the site design. Neighborhood parks are planned that will provide active and passive recreational uses such as, playgrounds, sport courts, lawn areas, and trails. Parks will be centrally located within or near the single-family residential neighborhoods on both sides of Harborton Street. Wilder Twin Park has been built adjacent to Wilder Phase 1 and dedicated to the City for public use, and Wilder has provided a temporary dog park and disc golf course for the past five years. Trails have been constructed to connect Wilder Twin Park to Mike Miller Park, and additional open space dedications and trail connections will connect to other areas within the development and the planned regional trail system off-site. A public trail will be constructed and dedicated with Phase 4 to extend the trail north from Mike Miller Park, and the applicant will explore options to create a local connection to serve development in Phase 4. Private open space will also be provided within multifamily developments in Phases 4 and 6 to serve residents.

- *Protect and provide for management of significant natural resource areas on site, including wetlands, streams, and natural vegetation.*

The proposed development is clustered on the site, to enable the preservation of natural resources. Much of the site is currently forested and

has been managed as a sustainable forest. The site contains steep ravines, streams, and wetlands. These areas have been incorporated into parks and open space tracts to allow for preservation and to create site amenities for the residents, with the exception of one small wetland in Wilder Phase 4 that will be filled and mitigated. Soft surface, low-impact trails will be developed in these areas to allow for both active and passive uses. Trees and other natural vegetation will be preserved when possible and landscaping will be planted to enhance the environment and provide habitat for wildlife.

Compatibility with Surrounding Development:

The proposed uses within the Master Plan for Phase 1 of Wilder complies with the City's Comprehensive Plan and zoning, or will comply with proposed plan and zoning changes if approved, and is consistent with the adopted South Beach Plan 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 is it reasonable to assume that the surrounding area will continue to develop according to these plans.

The location and level of public services necessary to serve the site, 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 initial Phase 1 Development Plan approval.

Types of Development:

Approved types of residential development include:

- Village Lots (<4,600 square feet) for single-family homes.
- Classic Lots (4,601- 6,200 square feet) for single-family homes.
- Grand Lots (6,201-9,999 square feet) for single-family homes.
- Edge Lots (10,000+ square feet) for single-family homes.
- Cottage units.
- Flex Lots for row houses, duplexes, and micro-cottage units.
- Multifamily units including multifamily clustered apartments.

As previously approved, the project includes a housing product known as cottage cluster housing (see "Kit of Parts," Appendix H). Ten cottage units have been built in Wilder Phase 1 and an additional cluster may be included in future Phase 5 ~~an additional cluster of 10 cottage units will be constructed within Wilder Phase 4.~~ This is a unique type of development that includes the following special characteristics:

- Homes are smaller, typically 1,300 square feet or less.
- Common access to homes provided from either a shared pedestrian way/green (within a tract or an access easement) or a street.
- Open space provides front door access and commons.
- Parking is typically clustered in one area at periphery.

As previously approved, the project also includes micro-cottages, functionally similar to row house, townhouse, and duplex housing types. See page 42 of the amended "Kit of Parts" for further discussion of this housing type. (Appendix H.) Six micro-cottages have built in Wilder Phase 1 and 20 micro-cottages will be constructed in Phase 2C. Characteristics include:

- Homes are smaller in the 450 to 1,000-square-foot range, typically 800 square feet or less.
- Parking is accessed from rear alley.
- Homes open onto main street, providing a "front porch" feel.

The project will also include clustered apartments as an additional type of multifamily units, intended primarily for student housing. (See Appendix H, page 47.) Characteristics include:

- Units are smaller, in the 300 to 800-square foot range to include studios through two or three-bedroom units.
- Density is similar to multifamily apartments at 12 to 34 units per acre, to allow a functional concentration of student housing.
- Private outdoor space is provided in shared commons, green spaces, balconies, and patios.

Site Design:

Village Center Area (C-1 and R-3 Zoning) (Phases 2A, 2B, 2E, 2F)

- *Village Center Retail, Services, Entertainment, Offices, Lodging, Educational Institutions, Community Services, Day Care*
- *Housing over Commercial, including live-work units*
- *Multifamily Residential*

The Village Center is located at the heart of the development site adjacent to College Way and Harborton Street. This area will include mixed-use development at the corner of Harborton Street and College Way, as well as several apartment buildings.

Transition Area (R-2 and R-3 Zoning) (Phase 2C)

- *Flex Lots for Row Houses, Duplexes or Micro-Cottages*

The transition area located adjacent to Harborton Street between 46th and 44th Streets will feature medium-density residential options including row houses, duplexes or micro-cottages.

Detached Single-Family Housing Area (R-2 Zoning) (Phases 1, 2D, 3, 4)

- *Cottage Cluster Housing*
- *Village, Classic, Grand or Edge Lot Homes*
- *Flex Lots for Row Houses, Duplexes or Micro-Cottages*

The detached single-family housing area within the site is primarily located along and north of 44th Street, extending farther north to include homes along 42nd Place and within Phase 4.

At the western terminus of 44th Street a small, walk-in cottage cluster housing area is nearly completed. Each single-family cottage takes access from a shared pedestrian way located within a common tract rather than a traditional street. A second cottage cluster will be developed in the center of Phase 4, arranged around a common green space that may include a wetland feature, accessible from 41st Circle and internal pedestrian ways. The cottages will have front porches facing the central green space and back entrances facing the street.

Village, Classic, Grand and Edge lots are proposed in the lower density residential portion of the site, which accommodate a variety of housing sizes. Many of these homes take access from alleys allowing front doors, rather than garages/carports, to be oriented toward the adjacent public streets.

Student Housing Area (R-3 Zoning) (Phase 4)

- *Multifamily Residential*
- *Multifamily Clustered Apartments*

The student housing area is located south of Harborton Street in the northwest corner of the site, and will feature multifamily residential development including clustered apartments.

Graduated Single and Multifamily Area (R-2 and R-3 Zoning) (Phase 5)

- *Multifamily Residential*
- *Cottage Cluster Housing*
- *Village, Classic, Grand or Edge Lot Homes*
- *Flex Lots for Row Houses, Duplexes or Micro-Cottages*

The east side of Harborton Street will include a mix of housing types gradually decreasing in density as they transition from the Village Center to the northern limits of the project. Multifamily housing is envisioned to the northeast of College Way, with a mix of single-family housing types to the north transitioning to larger lots on hillier topography at the northern edge. The topography will help define the limits of this phase and provide a buffer between Phase 5 and Phase 6.

Community Housing Area (R-3 Zoning) (Phase 6)

- *Multifamily Residential*
- *Community Services, Day Care*

The community housing area is located northeast of Harborton Street along the northern edge of the site, and will feature multifamily residential development developed to meet affordability goals, and supporting community service uses such as education and day care, primarily aimed at residents.

Dimensional and Bulk Standards:

Approved development standards for each development type within any of the zones that permit the use have been established as follows.

Setbacks:

Single Family Residential:

- Front*: 5 feet (Village and Classic Lots)
 - Front*: 10 feet (Grand and Edge Lots)
 - 2nd Front*: 5 feet (Village and Classic Lots)
 - 2nd Front*: 10 feet (Grand and Edge Lots)
 - Side: 0 feet (Village Lots)
 - Side: 5 feet (Classic, Grand and Edge Lots)
 - Rear: 5 feet
 - Rear Abutting Alley: 5 feet
 - Garage/carport: 0-5 feet or 20 feet
 - Garage/carport (alley served): 0 feet
- *Front setback applies to a public street only.

Residential Cottage Cluster Housing:

- Front*: 5 feet
 - 2nd Front*: 5 feet
 - Side: 0 feet
 - Rear: 5 feet
 - Garage/carports: 0 feet
- *Front setback applies to a public street only.

Flex Lots for Residential Row Houses, Duplexes, and Micro-Cottages:

- Front*: 0 feet
 - 2nd Front*: 3 feet
 - Side (interior): 0 feet
 - Rear: 5 feet
 - Rear Abutting Alley: 0 feet
 - Garage/carport: 0-5 feet or 20 feet
 - Garage/carport (alley served): 0 feet
- *Front setback applies to a public street only.

Multifamily Residential, including Clustered Apartments:

- Front: 0 feet
- 2nd Front: 0 feet
- Side: 0 feet
- Rear: 5 feet
- Rear: 10 feet (when abutting single-family residential)

Commercial or Mixed-Use:

- Front: 0 feet *same as standard*
- Side: 0 feet *same as standard*
- Rear: 0 feet *same as standard*

Minimum Lot Area:

- Single-Family Residential: 3,500 square feet.
- Residential Cottage Cluster Housing: 1,000 square feet.
- Flex Lots: 1,000 square feet.
- Multifamily Units: 5,000 square feet. *same as standard*
- Commercial or Mixed-Use: No minimum lot area.

Maximum Lot Coverage:

- Single-family and flex lots in any zone over 10,000 square feet shall not have building coverage over 3,500 square feet.
- Single-family and flex lots in any zone between 5,000 and 9,999 square feet shall not have building coverage over 3,000 square feet.
- Single-family and flex lots in any zone under 5,000 square feet shall not have building coverage over 2,600 square feet.
- Cottage Cluster Housing on individual lots: 80%
- ADUs on Village, Classic, Grand and Edge lots will be exempt from the maximum square foot standards listed above, however, in no case will the total combined lot coverage for the primary and accessory dwelling unit exceed the city standard of 57% in the R-2 zone and 60% in the R-3 zone.
- Multifamily residential and clustered apartment lots of any size in the R-3 zone shall not have building coverage over 60%. same as standard
- Commercial development in C-1 zone: 85% to 90% same as standard

Minimum Lot Width (Residential): 15 feet

Minimum Lot Width (Commercial/Mixed-Use): 0 feet same as standard

Minimum Lot Frontage

Modifications have been approved for the requirement contained in NMC Section 13.05.030.B that "each lot or parcel shall possess at least 25 feet of frontage along a street other than an alley" in order to accommodate cottage cluster development. The subject Planned Development includes walk-in cluster cottage homes, which are modeled after the Cluster Development type identified in the previously approved "Kit of Parts". In order to accommodate this unique type of development, these lots will front onto and take access from a pedestrian access tract, rather than a traditional street right-of-way. Parking for these units is clustered within common tracts and garages rather than being located on the individual lots.

Height:

The applicant has previously received approval for 3-story buildings that are up to 45 feet in height in the R-3 District. The proposed 3-story buildings will be located in the Village Center area, which is internal to the Master Plan site and will not have any adverse impacts on neighboring properties both within and outside of Wilder, and in Phase 4, where they will be screened by vegetation and natural topographic changes from surrounding phases and adjacent properties outside of Wilder. (See Appendix K, illustrating the cross-section across Phases 3 and 4.) All of the proposed 3-story buildings are located internal to the Master Plan site in the Village Center area and, therefore, they will not have any adverse impacts on properties outside of the Planned Development.

Density:

The applicant is not proposing to increase the density above what is permitted in each zone. Allowed density in the R-2 zone is 5,000 SF per unit for houses, 3,750 SF per unit for duplexes on interior lots, and 2,500 SF per unit for duplexes on corner lots, and 1,250 SF per unit in the R-3 zone, averaged across the site.

Uses:

The Village Center is a mixed-use area with C-1 and R-3 zoning, accommodating Village Center retail, restaurants, offices, housing over commercial including live-work units, and multifamily residential at the heart of Wilder adjacent to SE College Way and Harborton Street.

Additional uses for the Village Center area with C-1 zoning include retail sales and services, excluding bulk retail; community service, including churches; lodging such as hotels; educational institutions; and daycare facilities, as defined in the Newport Municipal Code.

The primary use in R-2 and R-3 is residential, as well as parks. Additional uses in the R-3 zone include community services, including day care and family-focused support services like personal development education, counseling, and distribution of donations to clients.

Zoning:

The site is zoned a mix of R-2 Medium-Density Single-Family Residential, R-3 Medium-Density Multifamily Residential, and C-1 Retail and Service Commercial.

Comprehensive Plan:

The site is designated a mix of Low-Density Residential, High-Density Residential, and Retail Commercial.

Estimated Range of Development:

The following table shows the estimated range of development anticipated for the different types of residential and commercial development planned for Phase 1 as part of the Preliminary Development Plan for the full extent of Phase 1. The range is intended to provide flexibility with development of the full build-out of the site to accommodate changing market conditions.

Estimated Range of Development Phase 1 (Prelim. Dev. Plan, Existing)	
Village Lots (<4,600 sq. ft.)	17-25 units
Classic Lots (4,601-6,200 sq. ft.)	27-40 units
Grand Lots (6,201-9,999 sq. ft.)	22-42 units
Edge Lots (10,000+ sq. ft.)	14-28 units
Cottage Units	10-20 units
Flex Lots	26-40 units
Multifamily Units	56-150 units
Commercial Floor Area	25,000-36,000 square feet
Total Dwelling Units	172 -345 units

Estimated Range of Development Phase 1 (Prelim. Dev. Plan, Proposed)	
Village Lots (<4,600 sq. ft.)	18-25 units, <i>minimal change</i>
Classic Lots (4,601-6,200 sq. ft.)	10-34 units, <i>decrease</i>
Grand Lots (6,201-9,999 sq. ft.)	4-10 units, <i>decrease</i>
Edge Lots (10,000+ sq. ft.)	18-26 units, <i>minimal change</i>
Cottage Units	10-20 units, <i>same</i>
Flex Lots	28-40 units, <i>minimal change</i>
Multifamily Units	170-190 units, <i>increase</i>
Commercial Floor Area	25,000-36,000 square feet, <i>same</i>
Total Dwelling Units	258-345 units, increase to minimum, same for maximum

The Final Development Plan will include Phases 1 through 4 encompassing all area west of Harborton Street, and Phase 6 to the northeast of Harborton Street near 40th Street. The portion of the Final Development Plan in Wilder Phase 1 has been completed, as reflected in the following table.

Estimated Range of Development (Final Dev. Plan, Existing)	
Village Lots (<4,600 sq. ft.)	16 units (12 complete)
Classic Lots (4,601-6,200 sq. ft.)	6 units (2 complete)
Grand Lots (6,201-9,999 sq. ft.)	10 units (3 complete)
Edge (10,000+ sq. ft.)	17 units (5 complete)
Cottage Units	20 units (10 complete)
Flex Lots	28 units (8 complete)
Multifamily Units	28 units
Commercial Floor Area	36,000 square feet (5,000 square feet under construction)
Total Dwelling Units	125 units

Estimated Range of Development (Final Dev. Plan, Proposed)	
Village Lots (<4,600 sq. ft.)	16 units (12 complete), <i>same</i>
Classic Lots (4,601-6,200 sq. ft.)	4 units (2 complete), <i>decrease</i>
Grand Lots (6,201-9,999 sq. ft.)	4 units (3 complete), <i>decrease</i>
Edge (10,000+ sq. ft.)	13 units (5 complete), <i>decrease</i>
Cottage Units	10 units (10 complete), <i>decrease</i>
Flex Lots	28 units (8 complete), <i>same</i>
Multifamily Units	170 units, <i>increase</i>
Commercial Floor Area	36,000 square feet (5,000 square feet under construction), <i>same</i>
Total Dwelling Units	245 units, increase within approved Prelim Dev. Plan range

Accessory Structures and Uses:

Accessory Dwelling Units (ADUs) are dwellings that will be permitted to accompany or share lots and utilities with primary homes and can be a portion of the primary house; a separate free-standing unit; or as a unit over a free-standing or attached garage.

The addition of ADUs provides for more versatile living choices. ADUs are included in the "Kit of Parts" (see Attachment H, page 47) and will provide a broader mix of housing options to accommodate extended families, care givers, and smaller family sizes. They may also create intergenerational living opportunities by providing a means for seniors, relatives, or post-college children to live with their families in separate living quarters on the same lot.

ADUs have been approved for all Village, Classic, Grand and Estate lots in Wilder Phase 1 (final platted as lots 1-7, 18-29, and 38-47) and Phases 2D and 3 ~~and 4~~. Approval criteria were established per the City Planning Commission's File #3-PD-10 Final Order for Accessory Dwelling Units (ADUs) in Phase 1 of Wilder and Final Order for File #2-PD-15 / 3-PD-15 / 1-SUB-15 for Phases 2D and 3 ~~and 4~~:

- Phases: ADUs are limited to Wilder Phase 1, 2D and 3 ~~and 4~~, and no more than one ADU is permitted per lot.
- Three types of ADUs are to be permitted: as a portion of the primary house, as a separate free-standing unit, or as a unit over a free-standing or attached garage.
- Size: ADUs are not to exceed 600 square feet or 50% of the area of the primary house, whichever is less.
- Building Height: The height standards and limitations for ADUs will be that of the zoning district in which they are located.
- Architecture: ADUs will be constructed with architecture that is compatible with that of the primary structure.
- Density: ADUs do not count against the density limitations of the planned development.
- Utility hook-ups: ADUs will share utility hook-ups with primary homes.
- Parking: An additional off-street parking space will be provided for each ADU located on Edge lots. Not more than 10 ADUs are permitted for all other lots within Wilder Phase 1 based upon the number of on-street parking spaces currently available. In all future phases, additional ADUs will be permitted at a rate of one unit for every two on-street parking spaces the applicant provides within or immediately adjacent to the phase of development in which the ADU is to be constructed.

ADUs are allowed as accessory uses throughout the Final Development Plan for Phases 1, 2D and 3 ~~and 4~~ on all Village, Classic, Grand and Edge lots, at a ratio of no more than one ADU for every two on-street parking spaces provided within or immediately adjacent to the phase of development in which the ADU is constructed. The proposed maximum ADUs per phase based on the available on-street parking spaces is as follows:

	On-Street Parking Spaces Available	Maximum ADUs Allowed
Phase 1	n/a	10
Phase 2D	11	6

Phase 3	15	8
Phase 4	36	16

*See Sheets 3-5 of Appendix G for location of parking spaces.

Development Schedule and Phasing:

Phase 1 of Wilder has previously been approved as a multiphase development. The applicant proposes four phases of development, broken into micro-phases, to complete build-out of the portion of Phase 1 of Wilder west of Harborton, with three additional phases for the portion of Phase 1 of Wilder north and east of Harborton.³ Necessary infrastructure will be completed with each phase. (See Phasing Plan, Sheet 2 of Appendix G.)

- Phase 1: 40 lots, combination of single-family, flex lots, and cottage cluster residential development. (Work begun 2009, and build-out substantially complete. Remaining lots anticipated to be completed in 2016.)
- Phase 2A: Village Center commercial north. (Work begun 2015, anticipated completion in 2018.)
- Phase 2B: Village Center apartments to be completed on two lots. The only off-site infrastructure necessary for this phase is stormwater drainage through Phases 2C and 2D to 44th Street, and easements for that purpose will be recorded by the applicant prior to installation. Any necessary easements for future utility connections for the benefit of Phase 2C will be recorded by the applicant. 46th Street and Ellis Streets will provide access to Phase 2B; Harborton Street, College Way, and a portion of Ellis Street are already completed. (Work to begin 2016, anticipated completion 2018.)
- Phase 2C: Medium-density residential transition, 20 flex lots for row houses, duplexes or micro-cottages. ~~Phase 2C will likely follow construction of Phase 2B, giving the rental market a chance to absorb the apartments in Phase 2B.~~ Extensions of Fleming and Geneva Streets will be constructed with this phase, and will connect to 45th and 46th Streets constructed with Phase 2D. Utilities will be extended from Phases 2B and 2D. Any necessary easements will be recorded with this phase. (Work to begin 2016, anticipated completion 2018.)
- Phase 2D: Six lots, single-family residential development on Village Lots. Phase 2D will follow similar timing to Phase 2C to provide moderately priced single-family homes in Wilder. Access to the homes and garages will be via existing 44th Street, 45th Street and the section of Fleming Street connecting the two streets. Utilities will connect to the existing lines in 44th Street. The phase will not be dependent on any utility or roads proposed for Phases 2B or 2C. Any necessary easements for utility connections for the benefit of Phase 2C will be put of record by the applicant. (Work to begin 2016, anticipated completion 2018.)
- Phases 2E and 2F: Village Center commercial south. Work will include extension of Harborton Street to the edge of Phase 1 of Wilder. (Work to begin 2017, anticipated completion 2025.)

³ Phases in Wilder are generally numbered based on geographic location rather than anticipated order of construction. Final phase numbering will be determined at the time of final plat for each phase consistent with the Lincoln County Assessor's requirements.

- Phase 3: Nine lots, single-family residential development. The pedestrian connection in Tract "H" will be constructed and dedicated to the City with this phase, as well as construction of 43rd Street and utility extensions to serve lots in this phase. (Work to begin 2017, anticipated completion 2018.)
- Phase 4: ~~22 lots, single-family residential development and cottage cluster development.~~ Multifamily clustered apartment development of 130 units on a single parcel. The pedestrian path in Tract "G" will be constructed and dedicated to the City with this phase. (Work to begin 2016, anticipated completion 2018.)
- Phase 5: A mix of single-family and multifamily development will be developed in this phase, to be further detailed and broken into micro-phases in future applications. (Phase 5 is not included in the final development plan with this application; timing is not yet determined.)
- Phase 6: Multifamily development of 12 units on a single parcel. The phase will be served by existing utilities in Harborton Street. (Work to begin 2017, anticipated completion 2018.)

~~Future phases will be developed to encompass the area east of Harborton.~~

~~It is contemplated that the buyers of Phases 2B, 2C and 2D will be affiliated entities with one common owner. Although the proposed phasing plan was developed to allow independent construction of each micro phase, it is possible that the infrastructure for all three sub-phases will be installed simultaneously because of economies of scale in construction costs. Landwaves will declare any needed utility easements to serve the sub-phases if constructed independently prior to dedication of infrastructure installation.~~

Parking:

Required parking is authorized to extend across zoning boundaries when provided on the same lot or parcel as the proposed use. On-street spaces are allowed to count against off-street parking requirements provided the spaces provided are within 200 feet of the lot of parcel upon which the use is located. Parking ratios for all residential and commercial uses will follow those established in the Newport Municipal Code, with the exception of a requested variance to the apartment parking ratio for multifamily clustered apartments. The applicant proposes a 1.3 space per unit ratio for clustered apartments in place of the NMC standard 1 space for the first four units and 1.5 spaces for additional units, based on available access to multimodal transportation options in Wilder. (See Appendix G, Sheet 3 for count of off-street and on-street parking spaces by phase.)

Parking needs for student housing projects are generally lower than those for traditional multifamily, as supported by parking data for other OSU projects. A full census survey of OSU Corvallis students in 2013 determined that 30% of students had cars on campus and 70% did not. Students at the Newport will be upperclassmen in the marine sciences program, and data on those groups also describes a relatively low parking demand. A 2014 Corvallis study that oversampled upperclassmen determined that 32% of students had cars and 68% did not. The parking lot to serve 100 residential units at OSU's Hatfield Marine Sciences Center provides 35 spaces, and faculty report that it is on average two-thirds full. The relatively low demand for parking supports the request

for a modest reduction to the parking requirement for multifamily clustered apartments.

As part of the Village Center commercial development, the applicant ~~will~~ has constructed a private parking lot served by a private drive along the northern edge of the commercial lots in Phase 2A ~~which will~~ to provide shared parking to serve the commercial development, supplementing on-street parking provided along SE Harborton Street and College Way. The private parking lot ~~is~~ will be located in ~~proposed~~ Tract "I" and managed by adjacent commercial property owners. The private drive will provide two-way, east-west circulation with primary access from SE Harborton Street to access 90-degree perpendicular parking on both sides. The private drive will connect to a two-way public street (Ellis Street) that provides secondary access to SE College Way and extends north to provide access to multifamily units in Phase 2B.

Future Village Center commercial development in Phases 2E and 2F south of College Way will also be served by private off-street parking lots combined with on-street parking. Tract "J" will be a shared private parking lot to be managed by adjacent commercial property owners in Phase 2E.

Parking for the Village Center apartments will be a mix of off-street and on-street parking. Parking facilities will include a private off-street parking area accessible from a public road looping around the north and west sides of the apartment lot. The parking area will be divided down the middle to provide off-street parking to the two individual apartment lots, with reciprocal access easements. The public road will be built to modified Village Center roadway cross-sections added to the "Kit of Parts," which includes two-way circulation with angled parking on the apartment side of the street. (See pages 14-15 of Appendix H.)

Parking for the Phase 4 clustered apartments will be provided in a private off-street parking area accessible from Harborton Street. Similarly, a private off-street parking area accessible from the opposite side of Harborton Street will provide parking for the multifamily residential in Phase 6.

Shared parking for the cottage cluster in Phase 1 is provided on Tracts "D" and "F." ~~A shared parking lot to be owned in common by cottage owners in Phase 4 is proposed as Tract "K," which will be supplemented by private garages for each cottage.~~

The applicant may use the Oregon Coast Community College (OCCC) parking areas as shared, satellite parking for uses in the Village Center in Phases 2A, 2E and 2F, particularly uses with concentrated use patterns outside of peak hours, such as a church with a large Sunday morning parking demand. The OCCC parking lots are vacant at certain times and days, particularly weekends. This arrangement will allow future uses in the Village Center area to provide adequate parking for visitors, minimize construction of new parking lots while maximizing use of existing lots, and take advantage of the unique colocation of the Village Center and OCCC. Individual users will comply with the requirements of NMC 14.14.080 and 14.14.090.E.3 to provide written permission from the property owner (OCCC) and all other parking standards in NMC 14.14.

Parking lot design in all phases will follow the standards in NMC 14.14, with

consideration of additional low-impact development techniques such as pervious pavement and stormwater planter swales.

Landscaping:

A landscape plan has been previously approved that demonstrates how the site will be landscaped in accordance with City standards, and an updated plan for Phases 4 and 6 is provided with this application showing how landscaping will buffer and enhance the multifamily development. (See 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.

Enhanced entry landscaping is proposed along both sides of Harborton at the northwest corner of the site to screen parking areas in Phases 4 and 6 and to create a gateway to Wilder.

An enhanced forest edge planting is also proposed along the east side of Harborton Street. Grass and shrubs will be planted under the power lines and trees will be planted beyond 75 feet. This will create a forested buffer or transition between the street and the single-family residential areas to the east.

Lighting:

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. Street lighting is shown on Sheets 17-19 of Appendix G. Surface parking areas and associated parking lot lighting within the Village Center area is oriented behind and to the side of buildings. This minimizes the amount of artificial lighting that will glare onto adjoining properties. Retail and monument signs will be pedestrian scale with limited lighting. ~~The low-density northern portion of the development is buffered from adjacent property to the west by significant vegetation, which will reduce glare from lights within homes and along streets.~~ Parking lot and building lighting in Phase 4 associated with student housing development will be screened by vegetation buffers to prevent glare on Harborton, adjacent single-family development to the south in Phase 3, or the adjacent property to the west.

Parks, Trails and Open Space:

Open space and recreation facilities include a neighborhood park, natural areas, and nature and access trails.

A neighborhood park has been built within Tract "A" north of 43rd Street, and dedicated to the City of Newport as Wilder Twin Park. The specific improvements within the park have been finalized, approved through the City's Park Department, and built. A pedestrian connection through this park will link 42nd Place and 43rd Street, using Tract "H." The connection will be built to neighborhood sidewalk standards with a 6-foot paved width. The pedestrian connection will be constructed and dedicated to the City with Phase 3 of the development.

An open green space with a trail connecting to Mike Miller Park has been created on Tract "B". An open green space designated Tract "G," adjacent to Tract "B," will accommodate an extension of the trail north from Tract "B" to Harborton Street. The trail within Tract "G" will be constructed and dedicated to the City with Phase 4 of the development. The trail will continue the 5-foot-wide, soft-surface cross-section used for natural trails in Tract "B." (See "Kit of Parts," page 29.) The applicant will explore options to develop a connector trail from Phase 4 to connect to the trail across Tract "G".

Tract "C" in Phase 1 has been built as a common open space owned in common by cottage owners and provides a common "front lawn" for the cottage cluster. ~~A new Tract "K" for the cottage cluster in Phase 4 is proposed and will be owned in common by cottage owners to serve as a shared outdoor space.~~

Multifamily development in Phase 4 and 6 will incorporate open space such as patios, balconies, play areas, green spaces, and potential trail connections for the enjoyment of their respective residents.

Wilder has also created a temporary dog park and disc golf course for public use.

Street Design & Names:

Traffic will access the site via several proposed local streets and driveways connecting from 40th Street and Harborton Street (two-lane Collector roadways) and College Way. The Collector roadways, 40th Street and Harborton Street, have been constructed from US 101 east and south to College Way pursuant to prior approvals for the Planned Development site. 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 at full build-out of the Master Plan 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 access easements to the southern part of the loop system.

The proposed development includes neo-traditional street designs that accommodate multiple modes of transportation and create a "sense of place." The streets are generally narrower than streets found in conventional suburban neighborhoods and feature integrated stormwater management systems, such as water quality swales within planter areas, though they accommodate a 24-foot clear travel space in Phases 2C, 2D and 4 in compliance with recent City requirements. (See Decision for #2-PD-15 and #3-PD-15.) A variety of street types that have been approved include:

- Harborton Street will be extended south to the southeast boundary of Phase 1 of Wilder with development of Phases 2E and 2F using the Main Street cross-section from the "Kit of Parts," identical to the cross-section used along Harborton for one block north of College Way.
- Two modified Village Center Road types will be used along 46th Street, transitioning to Ellis Street to connect with College Way, which will provide two-way travel, angle-in parking and sidewalks within the cross-section to connect

- between the commercial, high-density residential, and medium-density residential uses in the community core. (See pages 14 and 15 of Appendix H.)
- The City-Mandated Neighborhood Local Road type with a travel width of 24 feet will be used for 42nd Place, terminating in an Auto Court. (See page 67 of Appendix H.)
 - ~~The City-Mandated Hillside Street type with a travel width of 24 feet to satisfy Condition 11 of the Final Order will be used for 41st Circle. (See page 3 of Appendix H.)~~
 - A woonerf – which integrates the pedestrian environment, urban-scale storm water planters, and vehicular parking – has been constructed within Fleming Street between 43rd Street and 44th Street, and will be extended south to 46th Street. The “Kit of Parts” section allows flexible width for the woonerf section along Fleming Street from 18 to 30 feet wide to accommodate on-street parking and bio-swale plantings without compromising fire access. The section of Fleming between 44th and 46th Streets will be 24 feet wide with no on-street parking. (See page 69 of Appendix H.)
 - Dead-end streets terminate in Auto Courts featuring decorative pavement.
 - Residential alleys are used along Geneva Street and Ellis Street in Phase 1; Geneva Street is proposed to extend south to 46th Street with Phase 2C. An alley is also proposed along 45th Street. The Geneva Street and 45th Street alleys in Phase 2C and 2D will be constructed to the Utility Alley standard added to the “Kit of Parts,” which features hard surfacing and a 24-foot clear width. (See page 68 of Appendix H.)

The previously approved “Kit of Parts” essentially creates an alternate set of street and utility standards that replace the standards in NMC Chapter 13. As noted in NMC 13.05.105.A, the subdivision standards may be modified for a planned development. The first version of the “Kit of Parts,” which illustrates these street components used throughout the development, was introduced and approved as a concept for the development throughout Wilder with #1-PD-07, including streets with narrower widths. There have been several revisions to the Kit with subsequent approvals.

Several of the major streets identified on the plan have already been constructed. 40th Street, Harborton Street, and College Way have been constructed through the Phase 1 site per the previous approvals. The current design of 40th Street, Harborton Street, and College Way, are consistent with previous approvals. 43rd Street, 44th Street, Ellis Street, Fleming Street and Geneva Street have been constructed through Wilder Phase 1 per approvals.

Changes to the “Kit of Parts” including additional street sections with a minimum 24-foot clear width were approved with #2-PD-15 and #3-PD-15 and required in Phases 2B, 2C, 2D and 3.

Street names within the development have been previously approved. Harborton Street is the existing street that is part of the loop road system to the east of Hwy 101 that begins with 40th Street on the north and ends with 50th Street on the south (and

eventually 62nd). Harborton Street is the longest stretch of the loop, running generally north-south through the Village. Harborton Street is for the former name of South Beach.

The streets that run perpendicular to Harborton Street are in numerical order, keeping with the general system of street names in South Beach. Streets included in Phase 1 (completed) and Phases 2-3 4 (to be constructed):

- ~~41st Circle as necessary to accommodate the City's Street Grid.~~
- 42nd Place as necessary to accommodate the City's Street Grid. It will terminate in an auto court, and provide pedestrian access through the park to 43rd Street.
- 43rd Street as necessary to accommodate the City's Street Grid. It terminates in an auto court.
- 44th Street as necessary to accommodate the City's Street Grid. It terminates at the cottage cluster, where it intersects with Ellis Street.
- 45th Street as necessary to accommodate the City's Street Grid. It provides a connection between Fleming and Geneva Street.
- 46th Street as necessary to accommodate the City's Street Grid. It terminates where it intersects with a continuation of Ellis Street.

No public streets are proposed in Phases 4 and 6, which is already served by Harborton Street.

The following streets do not intersect with Harborton Street: Ellis Street, Fleming Street, and Geneva Street.

- Ellis Street is for Ellis Island and for Ellis Bell, the pen name of Emily Bronte, author of *Wuthering Heights*.
- Fleming Street is for Alexander Fleming who discovered penicillin, and epidemiologist Dr. David Fleming who served as State Epidemiologist of Oregon as part of a regional and international career.
- Geneva Street is for Lake Geneva, Wisconsin and its namesake Geneva, Switzerland, as well as the old telephone exchange in the Dorchester area of Boston.

Traffic:

As part of the prior annexation of the site to the City, the City adopted Ordinance 1931 to address potential transportation impacts of Phase 1. Ordinance 1931 states that the City will not issue building permits for land uses in the annexation territory, which includes both the subject site and property abutting 40th Street owned by GVR Investments, if they generate more than 180 peak hour trips (based on Saturday mid-day peak hour in August). This "trip cap" limits the number of dwellings or commercial floor area that can be constructed within Phase 1 of Wilder and the GVR Investment Property based on the transportation improvements that are currently in place. When additional traffic improvements are made pursuant to the Transportation Systems Plan that is currently being updated, including the paving of Ash Street and the construction

of a traffic signal at 40th Street and Highway 101, the trip cap may be lifted allowing the full range of development to occur within the site consistent with the Traffic Study Transportation Planning Rule.

A traffic analysis was prepared in conjunction with the annexation of the Wilder site in 2007 demonstrates how the 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. 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. The applicant will apply these reserved trips to development in Phase 1 of Wilder covered by the Preliminary Development Plan, less trips that have been used by approved development in Wilder Phase 1 and the coffee shop in the Village Center. The total trip budget is 1,237 weekday PM peak hour trips for the TAZ A in which Wilder is located; Wilder may use some of these trips for future development, including Phase 1 of Wilder, in addition to the reserved trips.

Separate from the trips reserved for Wilder through the Trip Budget, Wilder has vested 232 weekday PM peak hour trips for forecasted development with previous approvals based on the trip vesting standards in NMC 14.43.090(D). A portion of the vested trips have already been allocated to development completed in Wilder Phase 1. When vested trips are used, they are also counted against the Trip Budget reserved for Wilder. With approval of this application, Wilder will tentatively have vested 313 weekday PM peak hour trips for development within the Final Development Plan. Tentative weekday PM peak hour vested trips break down by phase as follows:

Phase 1	40 (40 SFD)
Phase 2A	49 (33 for retail/restaurant bldg, 16 for 6,025 SF specialty retail on 2 pads)
Phase 2B	17 (28 apartments)
Phase 2C	20 (20 SFD)
Phase 2D	6 (SFD)
Phase 2E	28 (assumes 10,150 SF specialty retail on 4 pads)
Phase 2F	41 (assumes 15,000 SF specialty retail)
Phase 3	9 (9 SFD)
Phase 4	22 (22 SFD) vested, to be increased to 81 (130 apartments) <i>(proposed)</i>
Phase 6	22 (7 for 12 apartments, 15 for 1,200 SF daycare center) <i>(proposed)</i>
Total	232 existing, 313 proposed

The vesting term previously approved for Wilder is 10 years, meaning these trips will be vested through 2026. Additional trips for future phases of Wilder development will be vested through amended planned development plans and tentative subdivision plan;

additional PM peak hour trip capacity within TAZ Area "A" in which Wilder is located (prior to approval of these modifications) is available first come, first served.

Utilities:

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. Updated utility plans are included on Sheets 15-18 of Appendix G.

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. A sidewalk on the north/east side of Harborton will be completed to serve Phase 6. As shown in the updated Final Development Plan, various new public local streets will be extended from the Collector to serve the neighborhoods within the site consistent with the proposed circulation plan. (See Appendix F.)

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 Oregon Coast Community College campus. Utility plans illustrate how these facilities will be further extended to serve development within the site, including additional connections in Phase 2B to serve the two proposed lots. (See Sheets 15-18 of Appendix G.) Stormwater 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.

~~The development plan includes two stormwater alternatives for Phase 4: a wetland alternate that preserves an existing wetland as part of the drainage design, and a mitigation alternate that would remove the wetland and mitigate the effects, routing all stormwater through a traditional on-street drainage system. The wetland alternate would protect the wetland in a tract to ensure the City can access and maintain any public drainage infrastructure routed through the wetland.~~

IV. TENTATIVE SUBDIVISION PLAN

The applicant seeks to modify the tentative subdivision plan for Phase 1 of Wilder approved in #1-SUB-15 and other previous approvals by adding a single lot each for Phases 4 and 6, and creating two lots in Phase 2B from the single lot currently approved. (See Appendix G, Sheets 7-10.) All other provisions of the tentative subdivision plan for other phases remain unchanged, and are not addressed in this application. The subject application for Phases 4 and 6 complies with the procedures and submittal requirements for Tentative Subdivision Plan established in Chapter 13.05 of the Newport Municipal Code as follows:

13.05.015 Streets.

13.05.015.A. Criteria for Consideration of Modifications 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.

RESPONSE: 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 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.

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:

Type of Street	Minimum Right-of-Way	Minimum Roadway Width
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	Width	
Arterial, Commercial and Industrial	80 feet	44 feet
Collector	60 feet	44 feet
Minor Street	50 feet	36 feet
Radius for turn-around at end of cul-de-sac	50 feet	45 feet
Alleys	25 feet	20 feet

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.

RESPONSE: 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 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 Appendix J, Detail 4.) No new streets are planned with Phases 4 and 6, however, a 4-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 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.

13.05.015.C. Reserve Strips. Reserve strips giving a private property owner control of access to streets are not allowed.

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

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.

RESPONSE: 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.

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.

RESPONSE: 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 College Way and will be extended south to the boundary of the Planned Development. 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 connect with College Way.

3-2-2.030. 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.

RESPONSE: This criterion is not applicable; no new streets are proposed.

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.

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

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.

RESPONSE: On Harborton Street, a 12-foot wide multiuse path has been constructed on the south/west side of the street that serves Phase 4 and provides adequate pedestrian circulation for both sides of the street. An additional 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 connect with an existing sidewalk along the north side of 40th Street to the west at Chestnut Street. Future pedestrian connectivity to the south 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.

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.

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

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.

RESPONSE: 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 Appendix G, Sheets 7-10.)

13.05.015.K. Marginal Access Streets. 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 nonaccess 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.

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

3-2-2.060. 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.

RESPONSE: This criterion is not applicable; no alleys are proposed within Phases 2B, 4 and 6, which are proposed for residential use. 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.

13.05.020 Blocks.

13.05.020.A. 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.*

RESPONSE: Not applicable; no non-residential development is proposed with Phases 2B, 4 and 6.

13.05.020.B. 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.*

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

13.05.025 Easements.

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.*

RESPONSE: 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; easements will be 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; a drainage easement along the property line running through the parking lot will be recorded.

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.*

RESPONSE: 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.

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.*

RESPONSE: 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. Phase 4 stormwater will be routed in a public storm drain from Harborton Street to an existing drainage way to the south of Phase 4; the storm drain system will be located within a public easement, either a stand-alone storm water easement or combined with water and sewer easements in Phase 4.

13.05.030 Lots and Parcels.

13.05.030.A. Size. *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:*

(a) *Where property is zoned and planned for business and 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 provided for the off-street service and parking facilities required by the type of use and development contemplated.*

RESPONSE: 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.

13.05.030.B. Street Frontage. *Each lot and parcel shall possess at least 25 feet of frontage along a street other than an alley.*

RESPONSE: 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.

13.05.030.C. Through Lots and Parcels. *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 a traffic artery or other incompatible use.*

RESPONSE: No through lots or parcels are proposed with these phases.

13.05.030.D. Lot and Parcel Side Lines. *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.*

RESPONSE: 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.

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.*

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

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.

RESPONSE: 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.

The area to the east of Harborton is proposed as an oversized remainder lot. This lot will ultimately be re-platted as part of full build-out of Phase 1 of Wilder. As part of the Preliminary Planned Development application, the applicant has prepared a land use concept plan that demonstrates how these lots could be re-platted in the future consistent with City standards as permitted through a Planned Development. (See Appendix F.)

13.05.030.G. Development Constraints. *No lot or 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. (...)*

RESPONSE: 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 Sheet 16 of Appendix G.) There are no wetlands or other resources in the proposed Phase 2B lots.

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.*

RESPONSE: All of Phase 1 of Wilder is located outside of Geologic Hazard Areas as mapped by the City of Newport (see Map C2 of City's Geologic Hazards Map prepared June 17, 2011); this criterion does not apply.

13.05.035 Public Improvements.

Public Improvement Procedures. *In addition to other requirements, public improvements installed by a developer that is dividing land, whether required or voluntarily provided, shall comply with this chapter, and with any public improvement standards or specifications adopted by the city. The following procedure shall be followed:*

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.

RESPONSE: Engineering plans will be submitted to the city prior to construction of any public improvements.

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.

RESPONSE: The applicant will notify the city before commencing improvement work.

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.

RESPONSE: The applicant will construct the improvements under the inspection and to the satisfaction of the city engineer.

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.

RESPONSE: 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 Appendix G, Sheet 17 for Utility Plan.)

13.05.035.E. A map showing public improvements as built shall be filed with the city upon completion of the improvements.

RESPONSE: The applicant will file as-built plans with the city.

13.05.035.F. Public improvements shall not be commenced until any appeals of the subdivision approval are resolved.

RESPONSE: The applicant will abide by this requirement.

13.05.040 Public Improvement Requirements.

13.05.040.A. The following public improvements are required for all land divisions, except where a subdivision plat is reconfiguring or establishing rights-of-way for future public streets:

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.

RESPONSE: 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 a 4-foot wide sidewalk on the north/east side of the street along the Phase 6 frontage with this development. Harborton Street fronting 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.

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.

RESPONSE: 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 Appendix G, Sheets 15-18.) Phase 4 storm water will be routed in a public storm drain from Harborton Street to the existing drainage way south of Phase 4. 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.

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.

RESPONSE: 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 Appendix G, Sheets 15-18.)

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.

RESPONSE: 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 Appendix G, Sheets 15-18.)

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).

RESPONSE: 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 Appendix G, Sheets 4 and 5.)

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.

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

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.

RESPONSE: The applicant will abide by this requirement.

13.05.045 Adequacy of Public Facilities and Utilities (Electric and Phone)

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.

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

13.04.045.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.

RESPONSE: The City provided a letter on September 18, 2015, identifying the utilities serving Wilder generally and their adequacy for the Planned Development as proposed in #2-PD-15 and #3-PD-15. (See Appendix E.) The modifications proposed with this application do not change the total amount and intensity of proposed development, which remains consistent with the previously approved Planned Development, and can be served by public facilities as verified in the 2015 letter.

13.05.050 Underground Utilities and Service Facilities.

13.05.050.A. 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.

RESPONSE: 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.

13.05.050.B. 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.

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

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.

RESPONSE: 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 Sheets 15-18, Appendix G and Appendix J.)

13.05.060 Street Signs

Street name signs, traffic control signs and parking control signs shall be furnished and installed by the city.

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

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.

RESPONSE: The applicant shall reestablish and protect monuments as required.

13.05.090 Final Plat Requirements for Land Divisions Other than Minor Replats or Partitions.

13.05.090.A. 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.*

RESPONSE: As previously conditioned in #1-SUB-09, the developer shall 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.

V. PRELIMINARY DEVELOPMENT PLAN MAJOR MODIFICATION FOR PHASE 1 (NMC 14.35)

This application addresses only modifications to the Preliminary Development Plan for Phase 1 of Wilder proposed for Phases 2B, 4 and 6. All other aspects of the plan were approved in #2-PD-15 and previous applications.

14.35.020. Permitted Uses. *An approved planned development permit may only include those uses permitted outright or conditionally in the underlying district. (...)*

RESPONSE: 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.

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.

RESPONSE: Accessory dwelling units have previously been approved for Phases 1, 2D and 3 in Wilder, but are not proposed for Phases 4 and 6. No other accessory uses are proposed other than those customary for the primary and conditional uses.

14.35.070. Criteria for Approval of a Preliminary Development Plan. *The approval authority may approve an application for a Preliminary Development Plan when it finds that the application complies with the following criteria:*

14.35.070.A. Size of the Planned Development Site.

1. A planned development shall be on a tract of land of at least two acres in low density residential areas, or;

RESPONSE: The total area for Phase 1 of Wilder is approximately 60 acres, including rights-of-way and areas that have been previously developed. The planned development includes a mix of low density, high density and commercial areas; the low-density area exceeds the two-acre minimum.

2. A planned development may be allowed on any size tract of land in high density residential areas if:

- a. An unusual physical or topographic feature of importance to the people of the area or the community as a whole exists on the site or in the neighborhood, which can be conserved and still leave the land owner equivalent use to the land by the use of a planned development.
- b. The property or its neighborhood has a historical character of importance to the community that will be protected by the use of a planned development.
- c. The property is adjacent to or across a street from property that has been developed or redeveloped under a planned development, and a planned development will contribute to the maintenance of the amenities and values of the neighboring development.

RESPONSE: The planned development includes a mix of low density, high density and commercial areas. The South Beach Neighborhood Plan requires that the subject site be developed through a Master Plan process, such as that provided through the Planned Development process.

14.35.070.B. Dimensional and Bulk Standards.

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.

RESPONSE: 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 for approved dimensional standards. No further modifications are requested with this application.

2. If the spacing between main buildings is not equivalent to the spacing, which would be required between buildings similarly developed under this Ordinance on separate parcels, other design features shall provide light, ventilation, and other characteristics equivalent to that obtained from the spacing standards.

RESPONSE: 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 attached "Kit of Parts" and include such things as buildings with multi-planned sloped roofs, porches, balconies, variations in materials and colors, use of natural materials to blend with the surroundings, large shared common green spaces, etc.

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 the development in the zone.

RESPONSE: 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 Appendix G, Sheet 19 for landscaping plan for Phases 4 and 6.)

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.

RESPONSE: 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.)

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.

RESPONSE: The building coverage in the Preliminary Planned Development shall not exceed the maximum allowed in the zones.

14.35.070.C. Project Density.

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%. An increase in density of over 5% but less than 10% can be permitted by the Planning Commission if the arrangement of yards and common open space is found to provide superior protection to existing or future development on adjacent property.

2. If the Planning Commission finds that any of the following conditions would be created by an increase in density permitted by the Section, it may either prohibit any increase in density or limit the increase in density by an amount which is sufficient to avoid creation of any of these conditions:

- a. Inconvenient or unsafe access to the planned development.*
- b. Traffic congestion in the streets that adjoin the planned development.*
- c. An excessive burden on sewerage, water supply, parks, recreational areas, schools, or other public facilities which serve or are proposed to serve the planned development.*

RESPONSE: The applicant is not proposing 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.

14.35.070.D. Common Open Space.

1. No open space area may be accepted as common open space within a planned development unless it meets the following requirements:

- a. The location, shape, size and character of the common open space is suitable for the planned development.*

b. 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.

c. 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.

d. The development schedule which 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.

e. 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.

RESPONSE: The applicant has 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.

2. No common open space area may be put to a use not specified in the Final Development Plan unless the Final Development Plan is first amended to permit the use. However, no change of use may be considered as a waiver of any of the covenants limiting the use of common open space areas, and all rights to enforce these covenants against any use permitted are expressly reserved.

RESPONSE: The proposed common open space within the site will be used for parks and trails in a manner consistent with the approved Final Development Plan. No changes to the use of common open space areas are proposed with this application. Tract "G" will be used for open space and trail use.

3. If the common open space is not conveyed to a public agency, the covenants governing the use, improvement, and maintenance of the common open space shall authorize the city to enforce their provisions.

RESPONSE: Tract "G" will be dedicated to the City and no covenants will be needed.

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.*

RESPONSE: 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 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.

14.35.070.F. *The planned development will be compatible with the areas surrounding the project site and with no greater demand on public facilities and services than other authorized uses for the land.*

RESPONSE: The proposed uses within the Master Plan for Phase 1 of Wilder complies with the City's Comprehensive Plan and zoning and is consistent with the adopted South Beach Plan 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 necessary to serve the site, 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.

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.

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 as for a subdivision (see the Newport Subdivision Ordinance, NMC Chapter 13.05).*

RESPONSE: The applicant will 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 final subdivision filing for that phase.

14.35.110 Procedure for Modification of a Planned Development.

C. A major change in a Preliminary or Final Development Plan that includes any change in the character of the development or any increase in the intensity or density of the land use or in the location or amount of land devoted to specific land uses or any change in the location, width, or size of a collector or major thoroughfare street, or that substantially changes the location or specification for utilities but will not materially affect future street or utility plans of the City may be approved by the Commission after public hearing.

D. In considering any request for a change in a Preliminary or Final Development Plan, the Planning Commission shall apply the same standards as are provided in this Article for the approval of Preliminary or Final Development Plans. The Planning Commission may approve, reject, modify, or attach special conditions to a request for modification of a Preliminary or Final Development Plan. The Community Development Director in his reasonable discretion shall determine whether each request for modification of a Preliminary or Final Development Plan is a minor or major change within the remaining of subparts of A, B, or C of this Section and shall determine or refer each request appropriately.

RESPONSE: The subject proposal meets the criteria for a Major Modification with review and approval by the Planning Commission. The proposal seeks to modify the previously approved Preliminary Development Plan by adjusting the boundaries of the zoning districts to swap R-3 areas near the Village Center with R-2 areas in the northwest corner of the site to facilitate development of Phases 4 and 6. The modification will adjust the location of density within the development but not increase the overall intensity of the development beyond that previously approved and allowed in the base zoning. The proposal will not substantially alter the location of a major collector or thoroughfare street, or utilities. The lot changes proposed to Phase 2B will have no impact on the character of the development, as the development on the lots and supporting infrastructure remain the same.

The applicant has responded to the standards for approval of a Preliminary Development Plan as applies to this modification throughout this section.

VI. FINAL DEVELOPMENT PLAN MAJOR MODIFICATION FOR PHASE 1 (NMC 14.35)

This application addresses only modifications to the Final Development Plan for Phase 1 of Wilder proposed for Phases 2B, 4 and 6. All other aspects of the plan were approved in #3-PD-15 and previous applications.

14.35.100 Criteria for Approval of a Final Development Plan. *The approval authority may approve an application for a Final Development Plan when it finds that the application complies with the following criteria:*

A. The Final Development Plan must substantially conform to the land use and arterial street pattern as approved in the Preliminary Development Plan.

RESPONSE: As shown in the attached Final Development Plan/Tentative Subdivision Plan, 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.) A change in the R-3 multifamily and R-2 single-family 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. 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.

RESPONSE: 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. 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. 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.

RESPONSE: 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 Appendix G, Sheets 15-18.) 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.

D. Access shall be designed to cause minimum interference with traffic movement on abutting streets.

RESPONSE: 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 at full build-out of the Master Plan 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. 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. 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 areas.

RESPONSE: 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 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. The arrangement of buildings, parking areas, signs, and other facilities shall be designed and oriented to minimize noise and glare relative to adjoining property.

RESPONSE: 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. Artificial lighting, including illuminated signs and parking area 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.

RESPONSE: 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. The area around the development can be developed in substantial harmony with the proposed plan.

RESPONSE: The areas proposed within the Final Development Plan is 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. The plan can be completed within a reasonable period of time.

RESPONSE: As shown in the proposed development schedule (Page 19), 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. The streets are adequate to serve the anticipated traffic.

RESPONSE: As part of the prior annexation of the site to the City, 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 the City demonstrates how the 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, page 25.) 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. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

RESPONSE: The planned utilities that will serve the development are 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 (Appendix G, Sheets 15-18). 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.

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 or 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.*

RESPONSE: Tract "G" will be conveyed to the City for trail and open space uses.

M. The Final Development Plan complies with the requirements and standards of the Preliminary Development Plan.

RESPONSE: The Final Development Plan will comply with the provisions of the modified Preliminary Development Plan proposed concurrently with this application. (See Section V.)

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.

RESPONSE: No construction will be completed outside of the area or out of compliance with the approved by the Final Development Plan.

14.35.110 Procedure for Modification of a Planned Development.

C. A major change in a Preliminary or Final Development Plan that includes any change in the character of the development or any increase in the intensity or density of the land use or in the location or amount of land devoted to specific land uses or any change in the location, width, or size of a collector or major thoroughfare street, or that substantially changes the location or specification for utilities but will not materially affect future street or utility plans of the City may be approved by the Commission after public hearing.

D. In considering any request for a change in a Preliminary or Final Development Plan, the Planning Commission shall apply the same standards as are provided in this Article for the approval of Preliminary or Final Development Plans. The Planning Commission may approve, reject, modify, or attach special conditions to a request for modification of a Preliminary or Final Development Plan. The Community Development Director in his reasonable discretion shall determine whether each request for modification of a Preliminary or Final Development Plan is a minor or major change within the remaining of subparts of A, B, or C of this Section and shall determine or refer each request appropriately.

RESPONSE: The subject proposal meets the criteria for a Major Modification with review and approval by the Planning Commission. The proposal seeks to modify the previously approved Final Development Plan by expanding the range of proposed uses in the R-3 zone, adjusting the location of the single-family and multifamily zoning within the plan area, adjusting the lot configuration in Phase 2B, and expanding the boundaries of the proposed Final Development Plan to include Phase 6. The proposal will not substantially alter the location of a major collector or thoroughfare street, or utilities.

The applicant has responded to the standards for approval of a Final Development Plan as applies to this modification throughout this section.

VII. COMPREHENSIVE PLAN MAP AMENDMENT

This application 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 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 proposed amendment will not result in any 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 amendment meets the criteria for a Minor Amendment to the Comprehensive Plan Map as follows:

A. A change in one minor goal or policy.

RESPONSE: Not applicable; the applicant does not propose any text amendments.

B. A demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.

RESPONSE: The proposed map amendment will accommodate student housing for OSU, which looks to expand their Newport campus and provide dedicated housing opportunities for their students. Providing student housing in this location will decrease pressure citywide for multifamily or other reasonably priced rental accommodations, decreasing competition with Newport residents for an already limited supply of housing. Additional High-Density Residential designated land is needed in the vicinity of the OSU facilities at the Hatfield Marine Science Center to house the students and allow them to take advantage of multimodal transportation connections to Hatfield, to reduce overall trips and traffic generation across Newport. Accommodating affordable housing in Wilder will also help to satisfy urban housing needs, by meeting needs of low-income families transitioning from a temporary homeless shelter to more

permanent housing accommodations that are affordable to very low-income households. 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.

C. The orderly and economic provision of key public facilities.

RESPONSE: Key public facilities, including roads, water, sewer, and parks have been developed or are planned for development within the 60-acre Wilder Planned Development site. Planned capacity for Wilder is 345 dwelling units, which will not change with this application, merely shift location within the site. Because facilities are already available or planned, they can be provided in an orderly and economic fashion to meet the needs of the areas proposed for re-designation with no adjustments or increase in capacity needed.

D. The ability to serve the subject property(s) with city services without undue burden on the general population.

RESPONSE: As mentioned above, roads, water, sewer and parks have been developed or are planned to be developed as part of the Wilder Planned Development, which will not create any burden on the general population. Locating multifamily housing in Wilder will reduce the overall burden on the transportation system by residents of the OSU student housing project, because they will be within a mile of the OSU Hatfield Center, greatly reducing their commute distance. Additionally, there are existing and planned multimodal facilities, including a bike path on Ash Street and off-street trails, that will connect the student housing to the OSU Hatfield Center, providing further options to reduce transportation impacts.

E. The compatibility of the proposed change with the surrounding neighborhood and community.

RESPONSE: The proposed High Density Residential designation in the northeast corner of Wilder will be compatible with surrounding land use designations, which are High Density Residential immediately north of the site, and Industrial to the immediate east. The Planned Development includes techniques to buffer site development from adjacent uses, including landscaping buffers, open space and topography changes. The change from High Density to Low Density Residential near the Village Center will be compatible with surrounding development because it does not fundamentally alter the gradual transition from high density in the Village Center to lower density, single-family development to the north; instead, the proposed amendment merely moves the line marking that transition. Further, the various tools in the Planned Development will ensure a graduated transition between the different designations that maintains compatibility by incorporating a variety of lot sizes and residential development types, including medium-density products like townhomes and cottages to minimize any friction between multifamily apartment-style development and single-family detached development.

VIII. ZONING ORDINANCE MAP AMENDMENT (NMC 14.36)

This application seeks to modify the location of the R-2 Medium-Density Single Family and R-3 Medium-Density Multifamily zones within the Wilder Planned Development boundaries consistent with the requested Comprehensive Plan Map Amendment. (See Exhibit F.) As discussed in Section VII in response to the Comprehensive Plan Map Amendment request, the 8.1-acre increase in R-3 zoning in the northeast corner of the site for Phases 4 and 6 of the Wilder Planned Development would be 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.

