



STAFF REPORT AND DECISION

Date of Staff Report: November 7th, 2025

File Number: SDR 2025-01

Applicant: Consultant - Amy Perenchio, AIA, NCARB
ZGF Architects, LLP
1223 SW Washington Street, Suite 200
Portland, OR 97205

Owner: Twin Towers LLC
7401 SW Washco Ct. Suite 200
Tualatin, OR 97062

Request: Site Development Review of a 5-story hotel with 96 rooms, 105,000 gross square feet, and related amenities. No on-site parking is provided. 107 off-site parking spaces are provided in four off-site parking areas distributed throughout the CBO.

<u>Subject Site:</u>	<u>Address</u>	<u>Taxlot</u>	<u>Size</u>	<u>Zoning</u>
	201 Ferry Street	4 3 17 DA 3001	±36,057 sf	C/CBO
	204 Ferry Street	4 3 17 DA 5900	7,200 sf	C/CBO
	145 Ferry Street	4 3 17 DA 5800	7,200 sf	C/CBO
	316 Ferry Street	4 3 17 DA 7100	12,179 sf	C/CBO
	508 4 th Street	4 3 17 DD 0800	9,609 sf	CR/CBO
	400 4 th Street	4 3 17 DA 1500	10,746 sf	C/CBO

Zoning: Commercial (C)
Central Business Area Overlay Zone (CBO)

Criteria: **Dayton Land Use and Development Code (DLUDC)**
Section 7.2.106: Site Development Review
Section 7.2.106: Commercial (C)
Section 7.2.111: Central Business Area Overlay Zone (CBO)

Attachments: **Exhibit A:** Applicant's Final Submittal (10.14.25)
Exhibit B: Pre-application Submittal
Exhibit C: Incompleteness Determination
Exhibit D: Applicant's Written Notice Forcing Completeness
Exhibit E: Hearing Notice
Exhibit F: Revised Type I Notice
Exhibit G: Engineering Comments
Exhibit H: Fire Comments
Exhibit I: ODOT Comments
Exhibit J: Tiffany Braun Public Comment
Exhibit K: Judy Gerrard Public Comment
Exhibit L: 120-day Waiver

I. BACKGROUND AND SITE SUMMARY

The Dayton Hotel is a 96-room, full-service hotel building proposed with approximately 105,000 gross square feet of floor area with 5-stories featuring a comprehensive array of amenities. 107 parking spaces are planned in off-site surface parking lots on 5 lots dispersed throughout the Central Business Overlay district (CBO).

Figure 1: Map of subject site including the hotel and four off-site parking areas.



The hotel site as proposed is positioned on a ±36,057 square foot lot that was consolidated in its current configuration in 2023 by PLA 2023-07 and occupies the entire city block bounded by Ferry, Second Street, Third Street, and a public alley to the north. Properties to the north and south have commercial and commercial residential zoning within the CBO. Properties to the east are in the R-2 Limited Density Residential District. The 3rd Street frontage is across the street from Courthouse Square Park (Public Zone). The project also involves the development of four off-site surface parking lots on five platted properties -- the 38-space lot at 204/145 Ferry Street consists of two platted lots.

The site slopes from west to east toward the Yamhill River with an elevation drop of approximately 10 feet from the northwest corner of the site along 3rd Street to the southeast corner of the lot near the intersection of Ferry Street and 2nd Street. The applicant's submittal includes a demolition and clearing plan that shows existing elevation contours across the site and the historic internal lot lines that were dissolved as a result of PLA 2023-07.

Figure 3

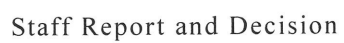


Figure 4

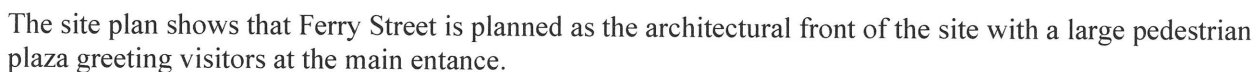
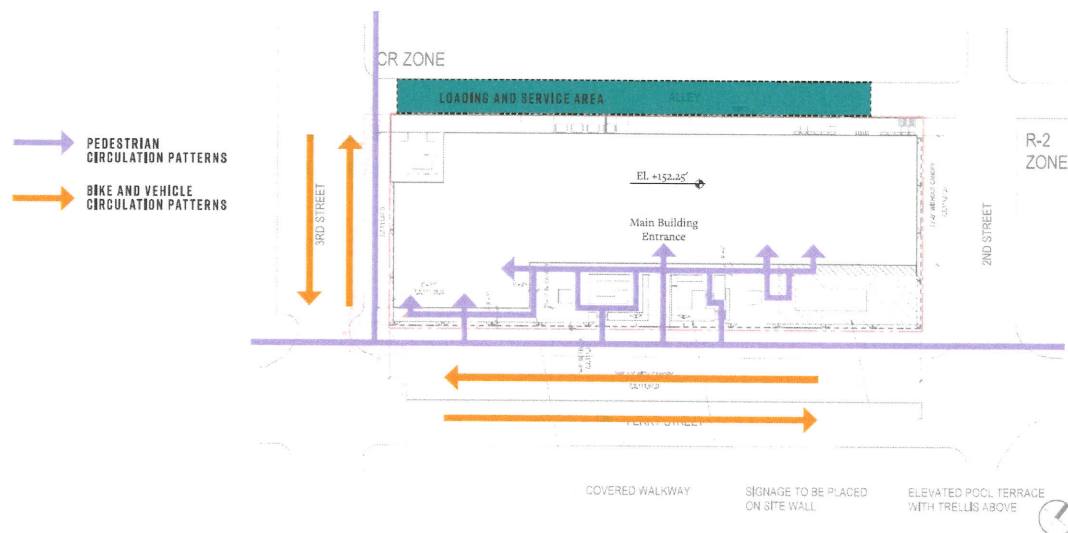


Figure 5



The subject property is in the Central Business Area Overlay District (CBO) and is subject to the design standards described in Section 7.2.111. The current standards were implemented at the direction of City Council by Legislative Amendment 2023-02 (Case File LA 2023-02) and adopted by City Council with Ordinance 657.

Staff Report and Decision

goals related to improving the urban form within the City's CBO, and the update established minimum standards to ensure future development is consistent with the aspirations of the Dayton community.

The substantive work on the amendments was completed by contract planning staff under the guidance of a Technical Advisory Committee comprised of City staff members, members of Planning Commission, City Council, interested citizens, and community stakeholders. Staff identified codes and guidelines from cities that could be used as examples to inform the standards ultimately adopted in Dayton. Three of the cities were chosen because they are specifically referenced in the Dayton Forward Plan – Carlton, McMinnville, and Healdsburg, CA. Staff examined the standards in Carlton, McMinnville, and Silverton in addition to the guidelines published by the City of Healdsburg, CA for commercial districts. The Healdsburg Citywide Design Guidelines were distributed as reference for the committee to use to inform their decisions regarding specific standards in the different urban design categories.

As work on LA 2023-02 began, there was widespread awareness that the Dayton Hotel project was underway and that the maximum height limit of 35 feet would need to be increased substantially to make the project feasible. As a result, the height of this building was central to the discussions of the Technical Advisory Committee. Contract planning staff initially advocated for a 65-foot height limit across the CBO district, but that proposal was met with some resistance from TAC members, and the initial recommendation was tabled in favor of a 55-foot maximum height limit as long as certain building orientation and articulation requirements were met. Eventually the TAC was willing to carve out an exception for this applicant on this property only to allow a 65-foot height limit, with the building design standards in Section 7.2.111 in place to mitigate the height and bulk of this building.

III. APPLICATION HISTORY

Various submittals have presented numerous code compliance issues that have led to a convoluted process of review. Those issues are outlined in the incompleteness determination letter in Exhibit C.

On September 26th, 2024, a pre-application meeting was held with the applicant at which time the applicant had the opportunity to submit questions to contract planning staff and seek guidance on the future Site Development Review application. The applicant submitted a building footprint for review but did not submit any questions to planning regarding the future application. Planning provided summary information including the relevant sections of the development code, standards, criteria and review procedures. Based on the limited information provided, the only specific issues that could be identified at the time were compliance with Table 7.2.111.04 which explains that no front or streetside setback is allowed, Section 7.2.111.05.D which prohibits the placement of vehicular use areas between the street and the main entrance to the building, and the corner orientation described Section 7.2.111.05.G.

Planning staff also observed that no parking plan or building elevations were submitted for feedback and that the most controversial elements of the project were expected to be the overall height, mass, and bulk of the building and how parking would be provided.

The application for Site Development Review was received by the City of Dayton on April 23rd, 2025. The application was determined incomplete on May 8th, 2025. Section 7.3.106 of the Dayton Land Use and Development Code explains that the applicant has the responsibility to submit a complete application which addresses the review criteria and applicable standards. The written incompleteness determination listed various submittal requirements not included in the application such as a missing parking plan, the omission of narrative responses to the Site Development Review approval criteria, missing variance applications in addition to various other code compliance issues that potentially impact the approvability of the application. The applicant's incompleteness response was submitted on May 29th. On July 1st, the applicant submitted written notification described in ORS 227.178(2)(b) that no additional items would be provided and instructed staff to proceed with the review of the materials submitted.

While forcing completeness under ORS 227.178(2)(b) typically means no additional information is provided on the application, the applicant has submitted roughly 400 pages of additional information

since the initial April submittal, including a number of additional variance applications that have been withdrawn.

At the time the applicant forced the application complete, the applications submitted included Site Development Review with two Minor Variances. Typical Site Development Review and Minor Variance applications are Type I administrative reviews involving objective standards that allow limited discretion. However, the application included a number of unresolved code compliance issues that prevented the approval criteria from being met. Therefore, the application required some degree of relief or modification of a number of the standards in the Central Business Overlay District (CBO) that would have required Planning Commission to revisit the policy decisions made when approving LA 2023-02. Therefore, staff elevated the application to a Type II procedure to give the applicant the opportunity to present their arguments to Planning Commission at a public hearing.

The hearing was first scheduled for August 14th and written notice of the initial hearing was mailed to property owners within 200 feet of the subject site on July 8th, 2025 and to the city engineer, public works, and fire district on July 7th, 2025. The hearing initially scheduled for August 14th, 2025 was subsequently rescheduled to September 11th, and then to September 25th, 2025 at the request of the applicant. Soon after the staff report for the September 25th hearing, the applicant requested that the hearing be cancelled.

Following the cancellation of the September 25th hearing, the applicant submitted revised site plans on October 14th, 2025. With the revised submittal, the two variances were withdrawn. Further, the most problematic code interpretations were no longer necessary. Without the code interpretations, a public hearing is no longer required, and the Site Development Review application is now being reviewed as a Type I Limited Land Use application.

The City had been working toward October 29th, 2025 deadline (120 days from the July 1st completeness date) to issue a final decision, including resolution of any appeals. On September 11th, 2025, the applicant agreed to waive the 120-day deadline (Exhibit K) in order to accommodate the numerous requests to reschedule the aforementioned public hearings.

The application was first submitted on April 23rd. Subsequent submittals included roughly 400 pages of additional information. In order to keep the staff report and decision to a manageable size, previous plan iterations are not attached to the staff report and decision, but are available for inspection on request.

IV. PROCEDURE

Site Development Review is a Type I Limited Land Use application that involves administrative review with public notice and a 14-day period for submitting written comments. Once the decision is issued, it is mailed out to everyone who submitted written comments on the application. There is a 15-day appeal period following the decision where the decision will be posted to the website to allow the public, Planning Commissioners and City Council to review the decision. The applicant, those submitting written comments during the comment period, planning commissioners, and city councilors may appeal the administrative decision. An appeal of the decision will be decided by Planning Commission following a public hearing.

V. PUBLIC COMMENTS

As discussed previously in Section II above, the project was previously noticed for a public hearing as required by the Type II procedure. Subsequent revisions have removed the need for the hearing. Therefore, the application was subsequently re-noticed to provide the opportunity for the public to submit written comments. Previous comments on the Type II notice were technically not submitted within statutory 14-day period for Limited Land Use decisions but are nevertheless included in the staff report.

The comments received are summarized below with some description as to how the issues raised are addressed in the application or staff findings.

Tiffany Braun, 400 2nd Street

These comments were submitted in response to the initial Type II hearing. The written comments are directed toward the potential adverse impacts to the neighborhood from the lack of onsite parking, potential loss of access to their property from the alley, and preservation of the alley environment.

Adverse neighborhood impacts, including those resulting from the applicant's parking proposal are being reviewed for compliance with Criterion 7.3.106.06.E. which requires that projects avoid and minimize all adverse impacts to adjacent properties.

Alley access to property is generally encouraged by the development code. Condition 8 is included to ensure that the applicant's final improvement plans for the alley do not prevent any neighbors from using the alley to lawfully access their property

Trash collection and other service areas are required to provide screening so they are not visible from neighboring properties.

Contract planning staff share the concerns about adverse off-site impacts resulting from the applicant's decision not to provide clean, safe, accessible on-site parking for guests and employees. Those are included in the Criterion 7.3.106.06.E. findings. The applicant is responsible for demonstrating compliance with all the approval criteria for Site Development Review. Planning staff understand that the applicant has chosen to mitigate the adverse impacts related to the parking plan with remote surface parking lots served by valet.

Judy Gerrard, 305 Main Street

The comments generally add some additional commentary to the Legislative History in Section II, communicates the initial concern over the disregard for the CBO design requirements, and describes the process leading to the acceptance of the current design.

The comments generally track with the Legislative History in Section II and are consistent with the information provided to the applicant with the Incompleteness Determination in Exhibit C. Contract planning staff concur that previous submittals and especially the applicant's decision to force completeness following the incompleteness determination, showed a disregard for the City standards that were put in place for this project.

In general, the revised application submitted on October 14th, 2025, meets the minimum requirements for complying with the objective standards in Section 7.2.111. While the current application still presents opportunities for appeal of the design based on the discretionary standards of Section 7.2.111, no other comments on the design were submitted, and the public appears willing to accept the design.

VI. AGENCY COMMENTS

Comments from the City Engineer are included in Exhibit G and incorporated into the conditions of approval.

Comments from the Dayton Fire District are included in Exhibit H and incorporated into the conditions of approval. Comments generally communicate Oregon Fire Code requirements including those for Aerial Fire Access that apply to areas of the building that exceed 30 feet in height.

Comments from ODOT are included in Exhibit I and are incorporated into the conditions of approval. Comments generally inform the applicant of the various permitting requirements required to construct frontage improvements and include a recommendation for the application to provide a Traffic Impact Analysis to determine impacts and potential mitigation necessary to address the impact of the traffic generated by the project.

VII. APPROVAL CRITERIA AND FINDINGS

The application is subject to the approval criteria for Site Development Review in Section 7.3.106. Section 7.3.106 explains the applicant's responsibility to submit a complete application which addresses the review criteria. This section lists the approval criteria and implementing standards in *italics* followed by the response submitted by the applicant where they have provided one, which is followed by staff findings.

Failure of the decision to list a particular permit, condition, term, or restriction shall not relieve the owner of the necessity of complying with the law governing said permitting requirements, conditions, terms or restrictions. Any items or actions required to be completed under the existing ordinances of the City of Dayton shall not be waived, modified, or amended by omission from the decision.

7.3.106 Site Development Review

7.3.106.06 Site Development Plan Approval Criteria

An application for Site Development Review shall be approved if the proposal meets all of the following criteria. The City Planning Official, in approving the application, may impose reasonable conditions of approval, consistent with the applicable criteria.

A. The application is complete, in accordance with Section 7.3.106.05, above.

Findings: The applicant made their first submittal on April 23rd, 2025. The written incompleteness determination in Exhibit C was issued on May 8th, 2025 that enumerated the missing submittal requirements, pointed out a number of instances in the application where various applicable standards were not met, and informed the applicant of their options for proceeding under ORS 227. The applicant's second submittal was received on May 23rd. On June 5th planning provided additional input on the resubmittal identifying missing items including missing information demonstrating compliance with the requested minor variances. On June 26th, the applicant provided a third submittal that responded to some of the items. On July 1st the applicant provided written notice under ORS 227 that no other information would be provided and instructed planning to proceed with the review of the application as submitted.

With the written direction provided by the applicant on July 1st, 2025, criterion 7.3.109.04.A is met.

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

Findings: The project is within the Commercial Zone and the CBO districts. With a few exceptions, the CBO design standards generally supersede the standards in the Commercial Zone and regulate building height, building orientation, and architectural design. CBO design standards.

Specific findings addressing these and other applicable standards are provided below.

7.2.111 Central Business Area Overlay Zone (CBO)

7.2.111.04 Dimensional Standards

Minimum Lot Area

None

Minimum Front/Street Side Yards

No front or streetside setback is allowed. Exceptions to the setback requirements may be granted to allow for a pedestrian plaza, courtyard, dining space, landscaping, or similar purpose.

Finding: The applicant's site plans show pedestrian plazas, dining space, and landscaping are provided between the building and property lines fronting streets. The standard is met.

Maximum Structure Height 45 feet maximum building height; or 55 feet with height bonus, subject to subsection 7.2.111.06. Except for the properties identified in subsection 7.2.111.06.D, where the maximum building height shall be 55 feet; or 65 feet with height bonus.*

Finding: The applicant's building elevations show the application qualifies for the height bonus and meets the maximum height requirements.

Setback from Residential Zones Buildings shall be setback a minimum of 10 feet from R-1, R-2, and R-3 zoned properties. The minimum setback shall increase by one foot for each one foot of building height over 35 feet.

Finding: Exhibit 3.16 in the applicant's submittal illustrates compliance with the residential setback. The standard is met.

7.2.111.05 Building Orientation

New buildings shall comply with the following standards:

A. The building shall comply with the dimensional standards in subsection 7.2.111.04.

Findings: The submitted site plans show the dimensional standards in subsection 7.2.111.04 are met.

B. Provide at least one primary building entrance facing an abutting street that shall open onto a sidewalk, pedestrian plaza or courtyard, and a walkway shall connect the primary entrance to the plaza and sidewalk.

Finding: The applicant's site plan shows the standard is met with multiple entrances connected to the abutting sidewalks.

C. Building entrances shall be recessed or otherwise covered by a pedestrian shelter.

Finding: The applicant's site plans show building entrances covered by a pedestrian shelter. The standard is met.

D. Off-street parking and loading areas shall not be required within the Central Business Area. Off-street parking, loading areas, trash pick-up, and above ground utilities, including but not limited to utility vaults and propane tanks, shall not be placed between building entrances and the street(s) to which they are oriented, but shall be oriented internally to the block, screened, and accessed by alleys to the extent practicable.

Finding: The project is not planned with on-site parking or loading. The standard is met.

E. Where off-street parking is provided, it shall conform to the dimensional standards and landscape standards of Section 7.2.303.

Finding: Off-street parking is planned on remote sites that are being developed as accessory to the hotel. The applicant's parking plan shows that the dimensional standards and landscape standards of Section 7.2.303 can be met.

F. Where a development contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to plaza, courtyard, or similar space containing pedestrian amenities. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a landscaped and lighted walkway with an approved surface not less than five (5) feet wide.

Finding: The development does not involve multiple buildings. This standard does not apply.

- G. *Buildings on corner lots shall have a corner entrance not more than 20 feet from the corner of the building and contain architectural features that emphasize the corner (e.g., chamfered/rounded edge, windows, molding, art).*

Finding: The applicant's site plan shows an entrance is provided within 20 feet of the building corner at 3rd and Ferry with the corner emphasized with an outdoor patio. The standard is met.

- H. *Primary building entrances shall be at least fifty percent (50%) transparent so that two-way views, in and out of a building, are possible. This standard can be met by a door with a window, a transom window above the door, or sidelights beside the door.*

Finding: Exhibit 3.29 of the applicant's submittal shows the standard is met.

7.2.111.06 Building Height Bonus

The following standards are intended to support the urban design objectives for downtown and facilitate mixed-use development through increased building height, while protecting the historic integrity of downtown buildings. All the standards in this section must be met for approval of a building height bonus:

(...)

D. Special Design Requirements. Due to the unique location of the properties at the corner of Ferry Street (OR 155) and Third Street (OR 221), the following height standards shall apply to the properties fronting the north side of Ferry Street, between Second and Third Streets:

1. *Building Height. 55 feet maximum building height. The maximum building height may be increased to 65 feet when the standards in subsection 2 and 3 are met.*
2. *The portion of the building exceeding 55 feet shall cover not more than 50 percent of the building floor plate, as defined by the building foundation perimeter. Except the portion of the building subject to the height bonus may exceed 50 percent of the building floor plate for a mixed-use building that includes multifamily dwelling units or overnight accommodations above the ground floor.*
3. *The portion of the building exceeding 55 feet shall step-back from (recess behind) the building plane of the ground floor by one foot for each foot of building height above 55 feet.*

Finding: The application satisfies the requirements for the height bonus and the maximum height standard is met.

7.2.111.07 Building Design

- A. *Horizontal Articulation. Buildings more than 60 feet wide facing a street or plaza shall be visually divided into proportional bays similar in scale to historic building patterns and the historic lot widths of the Dayton Town Plat. Front elevations should be articulated (e.g., offset, recess, projection, or similar "break" in the wall plane) not less than once every 30 feet. Acceptable methods to satisfy the standard include offsets in a building elevation, roofline and/or the placement of windows, pilasters, awnings/canopies, trim, art/medallions, or other detailing and ornamentation. Changes in paint color do not satisfy this standard.*

Finding: The most conspicuous feature of southern elevation facing Ferry Street is a flat façade, 267 feet wide, and three stories high that is lacking in offsets, recesses, projections, or breaks in wall plane. While this is an example of the kind of undesirable feature of large format commercial buildings that the standard is intended to prevent, as explained in Section II, the standard was adopted to:

- Address community stakeholder concerns about allowing a 65-foot-high large format commercial building occupying an entire City block in the CBO,
- Provide a path for the applicant to proactively address those concerns in the design to protect the project from appeal, and
- Provide a mechanism for concerned stakeholders to compel the developer to address these concerns in the final decision if the applicant chose not to address them proactively.

The Type I process provides the opportunity for written comments on the application. One of the comments submitted expressed concern over “*a big black box, with little differentiation on the front elevation, ... and a general feeling of disregard for our Central Business Overlay design requirements*”. While 7.2.111.07.A. was adopted to prevent this outcome, the commenter appears to accept the design as submitted. No other critical comments were submitted on the application; therefore, based on the best available information the public appears willing to accept the design.

- B. Horizontal Rhythm. The main façade of the building shall be visually compatible with adjoining buildings. The standard may be met through either similar height and width, or with design elements that provide visual continuity with the height and width of adjoining buildings. Examples of such design elements include but are not limited to the base below a series of storefront windows; an existing awning or canopy line; a belt course between building stories; an existing cornice or parapet line. Where adjacent buildings do not provide a historically appropriate reference, the development may establish new horizontal lines consistent with historical precedent. This standard shall not be interpreted to prohibit building up to the allowed height limit.*

Finding: The building occupies the entire block and does not adjoin another building. This standard does not apply.

- C. Storefronts (that portion of the building that faces a public street) shall include the following basic features of a historic storefront:*
- 1. A belt course separating the upper stories from the first floor;*
 - 2. A bulkhead or kickplate at the street level;*
 - 3. A recessed entry and transom with transparent door; and*
 - 4. Decorative cornice or cap at the roofline.*

Finding: The required elements are labeled on the applicant’s elevations. The standard is met.

- D. Pedestrian Shelters. Awnings, canopies, recesses or similar pedestrian shelters shall be provided along at least 60 percent of a building's ground floor elevation(s) where the building abuts a sidewalk or civic space (e.g., plaza).*
- 1. Pedestrian shelters used to meet the above standard shall extend at least 5 feet over the pedestrian area, be proportionate to the building in its dimensions, and not obscure the building's architectural details.*
 - 2. Pedestrian shelters shall align with one another to the extent practicable.*
 - 3. Shelters shall not conflict with mezzanine or transom windows.*
 - 4. Colored canvas (not plastic) awnings and metal or plexi-glass canopies, when consistent with historical styles, are allowed.*

5. *Color of the pedestrian shelter shall be compatible with the main building.*
6. *Where signs are proposed as part of pedestrian shelters, they shall be required to meet the provisions of Chapter 7.4.1 Sign Regulations Exceptions: Pedestrian shelters are not required where historical precedent dictates otherwise. In addition, the Planning Commission may reduce the minimum shelter depth upon finding that existing right-of-way, easements, or building code requirements preclude a standard shelter.*

Finding: The submitted plans show the standards are met.

E. Windows

1. *Windows shall be recessed and not flush or project from the surface of the outer wall. In addition, upper floor window orientation primarily shall be vertical.*
2. *A minimum of 60 percent of the ground floor building elevations facing a street shall be comprised of transparent windows.*
3. *All side and non-ground floor building elevations not otherwise subject to the provisions of Subsection 2, above, shall be comprised of not less than 30 percent transparent windows; except zero-lot line/common wall elevations are not required to provide windows.*

Finding: The submitted plans show the standards are met.

F. The predominate roof form of buildings on Ferry Street shall be a flat roof with appropriately scaled cornice or stepped parapet top.

Finding: The applicant's plans include a sloped roof.

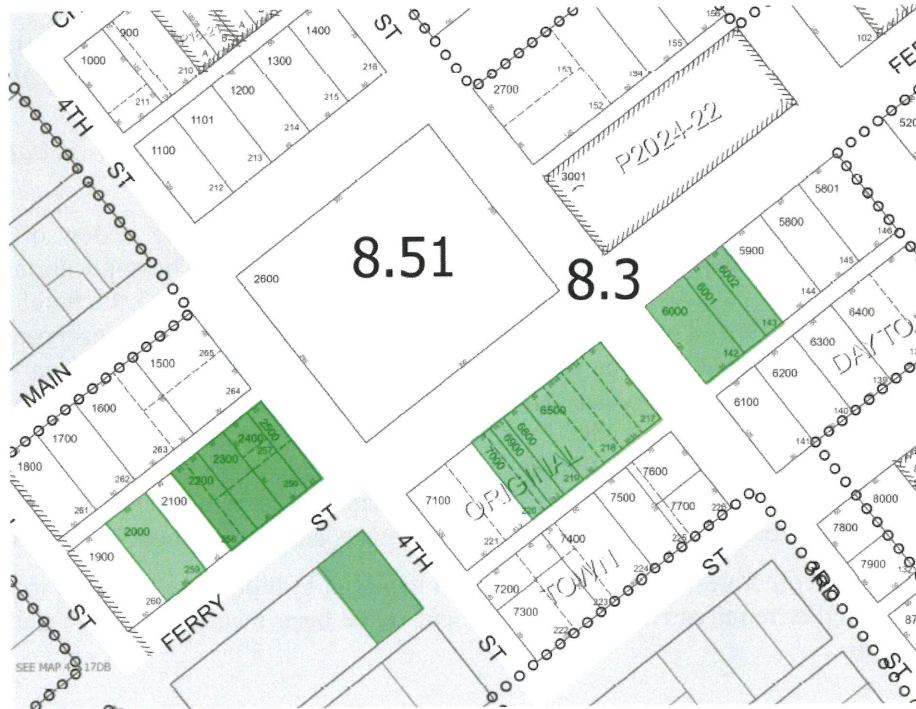
CBO boundaries are shown on the following map:

Figure 6



There are four blocks facing Ferry Street within the CBO plus one additional lot. Each block provides ± 300 linear feet of frontage on Ferry Street or ± 1260 total linear feet ($300 \times 4 + 60$ feet for TL 400). The lots highlighted on Tax Map 4317DA are developed with flat roof buildings occupying ± 562 linear feet or $\pm 44\%$ ($562 \text{ feet} / 1260 \times 100 = 44\%$) of frontage on Ferry Street.

Figure 7



As proposed, the project would be the only rooftop on Ferry Street not developed with a flat topped roof and would result in $\pm 65\%$ of the developed roof tops on Ferry Street developed with flat topped roofs.

If this project were to develop with a flat top roof, it would add ± 300 linear feet of Ferry Street frontage developed with flat top roofs resulting in ± 862 linear feet or $\pm 68\%$ ($862 \text{ feet} / 1260 * 1 = 68\%$) of frontage on Ferry Street.

While flat top roofs currently are not the predominate roof top form on Ferry Street and flat top roof on this building would achieve the standard. If all the other undeveloped lots along Ferry Street were to develop with flat topped roofs, including the lots currently proposed for surface parking, the standard can be met.

- G. Rooftop mechanical equipment as described in Section 7.2.202.01.B shall be setback and screened so as to not be visible to a person standing within an adjacent, at-grade public right of way, park, or open space.

Finding: The applicant's plans show that the elevator overrun (rooftop mechanical equipment) is setback so that it is not visible from the right of way. The standard is met.

Conclusion on Criterion 7.3.106.06.B.

Staff findings above explain that the standards in the underlying zones are met. The criterion is met.

C. The application complies with the applicable General Development Provisions of Section 7.2.2 and the General Development Standards in Section 7.2.3.

The findings addressing the specific provisions in Section 7.2.3 are provided as follows.

7.2.301.03 Application of Public Facility Standards

Standards for the provision and utilization of public facilities or services available within the City of Dayton shall apply to all land developments in accordance with the following

table of reference. No development permit, including building permit, shall be approved or issued unless:

- 1. The following improvements are provided prior to occupancy or operation; or,*
- 2. The improvement is specifically waived by the Department of Public Works due to existing improvements or circumstances within the area; or,*
- 3. Future provision for the necessary improvements is assured in accordance with Subsection 7.3.202.01.*

Finding: The application involves a new commercial use subject requiring review of fire hydrants, street improvements, water, sewer, storm, and pedestrian ways. The application proposes 107 off street parking spaces in four parking areas that are connected to the hotel site by public streets, sidewalks, and other public facilities. The review is treating the proposal as a singular development site that relies on public rights of way to connect the outlying parking areas that are accessory to the primary use. The extent of public improvement requirements is generally subject to the discretion of the Department of Public Works. The City engineer submitted comments on behalf of the Public Works Department in Exhibit G outlining the public improvements necessary to serve the site. Planning generally defers to Public Works regarding the review of public facility improvements and enforcement of these standards.

Planning incorporates City Engineering comments in Exhibit G in response to the applicable public facility requirements. These comments have been incorporated into the conditions of approval.

The public facility standards are met as conditioned.

7.2.303.03 General Provisions Off-Street Parking and Loading

- 1. Owner Responsibility. The provision and maintenance of off-street parking and loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this Code.*

Finding: The submitted parking plan to develop the remainder of the applicant's property in the CBO with surface parking lots is described as a temporary plan, but the application does not include any information about what a permanent parking plan might be. The application provides no basis for reviewing a permanent parking plan for compliance with the applicable development standards for off-street parking and loading. The majority of the project, measured in area, involves parking. Because parking is not permitted as a standalone use in the CBO, the parking areas can only be permitted as an accessory use to the hotel site. Therefore, if the applicant does bring a permanent plan forward in the future, this decision will need to be modified with another Site Development Review application which is included as a condition of approval.

- 2. Interpretation. Requirements for types of buildings and uses not specifically listed herein shall be determined by the City Manager based upon the requirements of comparable listed uses.*

Finding: The development code states that off street parking is not required in the CBO district but where it is proposed, it is subject to the development standards of this section. The proposed parking plan is being evaluated accordingly for compliance with these standards.

3. *Combined Uses. In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately, unless a reduction is approved for shared parking.*

Finding: The project is located in the CBO overlay where no minimum parking requirement applies.

4. *Use of Parking Spaces. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons or employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the use.*
5. *Park and ride spaces, handicapped parking and parking for carpools and vanpools shall not count as required parking, loading, or be used for vehicle storage.*

Finding: Conditions of approval are included in the decision to ensure these ongoing requirements are met.

7.2.303.04 Location and Use Provisions

Off-street parking and loading areas shall be provided on the same lot with the main building or structure or use except that:

1. *Non-residential Zone. In any non-residential zone, the parking area may be located off the site of the main building, structure or use if it is within 500 feet of such site. Evidence must be submitted to the City indicating a permanent recorded easement for the off-site parking.*

Finding: Offsite parking agreements shall be recorded against the properties in question and the hotel property per City standards, formalizing the legal use of these parking areas. Provisions for any shared parking areas shall be clearly addressed in the recorded parking agreements. This is included as a condition of approval. This provision can be met as conditioned.

2. *Accessory Parking Use, Non-residential. Parking of vehicles in a structure, or outdoors, is a permitted accessory or secondary use in non-residential zones provided all of the vehicles are owned by the owner or lessee of the lot.*

Finding: Parking lots are not permitted as a standalone use and are only allowed as an accessory use to the hotel. If another parking plan is brought forward in the future, it will need to be reviewed through a subsequent Site Development Review application.

7.2.303.05 Shared Use

Parking area may be used for a loading area during those times when the parking area is not needed or used. Parking areas may be shared subject to City Manager approval for public, commercial and industrial uses where hours of operation or use are staggered such that peak demand periods do not occur simultaneously. Such joint use shall not be approved unless satisfactory legal evidence is presented which demonstrates the access and parking rights of parties.

Finding: Because convenient onsite parking for guests, employees and visitors is not included in the program for the hotel site, planning staff have encouraged the applicant to provide information on the hours of operation and use of the hotel parking and related guest traffic to provide a more accurate evaluation of parking demand to determine whether or not parking demand is staggered such that peak demand periods for the hotel do not occur simultaneously with the parking demand for other uses in the CBO.

7.2.303.06 Off-Street Vehicle Parking Requirements

Number of Spaces. Off-street parking shall be provided in the amount not less than listed on the following chart:

Finding: This standard does not apply the CBO and has been omitted from the staff report for brevity. Bicycle parking is provided with an interior bike storage facility on Level 1.

7.2.303.08 Commercial and Industrial Off-Street Loading Requirements

All commercial or industrial buildings shall require a minimum loading space of 12 feet wide, 30 feet long, and 14 feet high in the following amount: for buildings containing over 5,000 square feet of gross floor area, 1 space; for each additional 40,000 square feet of gross floor area, or any portion thereof, 1 space.

Finding: No off-street loading is required in the CBO. On-street loading is proposed in the public alley north of the hotel. The City Engineer provided recommended conditions of approval to ensure that the proposed on street loading area complies with applicable public works standards. The standard can be met.

7.2.303.09 Parking and Loading Area Development Requirements

All Parking and loading areas shall be developed and maintained as follows:

1. *Surfacing. All driveways, parking and loading areas shall be paved with asphalt or concrete. These areas shall be improved prior to occupancy of the primary building.*

Finding: Conditions of approval are included to ensure the parking areas are paved. This standard can be met as conditioned.

2. *Parking Spaces. Parking spaces shall be a minimum 9 feet wide and 18 feet in length.*

Finding: The applicant's conceptual parking plan shows the minimum dimensional requirements are met.

3. *Driveways. The following driveway width (or aisle) dimensions shall apply:*

1. *Without adjacent parking:*

1. *Single family residence - No driveway width shall be less than 12 feet nor exceed 24 feet as measured at the property line.*
2. *One-way: 12 feet*
3. *Two-way: 22 feet*

2. *With adjacent parking:*

<i>Parking Angle</i>	<i>Driveway Width</i>
<i>0 to 40</i>	<i>12 feet</i>
<i>41 to 45</i>	<i>13 feet</i>
<i>46 to 55</i>	<i>15 feet</i>
<i>56 to 70</i>	<i>18 feet</i>
<i>71 to 90</i>	<i>24 feet</i>

Finding: The applicant's conceptual parking plan shows driveways are provided no less than 24 feet wide.

4. *Screening. Parking or loading area within or abutting a residential zone shall be screened from all residential properties with a fence or wall from 4 feet to 7 feet in height.*

Finding: No part of the subject site abuts a residential zone. This standard does not apply.

5. *Lighting. All lighting shall be directed entirely onto the loading or parking area and away from any residential use. The lighting shall not cast a glare or reflection onto the public rights-of-way.*

Finding: Conditions of approval are included to ensure lighting is provided with final permits.

6. *Traffic Flow. Off-street parking access shall be designed to allow flow of traffic, provide maximum safety of traffic access and egress, and the maximum safety of pedestrians and vehicular traffic.*

Finding: The conceptual parking plan shows that access and egress is provided such that no backing movements into right-of-way is required to access the parking spaces.

7. *Entrance/Exits. Service drive entrances/exits shall have a minimum vision clearance area of 15 feet from the intersection of the street and driveway.*

Finding: The applicant's site plans show the standard is met.

8. *Landscaping. For parcels containing more than 50 parking spaces the following provisions shall apply:*

1. *A minimum of 5% of the parking area shall be landscaped. This requirement is exclusive of landscaping necessary to comply with the provisions within the underlying zone.*
2. *Parking lot landscaping shall be located within the perimeter of the parking area, bordered by curbing and sidewalks. Landscaping located adjacent to the paved parking surface shall not count toward this requirement.*
3. *Landscaping improvements shall comply with provisions in Section 7.2.306.*

Finding: None of the proposed parking areas exceed 50 parking spaces. These provisions do not apply.

9. *Parking Spaces Adjacent to a Street.*

1. *General - Parking facilities containing more than four spaces shall be accessed by a driveway and prohibited from backing movements or other maneuvering within a street right-of-way, other than an alley.*

Finding: The preliminary parking plans generally take access from an alley to the maximum extent practicable. The conceptual parking plan shows that access and egress is provided such that no backing movements into right-of-way is required to access the parking spaces. The standard is met.

Conclusion on Criterion 7.3.106.06.C.

The application complies with the applicable General Development Provisions of Section 7.2.2 and the General Development Standards in Section 7.2.3. This criterion is met.

D. The application complies with any applicable supplemental standards 7.2.4.

Finding: The application does not involve any of the supplemental uses described in Section 7.2.4. This criterion does not apply.

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

Finding: The project has been in development for at least 2 years, and, throughout that time, adverse impacts related to parking have been a primary concern, especially if on-site parking for guests and employees was not be included in the program. While the CBO does not require a minimum number of on-site parking spaces, all parties seem to agree that providing safe, convenient and accessible parking is essential to the long-term success of the hotel, and the long-term prosperity of the CBO.

The submitted parking plan to develop the remainder of the applicant's property in the CBO with surface parking lots is described as a temporary plan, but the application does not include any information about what permanent parking plan will be. Further, contract planning staff are unable to find any precedent for a similar project that uses a parking program that relies on a valet to service remote off-site lots. Therefore, all the issues enumerated above remain unresolved, and the temporary plan presents adverse impacts of its own.

The temporary parking plan that was submitted illustrates the extent of the potential impact to the CBO. The project as proposed would develop ±36,057 square feet of property for the hotel and ±46,934 square feet of property for surface parking lots. If the project does generate the demand for parking the applicant anticipates, the parking demands of the hotel will

present a significant obstacle for future development of those areas. Further, contract planning staff remain skeptical that the off-site areas will meet the expectations of the hotel's clientele, who are likely to expect clean, safe, convenient parking on site.

The application provides no basis for evaluating the impacts of a permanent parking plan, or for reviewing a permanent parking plan for compliance with the applicable development standards for off-street parking and loading. The majority of the project, measured in lot area, involves parking. Because parking is not permitted as a standalone use, the parking areas can only be permitted as an accessory feature of the hotel site. Therefore, if the applicant does bring a permanent plan forward in the future, this decision will need to be modified with another Site Development Review application.

Comments received from ODOT also indicate that a traffic impact analysis may be required due to the anticipated traffic impact to ODOT facilities. Therefore, a condition of approval is included to ensure that the project complies with applicable ODOT requirements.

F. The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.

Finding: Previous applications included PLA 2023-07 to dissolve interior lots lines and consolidate lot and Zone Change 2023-06 to change the underlying zoning from Commercial Residential to Commercial. The applicant did not present any specific plans in support of ZC 2023-06, nor did they share any information about the project at the time. Findings in support of the approval relied on a future Site Development review to comply with various approval criteria but the final decision did not include specific conditions of approval, only that the impact of future physical development would be evaluated as part of future site development review.

This criterion is met.

IX. CONDITIONS OF APPROVAL AND INFORMATIONAL ITEMS

The Applicant is herein advised that the use of the subject property involved in this application may require additional permits from the City or from other local, State or Federal agencies.

Obtaining any applicable permits is the responsibility of the Applicant/Owner. The City of Dayton land use review and approval process does not take the place of, or relieve the Applicant/Owner of responsibility for acquiring such other permits, or satisfy any restrictions or conditions thereon. The land use permit approval herein does not remove, alter, or impair in any way any covenants or restrictions imposed on this property by deed or other instrument.

Based on the facts and findings in section VIII above, staff approves SDR 2025-01, subject to the following conditions of approval. Required conditions of approval are numbered and explanatory/informational items are bulleted.

Conditions Required to Meet Zoning Requirements

1. Prior to occupancy, the applicant shall install final parking lot improvements with parking spaces in conformance with the PWDS, including a minimum number of handicapped parking spaces as required by City or state standards, asphalt or concrete pavement and lighting.
2. Prior to occupancy, the applicant shall record offsite parking agreements against the properties identified for parking in the approved preliminary plan and the hotel site per City standards to formalize the legal use of these parking areas. Provisions for any shared parking areas shall be clearly addressed in the recorded parking agreements.
3. Changes to the parking plan shall require a new Site Development Review application to modify SDR 2025-01 to ensure the permanent parking plan meets all applicable standards that apply to parking and loading areas.

4. The applicant's final improvement plans for the alley adjacent to the hotel site shall preserve all legal access from the alley to neighboring properties.
5. The applicant shall coordinate with ODOT and confirm whether a Traffic Impact Analysis is required to mitigate any negative impacts to ODOT facilities.

General Public Works Conditions.

6. The developer shall comply with all public facility requirements in the Dayton Land Use & Development Code (LUDC), the Public Works Design Standards (PWDS), and all engineering and public works comments and conditions provided in Exhibit G. The applicant/developer is solely responsible for the full cost of designing, constructing, and installing all required public and private infrastructure improvements, whether located on-site or off-site. The developer is also responsible for all costs associated with engineering plan review, permit review, testing, and inspections required by the City or its consultants for this development.
7. The developer and his engineer shall schedule and participate in a pre-design conference with City Public Works for the purpose of coordinating any required site / grading / street / sidewalk / utility work (PWDS 1.9). This conference shall occur after the issuance of land use approval (*and expiration of any appeal period*), but prior to submitting site / grading / street / sidewalk / utility construction drawings for review by Public Works. Participants shall include the developer, developer's engineer, City Public Works and the City Engineer, as well as public/franchise utility providers as applicable or desired by the development team. The developer shall provide all information required under PWDS 1.9 prior to the predesign conference (*including ensuring that a current title report is available*), as well as providing information on how each land use approval condition and Public Works issues identified herein will be addressed.
8. After the pre-design conference, the applicant shall prepare and submit applicable final street, grading, parking, storm drainage, sewer, water and other infrastructure plans conforming to the requirements of the Public Works Design Standards (PWDS) for review by the City Engineer and Public Works.
9. Public Works construction permits for site / street / sidewalk / utility work shall not be issued until after the developer has received final approval of any required engineered site, street/sidewalk, utility and/or infrastructure construction drawings per PWDS requirements, a Developer-City construction agreement has been executed using the standard City format, and a performance security satisfactory to the City has been submitted guaranteeing that all improvements will be completed in accordance with the approved drawings and City Standards within the specified time period (PWDS G.10). The engineered site / street / sidewalk / utility / infrastructure construction drawings shall be based on a topographic survey showing the location of all property lines, right-of-way lines and existing easements (*including recording references*), and existing utilities. The construction drawings shall show any new easements required (*including recording references*), and all required site and utility improvements, addressing site grading, street improvements/repairs, sidewalk & pedestrian plans, street lights, waterlines, fire hydrants, sanitary sewer, storm drainage, access driveways/fire lanes and parking area layout/dimension plans as applicable, and irrigation plans & backflow device locations for all phases of the development as applicable, as well as information on how streets and/or utilities can be extended to serve adjacent or upstream undeveloped property as applicable.
10. Any required off-site easements shall be approved by the City and recorded by the developer prior to approval of the construction drawings by the City.
11. The City shall not issue building permits for new structures prior to approval of the required infrastructure design by the City and applicable agencies, and issuance of a Public Works construction permit.

12. The City shall not issue occupancy permits for new structures prior to completion of all required improvements and conditions of approval, and written acceptance by the City, including submission of maintenance bonds and reproducible as-built drawings which have been reviewed & accepted by Public Works.

Existing Plats, Easements, etc.

13. The developer shall submit a current title report to the City either in conjunction with the development application, or in conjunction with review of the site/street/utility/infrastructure drawings by Public Works.
14. The developer shall dedicate new easements *(to the City)* along any City or public utilities or drainage ways located outside of public rights-of-way, as well as providing for public utility easements (PUEs) along all public street frontages *(excluding alleys)* where such easements *(meeting current City standards)* do not already exist and do not conflict with the approved building footprint.
15. The developer shall record private easements *(with provisions complying with City standards)* where any private accesses, driveways or private/franchise utilities cross property other than that being served *(private easements will need to include the specific language provisions required by the City PWDS)*.

Existing buildings, setbacks, etc.

16. The developer shall remove the existing buildings from the site in conjunction with development.

Phasing & Timeframes.

17. Approvals shall be effective for a period of one year from the date of final approval. The approval will expire if Public Works site/utility/infrastructure construction permits and building permits are not obtained and substantial construction commenced within the one-year period but does not require all construction to be completed within the 1-year period.
18. The developer shall be responsible for obtaining site/utility construction permits and building permits *(and commence substantial construction)* within one-year of this approval, or the approval will expire unless an extension is granted *(this does not require that all construction to be complete within the 1-year period)*. Per LUDC 7.2.201.02.B, all structures must receive a certificate of occupancy within two years of beginning construction, or the approval will expire.

Site Layout, Grading, etc.

19. The layout information for the hotel building and for the proposed parking lots, as well as preliminary street and utility improvements associated with the hotel building will be verified in conjunction with the predesign conference and the final construction drawings. The City is not responsible for any discrepancies or missing information not shown on the application drawings.
20. Any fills within public rights-of-ways or fire lanes, or lot fills, shall be compacted and tested to City standards and per the Oregon Structural Specialty Code requirements as applicable *(95% optimum per ASTM D1557 within right-of-ways, and 90% optimum within lot building envelopes)*.
21. The developer will need to remove or remediate any existing unsuitable fills within the public right-of-way or new building envelopes in conjunction with the development and infrastructure construction.

Site Layout, Vehicular Access, etc.

Pedestrian Access.

22. The final site construction drawings shall include an on-site sidewalk or hard surfaced pedestrian path system that provides for approved pedestrian access to all buildings and connecting to the sidewalks

along one or more of the fronting public streets. Any ADA pedestrian pathways shall not require pedestrians to share travel lanes with vehicles (*except at crossings*) and shall include detectable warning panels at locations required by ADA or City standards. The final layout of the sidewalk or walkway system shall be acceptable to the City and the Building Official as applicable.

23. Offstreet Parking. All off-street parking must be improved to meet City standards.
24. ADA parking associated with each parking lot shall be provided as required by State & Federal standards. One of the parking lots (*4th & Ferry*) appears to be shared with the existing small hotel building on the opposite corner of the 3rd & Ferry intersection (*currently under the same ownership as the new hotel*).
25. The developer shall submit final parking lot construction drawings showing parking spaces in conformance with the PWDS, including a minimum number of handicapped parking spaces as required by City or state standards.
26. Marking, striping and signing of crosswalks, parking spaces and handicap spaces shall conform with City and ADA standards. The final layout of the parking areas and access driveways shall conform with the PWDS and be acceptable to the City Engineer and Public Works, including but not limited to width, alignment, turning radius, clear vision areas, etc.
27. Sidewalks fronting head-in parking areas shall be 6-foot minimum width unless wheel-stops are provided.
28. The final parking lot construction drawings shall include new private site & parking area lighting conforming with City standards, shall be directed downward onto the areas to be lighted, and shall not project outward or upward. Site lighting styles shall be submitted for review and approval by City staff prior to installation. All site lighting on private property shall be metered and the utility bills paid by the property owner.
29. The access drive configurations (alley) and signage shall conform to the requirements of the PWDS and any other agencies with jurisdiction.
30. Offsite parking agreements shall be recorded against the properties in question and the development property per City standards, formalizing the legal use of these parking areas (*the agreements can be structured to allow modification if or when alternate parking arrangements are made in the future*). Provisions for any shared parking areas shall be clearly addressed in the recorded parking agreements.
31. ADA Accessible Parking. While the LUDC does not require off-street parking be provided in the CBO zone, the City does not have the authority to waive requirements for accessible parking required under provisions of applicable state or federal law or codes.
32. LUDC 7.2.303.07 requires that the number and configuration of accessible parking spaces comply with the building code and the Oregon Transportation Commission standards.
33. The number of accessible parking spaces required is based on the number of standard parking spaces typically required or provided for a particular development (*minimum of 1 accessible space for up to 25 parking spaces, with an additional accessible space required for each 25 additional parking spaces required or provided*), per OSSC Table 1106.1.
34. Parking Lot EV Charging Infrastructure Requirement per State Law. The State of Oregon has adopted requirements to provide EV charging infrastructure in conjunction with certain defined public or private parking lots (*while these provisions are incorporated into the Oregon Building Codes, the conduit and associated infrastructure must be shown on the civil design drawings to demonstrate how it will be installed without conflicting with other City or private utilities*).

35. Per PWDS 1.11.f.1.b, parking lot drawings shall identify which parking spaces are designated for service by the EV charging infrastructure, as well as showing / dimensioning the alignment for the required conduit to serve the parking spaces identified for EV charging (*see also PWDS 2.28.n for required percentages*).
36. Bicycle Parking. While off-street vehicular parking is not required, the location and number of bicycle parking spaces will need to be determined by the City Planner and/or the Planning Commission as part of the land use process. LUDC 7.2.303.11 contains the City requirements for bicycle parking required for developments.
37. Loading Zone. Since this property is within the CBO overlay zone, an off-street loading zone is not required, per LUDC 7.2.111.04. However, any loading zones proposed must conform with City standards.
38. A delivery loading zone for the new buildings appears to be proposed on the north side of the building in the alley (*although the exact location, size & signage to be determined during final design and review*).
39. LUDC 7.2.303.08 typically requires in part that “*All commercial or industrial buildings shall require a minimum loading space of 12 feet wide, 30 feet long, and 14 feet high in the following amount: for buildings containing over 5,000 square feet of gross floor area, 1 space; for each additional 40,000 square feet of gross floor area, or any portion thereof, 1 space*”. However, this requirement for off-street loading zones does not apply in the CBO overlay zone.
40. The developer’s final construction drawings shall show the location and size for the delivery loading zone proposed on the alley located between Ferry & Main Street. The limits of the on-street loading zone in the alley shall be marked on the pavement with durable pavement markings per City standards and shall not block more than 50% of the pavement width in the alley. Signs acceptable to Public Works and the City Engineer shall be installed specifying the maximum time that any single vehicle can be parked in the loading zone (*see PWDS 2.28.i., typically 90 minutes maximum per vehicle, or 4 hours maximum during any one day, with use of loading zone prohibited from 7-9 a.m. and from 4-6 p.m.*).

Fire Apparatus Access, etc.

41. Unless otherwise approved in writing by the Fire Chief, the final layout shall be such that all portions of each building are within 150 feet of a fire apparatus access route as measured by an approved route around the exterior of the building per OFC 503.1.1. Any fire apparatus access routes outside of the public ROW are to be designated as fire lanes and signed for no parking in a manner acceptable to the Fire Chief and City standards. Fire lane widths shall conform with the OFC and be acceptable to the Fire Chief.
42. Any fire apparatus access roads or fire vehicle pullouts located outside of the public ROW shall include a recorded fire lane easement to the City, which shall include provisions for maintenance by the owner(s) of the property served by the fire lane.
43. Aerial Fire Apparatus Access. Per OFC D105.2, building heights taller than 30 feet (*measured to the higher of the eaves, roof intersection with exterior wall, or top of parapet*) require that Aerial Fire Apparatus Access be provided. Since these new buildings will be significantly taller than 30 feet, the development team will need to coordinate with the Fire Chief (& Oregon State Fire Marshall) to determine where aerial apparatus access will be required.
44. Per OFC D105.2, Aerial Fire Apparatus Access Road (*if required based on building height*) need to be 26 feet wide “in the immediate vicinity of the building” (*limits to be determined by the Fire Chief*).

45. Per OFC D105.3, the edge of any designated aerial fire apparatus access must be located at least 15 feet from the building but not further than 30 feet from the building, parallel with the side of the building where aerial access is required.
46. In accordance with OFC D105.4, the developer shall ensure that no overhead utilities are located over the aerial fire apparatus access road or between the road and the building. If any existing overhead utilities conflict with this requirement, the developer shall coordinate with the utility companies and bear full responsibility for relocating the utilities, including along the frontage, as directed by the Fire Chief.
47. The developer shall designate all alleys, roadways, and driveways used by the Fire District for fire apparatus access as fire lanes (Fire Apparatus Access Roads). The developer shall design, construct, and maintain these fire lanes to meet all width, configuration, and other requirements of the Oregon Fire Code (OFC), subject to approval by the City and the Fire Chief. Unless otherwise approved in writing by the Fire Chief, the final layout shall be such that all portions of each building are within 150 feet of a fire apparatus access route as measured by an approved route around the exterior of the building per OFC 503.1.1. Aerial apparatus access shall be provided at locations and with configurations as approved by the Fire Code Official, including adding signs and marking curbs in the aerial apparatus access area for no parking (*active loading/unloading may be allowed, if approved in writing by the Fire Chief*). Any aerial fire apparatus access proposed within the ODOT right-of-way must be approved in writing by both the Fire Code Official and ODOT in conjunction with the design (*based on findings which include, but may not be limited to, demonstration that there is adequate width to ensure that fire apparatus will not block traffic along the ODOT roadway with equipment, hoses, traffic control devices, etc.*).

Streets, Sidewalks, etc.

Informational Item (Frontage street – 3rd Street).

- Street widening and a new sidewalk is proposed across the property frontage.

Informational Items (Frontage street – Ferry Street).

- Ferry Street is a City street, and is designated as a local street.
- The current right-of-way width is shown as 80 feet on current City & County maps.
- Ferry Street in this area is fully improved (*curbs & sidewalks both sides*) in good condition.
- The development property has approximately 300 feet of frontage on Ferry Street.
- PWDS 2.11 (table) specifies the typical minimum street right-of-way and minimum improvement widths for streets of various classifications (*with modifications determined on a case-by-case basis, per LUDC 7.2.302.04*).
- Additional R/W dedication does not appear to be required along Ferry Street in conjunction with this development.
- The sidewalk along the frontage is proposed to be replaced in conjunction with the development.

(Frontage street – 2nd Street).

48. The developer shall reconstruct the street in conjunction with this development, providing full street improvements from Ferry Street to the north side of the alley, in accordance with City standards and specifications. The developer shall bear all costs associated with the design, construction, and inspection of these improvements.
- 2nd Street is a City street, and is designated as a local street.
 - The current right-of-way width is shown as 70 feet on current City & County maps.

- 2nd Street in this area is a turnpike street is poor condition and does not meet the current vision site distance standards at the crest near the alley.
- The development property has approximately 140 feet of frontage on 2nd Street (*including the alley which is being used as a delivery driveway for the project*).
- PWDS 2.11 (table) specifies the typical minimum street right-of-way and minimum improvement widths for streets of various classifications (*with modifications determined on a case-by-case basis, per LUDC 7.2.302.04*).
- Additional R/W dedication does not appear to be required along Ferry Street in conjunction with this development.

(*Frontage street – alley*).

49. The developer shall improve and pave alleys which are used as a driveway along the proposed vehicular access portion (*the entire length, in this case*).
50. The developer shall pave all alleys with asphalt or concrete Per LUDC 7.2.303.09.A & PWDS 2.30.e,
 - Additional R/W dedication does not appear to be required along the alley in conjunction with this development.
51. The developer shall provide easements for walkways or utilities as applicable.
52. The developer shall reconstruct the alley in conjunction with this development, resulting in a full width paved alley improvement (*without public sidewalks*).
53. The developer shall widen the street and provide sidewalk improvements shall along 3rd Street (*including across the alley which is being used as a delivery driveway*), including new pedestrian ramps at the 3rd & Ferry intersection.
54. The developer shall provide new curb & sidewalk improvements shall along Ferry Street to bring the curbs & sidewalk up to City standards, including new pedestrian ramps at the both intersections.
55. The developer shall provide full street & sidewalk improvements along 2nd Street (*including across the alley which is being used as a delivery driveway*), with transitional street improvements extending offsite as required to transition back to and reconnect to the existing street improvements (*a newly paved turnpike transition shall be provided from the alley to the Main Street intersection [without sidewalks], since this route is anticipated to be utilized for vehicle delivery to or from some of the offsite valet parking lots*).

(*Sidewalks*).

56. The developer shall provide new sidewalks in conjunction with the frontage street improvements, including intersection pedestrian ramps to City & state standards.

(*PUEs*).

57. PUEs a minimum of 8 feet wide are required along all property lines fronting public street right-of-ways (*excluding alleys*) as required by PWDS 1.12.d, except where PUEs will encroach into the proposed building envelope.

(*CBU Mailboxes, PWDS 1.11.j.3.k & 2.21.k*).

58. If mail delivery is proposed, the location of the required CBU mailbox will need to be shown on the applicable drawings, at a location acceptable to the local postmaster. An ADA pedestrian curb ramp must be located within 50 feet of the CBU (*PWDS 2.21.k.7 & Oregon Structural Specialty Code 1111.4.1*), and any sidewalk between the ramp & CBU will need to be constructed in conjunction with the CBU installation.

59. CBU mailboxes per City & postal service standards (*and CBU access*) shall be installed by the Developer in conjunction with building construction per City and state standards. An ADA compliant pedestrian ramp from the street must be located within 50 feet of the new CBU mailboxes, per City standards, and any sidewalk between the ramp & CBU will need to be constructed in conjunction with the CBU installation.

(Street Lights).

60. The applicant shall provide street lights along street frontage streets, per City spacing standards, where such street lights do not already exist (*PWDS 2.32.c, maximum of 200 feet spacing, or 3 lot widths, whichever is less*).

- There are existing street lights at the 2nd & Ferry intersection, and adjacent to the 2nd Street end of the alley.

61. The applicant shall provide additional street lights in conjunction with this development, per PWDS 2.32 spacing standards.

Storm Drainage.

- The preliminary drawings included information on the general manner in which proposed storm drainage improvements will be provided, by constructing a new storm drain along Ferry Street and connecting to the existing storm drain near the 1st & Ferry intersection.

(Existing Storm Mainlines).

- There are no existing storm drain pipes along Ferry Street at this time, from 3rd Street to 1st Street. A new 12-inch storm line was installed across 1st Street as part of a recent City project, but the existing storm line between 1st Street and the 15" storm line near the utility/pedestrian bridge is undersized and is not adequate to accept the flows from this development and the new storm line along Ferry Street.
62. The applicant, in addition to extending the new storm drain to 1st & Ferry as proposed on the application drawings, shall replace the existing 8-inch concrete storm pipe east of 1st Street with a new larger diameter storm drain line (*at the developer's option, the existing pipe can be replaced via pipe bursting in order to minimize impacts to existing trees along this pipe alignment, or a new pipe can be installed along a parallel alignment from the existing pipe*).
63. From the information provided, it appears that storm drainage & detention system can be provided in accordance with PWDS standards, and connected to the existing drainage system in near the existing utility bridge at the east end of Ferry Street. The storm drain design will need to provide for drainage collection from the entire property and fronting streets (*with the detention provided per PWDS requirements, to limit flow to no more than existing conditions*), as well as addressing any drainage flowing onto the site from upstream/uphill properties if applicable.
64. The Developer shall submit storm drainage construction drawings conforming to the requirements of the PWDS. The storm drainage plan shall demonstrate that there are no impacts to the downstream properties, and shall collect drainage from upstream properties and convey it through or around the development as applicable (*including providing easements as applicable across the development property*). Drainage maps and a summary of flow calculations for existing and developed conditions shall be included on the construction drawings. The storm drainage plan shall be designed to accommodate roof and foundation drains, as well as drainage from existing and reconstructed streets, and shall convey storm water runoff to an approved point of disposal. The storm drainage plan shall include extension of a new storm drain along Ferry Street to 1st Street (*including drainage collection at intersections per City standards*), as well as replacement of the undersized storm drain pipe east of 1st Street. These offsite storm drainage improvements are required to provide capacity for the development, and shall be the responsibility of the Developer. The storm drain design shall include

all catch basins at the intersections crossed, regardless of whether or not the developer will be required to construct all of the catch basins (*ie. in order to demonstrate that the design will accommodate the construction of all required catch basins at each intersection*). The required stormwater detention system (PWDS 3.18) shall conform with PWDS requirements, and may include underground detention pipes located within the public right-of-way (*2nd Street and/or Ferry Street*), and shall be provided with a recorded detention maintenance agreement per City standards. All weather maintenance access shall be provided to all public storm manholes and other structures unless otherwise approved by Public Works. Detention systems shall include provisions for inspection and maintenance access. Easements meeting PWDS requirements shall be provided for any storm drains located outside of street right-of-ways, or for private storm lines that cross property other than that which they serve.

65. The developer's storm drainage improvement must include provisions to collect surface water before it flows across the Ferry Street or 2nd Street sidewalks.

Sanitary Sewer.

The preliminary drawings included information on proposed sanitary sewer system improvements, including offsite sewer improvements east of the development.

(Existing Sewer Mainlines).

- Based on the utility maps, there is an existing 8-inch concrete sewer along the alley to a point east of 1st Street, and an 8-inch concrete sewer from the end of the alley to the north side of the Ferry Street right-of-way (*adjacent to the west end of the utility bridge*). The 18-inch trunk sewer south of Ferry Street was constructed by the City in 2019.

(New Sewer Mainlines).

66. The developer is required to upsize sewer mainlines along the alley and over to the trunk sewer at Ferry Street in order to accommodate the flows from this development (*10" or 12" sewers anticipated along the alley, and an 18" sewer is anticipated between the alley & Ferry Street*). The developer shall construct new sewer along the alley far enough to accommodate all existing sewer service laterals, but does not need to extend across Ferry Street.

(New Sewer Service Laterals).

67. New sewer service laterals to property line shall be installed to serve the new building (*sized based on projected flows, to be verified during the design process*), and property line cleanouts shall be installed per City standards.

(Grease Interceptor).

68. Restaurants or commercial style kitchens (*or other grease generating uses*) must be provided with a grease interceptor vault as required under PWDS 4.18, at a location acceptable to Public Works, and must be provided with a recorded maintenance agreement.
69. If desired by the development team, a single grease interceptor can be installed to serve all users in the building.
70. Per OPSC 1014.1 requirements, sanitary flows must be piped separately, so as to bypass the grease interceptor (*ie. so that it connects to the sewer service downstream of, or separately from, the grease interceptor*).
71. The developer shall submit sanitary sewer drawings conforming to the requirements of the PWDS. Existing sewers downstream of the development shall be replaced and upsized per City standards to accommodate flows from the new development in addition to other flows from the drainage basin(s). Cleaning & TV inspection of the existing gravity sewer mains shall be completed as part of the design

process, and reports and videos provided to the City Engineer (*in order to verify condition of the existing lines and the location of existing sewer service laterals that will need to be reconnected*). Sewers crossing private property shall be located within easements conforming to PWDS 4.15.d as approved by the City Engineer.

72. The developer is required to install a grease interceptor vault in conformance with PWDS 4.18.e. Unless otherwise approved by the City Engineer and Public Works, a minimum 1,000 gallon exterior grease interceptor vault shall be provided per City standards. A maintenance agreement for the grease interceptor vault (*acceptable to the City*) shall be recorded against the property.
73. Since the hotel is anticipated to “contribute more than 5,000 gpd to the public sewer”, the developer shall provide metering manhole shall be provided (*per PWDS 4.16.j*) unless waived by the Public Works Director and the City Manager based on an acceptable alternative billing methodology being proposed and accepted by the City.
74. Any required sewer improvements must be completed, tested and accepted prior to occupancy permits being issued for the new uses in the existing buildings, including recording of the grease interceptor maintenance agreement.

Water.

The preliminary drawings include information on the location of proposed new water services and fire service to serve the buildings & development.

(Existing Waterlines)

Maps show the following waterlines around the project site.

- Existing 10-inch waterline along the 3rd Street frontage of the property, located on the opposite side of the street from the development.
- Existing 8-inch waterline along the Ferry Street frontage of the property, on the opposite side of the street from the development.
- There is no existing waterline along 2nd Street.

(Existing Fire Hydrants)

Maps show the following hydrants around the project site.

- 4th & Ferry intersection. This hydrant is located on the far side of a state highway, and is considered to be unavailable to this development for fire protection planning.
- 2nd & Ferry intersection. This hydrant is located on the opposite corner of the intersection from the development.

(Existing Water Services)

There are a few existing water services serving the existing building on the property, which will need to be abandoned per City standards.

- Existing water services will need to be exposed and capped at the mainline connection, in conjunction with the development.

(New Waterlines)

- Since the existing waterlines along both Ferry & 3rd Street frontage match minimum sizes recommended in the Dayton water master plan, waterline improvements along 3rd Street and Ferry Street are not anticipated unless required to provide fire flows for the proposed development.

75. The developer shall provide a new waterline along 2nd Street from Ferry to Main Street, in order to complete the looping so that redundancy requirements under the PWDS for fire flows can be provided.

(Water Service(s) & Water Meters)

- Size & number of new water services and/or meters is uncertain at this point. While the application drawings include notes regarding a proposed 4-inch water meter, it is almost certain that a larger size meter will be required.
76. The developer will need to provide complete fixture lists and fixture unit counts and information for all uses proposed to be served from the existing or new meter(s), to allow verification that the meter(s) meet City sizing criteria as discussed below.
- Meter sizing criteria. Sizing criteria for water meters is summarized under PWDS 5.20.a.5.
77. With the final design, the development team will need to provide total fixture unit counts for the buildings being served (*as well as all irrigation systems*) for use in sizing any new domestic water meter(s).
78. Fixture unit equivalents and demand curves (*used in determining the size of commercial water meters*) shall be established in accordance with the Oregon Plumbing Specialty Code, with the meter size being determined based on the PWDS criteria noted above (*once the development team provides a complete list of all fixtures and associated fixture unit counts, Public Works will indicate what size of meter will be required*).
- It is anticipated that the meter size required to serve the new building will be at least 6-inch diameter (*required size to be verified during design, since full information was not provided with the application*).
 - Standard water meter configurations are shown in the PWDS details.
 - The Developer will need to verify/clarify whether or not a separate irrigation meter is proposed.

Backflow prevention.

79. The applicant shall provide a premise isolation backflow assembly on the domestic water service line per City and state standards.

Water & Sewer SDC Notice.

- If on-site water storage is proposed inside the new building in order to reduce the peak flows and thus reduce the required water meter size, the water SDC will be based on the meter size which would be required without such on-site water storage, unless otherwise approved in writing by the Dayton City Council.
- The sewer SDC will be based on the water meter size that would have been required without such on-site water storage and associated smaller water meter size, since the peak sewer discharge flow rates will not be similarly reduced (*ie. the sewer SDCs are based on overall impacts on the sewer system which are typically proportional to the water meter size required under the standard sizing criteria. See also PWDS 5.20.b.*).

(Fire Sprinkler Systems)

The developer indicated that they plan to provide a fire sprinkler system for the new building.

80. Since a fire sprinkler system is proposed, backflow devices and FDCs to City and Fire District standards will be required (*configured per Detail 554-556 for outdoor backflow assemblies, or per PWDS & OFC standards if backflow assemblies are located inside of the building*).

81. FDCs will be required at locations acceptable to Public Works and the Fire Chief/Fire Code Official (*ie. FDC location in relation to the building(s) being served, as well as location in relation to a fire hydrant per PWDS 5.17.h*).
82. The location of the forward flow test port required under NFPA 10.10.10.2.5 shall be shown on the construction drawings (*see general criteria on Detail 559*), as well as defining how flows during the initial & subsequent forward flow test will be conveyed to the outside without flooding or damage to the building.
83. While the design of any required fire pump systems for the building will be separate from the infrastructure drawings which are reviewed by Public Works, such design shall include backflow prevention between the pump and the connection to the City water system, and shall be completed and approved by the applicable authority prior to final approval of the civil infrastructure drawings by Public Works, with verification that the proposed fire service line is adequately sized to serve the fire pump system.

(New Fire Hydrants & FDC Location)

84. The developer shall install new fire hydrants around the perimeter of the project site as necessary to meet City standards. The developer shall ensure all hydrant locations are approved by Public Works and the Fire Code Official and shall bear all costs for design, installation, and inspection. (*As noted under PWDS 5.17.b.6.b, hydrants on the opposite side of an ODOT right-of-way are not considered to be available for fire protection planning, since utilization would require closing the State highway to traffic*).
85. The application drawings propose the FDC to be located on the 3rd Street frontage of the property. This location will need to be approved in writing by both ODOT and the Fire Code Official per PWDS & OFC standards.
86. FDCs shall not be located on frontages with ODOT right-of-ways unless approved in writing by both the Fire Code Official and ODOT in conjunction with the design (*based on findings which shall include, but may not be limited to, demonstration that there is adequate width to ensure that fire apparatus can access both the FDC and the associated fire hydrant without blocking traffic along the ODOT roadway with equipment, hoses, traffic control devices, etc., AND that there is no other feasible alternative location where the FDC can be located*).
 - Also see discussions above regarding aerial fire apparatus access location & requirements.
87. If the FDC location changes due to ODOT or Fire Code Official requirements (*or at the development team's option*), the criteria listed below will also apply to the final FDC location approved by Public Works and the Fire Code Official.
88. In addition to other hydrants required by PWDS or the Fire Code Official within or around the site, a new fire hydrant is required on the frontage where the new FDC is located (*within 40 feet of the FDC location as required by the PWDS*).

(Fire Flows Requirements)

89. Fire flows required will need to be determined from the Oregon Fire Code, based on the size and type of building, type of fire sprinklers provided for the new building, etc.
90. Even when fire sprinkler systems are proposed, the minimum fire flows required at the site for commercial/industrial buildings is at least 1500 gpm (*OFC B105.3.1*).
91. The Developer shall submit water system construction drawings conforming to the requirements of the PWDS, and shall demonstrate that the required fire flows are available to all hydrants at the site. As a minimum, a new 8-inch waterline shall be constructed along 2nd Street to complete looping between Ferry Street & Main Street. All water system improvements required to provide

the minimum fire flows (*with or without fire sprinklers*) shall be the sole responsibility of the developer. The drawings shall show the location and size of any existing or proposed domestic and/or irrigation water meters, as well as any existing or proposed backflow assemblies. The connection point of the domestic, irrigation and fire service lines to the public system, and the location of backflow devices, shall be as approved by Public Works and the City Engineer. Fire hydrants will be required at locations approved by the City Engineer and the Fire Chief. For buildings that are fire sprinklered, the developer shall provide an approved fire system backflow device and FDC between the public system and the fire sprinkler system. The location of the detector backflow device, FDC and forward flow test port shall be as approved by the City Engineer and the Fire Chief. Any required water system improvements must be completed, tested and accepted prior to occupancy permits being issued for any uses in the new building.

Franchise Utilities.

- LUDC 7.2.305.02.C states in part that: “*All development which has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground.*”

The developer shall coordinate and arrange franchise utility service with the appropriate utility providers.⁹² The applicant shall provide easements meeting PWDS requirements for any franchise utility service located outside of the street right-of-way, which crosses property other than that which it serves.

93. The development team shall coordinate to relocate any existing overhead utilities which conflict with aerial fire apparatus access requirements, at no expense to the City.

X. ADMINISTRATIVE DECISION

Based on the facts and findings in section VIII above, staff **approves** SDR 2025-01, subject to the conditions of approval in Section IX.

APPROVED ON THE 12th day of November, 2025

SIGNED:

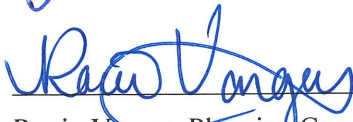


Jeremy Caudle, City Manager

11/12/2025

Date

ATTEST:



Rocio Vargas, Planning Coordinator

11/12/2025

Date

XI. APPEAL

Once the decision is issued, it is mailed out to everyone who submitted written comments on the application. There is a 15-day appeal period following the decision where the decision will be posted to the website to allow the public, Planning Commissioners and City Council to review the decision. The applicant, those submitting written comments during the comment period, planning commissioners, and city councilors may appeal the administrative decision. An appeal of the decision will be decided by Planning Commission following a public hearing.

Any appeals pertaining to this application must be in writing and received by the City of Dayton at City Hall, 416 Ferry Street (P.O. Box 339) Dayton, OR 97114 no later than 5:00 p.m., on the 15th day following the approval date. **Where no appeal is timely filed, the decision becomes final at the conclusion of the appeal period.**



Site Development Review Application

416 Ferry St - PO Box 339

Dayton OR 97114

Ph # (503) 864-2221

Fax # (503) 864-2956

www.daytonoregon.govcityofdayton@daytonoregon.gov

For City of Dayton use:

Date Application Received:	Received By:	File Number:
Public Hearing Date:	Fee Amount:	Deposit Amount:
Application Completed Date:		Application Approval Date:

Applicant Information:

Applicant Name: Amy Perenchio, AIA, NCARB

Mailing Address: 1223 SW Washington St. Suite 200 City: Portland ST: OR Zip: 97205

Telephone Number: 503-863-2463 Cell Number: _____

Email Address: amy.perenchio@zgf.com

Summary of Request: See attached.

Site Information:

Site Address or Location: 403 3rd St, Dayton, OR 97114

Nearest Cross Street: 3rd & Ferry Street

Map & Tax Lot Number: 3000, 3101, 3200, 3300, 3400, 3500 Square Footage or Acreage: 36,000 SF

Existing Property Area: See attached C1.00 for existing buildings Proposed Property Area: 105,000 SF

Plan Designation: Central Business Area Overlay Zoning: Commercial (C)

Historic Property Designation: ☐ National Register Listing ☐ Significant ☐ Contributing ☐ Non-Contributing ☒ None

Existing Impermeable Surface Area: See attached C1.00 Proposed Impermeable Surface Area: See attached C3.00

Owner Information:

Property Owner(s): Twin Towers, LLC

Address: 7401 SW Washo Ct. Suite 200 City: Tualatin ST: OR Zip: 97062

Phone: 503-781-2975 Email Address: waynemarschall@thestollergroup.com

Property Owner Signature: W. Marshall Date: 4/22/2025

Property Owner Signature: _____ Date: _____

I/We the above signed Property Owner(s), consent to the proposed development of our property as shown on the attached site plan map.

For Office Use

Fee:	Deposit:	Amount Paid:	Date Paid:	Receipt #
Approved by:	☐ City Manager	☐ City Planner	☐ Public Works Director	☐ City Engineer
Applicant Notification Date:	☐ Fire Marshall/Chief			
Additional Services Amount Billed:	Comments:			
Paid:	☐ Planner			
☐ Engineer	☐ Staff Time			
☐ Other				

Site Development Review Application - Page 1

CONTINUE TO PAGE 2

Revised 10/16/13

Consultants (please list all that apply)

☐ Planning ☐ Engineering ☐ Surveyor ☒ Other Architect

Name: Amy Perenchio, AIA, NCARB Physical Address: 1223 SW Washington St. Suite 200

Firm: ZGF Architects, LLP City: Portland ST: OR Zip: 97205
Mailing Address: Same as physical address Telephone #: 503-863-2463
City: _____ ST: _____ Zip: _____ Cell Phone #: _____
Email Address: amy.perenchio@zgf.com
☐ Planning ☒ Engineering ☐ Surveyor ☐ Other

Name: Andrew Chung, PE Physical Address: 111 SW Fifth Ave. Suite 2600
Firm: KPFF City: Portland ST: OR Zip: 97204
Mailing Address: Same as physical Telephone #: 503-542-3860
City: _____ ST: _____ Zip: _____ Cell Phone #: _____
Email Address: andrew.chung@kpff.com
☐ Planning ☐ Engineering ☐ Surveyor ☐ Other

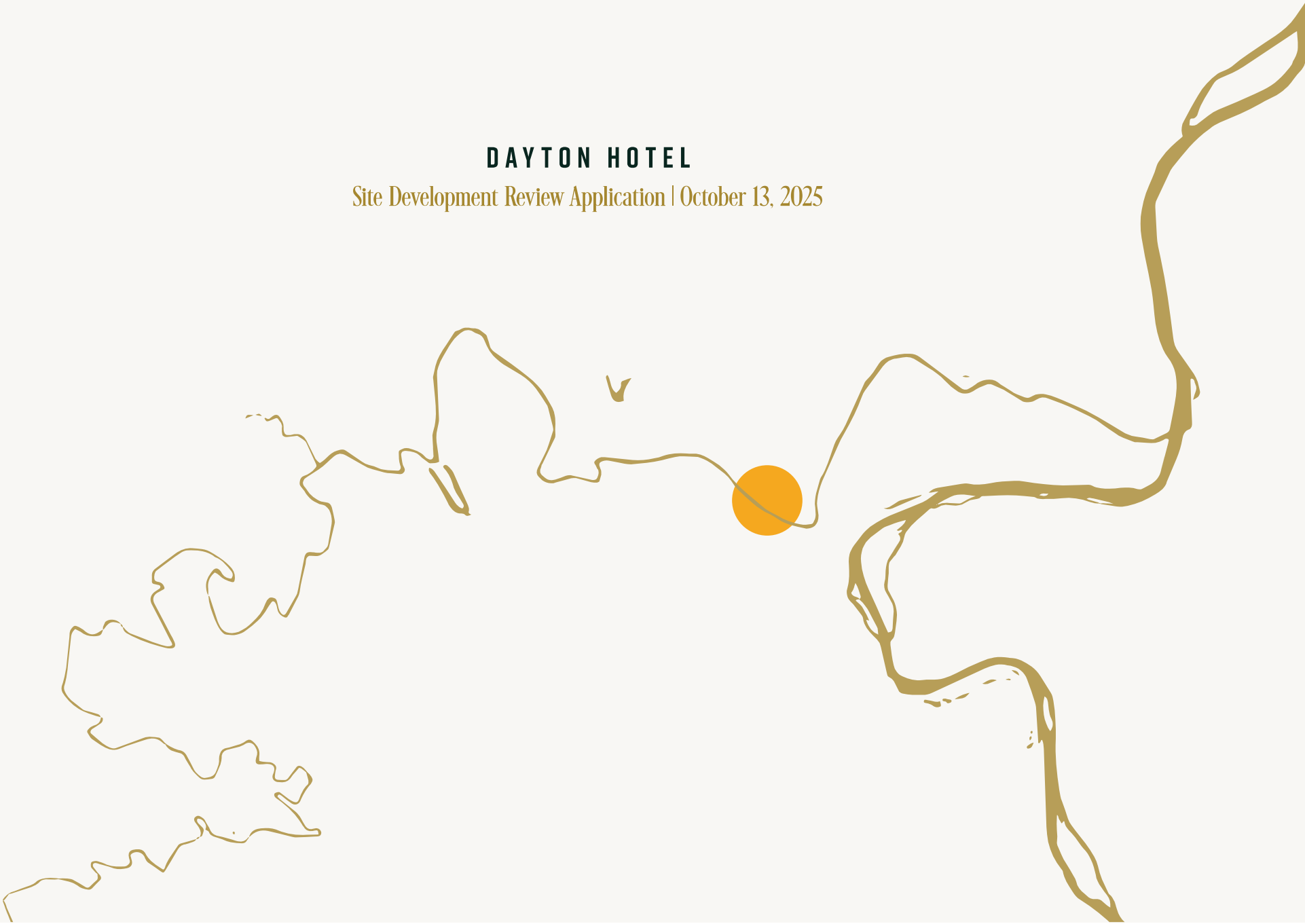
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☐ Planning ☐ Engineering ☐ Surveyor ☐ Other

Name: _____ Physical Address: _____
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Email Address: _____

DAYTON HOTEL

Site Development Review Application | October 13, 2025



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05

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- Deeds and Titles



Introduction

PROJECT DATA

Site Location: 403 3rd St, Dayton, OR 97114

Site Area: 36,000 SF

Tax Lot Numbers: 3000, 3101, 3200, 3300, 3400, 3500

Plan Designation: Central Business Area

Zoning: Commercial

Pre-Application Conference: 9/26/2024

APPLICATION REQUEST SUMMARY

The Dayton Hotel is a five-story, 96-key, full-service hotel that encompasses approximately 92,000 GSF. The proposed building is centrally located on Ferry Street across from Courthouse Square Park, within the community and commercial core of Dayton. Designed as a welcoming destination in the heart of wine country, the hotel features a restaurant, cocktail and coffee bar that extend onto a street-facing arcade and patio, along with a rooftop bar, meeting space, and a pool. The applicant requests consideration of the following application for Site Development Review.

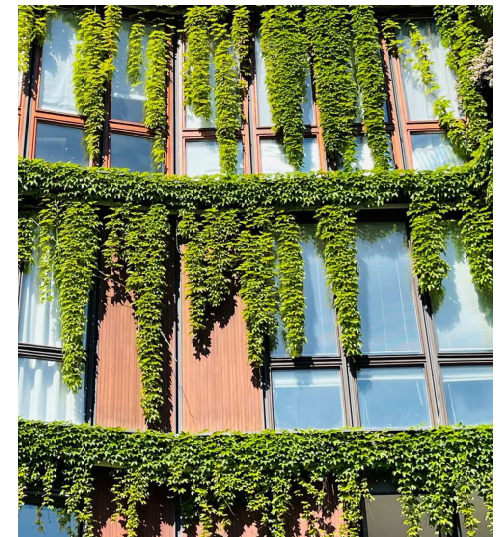
Design Concept

A VERTICAL GARDEN

The concept design for the building celebrates the richness of the surrounding agrarian landscape by integrating horizontal and vertical gardens. This allows guests to first experience the lush plantings upon sight of the building and then as they pass through the arcade trellis framing the windows and entrances on the ground floor. This dramatic sense of arrival sets the tone for the level of hospitality that awaits inside. A lush landscape design continues at the roof level, with plants spilling over the parapet.

A CELEBRATION OF WINE AND AGRICULTURE

The building design also draws inspiration from the shapes that are found in the wine industry. The use of arches in the upper floor windows and arcade surrounding the ground floor references the shapes found in the wine caves of the old-world wineries of Europe. While the gabled roof takes cues from the shed structures found in agriculture and wineries.





View from 3rd & Ferry Street



View of main building entry from Ferry Street



View from 2nd & Ferry Street

Narrative

CODE SECTION	CODE LANGUAGE	RESPONSE / PROPOSAL
Site Development Plan Approval Criteria		
7.3.106.06.A	The application is complete, in accordance with Section 7.3.106.05, above; 7.3.106.05 Submittal Requirements The following information shall be submitted as part of a complete application for Site Development Review: A. Proposed grading and topographical changes; B. All existing and proposed structures, roadway access, adjacent roads, bikeways, pedestrian facilities, public or private, easements or right-of-way to, or within 200 feet of the subject property and utilities including architectural and floor elevations and setbacks; C. Motor vehicle, bicycle and pedestrian circulation patterns, parking, loading and service areas; D. Proposed access to public roads, bikeways, pedestrian facilities, railroads or other transportation systems; E. Site drainage plan including methods of storm drainage, sanitary sewer system, water supply system and electrical services. Inverse elevations may be required for all underground transmission lines; F. Proposed landscape plan, to include appropriate visual screening and noise buffering, where necessary, to ensure compatibility with surrounding properties and uses; G. Proposed on-premise signs, fencing or other fabricated barriers, together with their heights and setbacks; and, H. A written narrative report documenting compliance with the applicable approval criteria contained in Section 7.3.106.06. I. The location of any flood boundary. J. Other information determined by the City Planning Official. The City may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, noise, environmental features, natural hazards, etc.), as necessary to determine a proposal's conformance with this Code.	A. Civil drawings included within this application show proposed grading and topographical changes. B. & C. Please reference Exhibits 3.11 & 3.12 that show these items. D. Proposed access is shown in plans included within this application. E. C5.02 is the site drainage plan. F. Landscape plans are included in this application. G. Reference L1.01 for proposed on-premise sign location. Sign design is forthcoming and will be submitted with the permit package. H. This document is our written narrative report. I. Please reference Exhibit 3.13 for a FEMA map showing our site and the flood boundaries. J. Pursuant to the Notice of Incompleteness dated May 8, 2025, we have included a parking plan. Please reference Exhibits 3.14 & 3.15 for this plan.
7.3.106.06.B	The application complies with all of the applicable provisions of the underlying zone, including, but not limited to, building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards;	Please reference Exhibits 3.02 - 3.10 for our response to the applicable provisions of the underlying zone.

CODE SECTION	CODE LANGUAGE	RESPONSE / PROPOSAL
Site Development Plan Approval Criteria		
7.3.106.06.C	The application complies with the applicable General Development Provisions of Section 7.2.2 and the General Development Standards in Section 7.2.3.	Our project complies with the General Development Standards of Section 7.2.3 and also with the General Development Provisions of Section 7.2.2.
7.3.106.06.D	The application complies with any applicable supplemental standards for special uses in Section 7.2.4	We are not requesting a special use and therefore Section 7.2.4 does not apply to our project.
7.3.106.06.E	For non-residential uses, all adverse impacts to adjacent properties, such as light, glare, noise, odor, vibration, as required by prior land use decision(s), as applicable smoke , dust, or visual impact, are avoided; or where impacts cannot be avoided, they are minimized; and	Adverse impacts to adjacent properties have been considered, minimized and avoided. Light and glare have been considered through careful selection of lighting fixtures. Noise and odor are mitigated through how we have laid out the program of the building. For example public spaces and the more active street frontages have been placed along 3rd and Ferry Streets and away from the quieter 2nd street and alleyway.
7.3.106.06.F	The proposal meets all existing conditions of approval for the site or use, zone.	There are no current existing conditions of approval for the site or use.
Commercial Zone Requirements		
7.2.106.02 Permitted Uses	The following uses, when developed under the applicable development standards in the Zoning Code, are permitted in the C zone:(H) Hotels and motels, (J) Restaurants, (K)Service Related Businesses.	The project consists of a hotel, restaurant, and a spa; which are all permitted uses within the Commercial (C) Zone
7.2.106.05 Dimensional Standards		These are superseded by 7.2.111.04 Central Business Area Dimensional Standards. See below.
7.2.106.06 Development Standards		This project is exempt from these standards as it is located in the central business Area and subject to requirements in section 7.2.111. See below.

CODE SECTION	CODE LANGUAGE	RESPONSE / PROPOSAL
Central Business Area Overlay (CBO) Zone Requirements		
7.2.111.04 Dimensional Standards	Minimum Lot Area: None Minimum Front/Street Side Yards: No front or streetside setback is allowed. Exceptions to the setback may be granted to allow for a pedestrian plaza, courtyard, dining space, landscaping, or similar purpose. Minimum Rear Yard: None Minimum Side Yard: None	The building meets the front/street side yard setback requirement on the 2nd and 3rd streets sides. On Ferry street, the trellis arcade holds the street edge for the entirety of Ferry Street. Behind the arcade, the building steps back by a depth of 37'-1" for 220'-0" of length to allow for a welcome plaza. This is 73% of the building's length along Ferry Street. The welcome plaza is primarily focused on guest arrival to the site, surrounded by the trellis arcade and enhanced by landscape plantings. The definition of "pedestrian plaza" in section 7.1.200.03 Definitions is, "A small semi-enclosed area usually adjoining a sidewalk or a transit stop which provides a place for pedestrians to sit, stand, or rest." We believe that our welcome plaza meets the definition due to the following reasons: 1. The space is semi-enclosed The welcome plaza is physically and visually distinct from the surrounding roadway and framed by the building and trellis arcade. 2. The space adjoins a sidewalk The space is directly connected to the public sidewalk, by multiple paths, allowing seamless pedestrian access from the street to the hotel. 3. A place for pedestrians to sit, stand, or rest The entrance area will include seating areas for the restaurant and bar, a pool area with a variety of seating types, garden seating nooks, and benches for people to wait for transportation. It also functions as a natural gathering space for guests, including those dining at the restaurant, waiting for rides, checking in, or meeting others.
7.2.111.04 Dimensional Standards	Maximum Structure Height: 45 feet maximum building height, or 55 feet with height bonus, subject to subsection 7.2.111.06. Except for the properties identified in subsection 7.2.111.06.D, where the maximum building height shall be 55 feet, or 65 feet with height bonus.	This property is identified in subsection 7.2.111.06.D. See below.
7.2.111.04 Dimensional Standards	Setback from Residential Zones: Buildings shall be setback a minimum of 10 feet from R-1, R-2, and R-3 zoned properties. The minimum setback shall increase by one foot for each one foot of building height over 35 feet.	The project complies. The property is adjacent to R-2 zoned properties across 2nd Street which has a 70' right-of-way. Since our building height is 65', the minimum setback shall be increased by 30' from the R-2 Zoned Property to a total of 40'. Please reference Exhibit 3.16 .
7.2.111.05.A Building Orientation	The building shall comply with the dimensional standards in subsection 7.2.111.04.	The building complies. See above.

CODE SECTION	CODE LANGUAGE	RESPONSE / PROPOSAL
Central Business Area Overlay (CBO) Zone Requirements		
7.2.111.05.B Building Orientation	Provide at least one primary building entrance facing an abutting street that shall open onto a sidewalk, pedestrian plaza or courtyard, and a walkway shall connect the primary entrance to the plaza and sidewalk.	The primary building entrance is located on the south side of the building facing Ferry Street. It opens onto a pedestrian plaza and is connected to the sidewalk with a covered accessible ADA compliant pathway. Please reference Exhibit 3.11 for entrance locations and Exhibit 3.12 showing pedestrian circulation patterns. Please reference Exhibit 2.03 and Drawings 2.01 & L.1.01 showing the design intent for this space. The welcome plaza is primarily focused on guest arrival to the site, surrounded by the trellis arcade and enhanced by landscape plantings. The definition of "pedestrian plaza" in section 7.1.200.03 Definitions is, "A small semi-enclosed area usually adjoining a sidewalk or a transit stop which provides a place for pedestrians to sit, stand, or rest." We believe that our welcome plaza meets the definition due to the following reasons: 1. The space is semi-enclosed The welcome plaza is physically and visually distinct from the surrounding roadway and framed by the building and trellis arcade. 2. The space adjoins a sidewalk The space is directly connected to the public sidewalk, by multiple paths, allowing seamless pedestrian access from the street to the hotel. 3. A place for pedestrians to sit, stand, or rest The entrance area will include seating areas for the restaurant and bar, a pool area with a variety of seating types, garden seating nooks, and benches for people to wait for transportation. It also functions as a natural gathering space for guests, including those dining at the restaurant, waiting for rides, checking in, or meeting others.
7.2.111.05.C Building Orientation	Building entrances shall be recessed or otherwise covered by a pedestrian shelter.	The building entrances are covered by either a canopy or an arcade and trellis structure. Please reference Exhibits 2.02, 2.03 & 3.17 for renderings depicting this.
7.2.111.05.D Building Orientation	Off-street parking and loading areas shall not be required within the Central Business Area. Off-street parking, loading areas, trash pick-up, and above ground utilities, including but not limited to utility vaults and propane tanks, shall not be placed between building entrances and the street(s) to which they are oriented, but shall be oriented internally to the block, screened, and accessed by alleys to the extent practicable.	While off-street parking is not required in the Central Business Area, our project seeks to minimize adverse impact to the community by providing parking on other sites. The hotel will utilize a valet system, where guests and visitors will drop off and pick up their cars at the main hotel entrance along Ferry Street. This is described in detail in our parking plan on Exhibits 3.14 & 3.15. The loading dock and loading dock entrance is located off of the alley to the north of the building. Trash pick-up will be off of the alley. Mechanical equipment and above ground and utility entry points into the building are off of the alley and will be screened as necessary.

CODE SECTION	CODE LANGUAGE	RESPONSE / PROPOSAL
Central Business Area Overlay (CBO) Zone Requirements		
7.2.111.05.E Building Orientation	Where off-street parking is provided, it shall conform to the dimensional standards and landscape standards of Section 7.2.303.	Please reference Exhibits 3.14 & 3.15 for our parking plan. Off-street parking described in this plan conforms to dimensional and landscape standards of section 7.2.303.
7.2.111.05.F Building Orientation	Where a development contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to plaza, courtyard, or similar space containing pedestrian amenities. When oriented this way, the primary entrance(s), plaza, or courtyard shall be connected to the street by a landscaped and lighted walkway with an approved surface not less than five (5) feet wide.	The development does not contain multiple buildings.
7.2.111.05.G Building Orientation	Buildings on corner lots shall have a corner entrance not more than 20 feet from the corner of the building and contain architectural features that emphasize the corner (e.g., chamfered/rounded edge, windows, molding, art).	A corner entrance has been provided 6'-9" from the corner of the building. Please reference Exhibits 3.11 & 3.18 and Drawing A2.01 showing this. We have emphasized the corner of the building as a cohesive and intentional expression through a combination of thoughtful programming, design, and massing. By placing the restaurant, cocktail bar and coffee bar at the corner, we ensure that this area remains active and engaging throughout the day, enhancing the sense of vibrancy on the street. The addition of an arcade not only allows restaurant seating to extend outdoors but also introduces a bespoke architectural feature that brings greenery up the facade, softening the building's edge. Finally, by stepping the building down at the corner, we create a distinct and welcoming gesture that gives the corner special prominence within the overall form. The code only requires us to utilize "architectural features" to emphasize the corner and lists examples of those. It does not say that these are the sole means for complying with this item. The primary building entrance and other entries along Ferry Street are comprised of glass doors.
7.2.111.05.H Building Orientation	Primary building entrances shall be at least fifty percent (50%) transparent so that two-way views, in and out of a building, are possible. This standard can be met by a door with a window, a transom window above the door, or sidelights beside the door.	The primary building entrance and other entries along Ferry Street are comprised of glass doors.
7.2.111.06.D.1 Building Height Bonus	Building Height. 55 feet maximum building height. The maximum building height may be increased to 65 feet when the standards in subsection 2 and 3 are met.	The building does not exceed the 65 foot height limit. Please reference Exhibits 3.19 & 3.20 showing this. The only element that exceeds the 65' height limit is the elevator shaft housing which is allowed by 7.2.202.01.B.

CODE SECTION	CODE LANGUAGE	RESPONSE / PROPOSAL
Central Business Area Overlay (CBO) Zone Requirements		
7.2.111.06.D.2 Building Height Bonus	The portion of the building exceeding 55 feet shall cover not more than 50 percent of the building floor plate, as defined by the building foundation perimeter. Except the portion of the building subject to the height bonus may exceed 50 percent of the building floor plate for a mixed-use building that includes multifamily dwelling units or overnight accommodations above the ground floor.	Overnight accommodations are provided above the ground floor, which means that the building is subject to the exception.
7.2.111.06.D.3 Building Height Bonus	The portion of the building exceeding 55 feet shall step-back from (recess behind) the building plane of the ground floor by one foot for each foot of building height above 55 feet.	The walls of the building exceeding 55 feet step back from the building plane of the ground floor by at least 10'-0" (one foot for each foot of building height above 55 feet). A roof eave protrudes minimally into the step-back on the north and east. Sections 7.2.308.05 and 7.2.308.06 specifically identify eaves as building features that are acceptable projections into front and side yards. While this is not a projection into a yard, we hope that the eaves can be interpreted similarly to this step-back item. To view the effect of the eaves on the design of the building, specifically from the vantage point of the corner at 2nd and Ferry Street, and a diagram showing the extent of the protrusion into the step-back please reference Exhibit 3.21.
7.2.111.07.A Building Design	Horizontal Articulation. Buildings more than 60 feet wide facing a street or plaza shall be visually divided into proportional bays similar in scale to historic building patterns and the historic lot widths of the Dayton Town Plat. Front elevations should be articulated (e.g., offset, recess, projection, or similar "break" in the wall plane) not less than once every 30 feet. Acceptable methods to satisfy the standard include offsets in a building elevation, roofline and/or the placement of windows, pilasters, awnings/ canopies, trim, art/medallions, or other detailing and ornamentation. Changes in paint color do not satisfy this standard.	Our design utilizes brick detailing to create 26'-8" wide bays within the façade. These bays are expressed through a smooth brick set back from the textured brick used in the majority of the façade, creating a vertical band that is offset from the adjacent wall plane. This articulation continues at the ground floor, where the bay width aligns with the size of the arch trellis, reinforcing the rhythm across all levels of the building. While our bays are slightly narrower than the 30-foot dimension noted in the code and reflected in nearby historic buildings, they remain proportionally consistent and legible. The zoning standard requires that front elevations be articulated "not less than once every 30 feet," and our design provides articulation more frequently than that minimum threshold. The resulting 26'-8" bays establish a repeating pattern that is visually compatible with the 30-foot rhythm seen in the historic context. In this way, the façade maintains continuity with the character of Dayton's historic building patterns while also creating a strong pedestrian scale and architectural rhythm that meets the intent of the standard. Please reference Exhibit 3.22 showing the elevation with dimensions and Exhibits 3.23 & 3.24 for more details and photos showing this. Additionally, the code allows for "other detailing" as a means to satisfy this requirement and our proposal aligns with the historic precedent found within the Central Business Area in Dayton. The historic buildings along Ferry Street between 3rd and 4th Streets are visually divided into bays by control joints, change of paint color and brick detailing, including offset brick coursing. Historic photos of the Opera House building at 4th and Ferry show similar use of brick to "break the wall plane". Please reference Exhibit 3.25 showing this.

CODE SECTION	CODE LANGUAGE	RESPONSE / PROPOSAL
Central Business Area Overlay (CBO) Zone Requirements		
7.2.111.07.B Building Design	Horizontal Rhythm. The main façade of the building shall be visually compatible with adjoining buildings. The standard may be met through either similar height and width, or with design elements that provide visual continuity with the height and width of adjoining buildings. Examples of such design elements include but are not limited to the base below a series of storefront windows; an existing awning or canopy line; a belt course between building stories; an existing cornice or parapet line. Where adjacent buildings do not provide a historically appropriate reference, the development may establish new horizontal lines consistent with historical precedent. This standard shall not be interpreted to prohibit building up to the allowed height limit.	While immediately adjacent buildings are single family homes and do not provide a historically appropriate reference for our commercially zoned building, we have taken cues from other buildings within the Central Business Area. Arched openings and windows in the hotel building reference historic buildings within Dayton. The Mision de San Martin de Porres Church utilizes arches on it's facade facing Ferry Street. While the Brick Hall also has arched windows facing Main and 2nd Streets. The historic Stuckey Building on Ferry Street also has an arched opening. Please refer to Exhibit 3.26 showing this. Our design also takes cues from the historic Stuckey Building across Ferry Street from our site. While we did not replicate the detail, we referenced it in how we chose to step back the brick around the arched openings. Please refer to Exhibit 3.27 showing how we plan to accomplish this. Please reference drawings A3.01 and A3.02 that show this, too.
7.2.111.07.C Building Design	Storefronts (that portion of the building that faces a public street) shall include the following basic features of a historic storefront: 1. A belt course separating the upper stories from the first floor; 2. A bulkhead or kickplate at the street level; 3. A recessed entry and transom with transparent door; and 4. Decorative cornice or cap at the roof line.	The ground floor of our building is layered. The storefront facade at this location includes both the arched planted trellis arcade and a glazed wall behind. These wrap all three street facing facades and provide depth to the visual appearance and enhance the experience of pedestrians and visitors. The building includes the following items: 1. A change in brick type to provide belt-course at each level. 2. A 18" concrete curb bulkhead/kickplate that provides a visual base for the storefront, helping to anchor the large expanses of glass and balance the composition. 3. Entry doors are recessed behind the trellis arches and are transparent glass. 4. At the roof line, the brick changes from the textured brick of the body of the building to three courses of smooth brick to denote the cap of the wall. Additionally, planters are placed at the parapet edge so that plants can spill over the top of the wall adding a decorative touch. Please reference Exhibit 3.28 and Drawings A3.01 & A3.02 showing these items.

CODE SECTION	CODE LANGUAGE	RESPONSE / PROPOSAL
Central Business Area Overlay (CBO)	Zone Requirements	
7.2.111.07.D Building Design	Pedestrian Shelters. Awnings, canopies, recesses or similar pedestrian shelters shall be provided along at least 60 percent of a building's ground floor elevation(s) where the building abuts a sidewalk or civic space (e.g., plaza). 1. Pedestrian shelters used to meet the above standard shall extend at least 5 feet over the pedestrian area, be proportionate to the building in its dimensions, and not obscure the building's architectural details. 2. Pedestrian shelters shall align with one another to the extent practicable. 3. Shelters shall not conflict with mezzanine or transom windows. 4. Colored canvas (not plastic) awnings and metal or plexi-glass canopies, when consistent with historical styles, are allowed. 5. Color of the pedestrian shelter shall be compatible with the main building. 6. Where signs are proposed as part of pedestrian shelters, they shall be required to meet the provisions of Chapter 7.4.1 Sign Regulations Exceptions: Pedestrian shelters are not required where historical precedent dictates otherwise. In addition, the Planning Commission may reduce the minimum shelter depth upon finding that existing right-of-way, easements, or building code requirements preclude a standard shelter. Figure 7.2.111.07. Typical Storefront Components	The building utilizes an arcade and canopy covering along the ground floor to provide pedestrian shelter. It exists along 63.6% of the building's ground floor elevation where it abuts a sidewalk or the pedestrian plaza. In addition, the walkway from the sidewalk to the main building entry is covered. Please reference Exhibits 3.11 & 3.17 showing this and Drawing 2.02 showing extent of canopy.
7.2.111.07.E Building Design	1. Windows shall be recessed and not flush or project from the surface of the outer wall. In addition, upper floor window orientation primarily shall be vertical. 2. A minimum of 60 percent of the ground floor building elevations facing a street shall be comprised of transparent windows. 3. All side and non-ground floor building elevations not otherwise subject to the provisions of Subsection 2, above, shall be comprised of not less than 30 percent transparent windows; except zero-lot line/common wall elevations are not required to provide windows.	1. Windows are recessed. Please reference Exhibits 2.02, 2.04 & 3.24 for renderings showing this. 2. 60.5% of the ground floor building elevations facing a street are comprised of transparent windows. Please reference Exhibit 3.29. 3. 30.2% of the non-ground floor building elevations are comprised of transparent windows. Please reference Exhibit 3.29.
7.2.111.07.F Building Design	The predominate roof form of buildings on Ferry Street shall be a flat roof with appropriately scaled cornice or stepped parapet top.	Our building contributes a total of 159'-3" of flat roof along Ferry Street. This is 53% of our site length and brings the percentage of frontage on Ferry Street with a flat roof up from 44% to 57% (562' + 159'-3" = 721'-3", 721'-3"/1260' = 57%). While there is an upper roof that contains a very shallow gabled shape, it only occupies 140'-9" of the frontage on Ferry Street. Because the form does not occur at the edge facing 3rd street, the sloped shape is imperceptible from the street below. The building is surrounded by a parapet. Please refer to Exhibits 2.02, 2.04 & 3.30 and Drawings A3.01 and A3.02 showing this.
7.2.111.07.G Building Design	Rooftop mechanical equipment as described in Section 7.2.202.01.B shall be setback and screened so as to not be visible to a person standing within an adjacent, at-grade public right of way, park, or open space.	Rooftop mechanical equipment is set back and screened so that it is not visible to a person standing within an adjacent, at-grade public right of way, park, or open space. Please reference Exhibit 3.31.

CODE SECTION	CODE LANGUAGE	RESPONSE / PROPOSAL
Central Business Area Overlay (CBO) Zone Requirements		
7.2.111.08.A.1 Building Materials	Exterior building materials shall consist of materials found on historic buildings in the downtown area including decorative block, brick, painted wood, smooth stucco, or natural stone. The use of high intensity colors such as, neon, metallic or florescent colors for the façade of the building are prohibited.	The ground floor includes storefront windows set behind steel trellis arches that will be planted with a variety of vines to provide year-round coverage. While brick is widely used in historic buildings throughout Dayton, our project seeks to utilize the historic material in a modern way. The upper building façade is made of a textured brick that is detailed with flat bricks and offsets to break down the scale and add variety to the facade. The gray color was chosen to provide a subtle, neutral backdrop that allows the green of the plants to stand out and be visually highlighted. Additionally, the brick's finish helps the building blend more naturally into its environment, especially during the misty shoulder months, creating a more contextual presence. Please reference Exhibit 3.33 that shows a mock up with the brick selection with texture. Renderings in Exhibits 2.02 - 2.04, that show the design intent of the building materials.
7.2.111.08.A.2 Building Materials	The following materials are prohibited for use on visible surfaces on non-residential structures: a. Vinyl and aluminum; b. Asphalt or fiberglass shingles; c. Structural ribbed metal panels; d. Corrugated metal panels; e. Plywood sheathing, to include wood paneling such as T-111; f. Plastic sheathing; and g. Reflective or moderate to high grade tinted glass.	While metal panel is used as cladding on Level 5, it is neither ribbed nor corrugated. It is currently detailed as standing seam. Therefore no prohibited materials are used.
7.2.111.08.B.1 Colors	Primary building colors shall be of low reflective, subtle, earth tones or other natural color shades. Permitted colors include shades brick red, brick cream, tan, brown, and dark to light shades of gray (including shades of blue-gray and green-gray) that conform to the Dayton Central Business Area Overlay District color palette in Figure 7.2.111.08.B.	The primary building color is a warm gray to contrast the green color of the plants growing on the façade.
7.2.111.08.B.2 Colors	The use of high intensity colors that are reflective, sparkling, or florescent for the façade of the building are prohibited. Metals shall be matte finish, earth-tone, or burnished/non-reflective colors.	No high intensity or reflective colors are used.
7.2.111.08.B.3 Colors	Painting brick on a non-residential building listed as Designated Landmark subject to the Historical Property Overlay Zone in Chapter 7.2.112 is prohibited.	This item is not applicable to our site.
7.2.111.09.A Landscaping	Type of Trees. Street trees shall be limited to an approved City of Dayton list. The list of acceptable tree species and planting methods shall be established by the Department of Public Works.	Noted. Only trees from the approved City of Dayton list will be used.
7.2.111.09.B Landscaping	Minimum Size to be Installed. Street trees shall have a minimum caliper of 2 inches when measured 4 feet in height at the time of installation.	Our landscape plan calls out 2.5" min. caliper for street trees.

CODE SECTION	CODE LANGUAGE	RESPONSE / PROPOSAL
Central Business Area Overlay (CBO) Zone Requirements		
7.2.111.09.C Landscaping	Spacing. The spacing of street trees by tree size shall be as follows: 1. Small sized trees (under 25' tall and less than 16' wide) shall be spaced no greater than 20 feet apart. 2. Medium sized trees (25' - 40' tall and more than 16' wide) shall be spaced no greater than 30 feet apart. 3. Large trees (over 40' tall and more than 35' wide) shall be spaced no greater than 40 feet apart.	Please reference our landscape plan (Drawing L1.01 and L3.01) for proposed street tree locations.
7.2.111.09.D Landscaping	Placement. The placement of trees is subject to the site design review process. Tree placement shall not interfere with utility poles, light standards, power lines, utility services, visual clearance areas or sidewalk access.	Please reference our landscape plan (Drawing L1.01 and L3.01) for proposed street tree locations.
7.2.111.09.F Landscaping	Landscaping, General. Those areas not constructed upon or devoted to parking and access shall be landscaped in accordance with provisions in Section 7.2.306.	Please reference our landscape plan (Drawing L1.01 and L3.01) for landscape design.

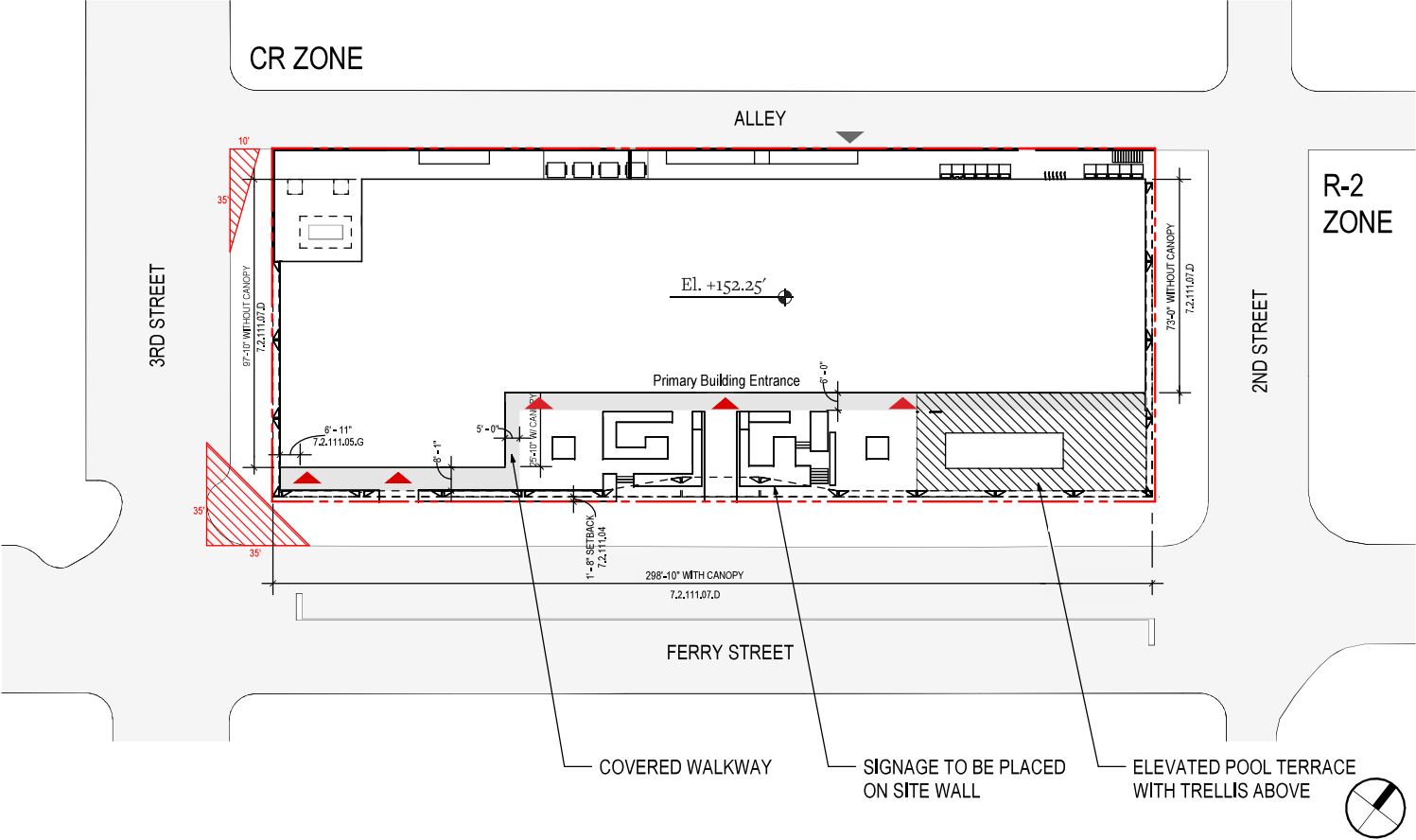
SITE PLAN DIAGRAM

1" = 40'-0"

PEDESTRIAN SHELTERS:

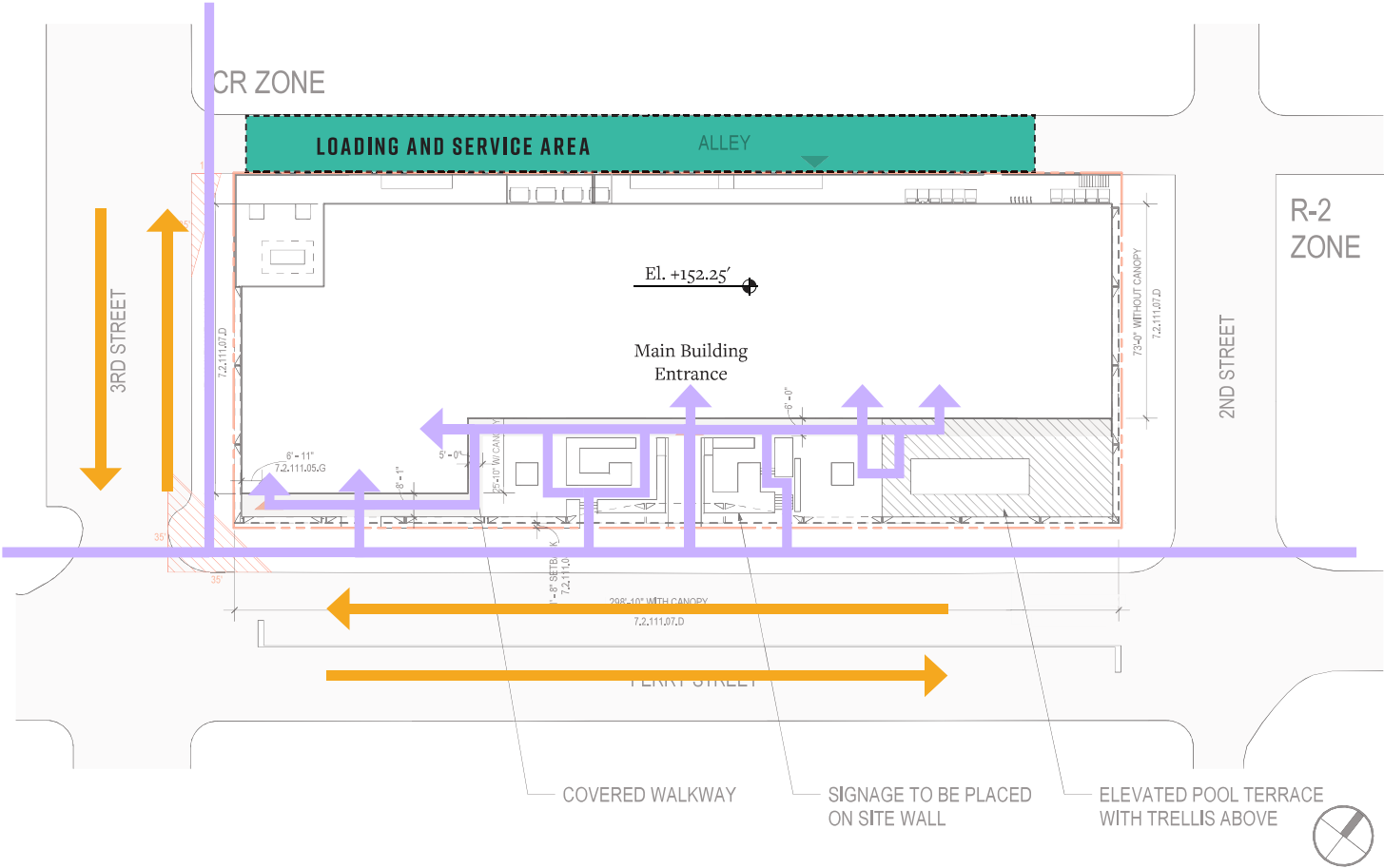
ALONG 3RD STREET, FERRY STREET AND 2ND STREET, 51.4% (<60%) OF THE GROUND FLOOR ELEVATIONS HAS A CANOPY.

- ▶ PEDESTRIAN ENTRY
- LOADING ENTRY
- ➡ VEHICLE CIRCULATION
- - - PROPERTY LINE
- CLEAR VISION AREA (PER 7.2.308.08)



SITE PLAN DIAGRAM

- PEDESTRIAN CIRCULATION PATTERNS
- BIKE AND VEHICLE CIRCULATION PATTERNS



FLOOD BOUNDARY LOCATION



TEMPORARY PARKING PLAN

Per 7.2.111.05.D, "Off-street parking and loading areas shall not be required within the Central Business Area." However, we understand that a hotel of this size will require ample parking to mitigate adverse affects within the community.

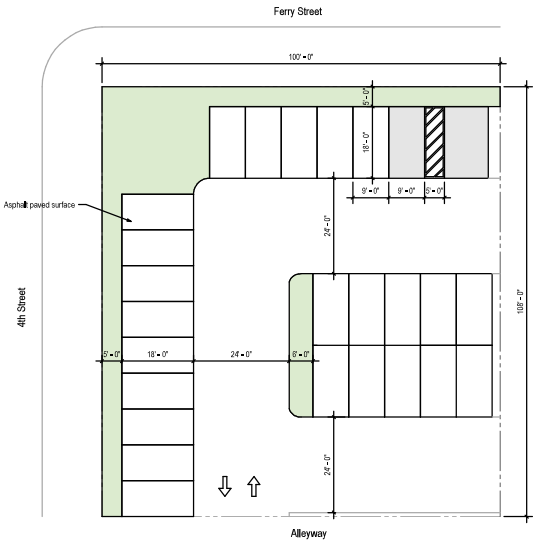
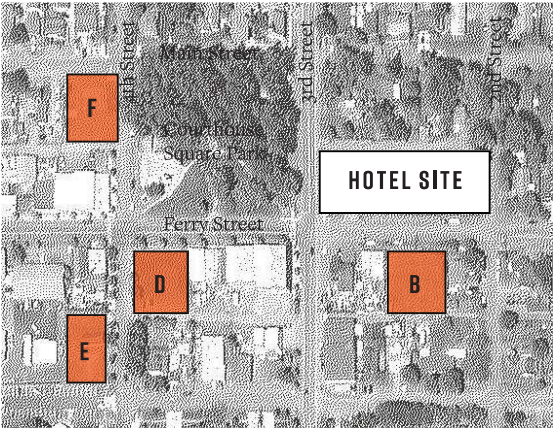
The owner is currently in conversation with the City of Dayton to secure a permanent parking solution. In the interim, we plan to temporarily utilize the owner's other sites for parking. This will provide roughly 107 parking spaces. Please reference the diagram to the right for our planned temporary parking locations and the amount of spaces they contain. The next page includes preliminary concept drawings for each site showing compliance with the municipal code.

The hotel will utilize a valet system, where guests and visitors will drop off and pick up their cars at the main hotel entrance along Ferry Street.

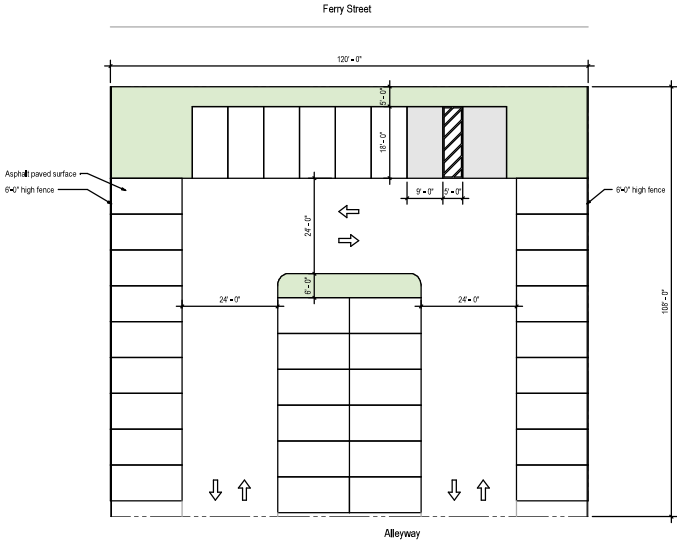
As part of the temporary plan, each of these sites will be constructed and the owner will record easements for parking, prior to occupancy of the hotel.



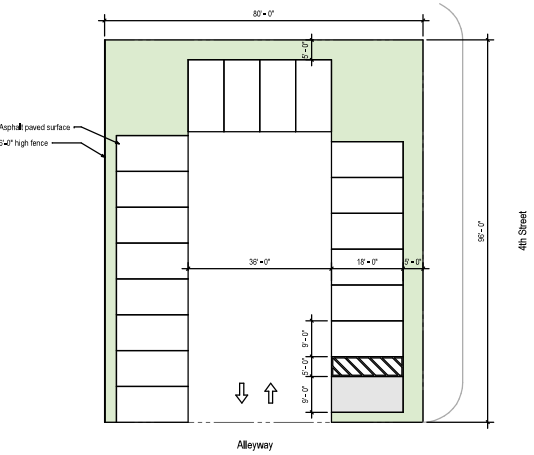
TEMPORARY PARKING PLAN



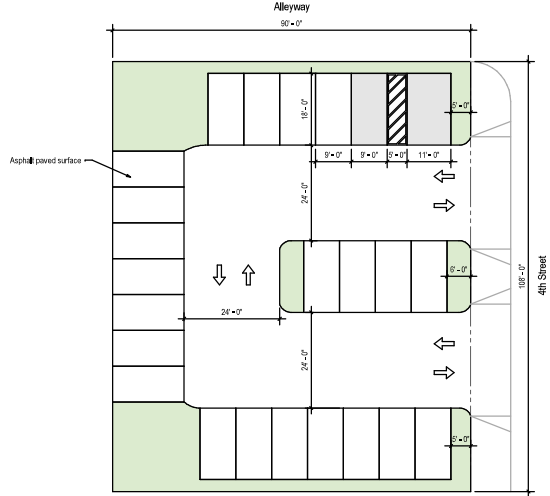
SITE D ~26 Parking Spaces



SITE B ~38 Parking Spaces

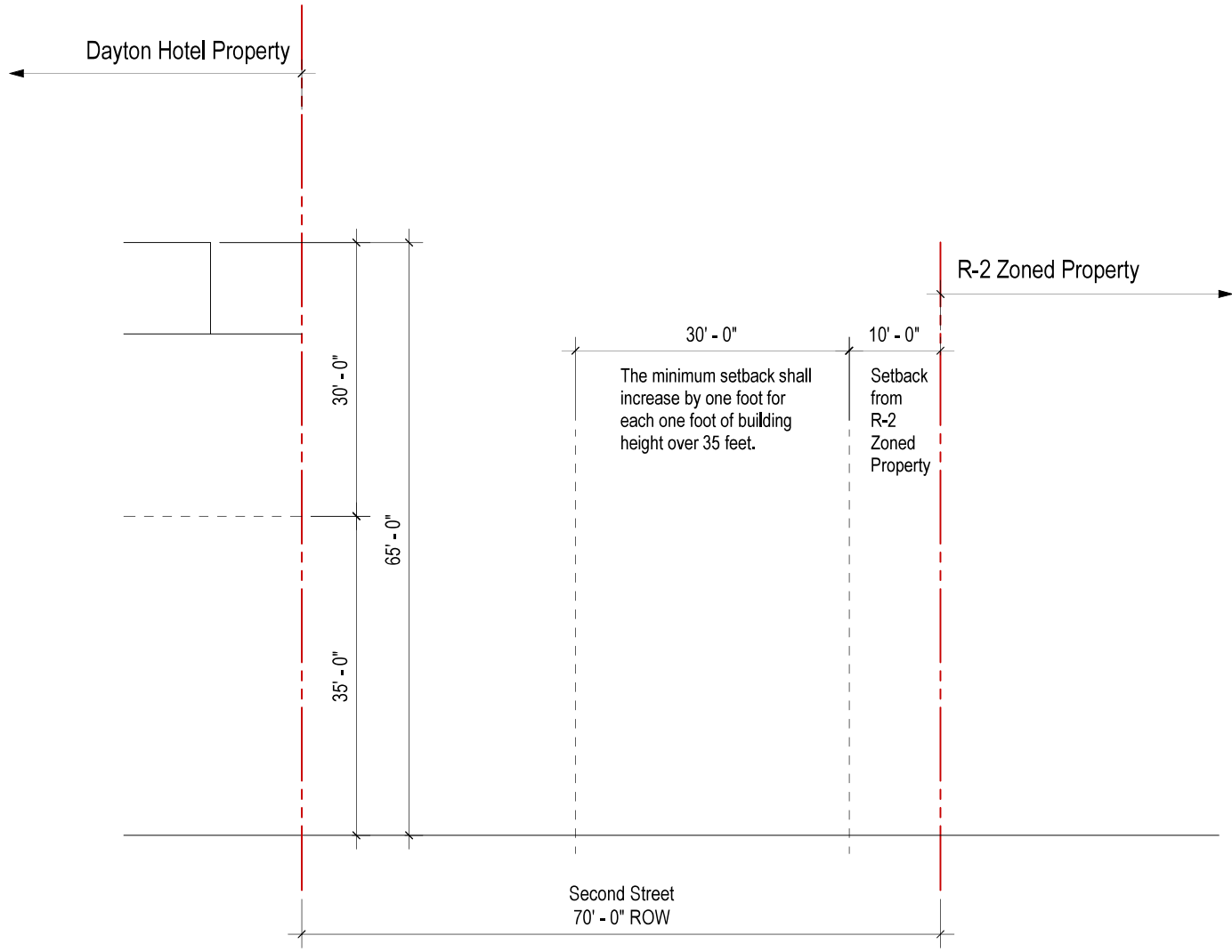


SITE F ~19 Parking Spaces

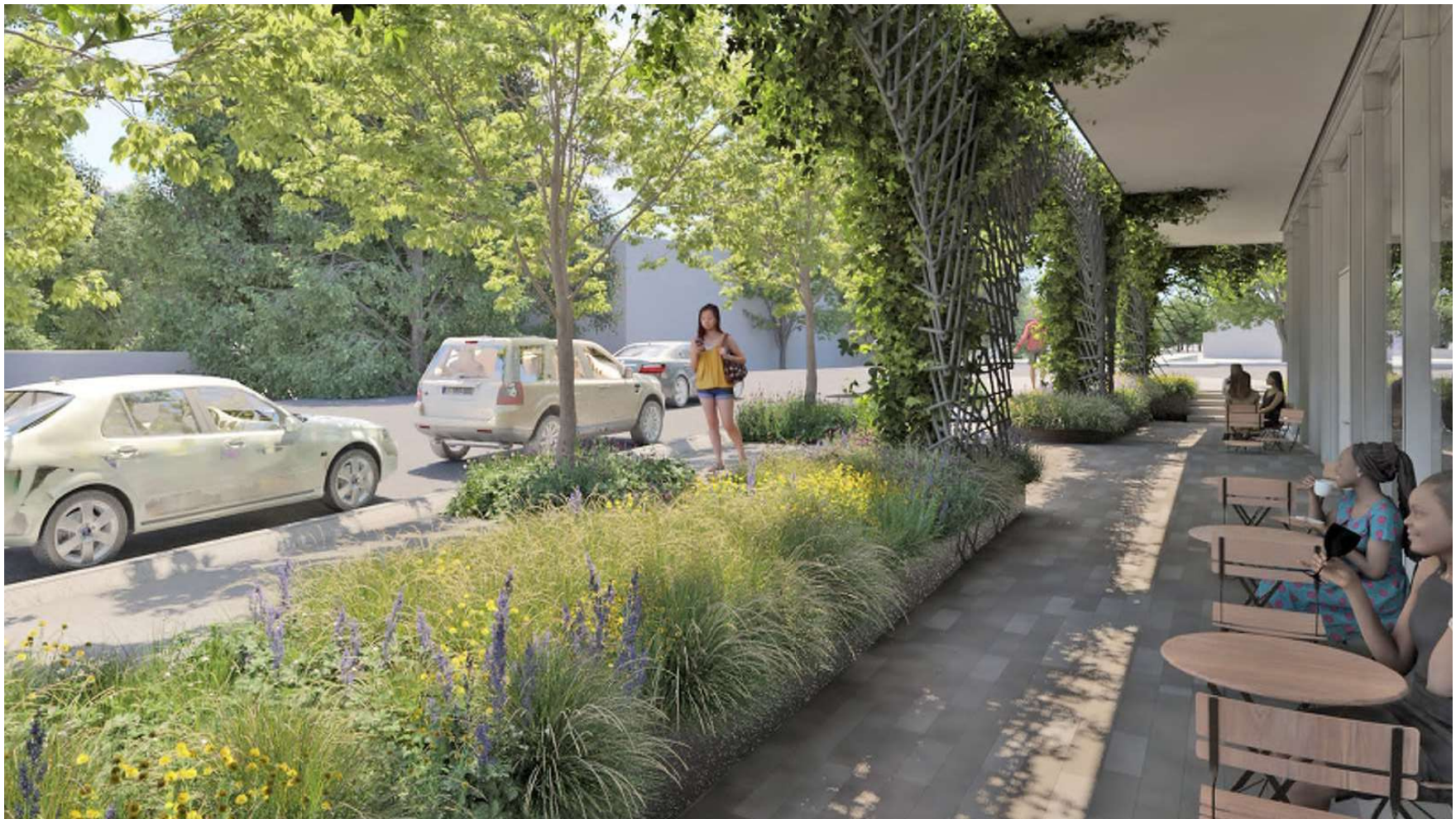


SITE E ~24 Parking Spaces

SETBACK FROM RESIDENTIAL ZONE



PLANTED ARCADE AT FERRY STREET



PLANTED ARCADE AT 3RD & FERRY STREET

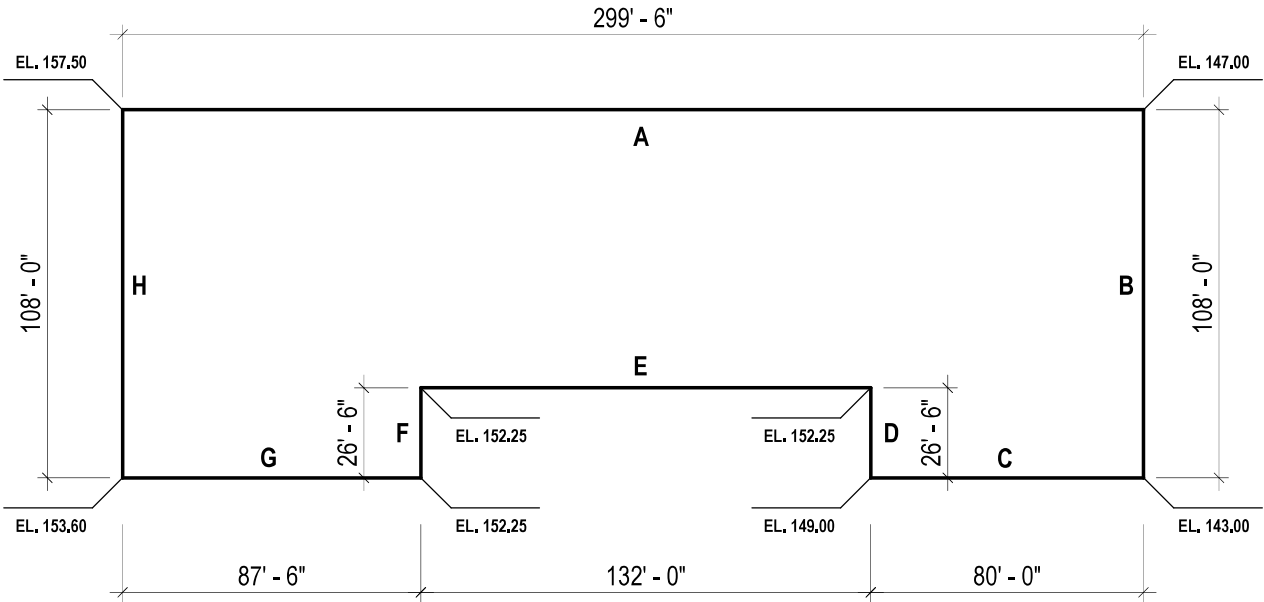


AVERAGE GRADE PLANE

CALCULATION

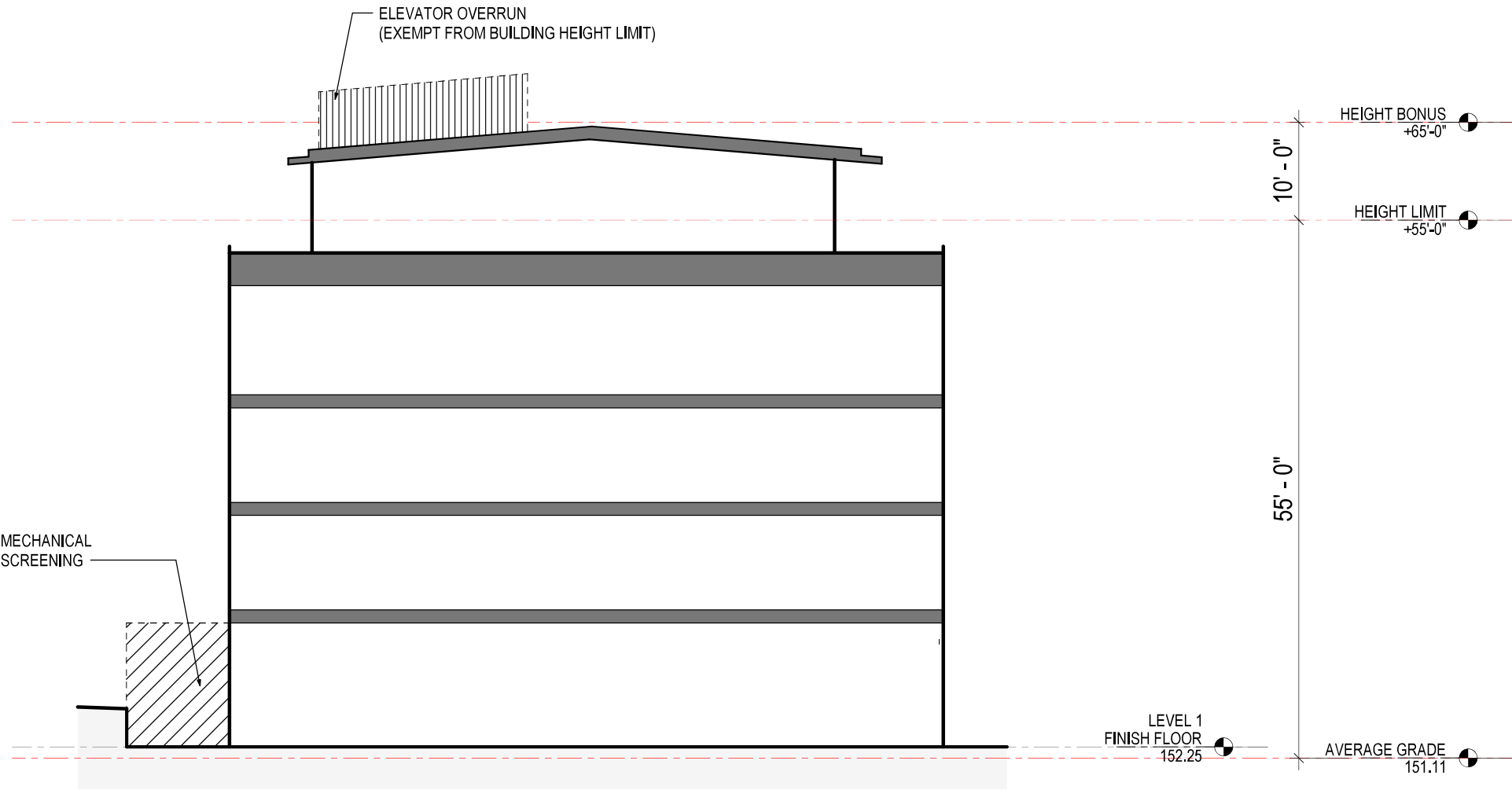
A:	$(157.5+147) / 2$	*	299.5	=	45,524
B:	$(147+143) / 2$	*	108	=	15,660
C:	$(143+149) / 2$	*	80	=	11,680
D:	$(149+152.25) / 2$	*	26.5	=	3,991.56
E:	$(152.25+152.25) / 2$	*	132	=	20,097
F:	$(152.25+152.25) / 2$	*	26.5	=	4,034.63
G:	$(152.25+153.6) / 2$	*	87.5	=	13,380.94
H:	$(153.6+157.7) / 2$	*	108	=	16,799.4
Totals:			868		131,167.53

Grade Plane = $131,167.53 / 868 = 151.11'$



BUILDING HEIGHT DIAGRAM

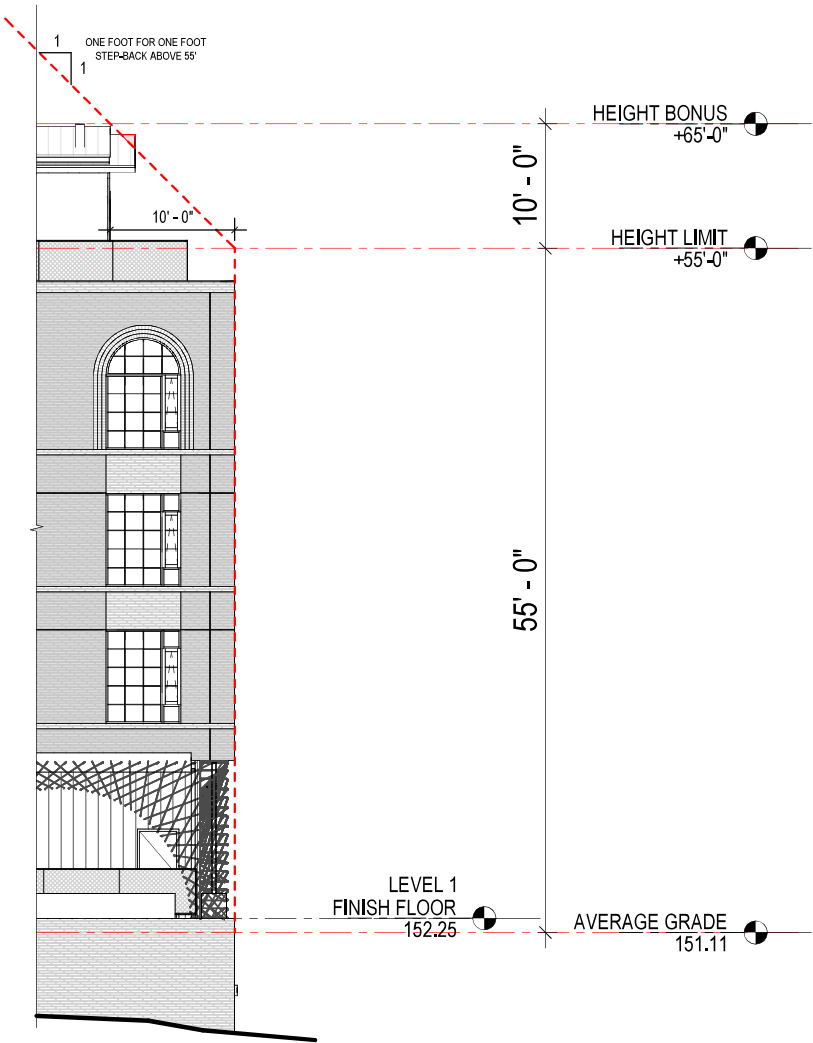
1" = 10'-0"



STEP BACK DIAGRAM

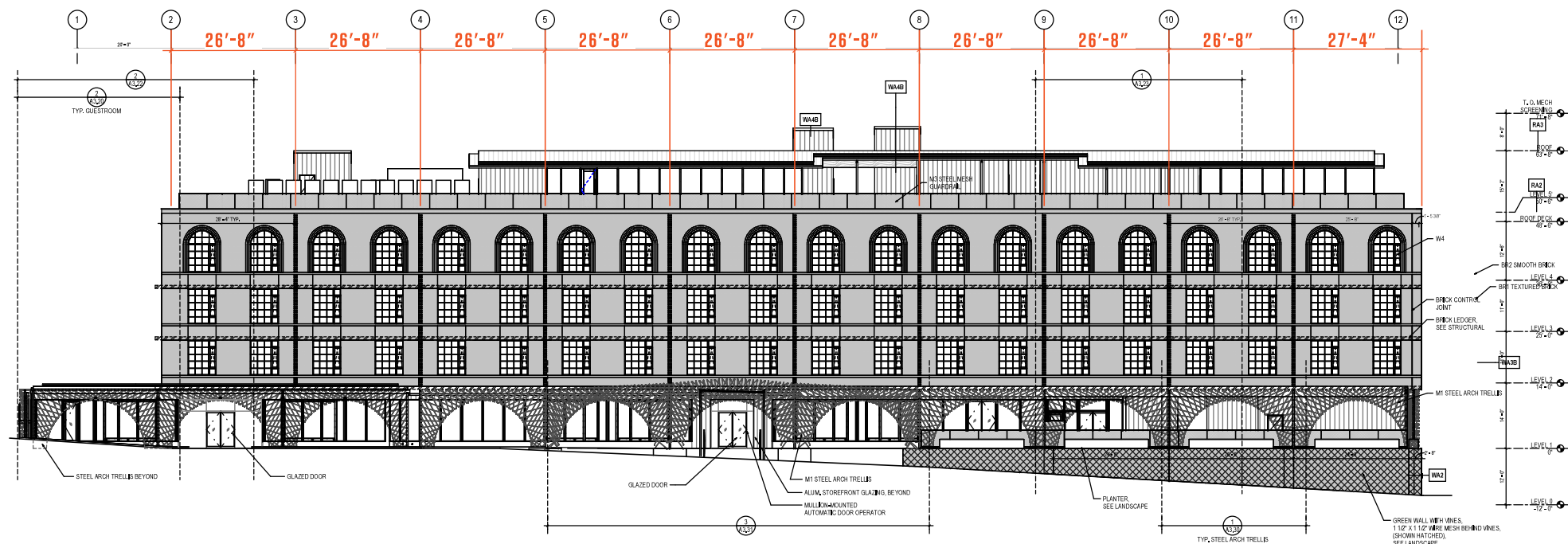


VIEW FROM 2ND & FERRY STREET



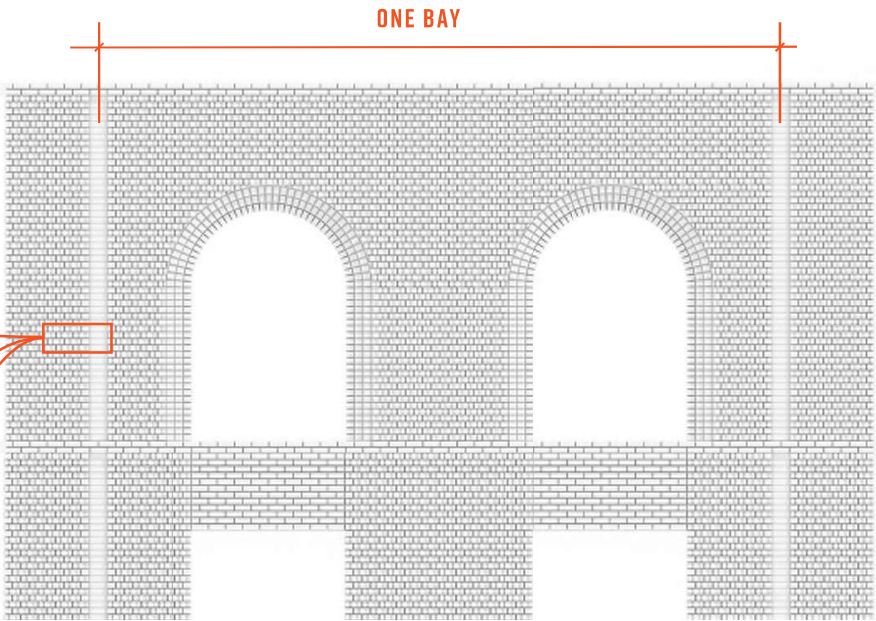
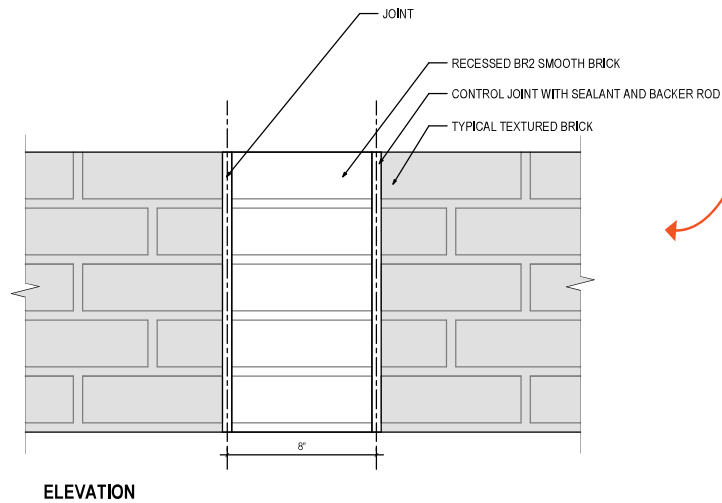
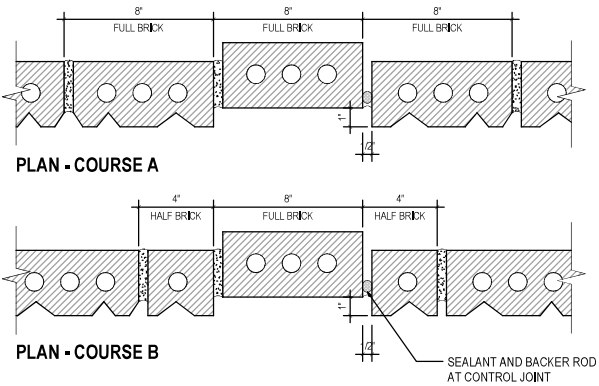
SOUTH ELEVATION

HORIZONTAL ARTICULATION



South Building Elevation

HORIZONTAL ARTICULATION DETAIL



Bay showing brick coursing layout



Brick mock up

ENLARGED ELEVATION



HORIZONTAL ARTICULATION



Paint color divides Loam and Stuckey Buildings



Brick detailing creating bays at the old Opera House



Control joint at Harris and Stuckey Buildings

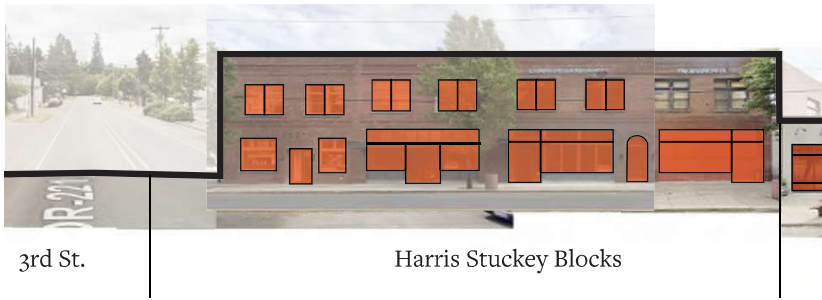


Brick detailing at Tienda Zu Kaza

VISUAL COMPATIBILITY

ARCHES IN CONTEXT

Arched openings and windows in the hotel building also reference historic buildings within Dayton. The Mision de San Martin de Porres Church utilizes arches on it's facade facing Ferry Street. While the Brick Hall also has arched windows facing Main and 2nd Streets. The historic Stuckey Building on Ferry Street also has an arched opening.



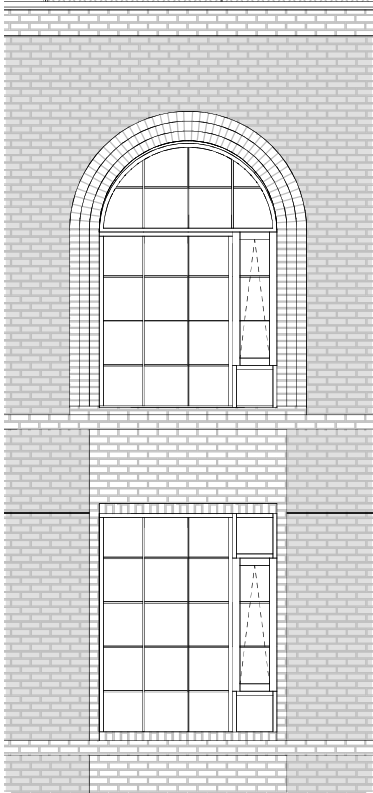
VISUAL COMPATIBILITY

BRICK DETAILING

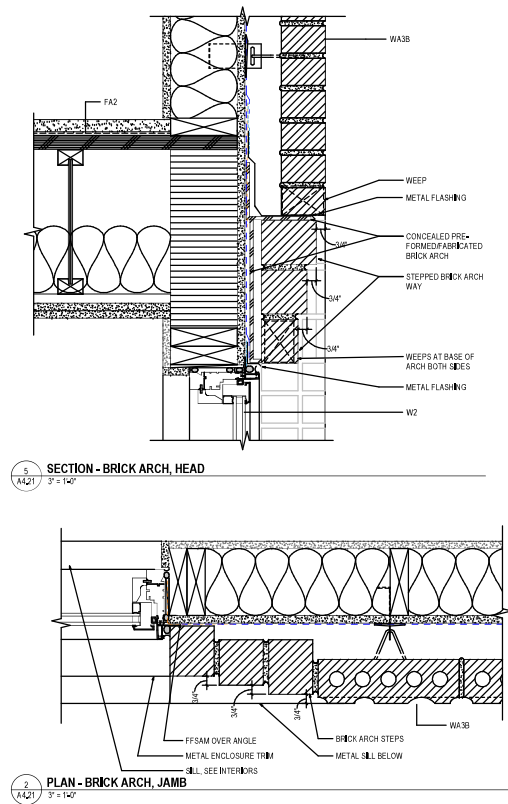
Our design takes cues from the historic Stuckey Building across Ferry Street from our site. While we did not replicate the detail, we referenced it in how we chose to step back the brick around the arched openings. Please refer to the details showing how we plan to accomplish this.



STUCKEY BUILDING

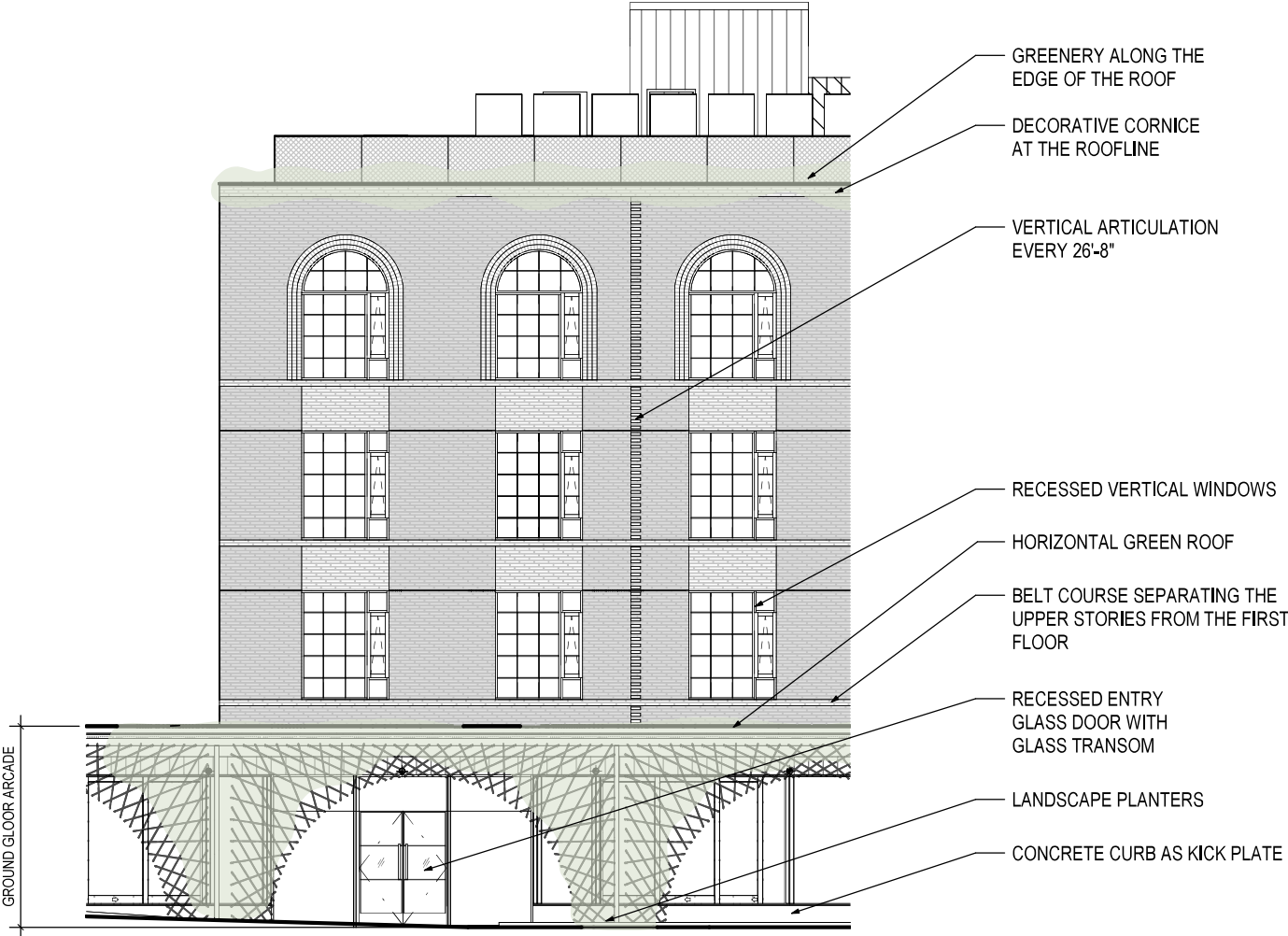


ARCHED WINDOW ELEVATION

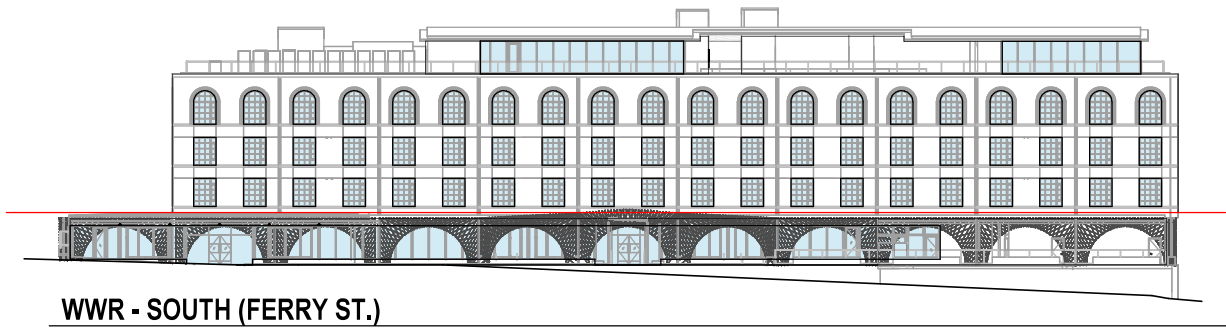


ARCHED WINDOW DETAILS

STOREFRONT ELEMENTS



WINDOW TRANSPARENCY RATIOS

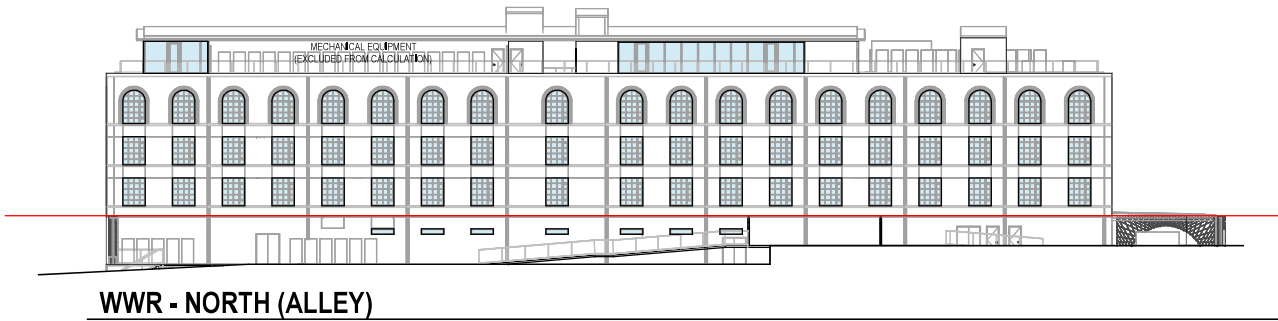


AVERAGE NON-GROUND FLOOR WWR ON ALL SIDES
TOTAL WINDOW / TOTAL WALL
=8780 SF / 29060 SF
=30.2% > 30%

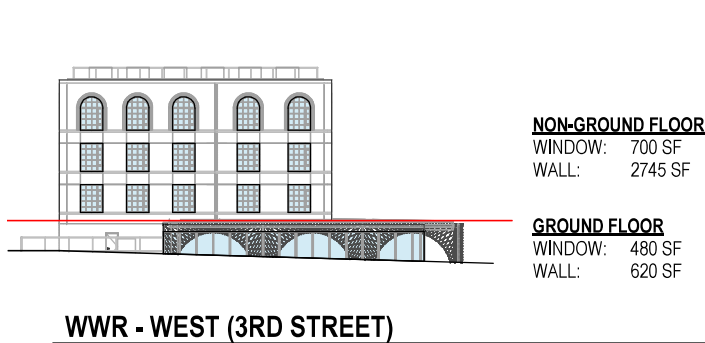
AVERAGE GROUND FLOOR WWR FACING A STREET
TOTAL WINDOW / TOTAL WALL
=3185 SF / 5265 SF
=60.5% > 60%

NON-GROUND FLOOR
WINDOW: 3600 SF
WALL: 11670 SF

GROUND FLOOR
WINDOW: 2150 SF
WALL: 3665 SF

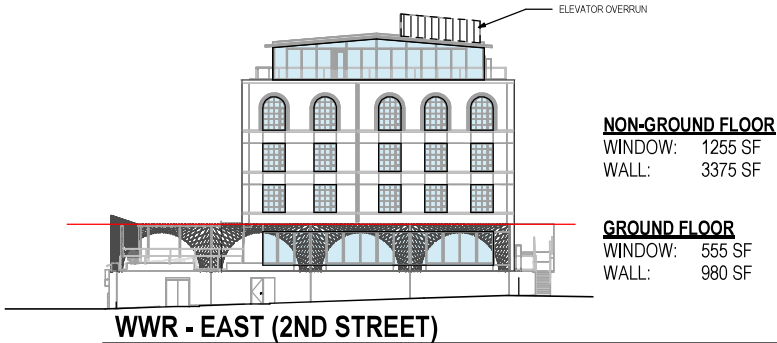


NON-GROUND FLOOR
WINDOW: 3225 SF
WALL: 11270 SF



NON-GROUND FLOOR
WINDOW: 700 SF
WALL: 2745 SF

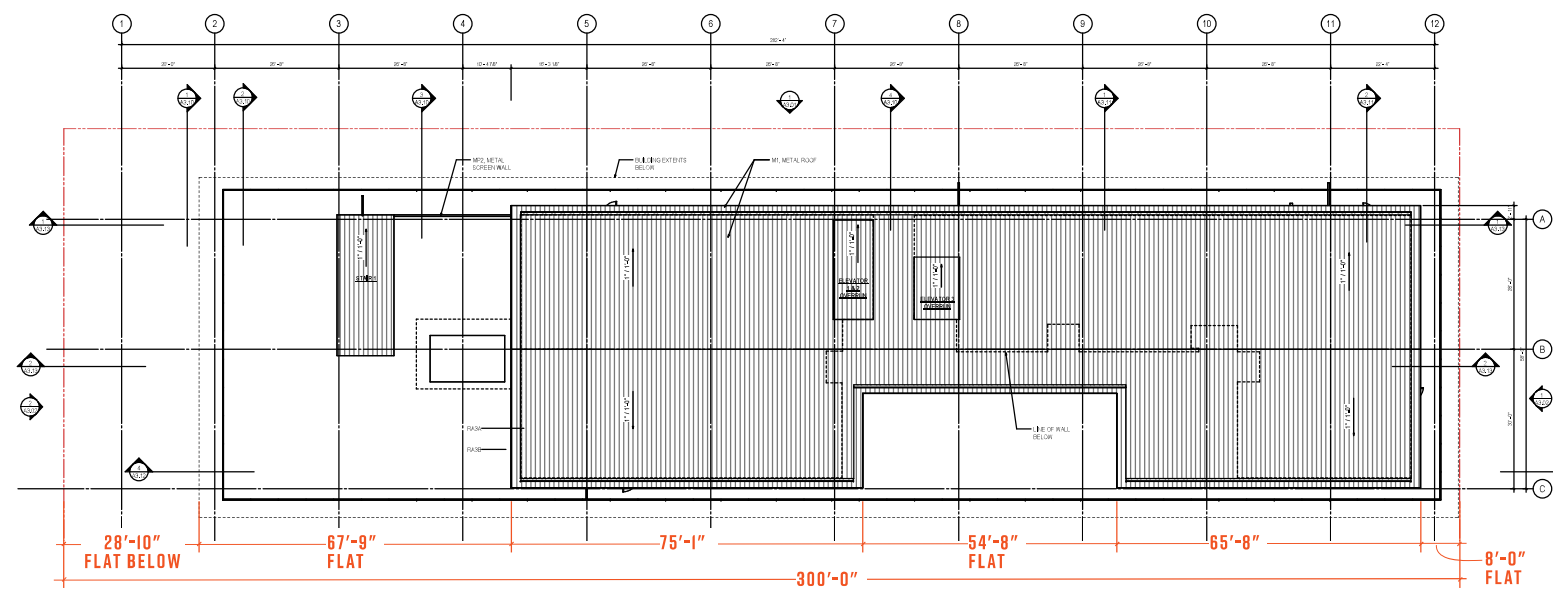
GROUND FLOOR
WINDOW: 480 SF
WALL: 620 SF



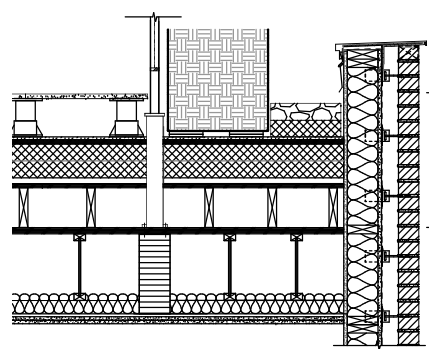
NON-GROUND FLOOR
WINDOW: 1255 SF
WALL: 3375 SF

GROUND FLOOR
WINDOW: 555 SF
WALL: 980 SF

FLAT ROOF LOCATIONS



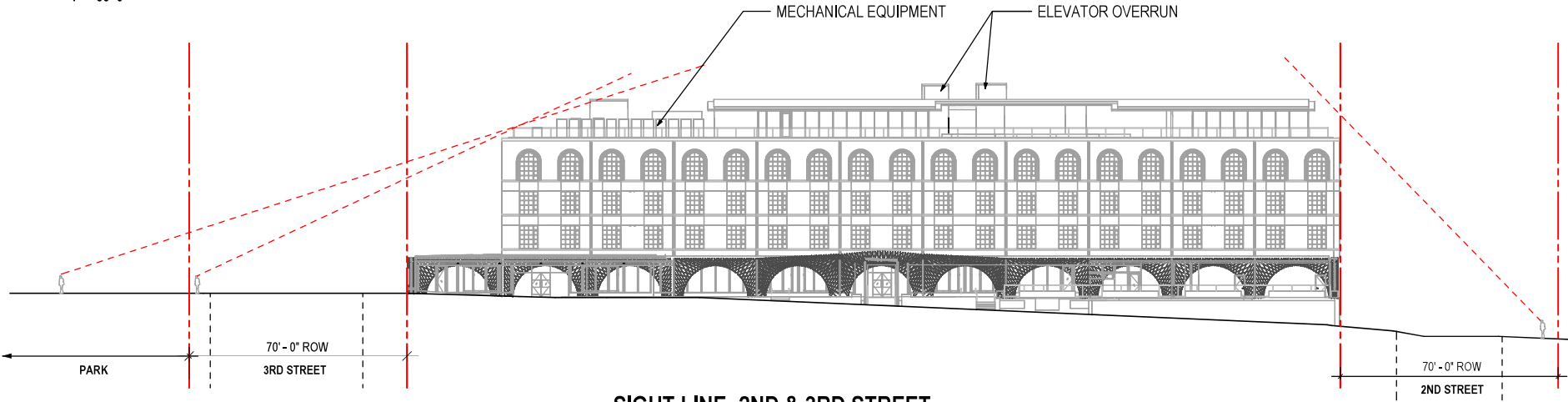
Upper Roof Plan



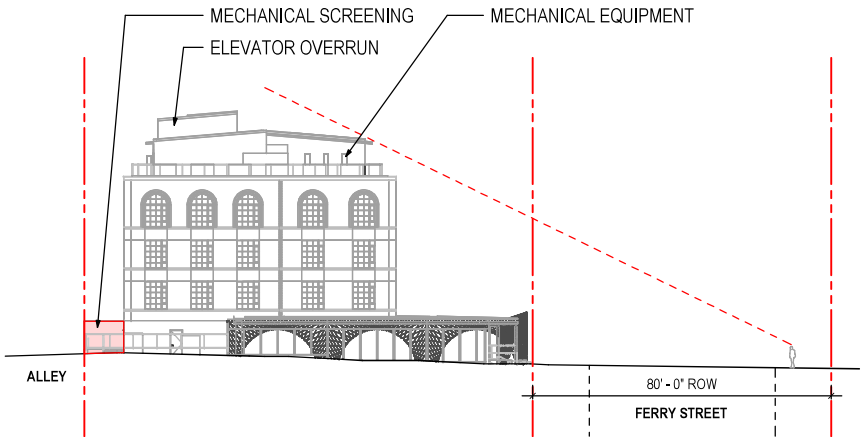
Parapet Detail

VIEW FROM 3RD STREET LOOKING TOWARDS FERRY

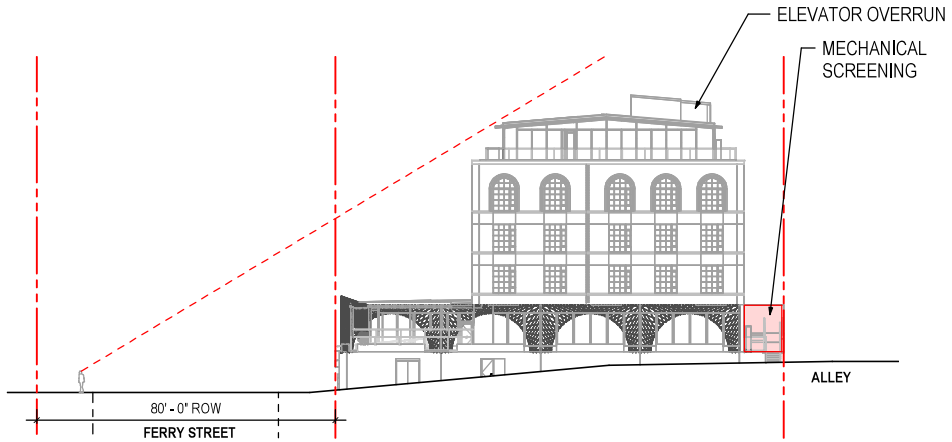
1" = 30'-0"



SIGHT LINE- 2ND & 3RD STREET
SOUTH ELEVATION



SIGHT LINE - FERRY STREET - 1
WEST ELEVATION



SIGHT LINE - FERRY STREET - 2
EAST ELEVATION

Drawings

CIVIL (FOR REF. ONLY)

- C1.00 Existing Conditions Plan
- C2.00 Demolition Plan
- C3.00 Site Plan
- C3.01 Site Plan
- C4.00 Grading Plan
- C5.00 Utility Plan
- C5.01 Utility Plan
- C5.02 Foundation Drain Plan
- EC1.10 ESCP - Demolition and Clearing Plan
- EC1.20 ESCP - Utilities, Roads, & Vertical Construction Plan
- EC1.30 ESCP - Final Stabilization Plan
- EC1.40 ESCP - Details

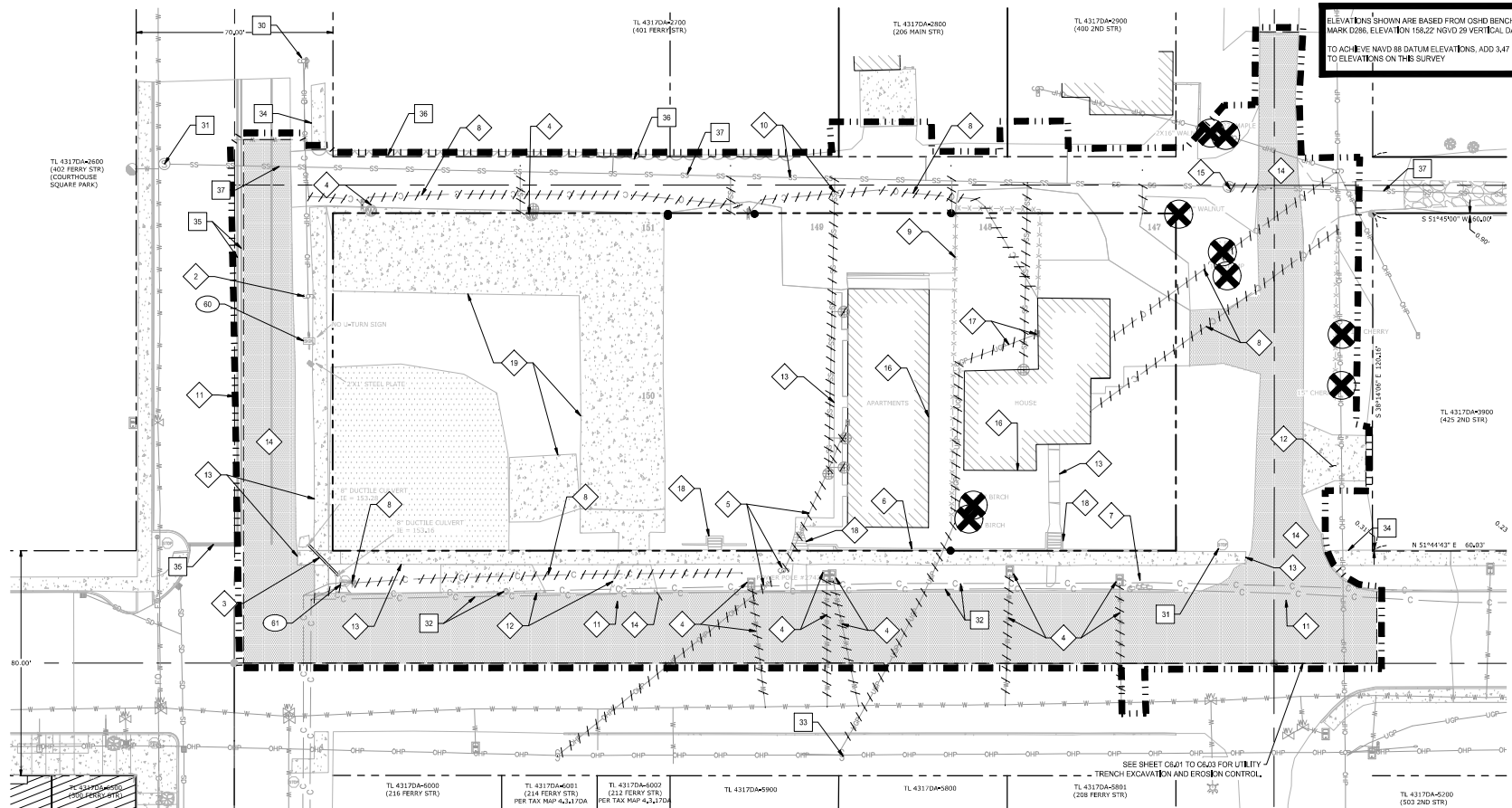
ARCHITECTURE

- A2.00 Plan, Floor - Level 0
- A2.01 Plan, Floor - Level 1
- A2.02 Plan, Floor - Level 2
- A2.05 Plan, Floor - Level 5
- A2.07 Plan, Floor - Roof
- A3.01 Elevations, Exterior
- A3.02 Elevations, Exterior
- A3.21 Enlarged Elevation, Plan & Wall Section - Southwest

LANDSCAPE

- L1.01 Materials Plan - Site
- L3.01 Planting Plan - Site
- L3.03 Planting Plan - Level 5
- L4.01 Irrigation Plan - Site

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ELEVATIONS SHOWN ARE BASED FROM OSHD BENCH MARK 0286, ELEVATION 158.22' NGVD 29 VERTICAL DATUM. TO ACHIEVE NAVD 88 DATUM ELEVATIONS, ADD 3.47 FEET TO ELEVATIONS ON THIS SURVEY.

SHEET NOTES

1. CONTRACTOR MAY STAGE WITHIN PROPERTY OF DEMOLITION.
2. REMOVE ALL SITE COMPONENTS AND RECYCLE COMPONENTS AS REQUIRED IN THE SPECIFICATIONS.
3. ALL TRADE LICENSES AND PERMITS NECESSARY FOR THE PROCUREMENT AND COMPLETION OF THE WORK SHALL BE SECURED BY THE CONTRACTOR PRIOR TO COMMENCING DEMOLITION.
4. THE CONTRACTOR SHALL PRESERVE AND PROTECT FROM DAMAGE ALL EXISTING RIGHT-OF-WAY SURVEY MONUMENTATION DURING DEMOLITION. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING AND PAYING FOR THE REPLACEMENT BY A LICENSED SURVEYOR OF ANY DAMAGED OR REMOVED MONUMENTS.
5. PROTECT ALL ITEMS ON ADJACENT PROPERTIES AND IN THE RIGHT OF WAY INCLUDING BUT NOT LIMITED TO SIGNAL EQUIPMENT, PARKING METERS, SIDEWALKS, STREET TREES, STREET LIGHTS, CURBS, PAVEMENT AND SIGNS. CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ANY DAMAGED ITEMS TO ORIGINAL CONDITION.
6. PROTECT STRUCTURES, UTILITIES, SIDEWALKS, AND OTHER FACILITIES IMMEDIATELY ADJACENT TO EXCAVATIONS FROM DAMAGES CAUSED BY SETTLEMENT, LATERAL MOVEMENT, UNDERMINING, WASHOUT AND OTHER HAZARDS.
7. SAWCUT STRAIGHT LINES IN SIDEWALK, AS NECESSARY.
8. CONTRACTOR IS RESPONSIBLE TO CONTROL DUST AND MUD DURING THE DEMOLITION PERIOD, AND DURING TRANSPORTATION OF DEMOLITION DEBRIS, ALL STREET SURFACES OUTSIDE THE CONSTRUCTION ZONE MUST BE KEPT CLEAN.
9. SEE C620 THROUGH C625 FOR DEMOLITION ALONG STORM MAIN EXTENSION

DEMOLITION KEY NOTES

1. CAP AND PLUG SANITARY PIPE IN MANHOLE, SEE DETAIL 21C920.
2. RELOCATE GUYWIRE AND POLE INTO PROPOSED LANDSCAPE FURNISHING ZONE. COORDINATE WITH P&G.
3. REMOVE STORM CULVERT
4. REMOVE WATER SERVICE
5. REMOVE OVERHEAD POWER AND POWER POLE
6. REMOVE CONCRETE WALL ALONG PROPERTY LINE, TYPICAL
7. REMOVE MAIL BOX
8. REMOVE PHONE LINE AND STRUCTURE, COORDINATE WITH UTILITY PROVIDER ON REMOVAL.
9. REMOVE FENCE
10. REMOVE SANITARY MAIN AND LATERALS
11. SAWCUT LINE
12. REMOVE CONCRETE DRIVEWAY ENTRANCE
13. REMOVE CONCRETE SIDEWALK
14. REMOVE ASPHALT PAVEMENT
15. REMOVE SANITARY MANHOLE
16. REMOVE EXISTING BUILDING
17. REMOVE UNDERGROUND POWER AND BUILDING CONNECTION
18. REMOVE CONCRETE STAIRS
19. REMOVE CONCRETE PAVEMENT

PROTECTION KEY NOTES

30. PROTECT OVERHEAD POWER
 31. PROTECT MANHOLE
 32. PROTECT COMMUNICATIONS, FIBER OPTIC, OVERHEAD POWER, AND WATER MAIN
 33. PROTECT POWER POLE
 34. PROTECT CONCRETE
 35. PROTECT STRIPING
 36. PROTECT HEDGE
 37. PROTECT SANITARY MAIN
- #### SALVAGE KEY NOTES
60. SALVAGE "NO U-TURN" SIGN
 61. SALVAGE AND REINSTALL SIGNS, PROVIDE TEMPORARY SIGN DURING CONSTRUCTION

SHEET LEGEND

- | | |
|---|--------------------------------|
| PROPERTY LINE | EXISTING CURB LINE |
| DEMOLITION WORK LIMITS (SHOWN OFFSET FOR CLARITY) | EXISTING STRIPING LINE |
| SAWCUT LINE | EXISTING FENCE |
| REMOVE OR ABANDON UTILITY LINE IN PLACE | EXISTING WATER LINE |
| REMOVE TREE | EXISTING STORM LINE |
| REMOVE ASPHALT PAVEMENT | EXISTING SANITARY LINE |
| | EXISTING WATER STRUCTURES |
| | EXISTING STORM STRUCTURES |
| | EXISTING SANITARY STRUCTURES |
| | EXISTING ELECTRICAL STRUCTURES |
| | EXISTING COMMUNICATIONS LINE |
| | EXISTING OVERHEAD POWER LINE |





TWIN TOWERS, LLC
DAYTON HOTEL
403 3RD ST
DAYTON, OR 97114

Revisions

Sheet Status

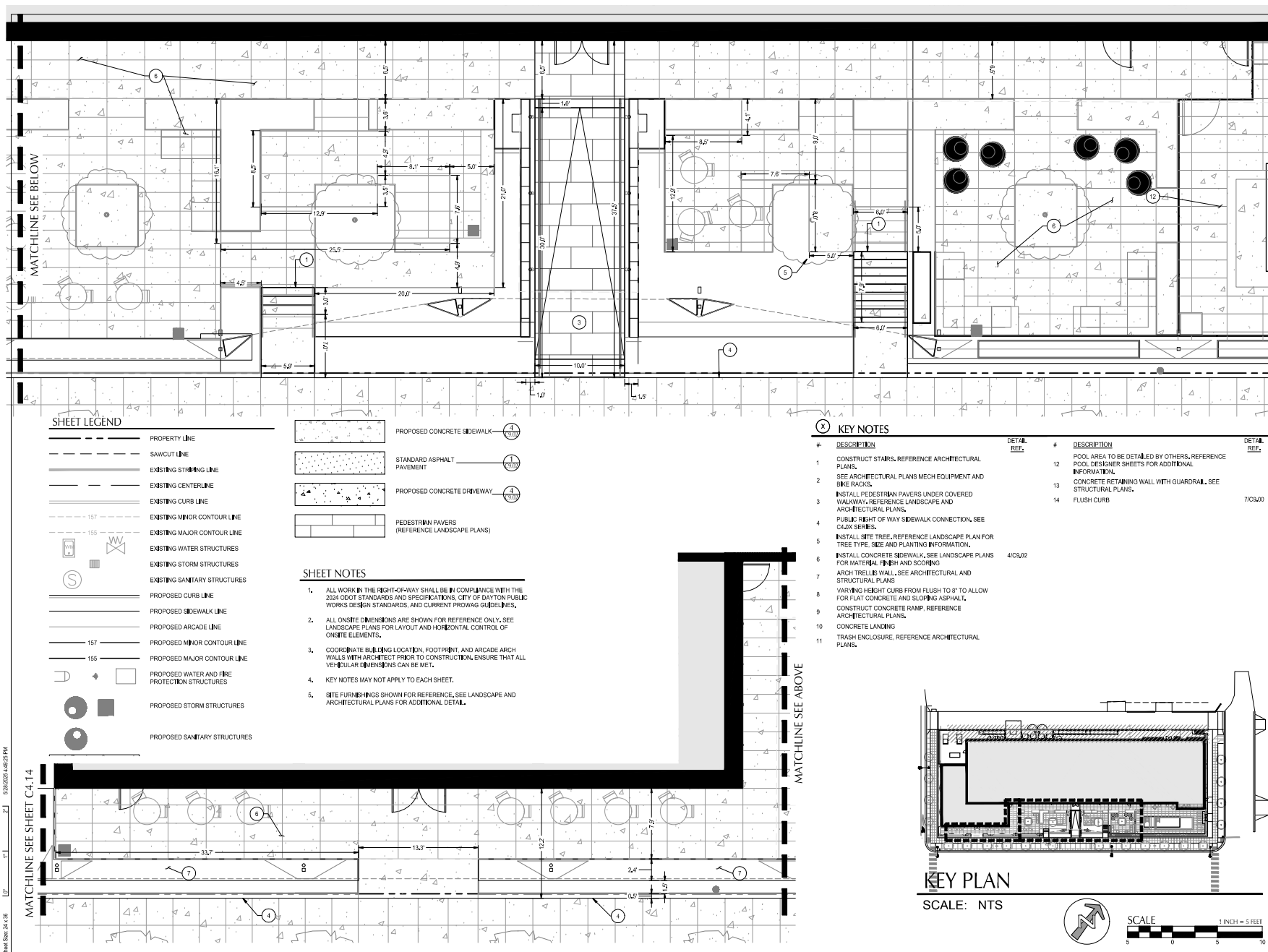
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CONSTRUCTION

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ON SITE SITE PLAN

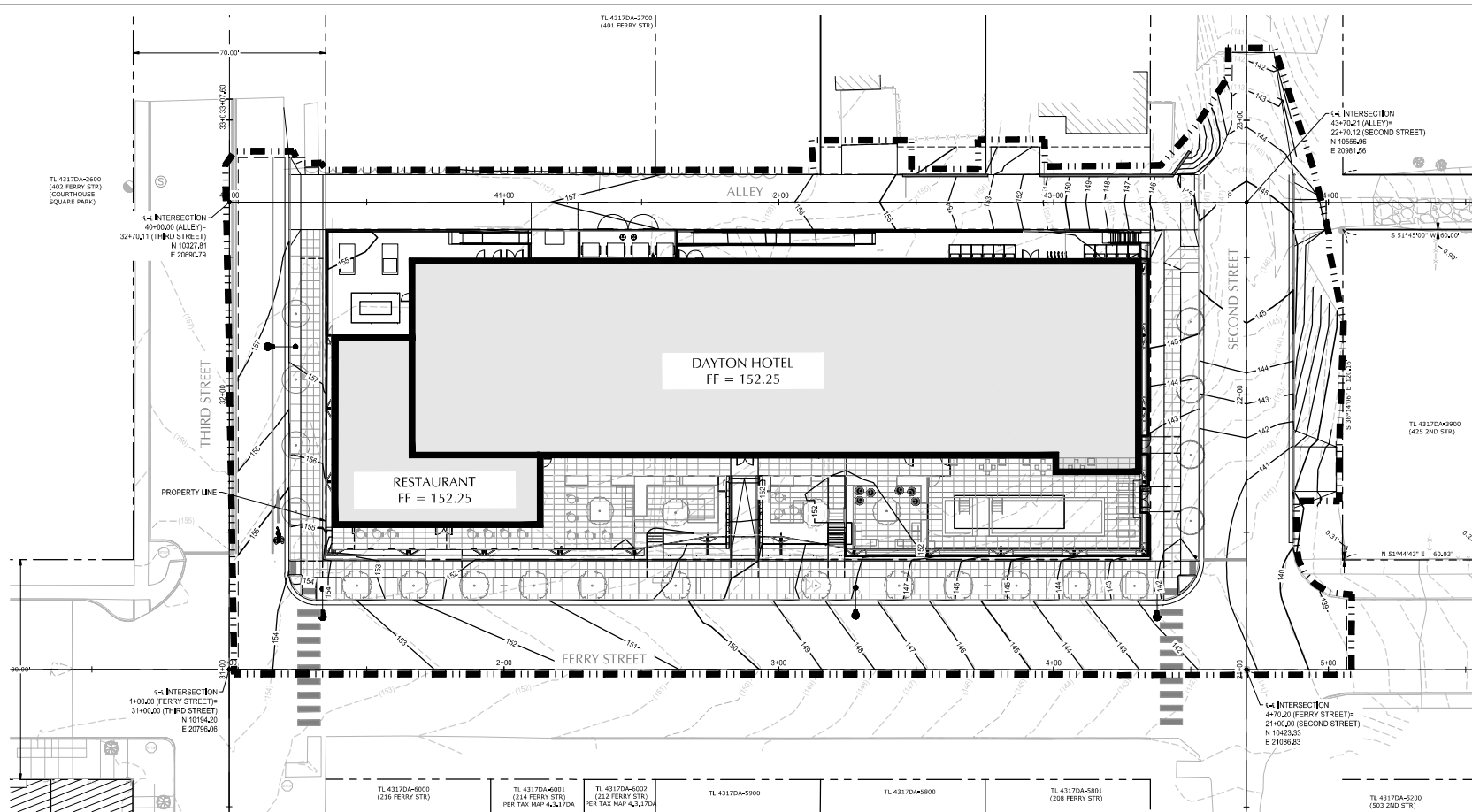
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C3.01

Current Issue
**50% CONSTRUCTION
DOCUMENTS**
Current Issue Date
10/10/2025



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SHEET NOTES

- SLOPES PROVIDED ON SLOPE ARROW ARE FOR REFERENCE ONLY. SPOT ELEVATIONS SHALL HOLD OVER SLOPES AND CONTOURS.
- LANDINGS ON ACCESSIBLE ROUTES SHALL NOT EXCEED 2% IN ANY DIRECTION.
- ALL ACCESSIBLE ROUTES SHALL COMPLY WITH CURRENT 2010 ADA ACCESSIBILITY GUIDELINES FOR BUILDINGS AND FACILITIES (ADAAG), SIDEWALKS, DRIVEWAYS, AND CURB RAMPS IN THE PUBLIC ROW SHALL COMPLY WITH CURRENT PROWAG, CITY OF DAYTON, AND ODOT GUIDELINES.
- TOP OF CURB GRADES ARE 6" ABOVE TOP OF PAVEMENT GRADES UNLESS OTHERWISE NOTED.
- FINISH GRADES AT DOORWAYS ARE 2" BELOW BUILDING FINISH FLOOR ELEVATIONS.

SHEET LEGEND

- PROPERTY LINE
- CENTERLINE
- UNITS OF GRADING LINE
- SAWOUT LINE
- PROPOSED TEMPORARY CONSTRUCTION GASEMENT
- EX, CONTOUR MINOR
- EX, CONTOUR MAJOR
- CONTOUR MINOR (FG)
- CONTOUR MAJOR (FG)
- GRADE BREAK
- EXISTING CURB LINE
- EXISTING FENCE
- PROPOSED CURB LINE
- PROPOSED SIDEWALK/ARCADE LINE
- PROPOSED LIGHT POLE

ELEVATIONS SHOWN ARE BASED FROM OSHD BENCH MARK 0286, ELEVATION 158.27' NGVD 29 VERTICAL DATUM TO ACHIEVE NAVD 88 DATUM ELEVATIONS, ADD 3.47 FEET TO ELEVATIONS ON THIS SURVEY





TWIN TOWERS, LLC
DAYTON HOTEL
403 3RD ST
DAYTON, OR 97114

Original Issue

Revisions

Sheet Status

NOT FOR
CONSTRUCTION

Sheet Title

OVERALL UTILITY
PLAN

Sheet Number

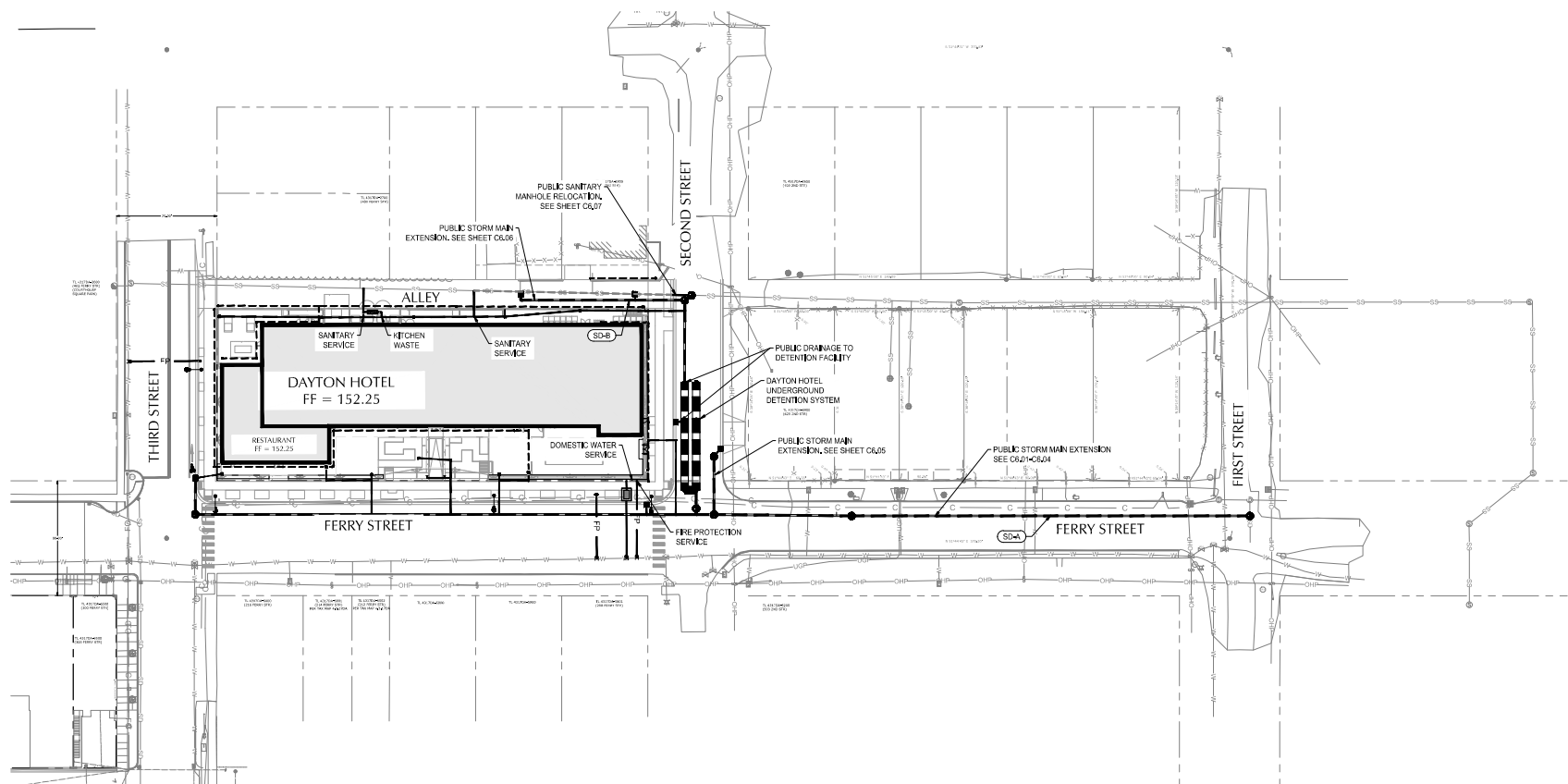
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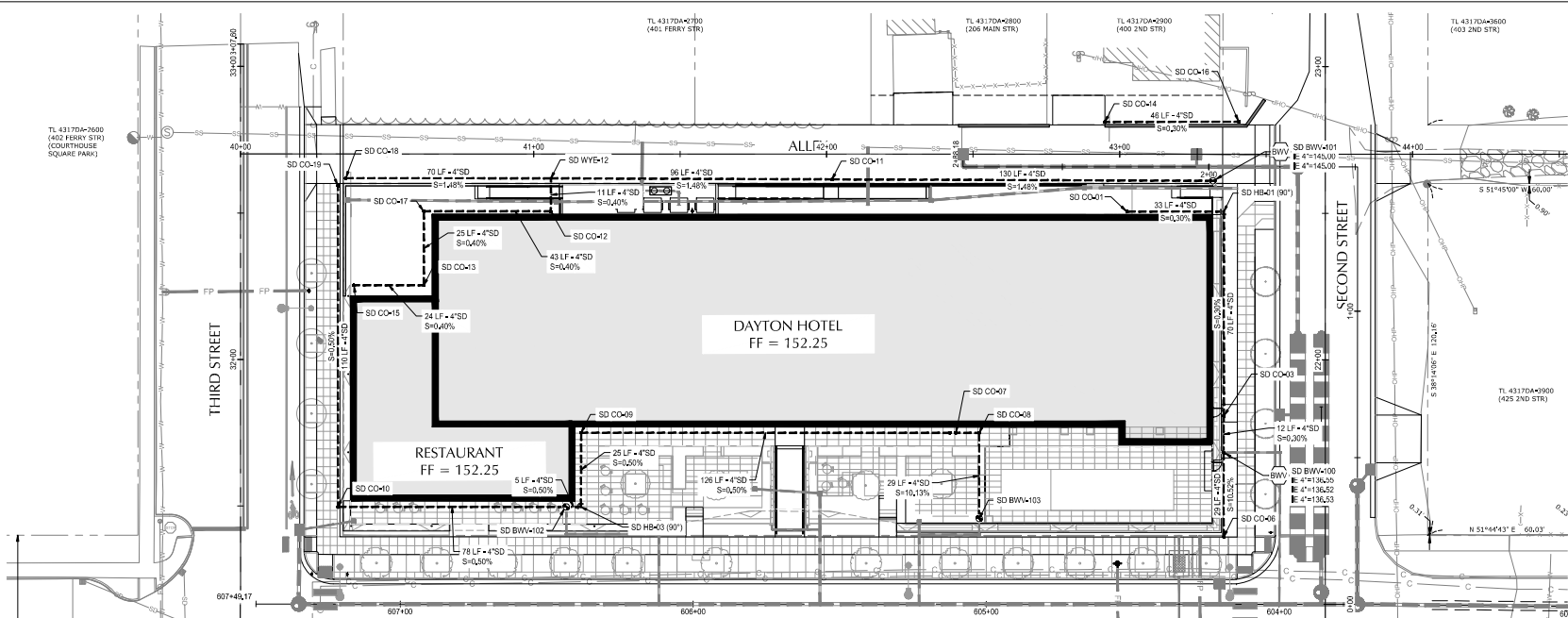
Current Issue

50% CONSTRUCTION DOCUMENTS

Current Issue Date

10/10/2025





SHEET NOTES

- ON-SITE PIPE BEDDING AND BACKFILL FOR ALL UTILITIES PER DETAIL 201003.
- STRUCTURES LOCATIONS ARE BASED ON CENTER OF STRUCTURE.

UTILITY KEY NOTES

NOTE	DESCRIPTION	DETAIL REF.
BWV	BACKWATER VALVE, SEE C5.01 FOR CONTINUATION.	41C5.00

SHEET LEGEND

--- --	PROPERTY LINE	---	PROPOSED CURB LINE
---	CENTERLINE	---	PROPOSED SIDEWALK/ARCADE LINE
---	SAW CUT LINE	---	PROPOSED SANITARY SEWER LINE
---	PROPOSED TEMPORARY CONSTRUCTION EASEMENT	---	PROPOSED FIRE PROTECTION LINE
---	EXISTING CURB LINE	---	PROPOSED WATER LINE
---	EXISTING FENCE	---	PROPOSED STORM LINE
---	EXISTING WATER LINE	---	PROPOSED FOUNDATION DRAIN LINE
---	EXISTING STORM LINE	---	PROPOSED WATER AND FIRE PROTECTION STRUCTURES
---	EXISTING SANITARY LINE	---	PROPOSED STORM STRUCTURES
---	EXISTING WATER STRUCTURES	---	PROPOSED SANITARY STRUCTURES
---	EXISTING STORM STRUCTURES	---	PROPOSED LIGHT POLE
---	EXISTING SANITARY STRUCTURES	---	
---	EXISTING ELECTRICAL STRUCTURES	---	
---	EXISTING COMMUNICATIONS LINE	---	
---	EXISTING OVERHEAD POWER LINE	---	

UTILITY LABEL LEGEND

XX XX XX	STRUCTURE LABEL
XX XX XX	UTILITY TYPE (SD=STORM DRAINAGE, S=SANITARY SEWER, W=WATER, F=FIRE PROTECTION)
XX XX XX	STRUCTURE TYPE CALLOUT
XX XX XX	NUMBER (WHERE APPLICABLE)
XX XX XX	PIPE LABEL
XX XX XX	UTILITY LENGTH
XX XX XX	UTILITY SIZE
XX XX XX	UTILITY TYPE
XX XX XX	SLOPE (WHERE APPLICABLE)

SD STRUCTURE TABLE

STRUCTURE ID	NORTHING	EASTING	FIN ELEVATION	INVERT ELEVATIONS
BWV-000	10455.57	21017.32	142.43	E 4" IN=136.55 (SE) E 4" IN=136.53 (NW) E 4" OUT=136.52 (NE)
BWV-101	10526.28	20956.99	146.48	E 4" IN=145.00 (SW) E 4" OUT=145.00 (SE)
BWV-102	10302.69	20852.60	152.23	E 4" IN=147.81 (SW) E 4" OUT=147.81 (NE) E 4" OUT=147.81 (SE)
BWV-103	10386.23	20965.72	152.02	E 4" IN=143.75 (NW) E 4" OUT=143.75 (SE)
CO-01	10495.71	20940.47	152.14	E 4" IN=136.58 (NE) E 4" OUT=136.57 (SE)
CO-03	10485.29	21009.51	142.89	E 4" IN=136.57 (NW) E 4" OUT=136.56 (NW)
CO-06	10433.20	21035.13	142.20	E 4" IN=146.71 (NE) E 4" OUT=146.71 (SE)
CO-07	10404.23	20941.35	152.18	E 4" IN=146.71 (SW) E 4" OUT=146.71 (SE)
CO-08	10406.18	20947.63	152.21	E 4" IN=147.82 (NE) E 4" OUT=147.82 (SE)
CO-09	10325.12	20840.98	152.23	E 4" IN=148.20 (NW) E 4" OUT=148.20 (NE)
CO-10	10253.87	20791.41	154.89	E 4" IN=146.93 (SW) E 4" OUT=146.93 (NE)
CO-11	10446.00	20854.65	156.28	E 4" IN=148.29 (SW) E 4" OUT=148.29 (NW)
CO-12	10378.03	20786.04	155.24	E 4" IN=146.65 (SW) E 4" OUT=146.65 (NW)
CO-13	10331.29	20787.65	155.29	E 4" IN=147.86 (NE) E 4" OUT=147.86 (SE)
CO-14	10519.26	20915.07	152.07	E 4" IN=147.72 (SW) E 4" OUT=147.72 (SE)
CO-15	10316.58	20748.88	155.17	E 4" IN=148.25 (SE) E 4" OUT=148.25 (NE)
CO-16	10547.40	20951.48	150.10	E 4" IN=148.25 (SE) E 4" OUT=148.25 (NE)
CO-17	10351.121	20752.02	155.10	E 4" IN=148.25 (SE) E 4" OUT=148.25 (NE)
CO-18	10343.24	20724.03	157.47	E 4" IN=148.25 (SE) E 4" OUT=148.25 (NE)
CO-19	10339.88	20723.58	157.47	E 4" IN=148.25 (SE) E 4" OUT=148.25 (NE)
CO-20	10403.20	20936.78	152.17	E 4" IN=148.25 (SW) E 4" OUT=148.25 (NW)

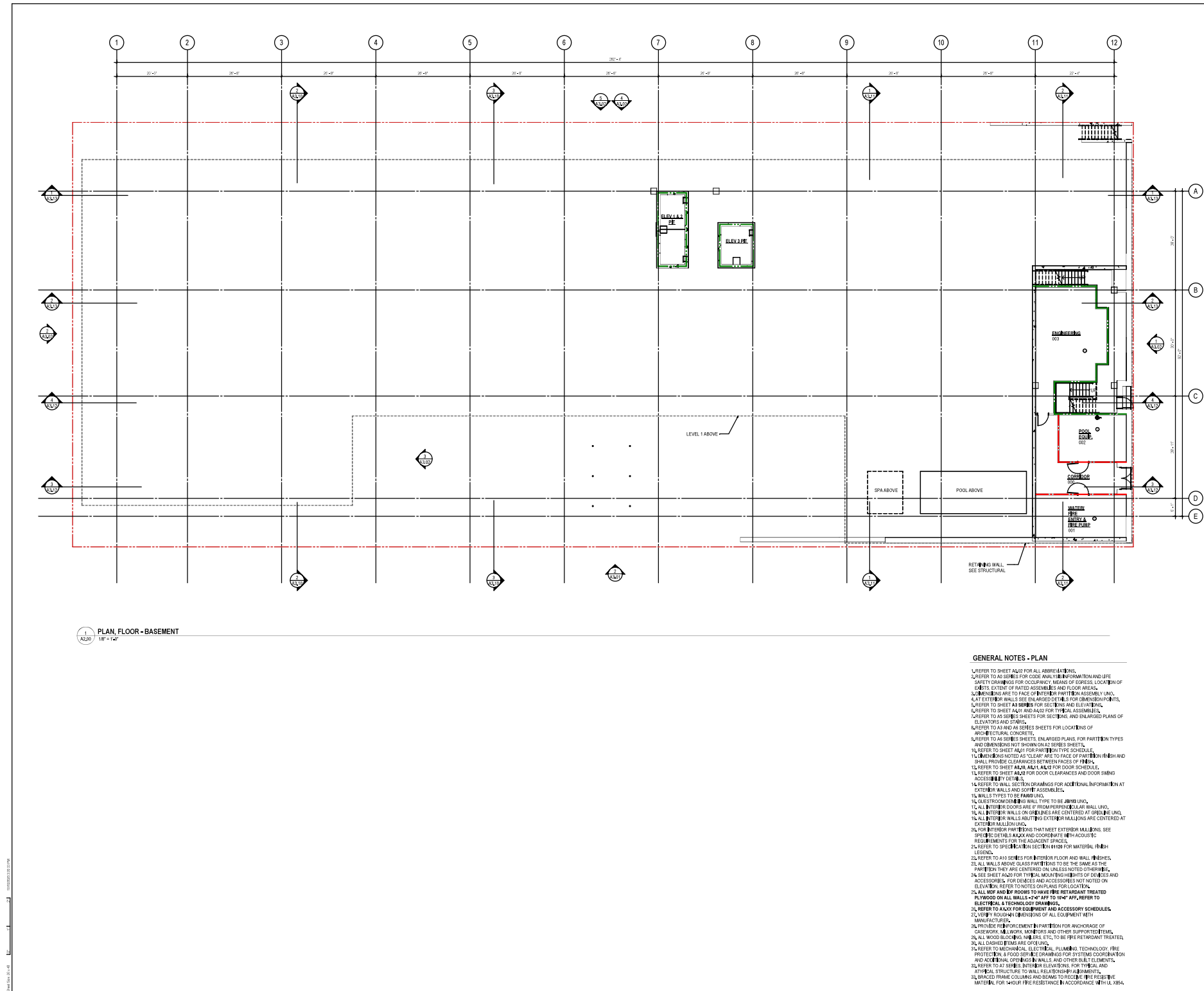
SD STRUCTURE TABLE

STRUCTURE ID	NORTHING	EASTING	INVERT ELEVATIONS
HBW-1 (00')	10520.17	20966.44	E 4" IN=136.78 (SW) E 4" OUT=136.78 (SE)
HBW-3 (00')	10305.19	20856.53	E 4" IN=147.79 (SW) E 4" OUT=147.79 (NW)
WYE-12	10385.80	20775.12	E 4" IN=148.35 (SE) E 4" IN=148.34 (SW) E 4" OUT=148.25 (NE)

ELEVATIONS SHOWN ARE BASED FROM OSMD BENCH MARK D286, ELEVATION 158.22' NGVD 29 VERTICAL DATUM
TO ADJUST TO NAVD 88 DATUM ELEVATIONS, ADD 3.47 FEET TO ELEVATIONS ON THIS SURVEY





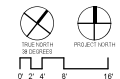
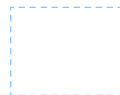


1 PLAN FLOOR - BASEMENT
1/8" = 1'-0"

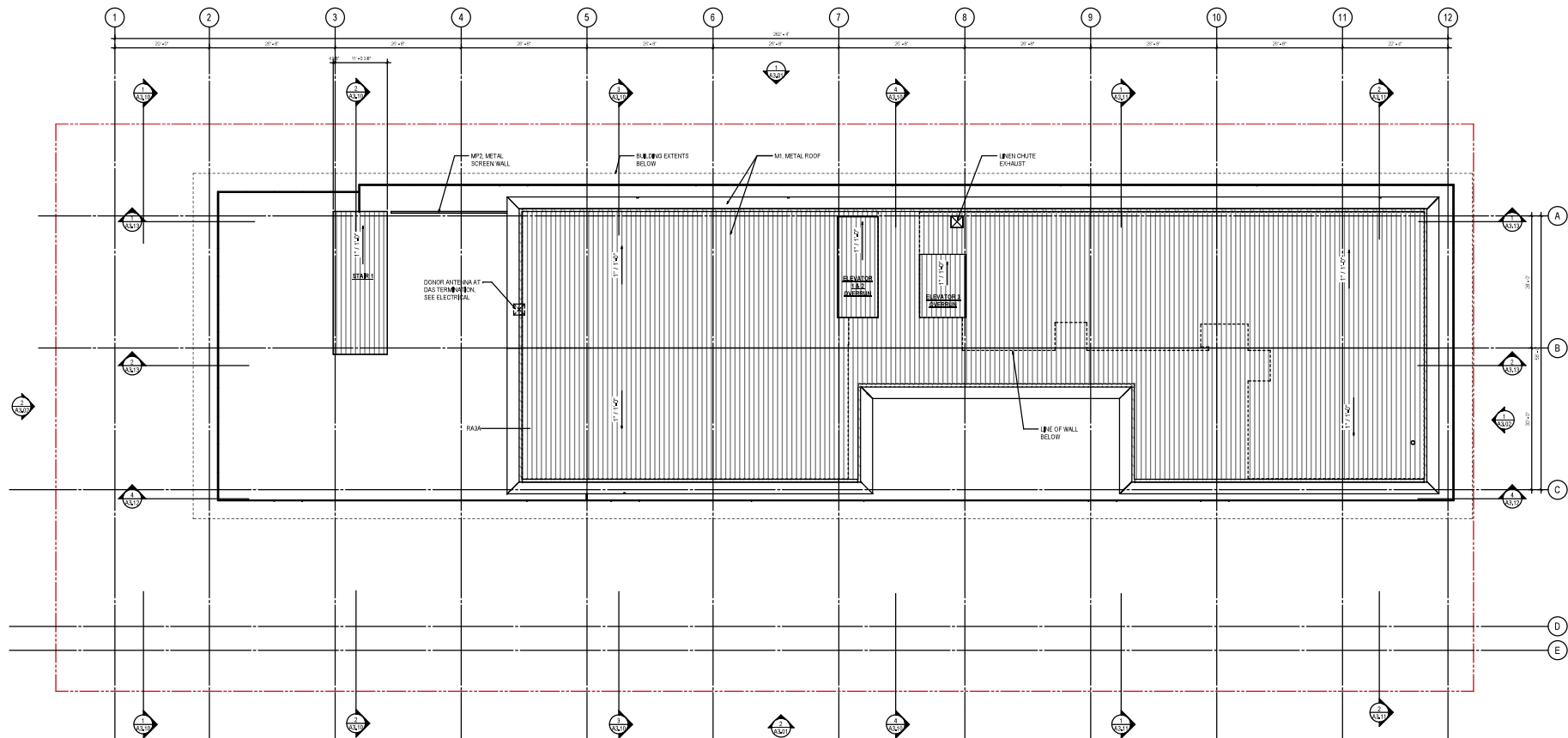
GENERAL NOTES - PLAN

1. REFER TO SHEET A2.01 FOR ALL ABREVIATIONS.
2. REFER TO A2.01 FOR CODE ANALYSIS INFORMATION AND LIFE SAFETY DRAWINGS FOR OCCUPANCY MEANS OF EGRESS LOCATIONS OF EXITS, EXTENT OF RATED ASSEMBLIES AND FLOOR AREAS.
3. DIMENSIONS ARE TO FACE OF PARTITION UNLESS NOTED OTHERWISE.
4. AT EXTERIOR WALLS SEE ENLARGED DETAILS FOR DIMENSION POINTS.
5. REFER TO SHEET A2.01 FOR SECTIONS AND ELEVATIONS.
6. REFER TO SHEET A2.01 AND A2.02 FOR TYPICAL ASSEMBLIES.
7. REFER TO A2.01 SERIES SHEETS FOR SECTIONS AND ENLARGED PLANS OF ELEVATORS AND STAIRS.
8. REFER TO A2.01 AND A2.02 SERIES SHEETS FOR LOCATIONS OF ARCHITECTURAL CONCRETE.
9. REFER TO A2.01 SERIES SHEETS, ENLARGED PLANS, FOR PARTITION TYPES AND DIMENSIONS NOT SHOWN ON A2.01 SERIES SHEETS.
10. REFER TO SHEET A2.01 FOR PARTITION TYPE SCHEDULE.
11. DIMENSIONS NOTED AS "TO FACE" ARE TO FACE OF PARTITION FINISH AND SHALL PROVIDE CLEARANCES BETWEEN FACES OF FINISH.
12. REFER TO SHEET A2.01 FOR DOOR SCHEDULE.
13. REFER TO SHEET A2.01 FOR DOOR CLEARANCES AND DOOR SWING ACCESSIBILITY DETAILS.
14. REFER TO WALL SECTION DRAWINGS FOR ADDITIONAL INFORMATION AT EXTERIOR WALLS AND SOFFIT ASSEMBLIES.
15. WALL TYPES TO BE FINISHED.
16. GUESTROOM DOOR WALL TYPE TO BE JAMB LINING.
17. ALL INTERIOR DOORS ARE 6" FRAME PROPORTION GLASS WALL LINING.
18. ALL INTERIOR WALLS ON GROUND FLOOR ARE CENTERED AT GRID LINE UNLESS NOTED OTHERWISE.
19. ALL INTERIOR WALLS ADJUTING EXTERIOR WALLS ARE CENTERED AT EXTERIOR WALL LINING.
20. FOR INTERIOR PARTITIONS THAT MEET EXTERIOR WALLS, SEE SHEET A2.01 FOR DETAILS AND COORDINATE WITH ARCHITECT FOR REQUIREMENTS FOR THE ADJACENT SPACES.
21. REFER TO SHEET A2.01 FOR MATERIAL FINISH SCHEDULE.
22. REFER TO A2.01 SERIES SHEETS FOR INTERIOR FLOOR AND WALL FINISHES.
23. ALL WALLS ABOVE GROUND PARTITIONS TO BE THE SAME AS THE PARTITION THEY ARE CENTERED ON, UNLESS NOTED OTHERWISE.
24. SEE SHEET A2.01 FOR TYPICAL MOUNTING HEIGHTS OF FIXTURES AND ACCESSORIES. FOR DEVICES AND ACCESSORIES NOT NOTED ON ELEVATION, REFER TO NOTES ON FINISHES AND FOR LOCATIONS.
25. ALL NOT AND DOOR ROOMS TO HAVE FIRE RETARDANT TREATED PLYWOOD ON ALL WALLS > 4" AFF TO FACE TO FACE AFFRER TO ELECTRICAL & TECHNOLOGY DRAWINGS.
26. REFER TO A2.01 FOR EQUIPMENT AND ACCESSORY SCHEDULES.
27. VERIFY ROUGH IN DIMENSIONS OF ALL EQUIPMENT WITH MANUFACTURER.
28. PROVIDE REINFORCEMENT IN PARTITION FOR ANCHORAGE OF CASEWORK, MILLWORK, MONITORS AND OTHER SUPPORTED ITEMS.
29. ALL WOOD BLOCKING, JOISTS, ETC. TO BE FIRE RETARDANT TREATED.
30. ALL DASHED LINES ARE OFF LINES.
31. REFER TO MECHANICAL, ELECTRICAL, PLUMBING, TECHNOLOGY, FIRE PROTECTION, & FOOD SERVICE DRAWINGS FOR SYSTEM COORDINATION AND ACCESSORY DETAILS.
32. REFER TO A2.01 SERIES INTERIOR ELEVATIONS FOR TYPICAL AND ATYPICAL STRUCTURE TO WALL RELATIONS BY MANUFACTURERS.
33. BRACED FRAME COLUMNS AND BEAMS TO RECEIVE THE RESISTIVE MATERIAL FOR 24 HOUR FIRE RESISTANCE IN ACCORDANCE WITH UL 188A.

[illegible]

NOT FOR
CONSTRUCTION

PLAN, FLOOR - ROOF

A2.07
50% CONSTRUCTION
DOCUMENTSSheet No. 1
10/10/20251 PLAN, FLOOR - MECHANICAL MEZZANINE
1/8" = 1'-0"

GENERAL NOTES - PLAN

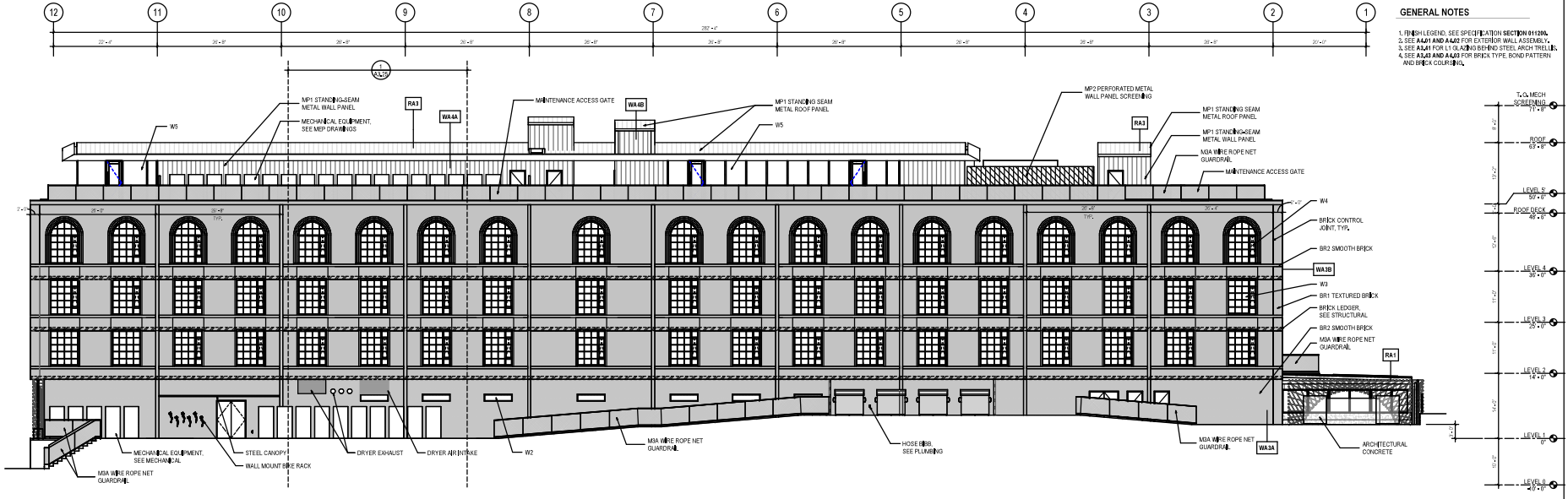
1. REFER TO SHEET A2.01 FOR ALL ABBREVIATIONS.
2. REFER TO A2.01 SERIES FOR CODE ANALYSIS INFORMATION AND LIFE SAFETY DRAWINGS FOR OCCUPANCY MEANS OF EGRESS LOCATIONS OF EXITS, EXTENT OF RATED ASSEMBLIES AND FLOOR AREAS.
3. DIMENSIONS ARE TO FACE OF PARTITION ASSEMBLY UNLESS NOTED OTHERWISE.
4. AT EXTERIOR WALLS SEE ENLARGED DETAILS FOR DIMENSION POINTS.
5. REFER TO SHEET A2.01 FOR SECTIONS AND ELEVATIONS.
6. REFER TO SHEET A2.01 AND A2.02 FOR TYPICAL ASSEMBLIES.
7. REFER TO A2.01 SERIES SHEETS FOR SECTIONS AND ENLARGED PLANS OF ELEVATORS AND STAIRS.
8. REFER TO A2.01 AND A2.02 SERIES SHEETS FOR LOCATIONS OF ARCHITECTURAL CONCRETE.
9. REFER TO A2.01 SERIES SHEETS, ENLARGED PLANS, FOR PARTITION TYPES AND DIMENSIONS NOT SHOWN ON A2.01 SERIES SHEETS.
10. REFER TO SHEET A2.01 FOR PARTITION TYPE SCHEDULE.
11. DIMENSIONS NOTED AS "TO FACE OF PARTITION" SHALL PROVIDE CLEARANCES BETWEEN FACES OF FINISH.
12. REFER TO SHEET A2.01 FOR DOOR SCHEDULE.
13. REFER TO SHEET A2.01 FOR DOOR CLEARANCES AND DOOR SWING ACCESSIBILITY DETAILS.
14. REFER TO WALL SECTION DRAWINGS FOR ADDITIONAL INFORMATION AT EXTERIOR WALLS AND SOFFIT ASSEMBLIES.
15. WALL TYPES TO BE PARTITION.
16. GUESTROOM WALL TYPE TO BE PARTITION.
17. ALL INTERIOR DOORS ARE TO BE PARTITION WALL UNLESS NOTED OTHERWISE.
18. ALL INTERIOR WALLS ON GRID LINES ARE CENTERED AT GRID LINE UNLESS NOTED OTHERWISE.
19. ALL INTERIOR WALLS ADJACENT TO EXTERIOR WALLS ARE CENTERED AT EXTERIOR WALL UNLESS NOTED OTHERWISE.
20. FOR INTERIOR PARTITIONS THAT MEET EXTERIOR WALLS, SEE SHEET A2.01 FOR DETAILS AND COORDINATE WITH ARCHITECT'S REQUIREMENTS FOR THE ADJACENT SPACES.
21. REFER TO SHEET A2.01 FOR MATERIAL FINISH SCHEDULE.
22. REFER TO A2.01 SERIES FOR INTERIOR FLOOR AND WALL FINISHES.
23. ALL WALLS ABOVE GLASS PARTITIONS TO BE THE SAME AS THE PARTITION THEY ARE CENTERED ON, UNLESS NOTED OTHERWISE.
24. SEE SHEET A2.01 FOR TYPICAL MOUNTING HEIGHTS OF DEVICES AND ACCESSORIES. FOR DEVICES AND ACCESSORIES NOT NOTED ON ELEVATION, REFER TO NOTES ON FINISHES AND FOR LOCATIONS.
25. ALL ROOF AND FLOOR ROADS TO HAVE FIRE RETARDANT TREATED FLOORING ON ALL WALLS > 4" AFF TO FINISH AFF. REFER TO ELECTRICAL & TECHNOLOGY DRAWINGS.
26. REFER TO A2.01 FOR EQUIPMENT AND ACCESSORY SCHEDULES.
27. VERIFY ROUGH-IN DIMENSIONS OF ALL EQUIPMENT WITH MANUFACTURER.
28. PROVIDE REINFORCEMENT IN PARTITION FOR ANCHORAGE OF CASEWORK, MILLWORK, MONITORS AND OTHER SUPPORTED ITEMS.
29. ALL WOOD BLOCKING, JOISTS, ETC. TO BE FIRE RETARDANT TREATED.
30. ALL DASHED DIMS ARE OFF UNLESS NOTED OTHERWISE.
31. REFER TO MECHANICAL, ELECTRICAL, PLUMBING, TECHNOLOGY, FIRE PROTECTION, & FOOD SERVICE DRAWINGS FOR SYSTEM COORDINATION AND ACCESSORY DETAILS ON WALLS AND OTHER BUILDING ELEMENTS.
32. REFER TO A2.01 SERIES INTERIOR ELEVATIONS FOR TYPICAL AND ATYPICAL STRUCTURE TO WALL RELATIONS BY MANUFACTURERS.
33. BRACED FRAME COLUMNS AND BEAMS TO RECEIVE FIRE RESISTIVE MATERIAL FOR 2-HOUR FIRE RESISTANCE IN ACCORDANCE WITH UL 188A.

EXTERIOR MATERIAL LEGEND

- BK1 TEXTURED BRICK
- BK2 SMOOTH BRICK
- MP1 STANDING SEAM METAL PANEL
- MP2 PERFORATED METAL PANEL SCREENING
- T13 BASALT STONE TRUSS

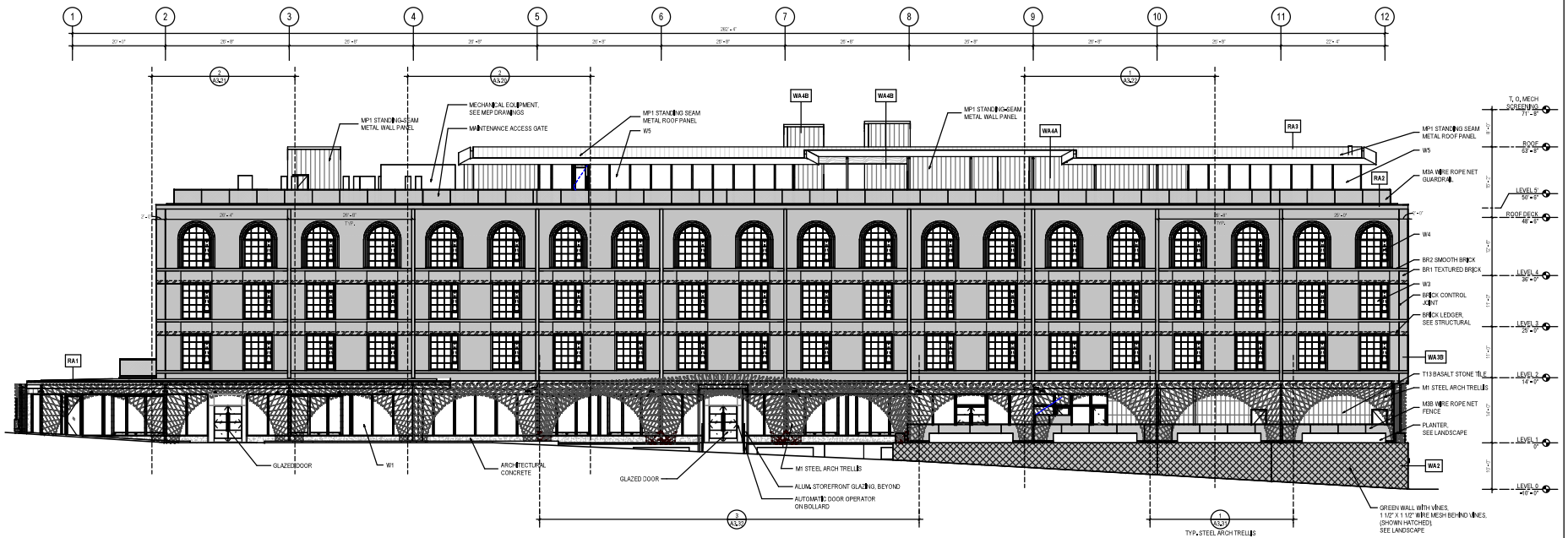
GENERAL NOTES

1. FINISH LEGEND, SEE SPECIFICATION SECTION 011200.
2. SEE A3.01 AND A3.02 FOR EXTERIOR WALL ASSEMBLY.
3. SEE A3.01 FOR T13 BASALT STONE TRUSS ARCH TRELLIS.
4. SEE A3.03 AND A3.04 FOR BRICK TYPE, BOND PATTERN AND COLOR CODES.



1 ELEVATION, EXTERIOR - NORTH

A3.01 1/8" = 1'-0"



2 ELEVATION, EXTERIOR - SOUTH

A3.02 1/8" = 1'-0"

TWIN TOWERS, LLC
DAYTON HOTEL
403 3RD ST
DAYTON, OH 97114

Project

Location

Project

Location

Project

Location

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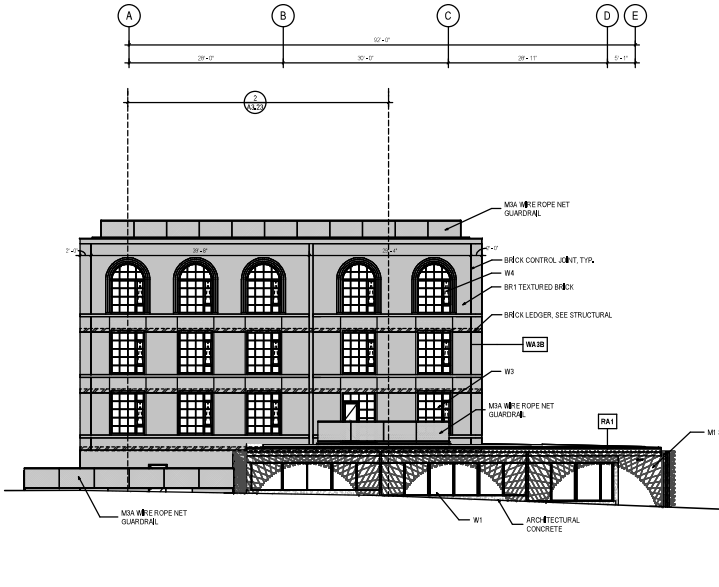
Location

EXTERIOR MATERIAL LEGEND

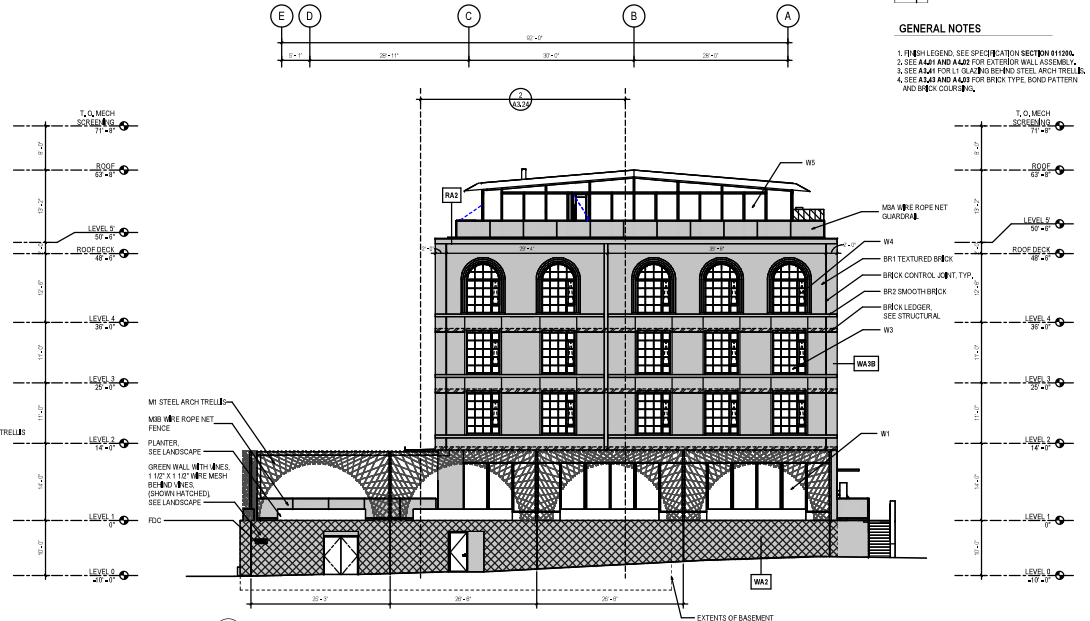
- BR1 TEXTURED BRICK
- BR2 SMOOTH BRICK
- MP1 STANDING SEAM METAL PANEL
- MP2 PERFORATED METAL PANEL SCREENING
- T13 BASALT STONE TILE

GENERAL NOTES

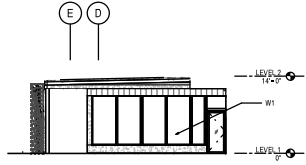
1. FINISH LEGEND, SEE SPECIFICATION SECTION 011200.
2. SEE A4.01 AND A4.02 FOR EXTERIOR WALL ASSEMBLY.
3. SEE A4.01 FOR 1/2" GLASS RIBBING STEEL ARCH TRELLIS.
4. SEE A4.03 AND A4.04 FOR BRICK TYPE, BOND PATTERN AND FINISH COLOR.



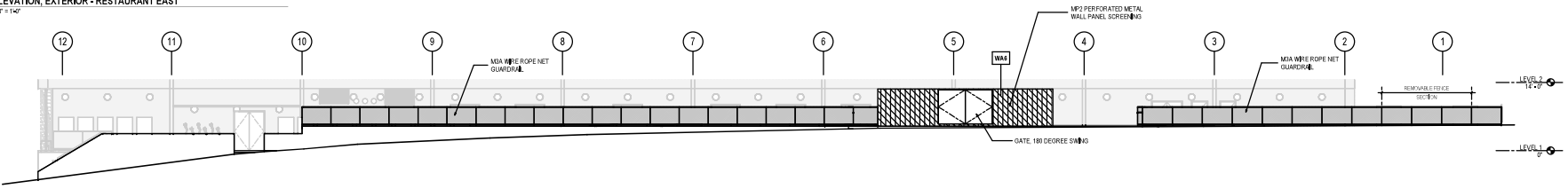
2 ELEVATION, EXTERIOR - WEST
1/8" = 1'-0"



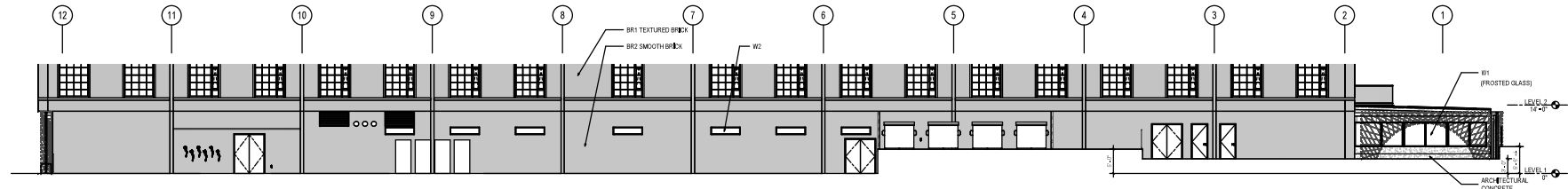
1 ELEVATION, EXTERIOR - EAST
1/8" = 1'-0"



3 ELEVATION, EXTERIOR - RESTAURANT EAST
1/8" = 1'-0"



5 ELEVATION, EXTERIOR - L1 SCREENING NORTH
1/8" = 1'-0"



4 ELEVATION, EXTERIOR - NORTH1
1/8" = 1'-0"

TWIN TOWERS, LLC
DAYTON HOTEL
403 3RD ST
DAYTON, OH 45414

NOT FOR CONSTRUCTION

50% CONSTRUCTION DOCUMENTS

10/10/2025

10/10/2025

10/10/2025

10/10/2025

10/10/2025

10/10/2025

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10/10/2025

GENERAL NOTES

1. FINISH LEGEND, SEE SPECIFICATION SECTION 011204.
2. SEE A3.01 AND A3.02 FOR EXTERIOR WALL ASSEMBLY.
3. SEE A3.01 FOR 1/4" ROUND RIBBED STEEL ARCH TRELLIS.
4. SEE A3.03 AND A3.04 FOR BRICK TYPE, BOND PATTERN AND BRICK COURSE.

ZGF
OWNER CONSULTANTS ARCHITECTS LLP

DENVER
LOS ANGELES
NEW YORK
PORTLAND
SEATTLE
WASHINGTON, DC
VANCOUVER, BC
1223 SW Washington Street
Suite 200
Portland, OR 97205
503.224.3388
www.zgf.com

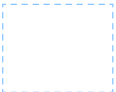
PROJECT LOCATION
OWNER

1. All Design Team Notes are dated 10/22/2025.
2. All drawings are in metric units.

TWIN TOWERS, LLC
DAYTON HOTEL
403 3RD ST
DAYTON, OR 97114

Prepared by

Revised by



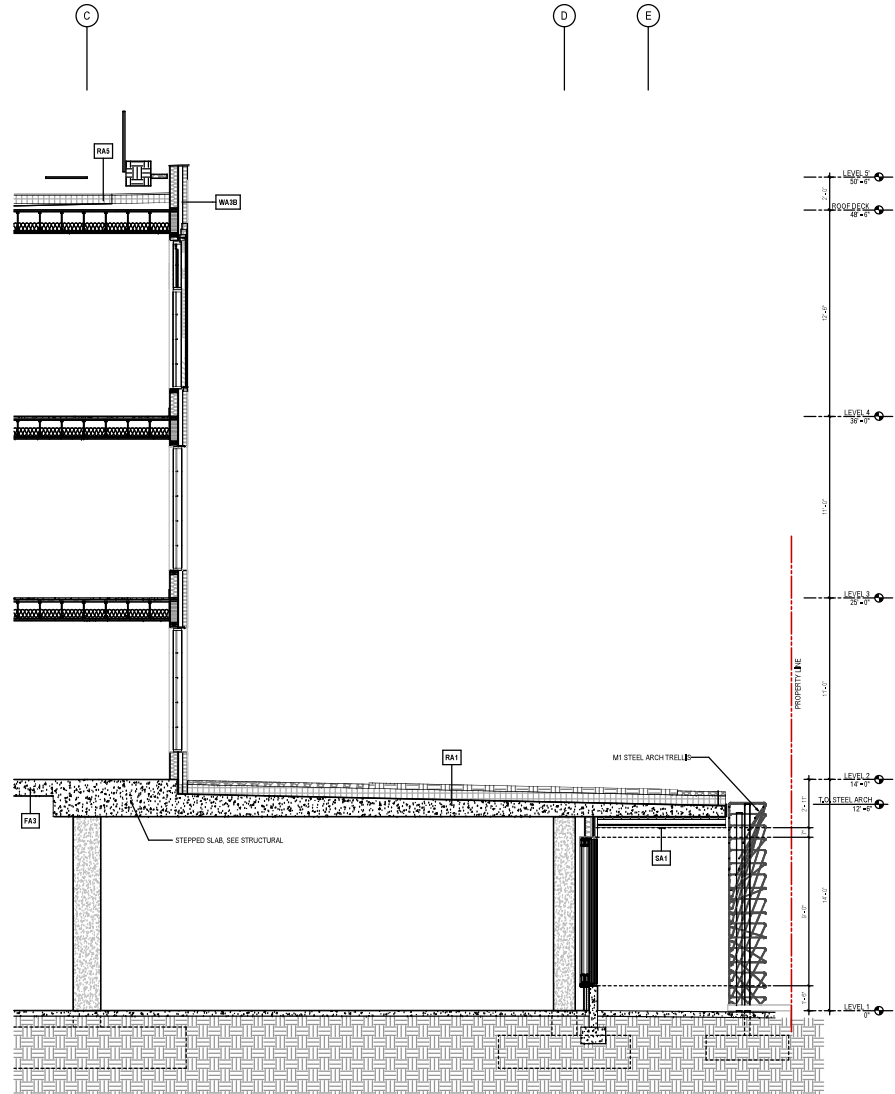
NOT FOR
CONSTRUCTION

ENLARGED
ELEVATION & WALL
SECTION -
SOUTHWEST

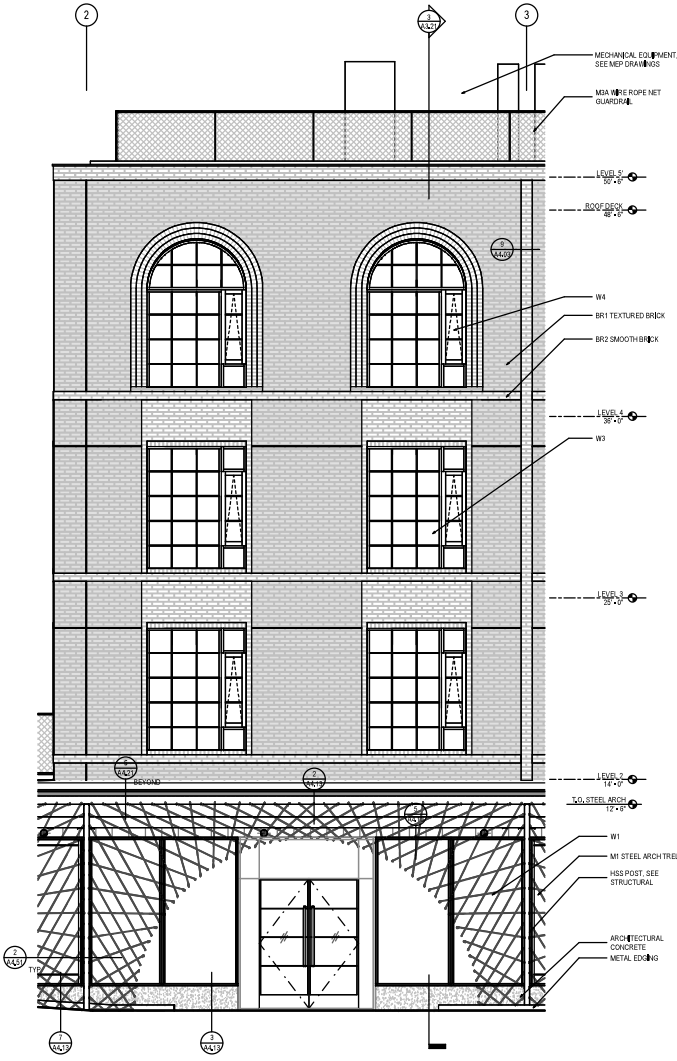
A3.21

50% CONSTRUCTION
DOCUMENTS

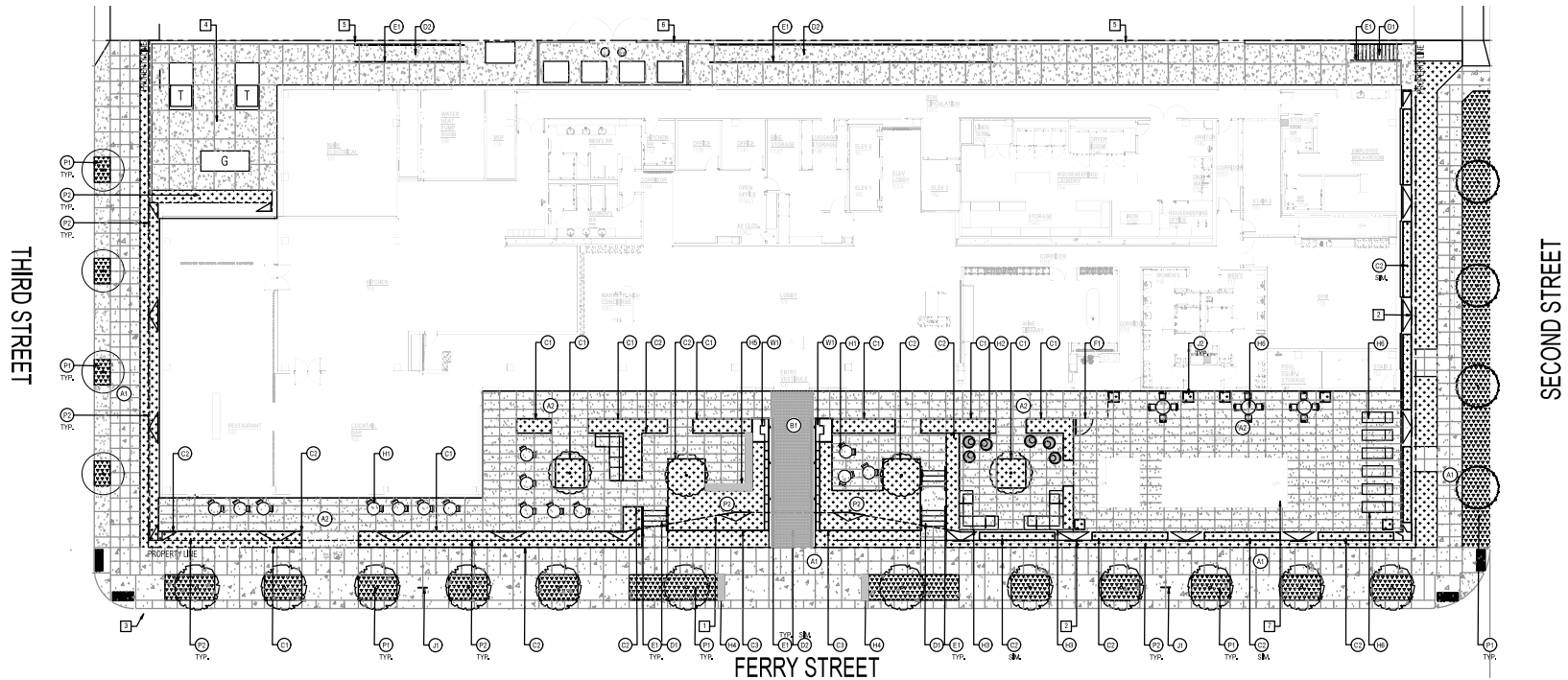
Current Revision
10/10/2025



SECTION, ENLARGED - SOUTHWEST
3/8" = 1'-0"



ELEVATION, ENLARGED - SOUTHWEST
3/8" = 1'-0"



MATERIALS SCHEDULE

PAVEN

-  **A1** CONCRETE PAVING - SEE CMI.
 -  **A2** SPECIALTY CONCRETE PAVING
- LIGHT EXPOSED AGGREGATE FINISH
- TOOL JOINTS
 -  **B1** CONCRETE UNIT PAVES - PEDESTRIAN
- DIMENSION: 8" X 4" X 4"
- SAND SET
- COLOR: CHARCOAL/GRAPHITE BLEND

WALLS, STAIRS, RAMPS, AND CUR

- (C1) STEEL PLATE TOE RAIL:
 - 3/8" THICKNESS
 - 4" REVEAL ABOVE ADJACENT GRADE
 - PAINTED, 19B8 + COLOR TO MATCH ARCH
- (C2) STEEL PLATE WALL/PLANTER:
 - 3/8" THICKNESS
 - HEIGHT VARIES
 - PAINTED, 19B8 + COLOR TO MATCH ARCH
- (C3) STEEL PLATE SCORING WALL:
 - 3/8" HEIGHT, 1" THICKNESS
 - PAINTED, 19B8 + COLOR TO MATCH ARCH
 - INTEGRATED SCORING, TBL
- (D1) CONCRETE STAIRS:
 - SEE GRADING PLAN
- (C4) CONCRETE RAMP:
 - SEE GRADING PLAN

HANDRAILS AND GUARDRAILS

- E1 HANDRAILS**
- 3/4" THK. X 1 1/2" W FLAT BAR UPRIGHTS
 - 1 1/2" DIA. HANDRAIL
- E2 POOL FENCE AND GATE**
- PER CODE REQUIREMENT
 - 68" HEIGHT AND 60" HEIGHT GATE
 - SEE ARCHITECTURE

SITE FURNISHINGS (FOR REFERENCE)

-  (111) TABLES AND CHAIRS - SEE ARCHITECTURE
 (112) SPECIAL LOUNGER, POUF
 • AS-OF DESIGN: PAOLA LENZI
 (113) BENCH SOFA
 • SUNBRELLA OUTDOOR FABRIC
 • COORDINATE WITH ARCHITECTURE
 (114) BENCH 1
 (115) BENCH 2
 (116) CHAIRS LOUNGE
 (117) SHOE RACK
 • TOILET NO NO SCRATCH, POWDER COAT FINISH

MATERIALS LEGEND

----- PROPERTY LINE

-

PLANTING
SEEDS

- ET BASED AUTOMATIC IRRIGATION, 12" DEPTH TOPSOIL
- | | | |
|---|------|---|
|  | (P1) | STREETSCAPE PLANTING
• 3" DEPTH MULCH |
|  | (P2) | HOTEL ENVIRONMENT + ARCADE PLANTING
• 3" DEPTH MULCH |

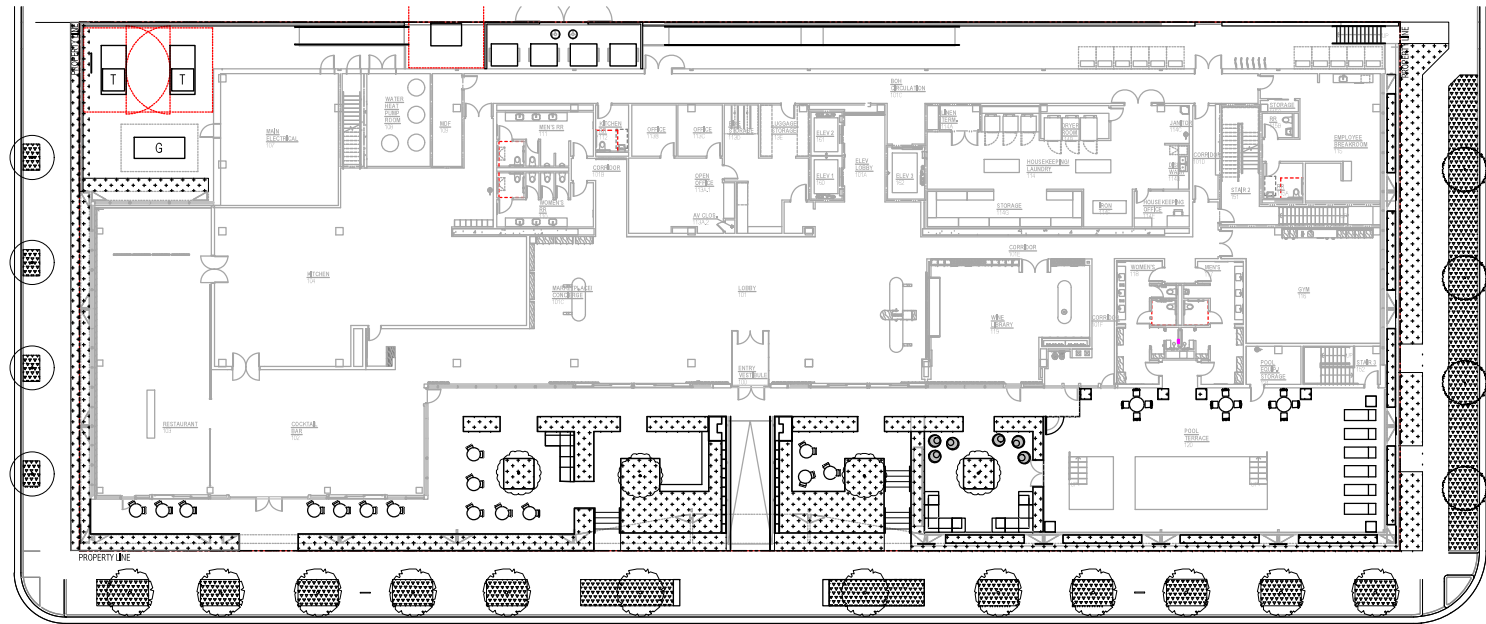
WATER FEATURE

- (W) WATER FEATURE
- 18" HT WATER TABLE, EACH SIDE W/ BUBBLERS
 - CENTRAL WEIR SPILLWAY TO TERRACED 14" HEIGHT WEIR(S) RUNNEL
 - PROVIDE COMPLETE DESIGN BUILD WATER FEATURE MECHANICAL SYSTEM TO CIRCULATE, FILTER, AND TREAT SYSTEM INCLUDE CONTROLS, LED LIGHTING
 - THE SOURCE POOLS AND MEXICAN HORN ROCK IN BASINS, TO BE COLORED BY THE ACADEMY BLACK THERMAL FLUID, BASINS TO BE POWDER COATED ALUMINUM 316, WATER FEATURE MECHANICAL SYSTEM TO BE LOCATED IN THE POOL MECHANICAL ROOM.

 KEY NOTES

1. EXTENT OF OVERHEAD TRELLIS ARCADE STRUCTURE. SEE ARCHITECTURE.
2. VINE GROWING ARMATURE AT GRADE.
2" X 2" METAL MESH PANEL, PAINTED FINISH - COLOR PER ARCHITECTURE
SEE ARCHITECTURE FOR ATTACHMENT
3. STREET LIGHTS PER CODE.
4. TRANSFORMER AND GENERATOR ENCLOSURE. SEE ARCHITECTURE.
5. SITE RETAINING WALLS AND GUARDRAIL. SEE ARCHITECTURE AND STRUCTURAL.
6. TRASH AND RECYCLING ENCLOSURE. SEE ARCHITECTURE.
7. SPA AND POOL BY OTHERS

THIRD STREET



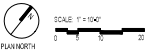
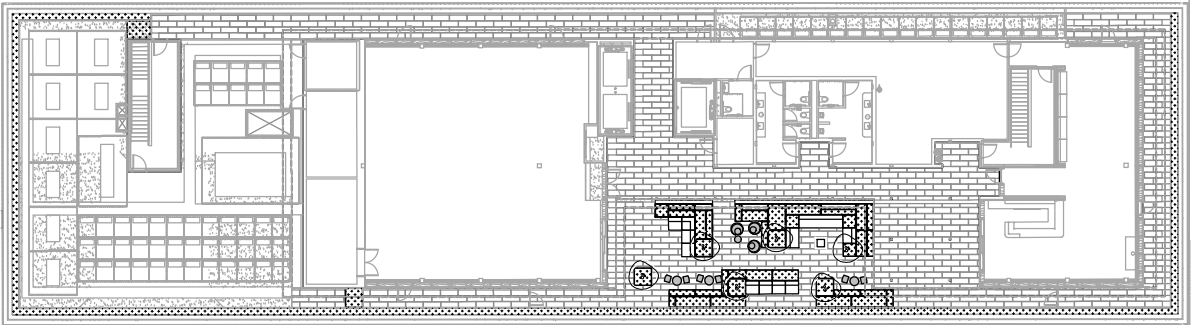
SECOND STREET

PLANT SCHEDULE						
SHRUBS, PERENNIALS, PERENNIALS, AND GROUNDCOVERS						
HOTEL ENVIRONMENT PLANTING						
SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	MINIMUM TREE HT. (SPR)	CONTAINER CLASS	SPACING
		COYALUSK MAHLE	LEI OF THE VALLEY			
		POLYSTECHNOMUM	WESTERN WOOD PERN	12" SPR	CS#3	18" O.C.
		ACHILLEA MILEFOLIUM	COMMON YARROW	12" SPR	CS#1, CS#3	18" O.C.
		STACHYS BYZANTINA	LABRET EAR	12" SPR	4" POT	
		IRIS TENAX	OREGON IRIS	12" SPR	CS#1, #2	18" O.C.
		CARYOPHTERIS CLAUDOPHYLLA	DARK LIGHT BLUEBERRY	18" HT., 3 CANES	CS#5	24" O.C.
		SEBURNIA	BLUEBERRY GRASS		CS#1, #2	
		CAULIS QUAMASH	COMMON GRASS		BULB	
		LOMBARDIA	BOLLEAF HONEYLOCUST		CS#5	
		HYDRANGEA QUERCIFOLIUM	DAKOTA HYDRANGEA		CS#5	
		MYRTILLUS	BULBOWOOD		CS#5	
		VACCINIUM	BURNING HOLEBERRY		CS#5	
		PHORMIUM	FLAX		CS#3	
STREET COVER PLANTING						
		CAREX MORROWII	AFRICAN SEDGE	12" SPR	CS#1	18" O.C.
		LIPODIA	LIPODIA	12" SPR	CS#1	18" O.C.
		HEBE	HEBE	12" SPR	CS#3	24" O.C.
		RUBUS CALYCHOIDES	CRABAPPLE		CS#1	
		LOMBARDIA	BOLLEAF HONEYLOCUST		CS#3	
		ABELIA	DAKOTA ABELIA		CS#3	
		MYRTILLUS	BULBOWOOD		CS#3	
VINE PLANTING						
		CHOCOLATE VINE	CHOCOLATE VINE	6" HT & 12" HT	CS#3 & CS#4	AS SHOWN
		CLIMBER	CLIMBER	6" HT & 12" HT	CS#3 & CS#4	AS SHOWN
		TRACHELOSPERMUM	STAR JASMINE	6" HT & 12" HT	CS#3 & CS#4	AS SHOWN
		ROSA	ROSA	6" HT	CS#3 & CS#4	AS SHOWN
		HOLOBLUM	CATHEDRAL GEMSAUCE	12" HT	CS#3	AS SHOWN

TREE SCHEDULE									
SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	MINIMUM TREE HT. (SPR)	SPACING	QUANTITY	MATURE TREE HT. (SPR)	CONTAINER CLASS	GROUND TOLERANT
		LAURUS	LAURUS	12" SPR	AS SHOWN	5			

STREET TREE SCHEDULE									
SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	MINIMUM TREE HT. (SPR)	SPACING	QUANTITY	MATURE TREE HT. (SPR)	CONTAINER CLASS	GROUND TOLERANT
		ULMUS	ULMUS	12" SPR	AS SHOWN	11	30' HT. (30" SPR)		
		PARROTIA	PARROTIA	12" SPR	AS SHOWN	4			
		QUERCUS	QUERCUS	12" SPR	AS SHOWN	4			





PLANT SCHEDULE							
SHRUBS, FERNS, GRASSES, PERENNIALS, AND GROUNDCOVERS							
ROOF GARDEN PLANTING							
SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	MINIMUM SIZE (HT X SPRD)	CONTAINER CLASS	SPACING	NOTES
		STACHYS BYZANTINA	LAMB'S EAR		CO #1, #2		
		ACANTHUS MOLLIS	BEAR'S BREECH		CO #1, CO #3		
		YUCCA TENAX	OREGON YUCCA	12' SPRD	CO #1, #2	18' O.C.	
		ACHILLEA MILEFOLIUM	YARROW	12' SPRD	CO #1, CO #3	18' O.C.	
		AGILEX SPP.	COLUMBINE		CO #1, #2		
		TETRAPANAX PAPHYFER	WINE PAPER PLANT		CO #1, CO #3		
		PHLOX DENDRON YAKU	YAKU PHLOX		CO #5		
		YUCCA FLAMENTOSA 'COLOR GUARD'	COLOR GUARD YUCCA		CO #3		
		YUCCA ROSTRATA	WINE YUCCA		CO #3		
		FATIMA JAPONICA	JAPANESE ARALIA		CO #5		
		MAHONIA CHAMISSA	OREGON GRAPE		CO #3		
		MAHONIA 'SWEET CARESS'	OREGON GRAPE		CO #3		
		MYRICA CALIFORNICA	PACIFIC BAY MYRTLE		CO #5		
		ERLODIUM CANUM	CALIFORNIA FUCHSIA		CO #3		
		SEDUM SPP.	STONE CRISP		CO #1, #2		
		ELPHORBA OBLONGATA	EGG LEAF SPURGE		CO #1, #2		
TWO PLANTING							
		TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	6' HT.			
		CLEMATIS SPP.	CLEMATIS	6' HT.			
		ROSA SPP.	COLUMBIA ROSE	6' HT.			

TREE SCHEDULE								
SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	MINIMUM SIZE (HT X SPRD)	SPACING	QUANTITY	MATURE SIZE (HT X SPRD)	CO #1 OR CLASS
		ACER PALMATUM	JAPANESE MAPLE	12' HT.	AS SHOWN	5		

EXHIBIT B



VICINITY MAP NOT TO SCALE

DAYTON HOTEL

JULY 30, 2024

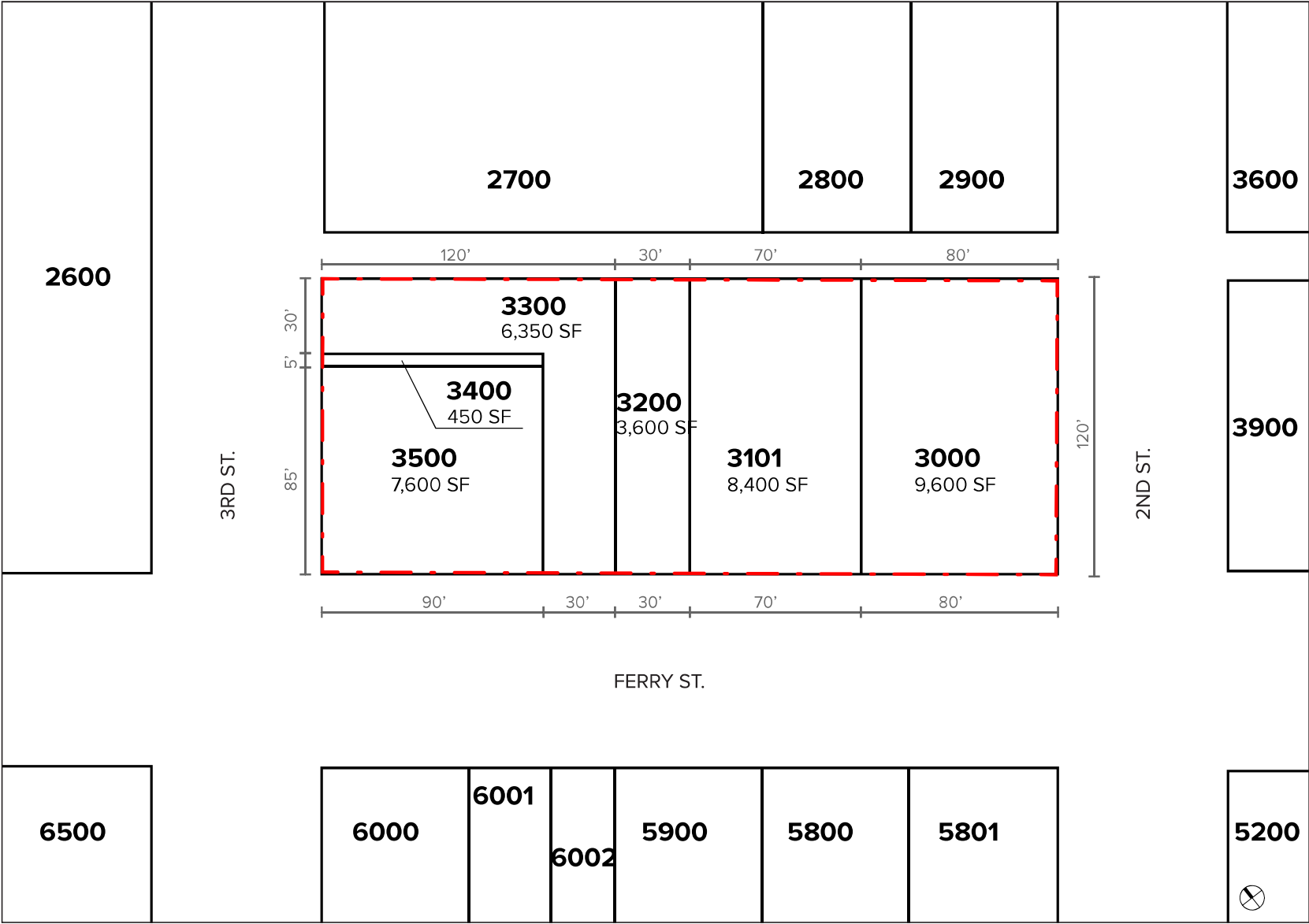
PROJECT INFORMATION

LOCATION	THE SW 1/4 OF SEC.17, R. 4 S., T. 3 E., WM., YAMHILL COUNTY, OREGON
TAX LOT	3000, 3101, 3200, 3300, 3400, 3500
PROPERTY AREA	APPROXIMATELY 36,057 SF
PROPOSED USE	HOTEL
ZONING	C (COMMERCIAL) CBO (CENTRAL BUSINESS AREA OVERLAY ZONE)

TEAM INFORMATION

LAND OWNER	TWIN TOWERS, LLC
APPLICANT	ZGF ARCHITECTS 1223 SW WASHINGTON ST, #200, PORTLAND, OR 97205
ENGINEER	
SURVEYOR	
PLANNER	
ARCHITECT	ZGF ARCHITECTS 1223 SW WASHINGTON ST, #200, PORTLAND, OR 97205





DAYTON HOTEL

JULY 30, 2024

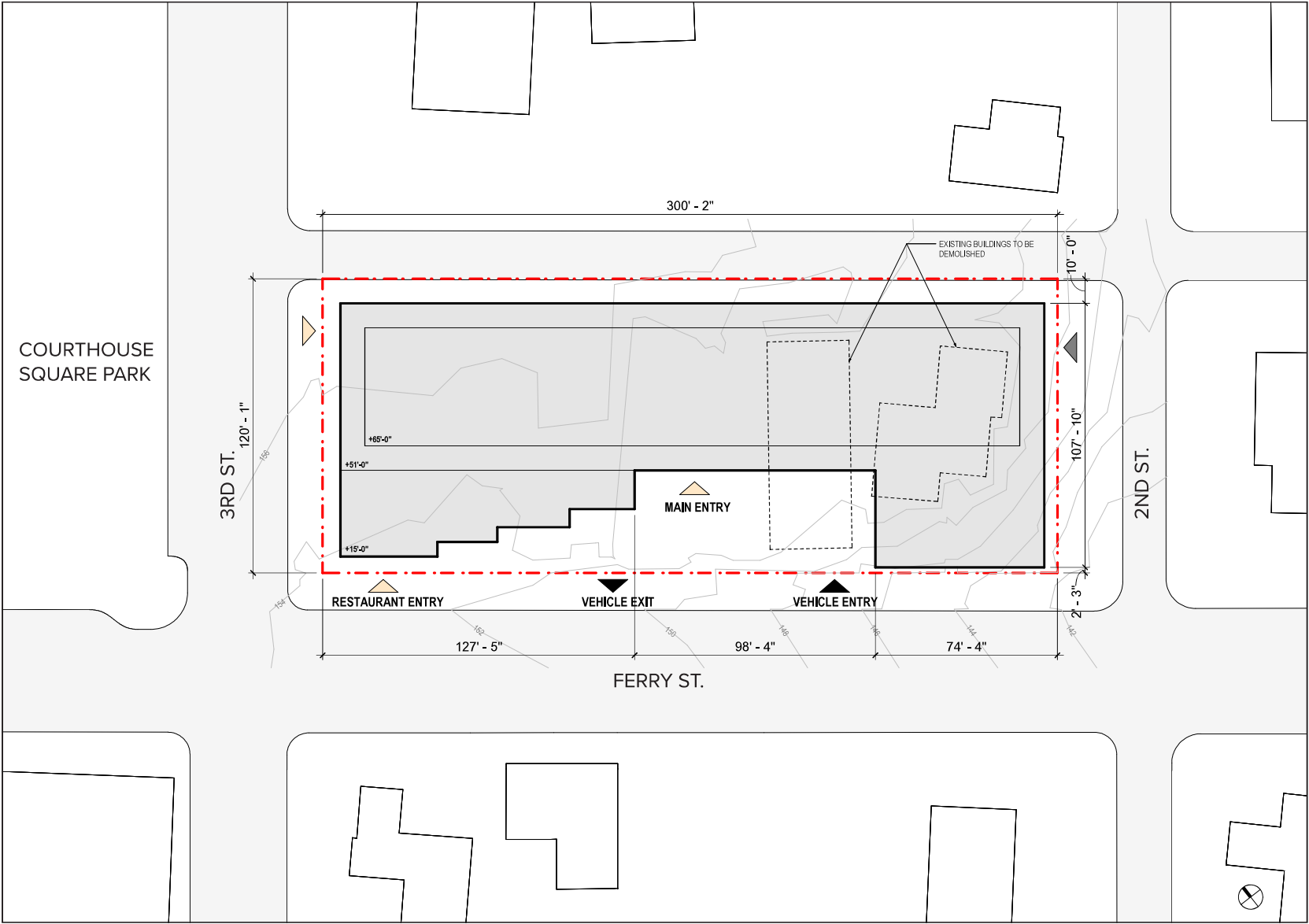
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APPLICANT	ZGF ARCHITECTS 1223 SW WASHINGTON ST, #200, PORTLAND, OR 97205
ENGINEER	
SURVEYOR	
PLANNER	
ARCHITECT	ZGF ARCHITECTS 1223 SW WASHINGTON ST, #200, PORTLAND, OR 97205

---	PROPERTY BOUNDARY
---	LOT LINE



PRELIMINARY SITE PLAN 1" = 20'-0"

DAYTON HOTEL

JULY 30, 2024

PROJECT INFORMATION

LOCATION	THE SW 1/4 OF SEC.17, R. 4 S., T. 3 E., WM., YAMHILL COUNTY, OREGON
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ENGINEER	
SURVEYOR	
PLANNER	
ARCHITECT	ZGF ARCHITECTS 1223 SW WASHINGTON ST, #200, PORTLAND, OR 97205

ZGF



320 Church St. NE, Salem, OR 97301
PHONE (503)581-1431 FAX (503)364-8716

STATUS OF RECORD TITLE

FSBO

November 21, 2023
Title Number: 615167AM
Title Officer: Michele Harris
Fee: \$200.00

Your Reference No. 201 Ferry Street

We have searched the status of record title as to the following described property:

See attached Exhibit 'A'

Vestee:

Twin Towers, LLC, an Oregon limited liability company

and dated as of **November 17, 2023** at 7:30 a.m.

Said property is subject to the following on record matters:

Tax Information:

Taxes assessed under Code No. 8.0 Account No. 115422 Map No. 04S-03W-17DA 3000

NOTE: The 2023-2024 Taxes: \$2,446.42, are Paid

1. City liens, if any, of the City of Dayton.
2. The property lies within and is subject to the levies and assessments of the Yamhill Soil and Water Conservation District.
3. Right, title and interest of the public in and to those portions of the Land lying within roads, streets or highways.

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"

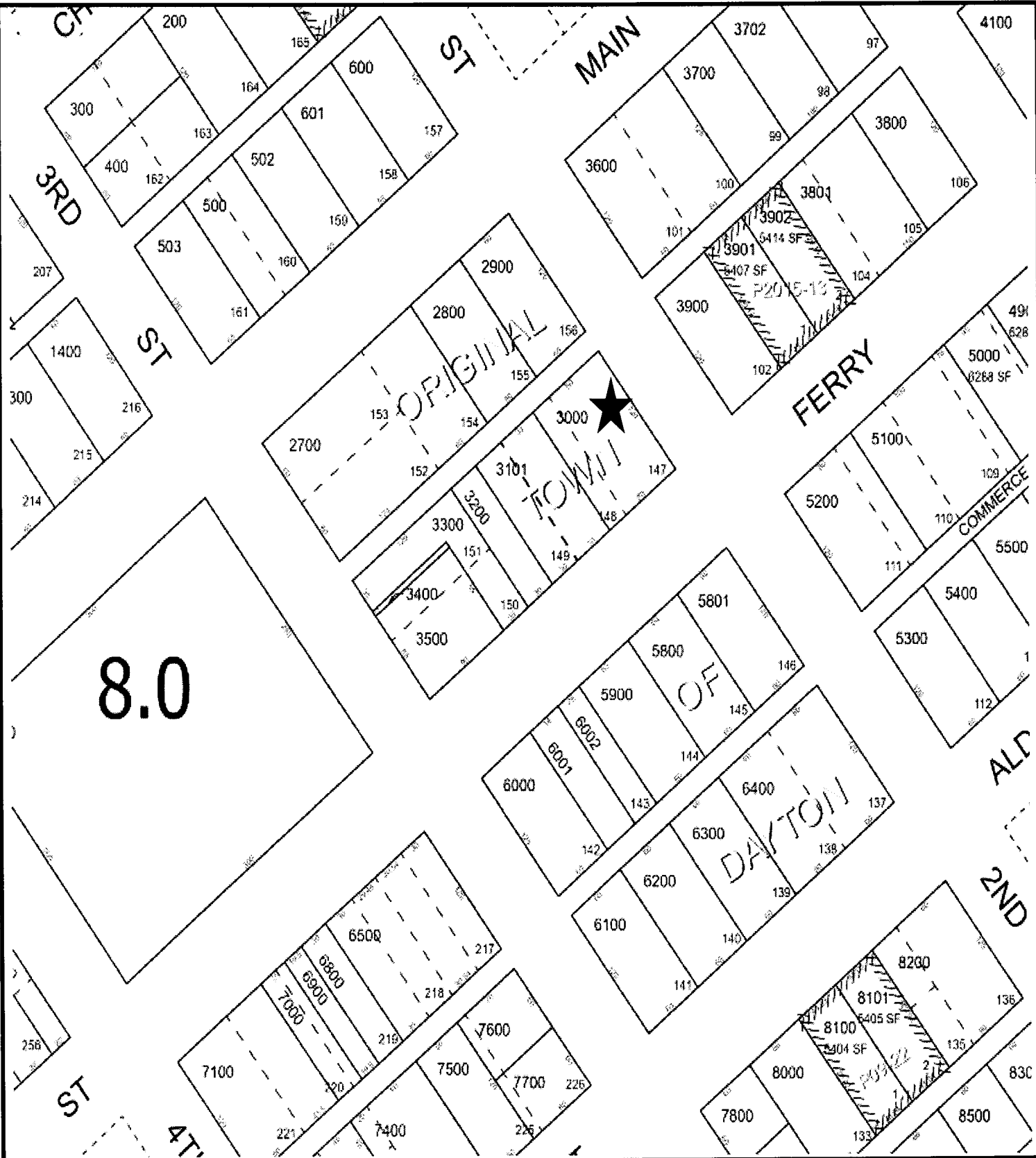
EXHIBIT 'A'

File No. 615167AM

PARCEL 1: Lot 147 in the TOWN OF DAYTON in Yamhill County, Oregon.

PARCEL 2: A portion of Lot 148 in the TOWN OF DAYTON in Yamhill County, Oregon, more particularly described as follows:

COMMENCING on the North line of Ferry Street at the corner of Lots 147 and 148; thence Southwesterly along the North line of Ferry Street, 20 feet; thence Northwesterly and parallel to the line between Lots 147 and 148, 120 feet to the most Northerly line of said Lot 148; thence Northeasterly along said Northerly line of said Lot 148, 20 feet to the most Northeasterly corner of said Lot 148; thence Southeasterly along the line between Lots 147 and 148, 120 feet to the place of beginning.



**R4317DA 3000, 201 Ferry Street
Dayton, OR 97114**

THIS MAP IS FURNISHED AS AN
ACCOMMODATION STRICTLY FOR THE
PURPOSES OF GENERALLY LOCATING
THE LAND. IT DOES NOT REPRESENT A
SURVEY OF THE LAND OR IMPLY ANY
REPRESENTATIONS AS TO THE SIZE,
AREA OR ANY OTHER FACTS RELATED TO
THE LAND SHOWN THEREOF



320 Church St. NE, Salem, OR 97301
PHONE (503)581-1431 FAX (503)364-8716

To: FSBO

Date: November 21, 2023

Order No. 615166AM

Reference: 205 Ferry Street
Dayton, OR 97114

Attn: Kelly Haverkate – Property
Manager

Your File No.: 205 Ferry Street

We have enclosed our Status of Record Report pertaining to order number 615166AM.

Thank you for the opportunity to serve you. Your business is appreciated!

If you have any questions or need further assistance, please do not hesitate to contact your Title Officer listed below.

Sincerely,

Carlee Novak

carlee.novak@amerititle.com
Title Officer

NOTICE: Please be aware that, due to the conflict between federal and state laws concerning the legality of the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving land that is associated with these activities.



320 Church St. NE, Salem, OR 97301
PHONE (503)581-1431 FAX (503)364-8716

STATUS OF RECORD TITLE

FSBO

November 22, 2023
Title Number: 615166AM
Title Officer: Carlee Novak
Fee: \$200.00

Your Reference No. 205 Ferry Street

We have searched the status of record title as to the following described property:

A portion of Lots 148 and 149 of the ORIGINAL TOWN OF DAYTON, in the City of Dayton at the most Southerly corner of that tract of land conveyed to Mike Griffith, by Deed recorded March 28, 1978 in Film Volume 127 , Page 1645, Deed and Mortgage Records, said point also being the most Easterly corner of a tract of land sold by Yamhill County to C. C. Munford et ux., in Deed recorded August 3, 1970 in Film Volume 80, Page 996, Deed and Mortgage Records and the True Point of Beginning of the property to be described herein; thence Northwesterly along the line common to the said Griffith and Munford tracts, a distance of 120 feet to a point on the North line of Lot 149, ORIGINAL TOWN OF DAYTON and on the South line of a 20 foot wide alley; thence Northeasterly along the North line of Lots 149 and 148. ORIGINAL TOWN OF DAYTON, a distance of 31 feet to a point; thence Southerly parallel with the line common to the said Griffith and Munford tracts, a distance of 120 feet to a point on the North line of Ferry Street; thence Southwesterly along the North line of Ferry Street and the South line of Lots 148 and 149, ORIGINAL TOWN OF DAYTON, a distance of 31 feet to the True Point of Beginning.

ALSO, the following described tract of land:

A tract of land in the City of Dayton, in Yamhill County, Oregon, and being a portion of Lot 148 in the Town of Dayton, more particularly described as follows:

BEGINNING at the most Westerly corner of that tract of land conveyed to Austin D. Cottam et ux. , by Deed recorded June 17, 1976 in Film Volume 112, Page 1936, Deed and Mortgage Records, said point also being the most Northerly corner of that tract of land conveyed to Mike Griffith, by Deed recorded March 28, 1978 in Film Volume 127, Page 1645, Deed and Mortgage Records, and the True Point of Beginning of the property to be described herein; thence Southeasterly along the line common to the said Cottam and Griffith tracts, a distance of 120 feet to the North line of Ferry Street; thence Southwesterly along the North line of Ferry Street, a distance of 39 feet to a point; thence Northwesterly parallel with the line common to the said Cottam and Griffith tracts, a distance of 120 feet to a point on the North line of Lot 148 In the Town of Dayton and on the South line of a 20 foot wide alley; thence Northwesterly along the North line of Lot 148, a distance of 39 feet to the True Point of Beginning, the property described herein also being known as the Easterly 39 feet of even width of the said Griffith property, as described in Deed recorded March 28, 1978 in Film Volume 127, Page 1645, Deed and Mortgage Records.

Vestee:

Twin Towers, LLC, an Oregon limited liability company

and dated as of **November 17, 2023** at 7:30 a.m.

Said property is subject to the following on record matters:

Tax Information:

Taxes assessed under Code No. 8.0 Account No. 403780 Map No. R4317DA 03101

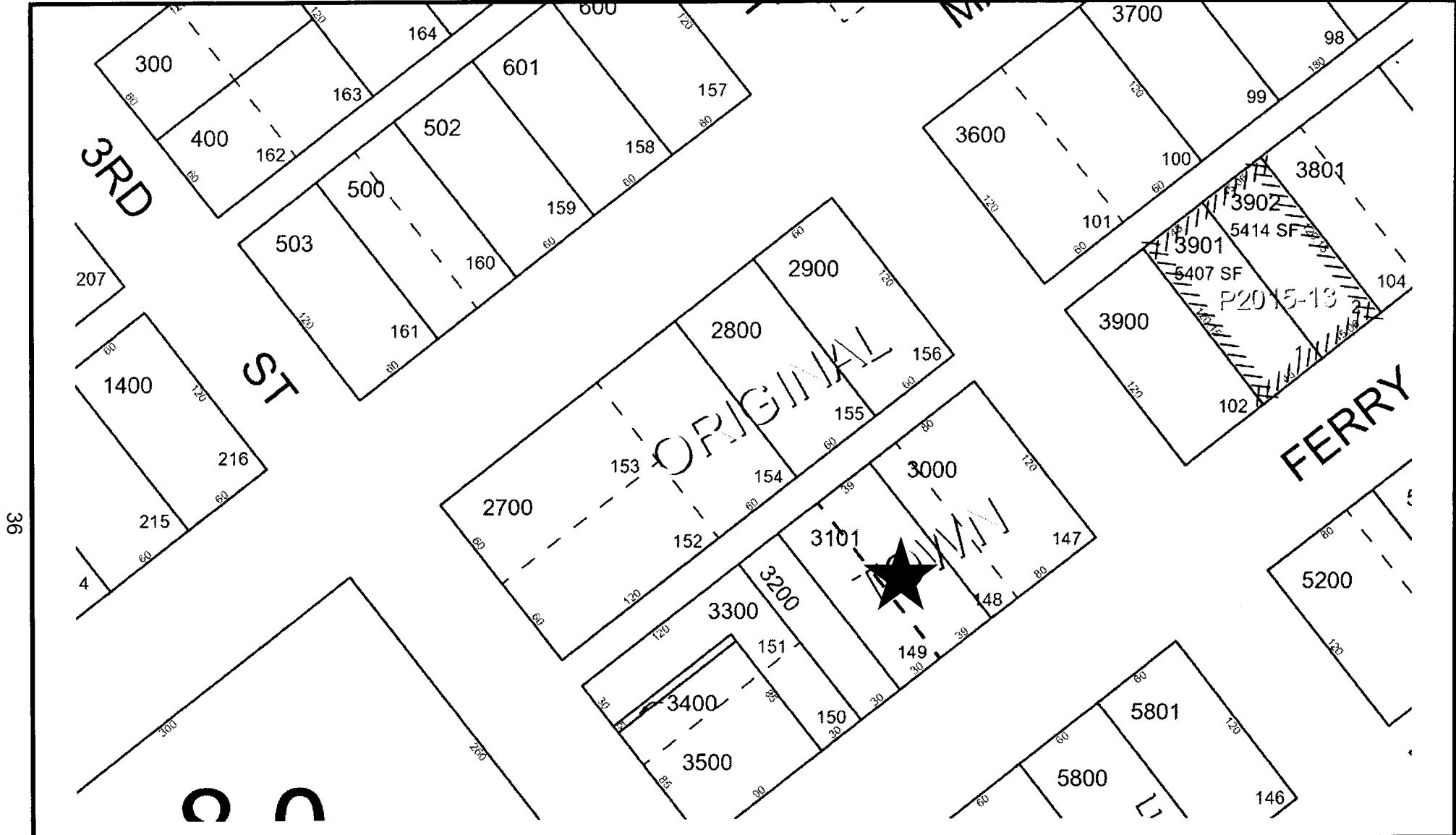
NOTE: The 2023-2024 Taxes: \$2,881.11, are Paid

1. City liens, if any, of the City of Dayton.
(No inquiry has been made. If no search is requested, this exception will remain in the policy. A charge of \$25.00 per account will be added if a search is requested)
2. The property lies within and is subject to the levies and assessments of the Yamhill Soil and Water Conservation District.
3. Agreement for Easement, including the terms and provisions thereof,
Recorded: June 1, 1997
Instrument No.: Film: 213 Page: 1464
4. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: Oregon Department of Environmental Quality
Recorded: January 25, 2011
Instrument No.: 2011-01160
5. Unrecorded leaseholds, if any, and the rights of vendors and holders of security interest in personal property of tenants to remove said personal property at the expiration of the term.

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"



**205 Ferry Street
Dayton, OR 97114**

THIS MAP IS FURNISHED AS AN
ACCOMMODATION STRICTLY FOR THE
PURPOSES OF GENERALLY LOCATING
THE LAND. IT DOES NOT REPRESENT A
SURVEY OF THE LAND OR IMPLY ANY
REPRESENTATIONS AS TO THE SIZE,
AREA OR ANY OTHER FACTS RELATED
TO THE LAND SHOWN THEREOF



320 Church St. NE, Salem, OR 97301
PHONE (503)581-1431 FAX (503)364-8716

STATUS OF RECORD TITLE

FSBO

November 21, 2023
Title Number: 615161AM
Title Officer: Whitney Estes
Fee: \$200.00

Your Reference No. 403 3rd Street

We have searched the status of record title as to the following described property:

See attached Exhibit 'A'

Vestee:

Twin Towers, LLC, an Oregon Limited Liability Company

and dated as of **November 21, 2023** at 7:30 a.m.

Said property is subject to the following on record matters:

Tax Information:

Taxes assessed under Code No. 8.0 Account No. 115440 Map No. R4317DA 03200

NOTE: The 2023-2024 Taxes: \$138.37, are Paid

Taxes assessed under Code No. 8.0 Account No. 115459 Map No. R4317DA 03300

NOTE: The 2023-2024 Taxes: \$530.54, are Paid

Taxes assessed under Code No. 8.0 Account No. 115468 Map No. R4317DA 03400

NOTE: The 2023-2024 Taxes: \$17.30, are Paid

Taxes assessed under Code No. 8.0 Account No. 115477 Map No. R4317DA 03500

NOTE: The 2023-2024 Taxes: \$294.29, are Paid

1. City liens, if any, of the City of Dayton.
(No inquiry has been made. If no search is requested, this exception will remain in the policy. A charge of \$25.00 per account will be added if a search is requested)
2. The property lies within and is subject to the levies and assessments of the Yamhill Soil and Water Conservation District.
3. Right, title and interest of the public in and to those portions of the Land lying within roads, streets or highways.

4. Reservation of Oil, gas, minerals, or other hydrocarbons and geothermal resources, including the terms and provisions contained therein, in deed from Chevron U.S.A. Inc., a California corporation.
Recorded: March 15, 1978
Instrument No.: Film Volume: 138 Page: 97
The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
5. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: The Secretary of Housing and Urban Development, his/her successors and assigns
Recorded: June 1, 1997
Instrument No.: Film Volume: 213 Page: 1464
6. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: Oregon Department of Environmental Quality
Recorded: January 25, 2011
Instrument No.: 2011-01160
7. Rights of tenants under existing leases or tenancies.
8. Personal property taxes, if any.

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: This report does not include a search for financing statements filed in the office of the Secretary of State in this or any other State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a financing statement is filed in the office of the County Clerk (Recorder) covering fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system by recorded lot and block.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"

EXHIBIT 'A'

File No. 615161AM

PARCEL 1: The South Half of Lot 149, ORIGINAL TOWN OF DAYTON in Yamhill County, State of Oregon.

PARCEL 2: Beginning at a point on the Southeasterly line of Lot 150, 30 feet Southwesterly from the Southeasterly corner of said Lot 150; running thence Northwesterly parallel with the Northeasterly line of Lot 150, 90 feet; thence Southwesterly parallel with the Northwesterly line of Lot 151, 90 feet to the Southwesterly line of Lot 151; thence Northwesterly 30 feet to the Northwest corner of Lot 151; thence Northeasterly along the Northwesterly line of Lot 151, 120 feet to the Northeasterly corner of said Lot; thence Southeasterly along the Northeasterly line of Lot 151 and 150, 120 feet to the Northeasterly corner of Lot 150; thence Southwesterly along the Southeasterly line of Lot 150, 30 feet to the Point of Beginning, the same being a piece of land 30 feet in width across the Northeasterly end of Lots 150 and 151 and along the Northwesterly side of Lot 151, all in the Town of DAYTON in Yamhill County, Oregon.

PARCEL 3: A portion of Lots 150 and 151 in the ORIGINAL TOWN OF DAYTON in Yamhill County, Oregon, described as follows;

BEGINNING at the Southwesterly corner of Lot 150 in the CITY OF DAYTON, in Yamhill County, Oregon, and running thence Northwesterly 85 feet along the Easterly line of Third Street in said City of Dayton; thence Northeasterly parallel with the Northerly line of said Ferry Street, 90 feet; running thence Southeasterly, parallel with the said Easterly line of Third Street 85 feet to the said Northerly line of Ferry Street and thence Southwesterly along the said Northerly line of Ferry Street to the point of beginning, being a part of Lots 150 and 151 of the said CITY OF DAYTON, Yamhill County, Oregon.

PARCEL 4: A portion of Lot 151 in the ORIGINAL TOWN OF DAYTON in Yamhill County, Oregon, being more particularly described as follows;

BEGINNING at a point 30 feet Southeasterly from the most Westerly corner of Lot 151 in said ORIGINAL TOWN OF DAYTON; thence Southeasterly 5 feet along the Easterly line of 3rd Street; thence Northeasterly, parallel with the Northerly line of Ferry Street 90 feet; thence Northwesterly 5 feet; thence Southwesterly, parallel with the Northerly line of Ferry Street, 90 feet to the Point of Beginning.

After recording, return to
(File No. 4-00011)

Jamieson Law Firm
2121 Front Street NE
Salem, OR 97301

Until a change is requested, all tax statements
shall be sent to the following address:

No change

Yamhill County Official Records	201906919
DMR-DDMR	05/31/2019 03:20:00 PM
Stn=3 SUTTONS	
3Pgs \$15.00 \$11.00 \$5.00 \$60.00	\$91.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

STATUTORY QUITCLAIM DEED (93.865)

Twin Towers, LLC, an Oregon limited liability company, as successor in interest to Thomas C. Torrence, Grantor, releases and quitclaims to Barton Scott Meaders and Tracie Leann Meaders, successors in interest to Curtis A. and Mary F. Huber, Grantee, all of Grantor's right, title and interest in and to the easement benefitting Grantor's property described on Exhibit A, burdening Grantees' property described on Exhibit A, and recorded on December 1, 1977 at Book 125, Page 033, Deed Records of Yamhill County, Oregon (the "Property").

The true and actual consideration for this transfer in terms of dollars is \$0; however, the true and actual consideration consists, in whole or part, of other property or value given.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 24th day of May, 2019.

NOTE: FIRST AMERICAN TITLE
IS RECORDING THIS DOCUMENT AS AN
ACCOMMODATION TO CLIENT ONLY AND
WILL NOT ASSUME ANY RESPONSIBILITY
AS TO ITS VALIDITY.

TWIN TOWERS, LLC,
an Oregon limited liability company

By:


Wayne Marschall, Manager

After recording, return to
(File No. 4-00011)

Jamieson Law Firm
Attn: Eric Jamieson
3550 Liberty Street S., Suite 290
Salem, OR 97302

Until a change is requested, all tax statements
shall be sent to the following address:

Twin Towers, LLC
7401 SW Washo Court, Suite 200
Tualatin, OR 97062

OFFICIAL YAMHILL COUNTY RECORDS
BRIAN VAN BERGEN, COUNTY CLERK

202122094



00625973202100220940030033

\$91.00

11/08/2021 12:52:13 PM

DMR-DDMR Cnt=1 Stn=6 MILLSA
\$15.00 \$5.00 \$11.00 \$60.00

STATUTORY WARRANTY DEED

(ORS 93.850)

Dayton Properties, LLC, an Oregon limited liability company, Grantor, conveys and warrants to Twin Towers, LLC, an Oregon limited liability company, Grantee, the following described real property situated in Yamhill County, State of Oregon, free of encumbrances except as specifically set forth herein:

PARCEL 1: Lot 147 in the TOWN OF DAYTON in Yamhill County, Oregon.

PARCEL 2: A portion of Lot 148 in the TOWN OF DAYTON in Yamhill County, Oregon, more particularly described as follows:

COMMENCING on the North line of Ferry Street at the corner of Lots 147 and 148; thence Southwesterly along the North line of Ferry Street, 20 feet; thence Northwesterly and parallel to the line between Lots 147 and 148, 120 feet to the most Northerly line of said Lot 148; thence Northeasterly along said Northerly line of said Lot 148, 20 feet to the most Northeasterly corner of said Lot 148; thence Southeasterly along the line between Lots 147 and 148, 120 feet to the place of beginning.

The true and actual consideration for this transfer in terms of dollars is \$0; however, the true and actual consideration consists, in whole or part, of other property or value given. This transfer is intended as a tax-free transfer by Grantor to the owner of Grantor.

SUBJECT TO:

1. Proceedings by a public agency which may result in taxes or assessments or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Easements, liens, encumbrances, interests, or claims thereof which are not shown by the public records; any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of

STATUTORY WARRANTY DEED

Page 1 of 3

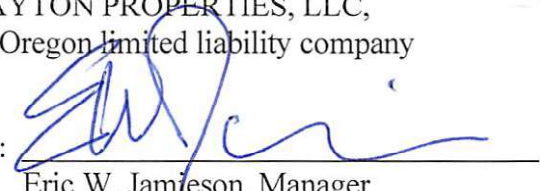
persons in possession thereof.

3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose and which are not shown by the public records.
4. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets, highways, or right-of ways.
5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water, whether or not shown by the public records.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 3rd day of November, 2021.

DAYTON PROPERTIES, LLC,
an Oregon limited liability company

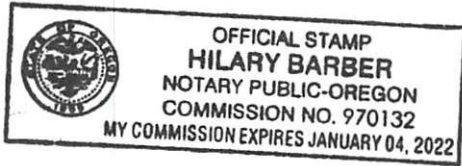
By: 

Eric W. Jamieson, Manager

Notary jurat on following page

STATE OF OREGON)
) ss.
County of Marion)

This instrument was acknowledged before me on November 3, 2021, by Eric W. Jamieson as Manager of Dayton Properties, LLC.



Hilary Barber
NOTARY PUBLIC FOR OREGON
My Commission Expires: 01/04/22

STATUTORY WARRANTY DEED

Grantor: Gene H. Belt
Grantee: Twin Towers, LLC

Until a change is requested, all tax statements shall be sent to the following address:
Twin Towers, LLC
7401 SW Washo Ct., Ste 200
Tualatin OR 97062-8343

After Recording return to:
Twin Towers, LLC
7401 SW Washo Ct., Ste 200
Tualatin OR 97062-8343

Escrow No. 915282 LLF
Title No. 915282

THIS SPACE RESERVED FOR RECORDER'S USE

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200727223



\$26.00

00289692200700272230010012

12/28/2007 03:12:17 PM

DMR-DDMR Cnt=1 Stn=2 ANITA
\$5.00 \$10.00 \$11.00

GENE H. BELT, Grantor, conveys and warrants to TWIN TOWERS, LLC, AN OREGON LIMITED LIABILITY COMPANY, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Yamhill County, Oregon, to wit:

Lot 144, TOWN OF DAYTON, County of Yamhill, State of Oregon.

The said property is free from encumbrances except:

- 1 Rights of the public in and to that portion lying within streets, roads and highways.
- 2 TOGETHER WITH an easement created by instrument recorded December 1, 1977 in Film Volume 125, Page 33, Deed and Mortgage Records of Yamhill County, Oregon.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

The true consideration for this conveyance is \$150,000.00. (Here comply with the requirements of ORS 93.030).

Dated this 28 day of December, 2007.

Gene H. Belt
Gene H. Belt

State: OR
County: Yamhill

The foregoing instrument was acknowledged before me this 28 day of December, 2007 by:

Gene H. Belt



Linda L. Finn

Notary Public

My Commission Expires: 2/6/2008

STATUTORY WARRANTY DEED

THIS SPACE RESERVED FOR RECORDER'S USE

Grantor: Nelson L. Hoopman

Grantee: Twin Towers, LLC

Until a change is requested, all tax statements shall be sent to the following address:

Twin Towers, LLC
7401 SW Washo Ct., Suite 200
Tualatin OR 97062

After Recording return to:

Twin Towers, LLC
7401 SW Washo Ct., Suite 200
Tualatin OR 97062

Escrow No. 904939 LLF

Title No. 904939

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200720568



\$36.00

00281758200700205680030039

09/18/2007 10:17:56 AM

DMR-DDMR Cnt=1 Stn=2 ANITA

\$15.00 \$10.00 \$11.00

NELSON L. HOOPMAN, ALSO KNOWN AS NELSON HOOPMAN AND GINATH HOOPMAN, AS TENANTS BY THE ENTIRETY, Grantor, conveys and warrants to TWIN TOWERS, LLC, AN OREGON LIMITED LIABILITY COMPANY, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Yamhill County, Oregon, to wit:

See Attached Legal Description!

The said property is free from encumbrances except: Rights of the public in and to that portion lying within streets, roads and highways; Reservations, including the terms and provisions thereof in Deed recorded March 15, 1978, FV 138, Pg 97, Deed and Mortgage Records; Utility Easement recorded June 1, 1987, FV 213, Pg 1464, Deed and Mortgage Records. 2007/2008 taxes a lien due but not yet payable.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

The true consideration for this conveyance is \$500,000.00. (Here comply with the requirements of ORS 93.030).

Dated this 17th day of September, 2007.

Nelson Hoopman
Nelson L. Hoopman

Ginath Hoopman
Ginath Hoopman

State: OR

County: Yamhill

The foregoing instrument was acknowledged before me this 17th day of September, 2007 by:

Nelson L. Hoopman and Ginath Hoopman

Linda L. Finn
Notary Public
My Commission Expires: 2/6/2008



YAMHILL TITLE PLANT

829 N. Hwy 99 West
P.O. Box 267 • McMinnville OR 971280267
(503) 472-6101 • FAX: (503) 434-5311

REFERENCE ORDER NUMBER: 904939

PARCEL 1: A portion of Lots 148 and 149 of the ORIGINAL TOWN OF DAYTON, in the City of Dayton at the most Southerly corner of that tract of land conveyed to Mike Griffith, by Deed recorded March 28, 1978 in Film Volume 127, Page 1645, Deed and Mortgage Records, said point also being the most Easterly corner of a tract of land sold by Yamhill County to C. C. Munford et ux., in Deed recorded August 3, 1970 in Film Volume 80, Page 996, Deed and Mortgage Records and the True Point of Beginning of the property to be described herein; thence Northwesterly along the line common to the said Griffith and Munford tracts, a distance of 120 feet to a point on the North line of Lot 149, ORIGINAL TOWN OF DAYTON and on the South line of a 20 foot wide alley; thence Northeasterly along the North line of Lots 149 and 148, ORIGINAL TOWN OF DAYTON, a distance of 31 feet to a point; thence Southerly parallel with the line common to the said Griffith and Munford tracts, a distance of 120 feet to a point on the North line of Ferry Street; thence Southwesterly along the North line of Ferry Street and the South line of Lots 148 and 149, ORIGINAL TOWN OF DAYTON, a distance of 31 feet to the True Point of Beginning.

ALSO, the following described tract of land:

A tract of land in the City of Dayton, in Yamhill County, Oregon, and being a portion of Lot 148 in the Town of Dayton, more particularly described as follows:

BEGINNING at the most Westerly corner of that tract of land conveyed to Austin D. Cottam et ux., by Deed recorded June 17, 1976 in Film Volume 112, Page 1936, Deed and Mortgage Records, said point also being the most Northerly corner of that tract of land conveyed to Mike Griffith, by Deed recorded March 28, 1978 in Film Volume 127, Page 1645, Deed and Mortgage Records, and the True Point of Beginning of the property to be described herein; thence Southeasterly along the line common to the said Cottam and Griffith tracts, a distance of 120 feet to the North line of Ferry Street; thence Southwesterly along the North line of Ferry Street, a distance of 39 feet to a point; thence Northwesterly parallel with the line common to the said Cottam and Griffith tracts, a distance of 120 feet to a point on the North line of Lot 148 in the Town of Dayton and on the South line of a 20 foot wide alley; thence Northwesterly along the North line of Lot 148, a distance of 39 feet to the True Point of Beginning, the property described herein also being known as the Easterly 39 feet of even width of the said Griffith property, as described in Deed recorded March 28, 1978 in Film Volume 127, Page 1645, Deed and Mortgage Records.

PARCEL 2: The South Half of Lot 149, ORIGINAL TOWN OF DAYTON in Yamhill County, State of Oregon.

PARCEL 3: Beginning at a point on the Southeasterly line of Lot 150, 30 feet Southwesterly from the Southeasterly corner of said Lot 150; running thence Northwesterly parallel with the Northeasterly line of Lot 150, 90 feet; thence Southwesterly parallel with the Northwesterly line of Lot 151, 90 feet to the Southwesterly line of Lot 151; thence Northwesterly 30 feet to the Northwest corner of Lot 151; thence Northeasterly along the Northwesterly line of Lot 151, 120 feet to the Northeasterly corner of said Lot; thence Southeasterly along the Northeasterly line of Lot 151 and 150, 120 feet to the Northeasterly

corner of Lot 150; thence Southwesterly along the Southeasterly line of Lot 150, 30 feet to the Point of Beginning, the same being a piece of land 30 feet in width across the Northeasterly end of Lots 150 and 151 and along the Northwesterly side of Lot 151, all in the Town of DAYTON in Yamhill County, Oregon.

PARCEL 4: A portion of Lots 150 and 151 in the ORIGINAL TOWN OF DAYTON in Yamhill County, Oregon, described as follows:

BEGINNING at the Southwesterly corner of Lot 150 in the CITY OF DAYTON, in Yamhill County, Oregon, and running thence Northwesterly 85 feet along the Easterly line of Third Street in said City of Dayton; thence Northeasterly parallel with the Northerly line of said Ferry Street, 90 feet; running thence Southeasterly, parallel with the said Easterly line of Third Street 85 feet to the said Northerly line of Ferry Street and thence Southwesterly along the said Northerly line of Ferry Street to the point of beginning, being a part of Lots 150 and 151 of the said CITY OF DAYTON, Yamhill County, Oregon.

PARCEL 5: A portion of Lot 151 in the ORIGINAL TOWN OF DAYTON in Yamhill County, Oregon, being more particularly described as follows:

BEGINNING at a point 30 feet Southeasterly from the most Westerly corner of Lot 151 in said ORIGINAL TOWN OF DAYTON; thence Southeasterly 5 feet along the Easterly line of 3rd Street; thence Northeasterly, parallel with the Northerly line of Ferry Street 90 feet; thence Northwesterly 5 feet; thence Southwesterly, parallel with the Northerly line of Ferry Street, 90 feet to the Point of Beginning.

Curt Fisher

From: Denny Muchmore <dmuchmore@westech-eng.com>
Sent: Wednesday, September 25, 2024 4:03 PM
To: Curt Fisher; 'Perenchio, Amy'; 'Jason Shirley'; 'SCOTT Brion'
Cc: 'Steve Scott'; 'Priest, Colleen'; 'Mark Reuland'; 'Andrew Hermiz'; Don Cutler, Dayton PW (dcutler@daytonoregon.gov)
Subject: RE: Dayton Hotel - Pre App Meeting Questions
Attachments: Map & prelim layouts from 2024.07.30 Dayton Hotel Pre-Application Conference Request.pdf

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Our preliminary comments are in red italics below. These items/issues can be discussed further at the meeting tomorrow.
As a reminder, the convention for directions in this area of Dayton is to consider the numbered streets as plan north-south, and the named streets as plan east-west.
Thanks.

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Westech Engineering, Inc., 3841 Fairview Industrial Drive SE, Suite 100, Salem, OR 97302
503-585-2474 ph 503-585-3986 fax 503-931-8708 cell
dmuchmore@westech-eng.com *Celebrating 56 Years of Service 1968 - 2024*

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See you tomorrow.

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Curt Fisher, AICP

Associate Planner

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Dayton Hotel Pre-Application Meeting Questions:

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- Any setback requirements for seat walls? ***No***
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- f. Driveways shall be separated from an intersection by a minimum of 30 feet or one-half the lot frontage, whichever is greater.

WATER *Follow up with Fire District*

- There are no fire hydrants along the property frontages. Will the City require a new one? Preference on location?
(Yes, additional hydrants will be required. several issues will come into play here.)
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building size/occupancy/construction type, its fire sprinkler system, access points required for aerial fire apparatus access, etc.

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- *Additionally, a new hydrant will be required within 40 feet of the FDC serving the building, on the building side of Ferry Street. This new hydrant can be connected off the side of the same public waterline across the street [discussed below] installed to serve the building water service and the fire sprinkler service line (we expect that this new waterline will be somewhere near the center of the 2nd Street frontage, but this is simply an assumption at this stage).*
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STORM *Follow up with City Engineer*

- Confirm stormwater management requirements.
 - *Is water quality required? If so, what is the design storm? (water quality treatment for stormwater is NOT currently required under the Dayton PWDS, unless triggered by some other specific state or federal permit required in conjunction with the development)*
 - *Confirm detention is Post 25yr to Pre 5yr flow. (Correct in general, assuming the downstream system has the remaining available capacity for the 5 year flows from the development. See PWDS 3.19 for more information on detention & flows.)*
- *A new storm main in Ferry Street will be required. Does the City have any plans for installing one or is the onus on the owner? Storm main extensions on 2nd and the alley are anticipated due to proposed stormwater facility locations. (The City does not have current plans to construct the new storm drain line along Ferry between 1st & 3rd Street. A new/upgraded storm drain was recently installed at 1st & Ferry, as well as between Ferry Street & the Yamhill River as part of the utility bridge project, which should will be available to connect to. However, about 120 feet of the old 8" pipe downhill from 1st Street will likely also need to be replaced and upsized. Also, new catch basins at the 2nd/Ferry intersection should be anticipated, as well as a new catch basin at the NE corner of the 3rd & Ferry intersection on the 3rd Street side of the new intersection pedestrian ramp.)*
- *If the new storm main outfalls into the Yamhill River is there a possibility of detention exemption or a less stringent flow control requirement? (This is a possibility, if a new pipe was installed all the way to the river area. However, state & federal permitting for a new storm outfall into the Yamhill River may very well trigger requirements for stormwater quality treatment, mitigation, etc. If the development team wants to investigation a new storm pipe which discharges into an existing channel or drainage area up on the river bench, such as at the lower end of 2nd Street, this can certainly be explored at the developer's option, and may avoid the state and/or federal permitting triggers associated with a new direct storm outfall into the river.)*

SANITARY *Follow up with City Engineer*

- Any deficiencies in the sanitary main within the existing alley? *(yes.*
 - *It is anticipated that the existing sewer downstream of this development will need to be upsized to handle the flows from the new Hotel (however, until the size of the hotel & total fixture unit counts are available, the amount of oversizing is not clear).*
 - *At least portions of the existing concrete sewer along the alley may be able to be replaced by pipe-bursting, assuming upsizing to a 10" or 12" pipe.*
 - *However, the half block of existing 8" concrete pipe from the lower end of the alley below 1st Street over to the 18" trunk sewer at Ferry Street will need to be replaced by open cut excavation, and will be sized to match the existing 18" sewer being connected to).*

PUBLIC WORKS *Follow up with City Engineer*

- Confirm right of way improvements along 2nd, 3rd, and Ferry including pedestrian corridor section dimensions.
(the following is preliminary only.
 - *The improvement widths along 3rd Street will need to be coordinated with ODOT, since 3rd Street is both an arterial street in Dayton and a state highway, and it will also depend on whether or not a bike lane is required on the development side of 3rd Street as part of the land use approval. The rock & pavement section will also depend on ODOT requirements. Sidewalk width along ODOT roadways are 6 foot minimum.*
 - *Ferry Street will most likely not need to be widened. However, sidewalks will likely need to be replaced to bring them up to ADA & City standards. Sidewalks along City streets are to be 5 foot minimum, unless wider are required due to zoning, CBO or land use approval requirements.*
 - *2nd Street will need to be reconstructed. Full street improvements will likely be required, since the opposite side is already developed, although sidewalks will likely only be required on the development side of the street. The existing 2nd Street at the north end of the property frontage does not meet current vertical sight distance standards per the PWDS, and the crest of the hill at the alley will likely need to be cut down substantially in order to allow the street to be reconstructed and meet sight distance standards. Depending on depth, of the existing sewer main, it may need to be lowered to accommodate the lowering of the 2nd Street crest at the alley. The length of 2nd Street the street north of the alley what will need to be repaved will be determined during the street design, based on where the reconstructed/lowered street will catch back into the existing street grades.)*
- Does 2nd street required curb and sidewalk? How wide should the asphalt drive lane be? *(2nd Street is a local through street, and the curb-to-curb width is anticipated to be 34 feet. Sidewalks on the development side will be required, as well as driveway aprons at any driveways reconnected to in conjunction with the street improvements.)*
- Confirm maximum slopes in driveway aprons. *(Driveway aprons must conform with City standard details, such as Detail 212 thru 213, with the sidewalk portion of the apron being ADA compliant. However, driveway slopes behind the aprons is typically 15%, per PWDS 2.20.1)*
- Confirm design requirements for alley. Asphalt, curb, and sidewalk? Typical dimensions? *(typical commercial alley sections are typically 3" AC over 10" baserock per PWDS 2.12, but the proposed use of semi-trucks may require a thicker rock & pavement section of 4" AC over 12" baserock, per footnote 3. Paved width of alleys in a 20 foot alley ROW is typically 18 feet. Public sidewalks are*

not required along alleys, although private sidewalks can be proposed, located completely or partially within easements.)

- Would it be acceptable to extend pavers at entry drive down through sidewalk on Ferry? *(Using pavers on the driveways on Ferry Street is allowed if desired, although they would not be allowed to extend through the sidewalk, as the sidewalks themselves need to concrete.)*
- Alley slopes down to 2nd Street at 15-25%. Confirm it's acceptable to pave alley and maintain existing grades. *(Yes, the alley can be paved, and paving will be required if used for delivery or maintenance access. However, the alley may need to be reconstructed at the east end in order to accommodate the 2nd Street improvements & lowering discussed above.)*
- Confirm if curb extensions at corners are required. *(If by extensions you mean curb bulbouts, then the use of these at 3rd & Ferry will depend on the wheel track evaluations of design trucks, to ensure that the bulbouts do not inhibit design truck turning radius at the intersection.)*
- Does the City of Dayton require engineer of record site inspections for work in the public ROW? *(Yes, per PWDS 1.15.c)*

LAND USE AND PERMITTING

- Confirm site development review process.

See Section 7.3.106 for Site Development

Review https://dayton.municipalcodeonline.com/book?type=ordinances#name=7.3.106_Site_Development_Review

and Type II procedures in Section 7.3.202.02

https://dayton.municipalcodeonline.com/book?type=ordinances#name=7.3.2_Administrative_Procedures

The Type II process involves a 30 day completeness review period, public notice, a public hearing, and decision by planning commission. The City has 120 days from the date of completeness to issue a decision on the application.

- Is there a point in the process to issue an addendum to the application with further changes, since there is a significant duration of review prior to the hearing? *The 30-day completeness review may identify the need for revisions to the Site Plan. Once the application is noticed, if any changes are a significant departure from the submitted plan, another noticed may be required. You may choose to respond to any comments received and Planning Commission may request more information as part of the public hearing process.*
- For our written narrative – do you want this to respond item by item to the code sections? *This is the most effective way for an applicant to ensure that decision makers fully understand the project proposed and to demonstrate that all the approval criteria and standards are met.*
- Confirm permitting process – who reviews what? *The Planner reviews the Site Development Review application and makes a recommendation to Planning Commission. The City Engineer reviews Public Works Construction Permits. City of Newberg Building Permit Dept. review building permits that are submitted to and issued by Dayton.*
- Confirm frontage improvements along 3rd Street will require a separate ODOT permit application and curb ramp inspections. **Confirm with Public Works and Brion Scott at ODOT** *(Brion.SCOTT@odot.oregon.gov). (The design of frontage improvements along 3rd Street will need to be reviewed & approved by both Dayton Public Works & ODOT. While the improvements*

will fall under the Dayton Public Works Type B permit [similar to the project on the opposite corner of the intersection], an ODOT permit for work in the 3rd Street right-of-way will also be required.)

- Can building permit review be concurrent with land use review? ***I wouldn't recommend it because building design will be a major topic of discussion at the public hearing.*** *(while building permits are typically not allowed to be submitted until after the land use approval, submittal & review of building permits concurrently with the civil/site/street/utility construction drawings to be reviewed by Public Works can be allowed, provided the developer assumes responsibility for any changes to the building drawings required due to changes required in the Type B Public Works permit drawings.)*
- What is the process if we need to request waivers to any of the zoning code sections? ***Zoning standards can be modified using the Minor Variance procedure described in Section 7.3.103 or the Major Variance procedure described in Section 7.3.108.05. Site design standards in the CBO can be modified by Planning Commission as described in Section 7.2.111.10.***

FIRE/LIFE SAFETY

- Distributed Antenna System (DAS) – other jurisdictions have allowed our client to pay into a fund in lieu of providing throughout the building. Is this an option in Dayton?

SPECIFIC ZONING CODE QUESTIONS

- 7.2.106.06.C.4 Lot Coverage: *The maximum coverage allowed for buildings, accessory structures and paved parking shall be 90 percent.*
 - Please confirm if driveways with pavers count towards the maximum coverage. ***Driveways do count but the code doesn't address the use of pavers. If necessary, the standard can be modified with a Minor Variance.***

Thank you,

Amy Perenchio

AIA, NCARB

Principal

she/her

ZGF ARCHITECTS LLP

T 503-863-2463 **M** 206-909-5516

E amy.perenchio@zgf.com

1223 SW Washington Street, Suite 200

Portland, OR 97205

zgf.com



[ZGF Email Disclaimer](#)



PRE APPLICATION 2024-05 PLANNING SUMMARY

<u>Date:</u>	September 26, 2024
<u>Applicant:</u>	Amy Perenchio 1223 SW Washington St #200 Portland, OR 97205
<u>Project Location:</u>	Corner of 3 rd Street and Ferry Street, Dayton OR, 97114. Block bound by 3 rd , Ferry, 2 nd Street, and a public alley to the north
<u>Zoning:</u>	Commercial (C) Central Business Areas Overlay Zone (CBO)
<u>Applicable Criteria:</u>	Dayton Land Use and Development Code (DLUDC): Section 7.2.105 General Commercial Zone (CG) Section 7.2.111 Central Business Overlay Zone (CBO) Section 7.2.3 General Development Standards Section 7.3.106 Site Development Review Section 7.3.202.02 Procedures For Type II Actions

REQUEST

A pre-application meeting to discuss a potential hotel project described by the applicant as follows:

The Dayton Hotel is a proposed 118 key destination hotel. The building will be programmed with guest amenities including a restaurant and bar, full-service spa, event space and additional roof top bar and pool.

The request did not include any specific questions or issues for City Staff to address.

APPROVAL PROCESS

The project requires Site Development Review. Site Development Review applications are reviewed and approved following a Type II quasi-judicial process in which the Planning Commission applies a mix of objective and subjective standards. Public notice is provided as described in DLUDC Section 7.3.202.02. Planning commission will make a decision on the application following a public hearing. The appeal of a Type II decision is to the City Council.

The City's Site Development Review application packet can be found at the following link:

<https://www.daytonoregon.gov/upload/page/0279/Site%20Development%20%20Review%20Packet%202023.pdf>

The submittal requirements are described on the application form. Building elevations are also required to demonstrate that the design standards in the CBO are met.

APPROVAL CRITERIA

The following criteria, standards, and procedures in the DLUDC apply to the project:

Section 7.2.105	General Commercial Zone (CG) https://dayton.municipalcodeonline.com/book?type=ordinances#name=7.2.106_Commercial_(c)
Section 7.2.111	Central Business Overlay Zone (CBO) https://dayton.municipalcodeonline.com/book?type=ordinances#name=7.2.111_Central_Business_Area_Overlay_Zone_(CBO)
Section 7.2.3	General Development Standards https://dayton.municipalcodeonline.com/book?type=ordinances#name=7.2.3_General_Development_Standards
Section 7.3.106	Site Development Review https://dayton.municipalcodeonline.com/book?type=ordinances#name=7.3.106_Site_Development_Review
Section 7.3.202.02	Procedures For Type II Actions https://dayton.municipalcodeonline.com/book?type=ordinances#name=7.3.202_Procedures

The Site Development Review application requires a narrative that includes responses to all the applicable standards and criteria described above that demonstrate how each standard is met.

Planning can offer the following general guidance for the Site Development Review submittal. The Site Development Review criteria in the DLUDC are as follows:

7.3.106.06 Evaluation Of Site Development Plan

The review of a Site Development Plan shall be based upon consideration of the following:

1. *Conformance with applicable General Development Standards in Section 7.2.3.*

Planning input on Criterion 1: The application requires specific responses to all applicable standards under Section 7.2.3. Staff can find that Section 7.2.307 (Land Divisions), 7.2.310 (Single Family Dwelling Design Standards), and Section 7.2.311 (PUDs) do not apply to the project. Section 7.2.303 (Off Street Parking and Loading) will apply if off-street parking and loading is proposed. Section 7.2.306 (Site Landscaping and Buffering) applies. However, some of the requirements of this section may be superseded by the requirements in the CBO. Where the requirements of the CBO conflict with other sections of the code, the CBO standards apply.

2. *Adequacy of public and private facilities.*

Planning input on Criterion 2: The application can rely on the findings presented in response to Sections 7.2.304 and 7.2.305 to demonstrate the satisfaction of this criterion.

3. *Traffic safety, internal circulation, and parking;*

Planning input on Criterion 3: The application can rely on the findings presented in response to Sections 7.2.302 and 7.2.305 to demonstrate the satisfaction of this criterion. No parking plan or questions were submitted regarding parking. No off-street parking is required in CBO. Nevertheless, we assume that some amount of parking will be desired for guests.

4. *Provision for adequate noise and/or visual buffering from non-compatible uses.*

Planning input on Criterion 4: The project is adjacent to the R-2 residential zone to the east. The application can rely on the findings presented in response to the design requirement in Section 7.2.111 to demonstrate the

satisfaction of this criterion to the extent it applies along the property frontage nearest the R-2 district. At a minimum, the residential setback standard in Table 7.2.111.04 must be met. The setback is measured from the boundary of the nearest R-2 zoned property, therefore the width of the 2nd Street right-of-way can be used to meet this requirement.

5. *Conformance with development requirements of the underlying zone.*

Planning input on Criterion 5: Include responses to all applicable standards in the Commercial and CBO Zones.

- The south, east, and west façade will be subject to the horizontal articulation requirements described in DLUDC 7.2.111.07. Horizontal articulation elements are required not less than 30 feet along these facades. The portions of the building footprint that exceed 30 feet are required to provide additional architectural design elements to meet the standards.
- The remaining requirements of the CBO design standard will need to be met with building elevations.
- The residential setback requirements in Table 7.2.111.04 apply to the eastern face of the building.
- The restaurant entrance will be subject to Section 7.2.111.05.G.
- Section 7.2.111.05.D states that off street parking and loading areas shall not be placed between building entrances and the street. The development team should review and confirm that the vehicle entrance area shown between the main entry and Ferry Street on the submitted plan can comply with this standard.

Confirm with the City Engineer the extent of the street frontage improvements that will be required with the application.

These comments are for informational purposes and are based on the plans provided for consideration at the meeting and are not to be interpreted as a determination of compliance with any applicable approval standard or criterion. Comments are not intended as an exhaustive review of all applicable standards identified in the DLUDC, the Public Works Design Manual, other relevant codes and documents, or permitting requirements of other jurisdictions.

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- Confirm stormwater management requirements.
 - *Is water quality required? If so, what is the design storm? (water quality treatment for stormwater is NOT currently required under the Dayton PWDS, unless triggered by some other specific state or federal permit required in conjunction with the development)*
 - *Confirm detention is Post 25yr to Pre 5yr flow. (Correct in general, assuming the downstream system has the remaining available capacity for the 5 year flows from the development. See PWDS 3.19 for more information on detention & flows.)*
- *A new storm main in Ferry Street will be required. Does the City have any plans for installing one or is the onus on the owner? Storm main extensions on 2nd and the alley are anticipated due to proposed stormwater facility locations. (The City does not have current plans to construct the new storm drain line along Ferry between 1st & 3rd Street. A new/upgraded storm drain was recently installed at 1st & Ferry, as well as between Ferry Street & the Yamhill River as part of the utility bridge project, which should will be available to connect to. However, about 120 feet of the old 8" pipe downhill from 1st Street will likely also need to be replaced and upsized. Also, new catch basins at the 2nd/Ferry intersection should be anticipated, as well as a new catch basin at the NE corner of the 3rd & Ferry intersection on the 3rd Street side of the new intersection pedestrian ramp.)*
- *If the new storm main outfalls into the Yamhill River is there a possibility of detention exemption or a less stringent flow control requirement? (This is a possibility, if a new pipe was installed all the way to the river area. However, state & federal permitting for a new storm outfall into the Yamhill River may very well trigger requirements for stormwater quality treatment, mitigation, etc. If the development team wants to investigation a new storm pipe which discharges into an existing channel or drainage area up on the river bench, such as at the lower end of 2nd Street, this can certainly be explored at the developer's option, and may avoid the state and/or federal permitting triggers associated with a new direct storm outfall into the river.)*

SANITARY *Follow up with City Engineer*

- Any deficiencies in the sanitary main within the existing alley? *(yes.*
 - *It is anticipated that the existing sewer downstream of this development will need to be upsized to handle the flows from the new Hotel (however, until the size of the hotel & total fixture unit counts are available, the amount of oversizing is not clear).*
 - *At least portions of the existing concrete sewer along the alley may be able to be replaced by pipe-bursting, assuming upsizing to a 10" or 12" pipe.*
 - *However, the half block of existing 8" concrete pipe from the lower end of the alley below 1st Street over to the 18" trunk sewer at Ferry Street will need to be replaced by open cut excavation, and will be sized to match the existing 18" sewer being connected to).*

PUBLIC WORKS *Follow up with City Engineer*

- Confirm right of way improvements along 2nd, 3rd, and Ferry including pedestrian corridor section dimensions.
(the following is preliminary only.
 - *The improvement widths along 3rd Street will need to be coordinated with ODOT, since 3rd Street is both an arterial street in Dayton and a state highway, and it will also depend on whether or not a bike lane is required on the development side of 3rd Street as part of the land use approval. The rock & pavement section will also depend on ODOT requirements. Sidewalk width along ODOT roadways are 6 foot minimum.*
 - *Ferry Street will most likely not need to be widened. However, sidewalks will likely need to be replaced to bring them up to ADA & City standards. Sidewalks along City streets are to be 5 foot minimum, unless wider are required due to zoning, CBO or land use approval requirements.*
 - *2nd Street will need to be reconstructed. Full street improvements will likely be required, since the opposite side is already developed, although sidewalks will likely only be required on the development side of the street. The existing 2nd Street at the north end of the property frontage does not meet current vertical sight distance standards per the PWDS, and the crest of the hill at the alley will likely need to be cut down substantially in order to allow the street to be reconstructed and meet sight distance standards. Depending on depth, of the existing sewer main, it may need to be lowered to accommodate the lowering of the 2nd Street crest at the alley. The length of 2nd Street the street north of the alley what will need to be repaved will be determined during the street design, based on where the reconstructed/lowered street will catch back into the existing street grades.)*
- Does 2nd street required curb and sidewalk? How wide should the asphalt drive lane be? *(2nd Street is a local through street, and the curb-to-curb width is anticipated to be 34 feet. Sidewalks on the development side will be required, as well as driveway aprons at any driveways reconnected to in conjunction with the street improvements.)*
- Confirm maximum slopes in driveway aprons. *(Driveway aprons must conform with City standard details, such as Detail 212 thru 213, with the sidewalk portion of the apron being ADA compliant. However, driveway slopes behind the aprons is typically 15%, per PWDS 2.20.1)*
- Confirm design requirements for alley. Asphalt, curb, and sidewalk? Typical dimensions? *(typical commercial alley sections are typically 3" AC over 10" baserock per PWDS 2.12, but the proposed use of semi-trucks may require a thicker rock & pavement section of 4" AC over 12" baserock, per footnote 3. Paved width of alleys in a 20 foot alley ROW is typically 18 feet. Public sidewalks are*

not required along alleys, although private sidewalks can be proposed, located completely or partially within easements.)

- Would it be acceptable to extend pavers at entry drive down through sidewalk on Ferry? *(Using pavers on the driveways on Ferry Street is allowed if desired, although they would not be allowed to extend through the sidewalk, as the sidewalks themselves need to concrete.)*
- Alley slopes down to 2nd Street at 15-25%. Confirm it's acceptable to pave alley and maintain existing grades. *(Yes, the alley can be paved, and paving will be required if used for delivery or maintenance access. However, the alley may need to be reconstructed at the east end in order to accommodate the 2nd Street improvements & lowering discussed above.)*
- Confirm if curb extensions at corners are required. *(If by extensions you mean curb bulbouts, then the use of these at 3rd & Ferry will depend on the wheel track evaluations of design trucks, to ensure that the bulbouts do not inhibit design truck turning radius at the intersection.)*
- Does the City of Dayton require engineer of record site inspections for work in the public ROW? *(Yes, per PWDS 1.15.c)*

LAND USE AND PERMITTING

- Confirm site development review process.

See Section 7.3.106 for Site Development

Review https://dayton.municipalcodeonline.com/book?type=ordinances#name=7.3.106_Site_Development_Review

and Type II procedures in Section 7.3.202.02

https://dayton.municipalcodeonline.com/book?type=ordinances#name=7.3.2_Administrative_Procedures

The Type II process involves a 30 day completeness review period, public notice, a public hearing, and decision by planning commission. The City has 120 days from the date of completeness to issue a decision on the application.

- Is there a point in the process to issue an addendum to the application with further changes, since there is a significant duration of review prior to the hearing? ***The 30-day completeness review may identify the need for revisions to the Site Plan. Once the application is noticed, if any changes are a significant departure from the submitted plan, another noticed may be required. You may choose to respond to any comments received and Planning Commission may request more information as part of the public hearing process.***
- For our written narrative – do you want this to respond item by item to the code sections? ***This is the most effective way for an applicant to ensure that decision makers fully understand the project proposed and to demonstrate that all the approval criteria and standards are met.***
- Confirm permitting process – who reviews what? ***The Planner reviews the Site Development Review application and makes a recommendation to Planning Commission. The City Engineer reviews Public Works Construction Permits. City of Newberg Building Permit Dept. review building permits that are submitted to and issued by Dayton.***
- Confirm frontage improvements along 3rd Street will require a separate ODOT permit application and curb ramp inspections. ***Confirm with Public Works and Brion Scott at ODOT (Brion.SCOTT@odot.oregon.gov). (The design of frontage improvements along 3rd Street will need to be reviewed & approved by both Dayton Public Works & ODOT. While the improvements***

will fall under the Dayton Public Works Type B permit [similar to the project on the opposite corner of the intersection], an ODOT permit for work in the 3rd Street right-of-way will also be required.)

- Can building permit review be concurrent with land use review? ***I wouldn't recommend it because building design will be a major topic of discussion at the public hearing.*** *(while building permits are typically not allowed to be submitted until after the land use approval, submittal & review of building permits concurrently with the civil/site/street/utility construction drawings to be reviewed by Public Works can be allowed, provided the developer assumes responsibility for any changes to the building drawings required due to changes required in the Type B Public Works permit drawings.)*
- What is the process if we need to request waivers to any of the zoning code sections? ***Zoning standards can be modified using the Minor Variance procedure described in Section 7.3.103 or the Major Variance procedure described in Section 7.3.108.05. Site design standards in the CBO can be modified by Planning Commission as described in Section 7.2.111.10.***

FIRE/LIFE SAFETY

- Distributed Antenna System (DAS) – other jurisdictions have allowed our client to pay into a fund in lieu of providing throughout the building. Is this an option in Dayton?

SPECIFIC ZONING CODE QUESTIONS

- 7.2.106.06.C.4 Lot Coverage: *The maximum coverage allowed for buildings, accessory structures and paved parking shall be 90 percent.*
 - Please confirm if driveways with pavers count towards the maximum coverage. ***Driveways do count but the code doesn't address the use of pavers. If necessary, the standard can be modified with a Minor Variance.***

Thank you,

Amy Perenchio

AIA, NCARB

Principal

she/her

ZGF ARCHITECTS LLP

T 503-863-2463 **M** 206-909-5516

E amy.perenchio@zgf.com

1223 SW Washington Street, Suite 200

Portland, OR 97205

zgf.com



[ZGF Email Disclaimer](#)

EXHIBIT C



NOTICE OF INCOMPLETENESS

SDR 2025-01

Date: May 8, 2025

File Numbers: SDR 2025-01

Applicant: Consultant - Amy Perenchio, AIA, NCARB
ZGF Architects, LLP
1223 SW Washington Street, Suite 200
Portland, OR 97205

Owner: Twin Towers, LLC
7401 SW Washco Ct. Suite 200
Tualatin, OR 97062

Request: Site Development Review of a 5-story hotel with 105,000 gross square feet, 118 rooms, and associated amenities such as a restaurant and cocktail bar.

Property:

<u>Taxlot</u>	<u>Size</u>
4 3 17 DA 3001	36,057 Square Feet

Zoning: Commercial (C)
Central Business Area Overlay Zone (CBO)

Surrounding Zoning: North: Commercial Residential (CR)
South: Public ROW, Commercial, Commercial Residential
East: Public ROW, Residential (R-2)
West: Public

Criteria: **Dayton Land Use and Development Code (DLUDC)**

Section 7.3.106:	Site Development Review
Section 7.3.103:	Minor Variance
Section 7.3.108:	Major Variance
Section 7.2.106:	Commercial (C)
Section 7.2.111:	Central Business Area Overlay Zone (CBO)

On April 23rd, 2025, the City of Dayton received your application for Site Development Review (City File SDR 2025-01) of a 118-room, full-service hotel building proposed to provide 105,000 gross square feet of floor area, five stories, and a comprehensive array of amenities, including a restaurant, cocktail bar, wine library, spa, rooftop pool, and street-facing arcade along 3rd and Ferry Streets.

As described in ORS 227.178, the city has 30 days to review the application for completeness and notify the applicant in writing of what information is missing. The application has been deemed incomplete as of the date of this letter. The primary purpose of this letter is to identify the items necessary for the city to deem the application complete and thereby begin review as described under ORS 227.178(2). The letter also identifies elements of the application that inadequately respond to applicable approval criteria and standards that could be the basis for denial if they are not corrected in the applicant's response.

ORS 227.178(2) also describes the actions the applicant can take to make the application complete, and allow the City to begin review of the application. The application shall be deemed complete upon receipt of the following:

1. All of the missing information;
2. Some of the missing information and written notice from the applicant that no other information will be provided; or
3. Written notice from the applicant that none of the missing information will be provided.

Failure to provide any required item may result in an application that does not include information necessary to support approval.

The following information is required to complete the above-referenced application:

Site Development Review Submittal Requirements

1. A parking plan is required to meet the submittal requirement described in [DLUDC 7.3.106.05.C](#), and to meet the approval criteria for Site Development Review described in [DLUDC 7.3.106.06.A, B, C, and E](#). The application states that the project will use temporary parking until a solution for permanent parking is found. The temporary parking plan needs to be included in the application and needs to meet all the same criteria and standards as permanent parking. Further, the response to [DLUDC 7.3.106.06.E](#) needs to analyze the adverse impacts of the parking plan and identify measures to minimize those impacts
2. If the temporary parking plan involves public or private off-site facilities, those facilities and all proposed structures, roadway access, adjacent roads, bikeways, pedestrian facilities, public or private, that serve those facilities need to be included in the application as described in [DLUDC 7.3.106.05.B](#).
3. The written narrative needs to include responses to the approval criteria for Site Development Review listed in [DLUDC 7.3.106.06](#). The parking plan has high potential for generating adverse off-site impacts. Those impacts will either need to be avoided or minimized to meet criterion [7.3.106.06.E](#).
4. All narrative responses to parking standards and related approval criteria need to be revised to demonstrate how the temporary parking plan complies with those standards and criteria. Conclusionary responses are insufficient to demonstrate that these standards are met. The responses show that a number of other criteria are not met and will require some combination of Minor Variances, Major Variances, modification of design standards, or interpretations from the Planning Commission to support approval. In all these instances, the narrative needs to be updated to include support for each one of these requests.

Variances

There are a number of responses that describe how various standards and criteria are not being met and variances are requested. The DLUDC describes three options for requesting variances to applicable standards for this application. Those options include the Minor Variance application as described in [DLUDC 7.3.103](#), the Major Variance application as described in [DLUDC 7.3.108](#), and the Modification of Site Design Standards described in [DLUDC 7.2.111.10](#). Minor Variance can be approved administratively without a public hearing. Major Variances and modifications to the design standards under [Section 7.2.111.10](#) will require a public hearing before planning commission.

5. A Minor Variance application is required for requests that involve no more than a 10% change in a quantifiable standard. If this applies to any of the requests, submit the required application form, fee, and responses to the approval criteria described in [DLUDC 7.3.103.05](#) to document that the approval criteria are met by the request.

6. A Major Variance application is required for requests that involve more than a 10% change in a quantifiable standard. If this situation applies to any of the requests, submit the required application form, fee, and responses to the approval criteria described in [DLUDC 7.3.108.05](#) to document that the approval criteria are met by the request. Please be aware that major variances can only be approved in situations where there are extraordinary circumstances that apply to the land where minimum relief is needed to allow the property owner reasonable use of the property that wouldn't otherwise be allowed without the variance. Criterion [7.3.108.05.A](#) specifically states that adverse economic impact shall not be considered an unreasonable hardship or practical difficulty for justifying a major variance. Criterion [7.3.108.05.G](#) describes how the variance cannot be the result of a deliberate action or knowing violation on the part of an applicant. Most variances are requested because applicants are either trying to develop a site a greater intensity than the site can support or they just have made certain design choices that don't comply with the code. Major Variances don't apply to these situations.
7. If modifications are requested under Section [7.2.111.10](#), the application needs to include responses to those criteria that demonstrate that the approval criteria are met and Planning Commission can approve the request. It doesn't appear that 7.2.111.10.A.2 or 3 apply to the project. The application will need to include sufficient evidence to demonstrate that that are unique conditions to the site that require modification of any standards. The standards that are not being met appear to be the result of design choices unrelated to any unique conditions of the site.

There are other examples in the application where compliance with various requirements depend on favorable interpretation of terms that are not otherwise defined in the development code. These cases will require the interpretation of Planning Commission.

More detailed input on specific standards are provided below.

APPLICABLE APPROVAL CRITERIA

The applicant has the burden to demonstrate compliance with approval criteria and applicable standards. Approval criteria for Site Development Review are described in Section 7.3.106 of the Dayton Land Use and Development Code. [Section 7.3.106](#) explains the applicant's responsibility to submit a complete application which addresses the approval criteria. This section includes preliminary staff input on applicable approval criteria and standards that may not be met in the application as submitted, and could be the basis for denial of the application. This input is provided for the benefit of the applicant, and in no way should be interpreted as a finding that any applicable approval criterion is met or not met. The substantive review of the application will not begin until the application is complete. Applicable criteria and standards are included in *italics* followed by staff input on various issues with the applicant's responses to those criteria and standards and how they could affect the approvability of the application.

7.3.106.06 Site Development Plan Approval Criteria

An application for Site Development Review shall be approved if the proposal meets all of the following criteria. The City Planning Official, in approving the application, may impose reasonable conditions of approval, consistent with the applicable criteria.

A. The application is complete, in accordance with Section 7.3.106.05, above.

Planning Input: As discussed under the completeness evaluation above, the application does not include all the required submittal requirements for the application to be deemed complete as submitted.

[ORS 227.178\(2\)](#) describes the actions the applicant can take to make the application complete, and allow the City to begin review of the application. The application shall be deemed complete upon receipt of the following:

1. All of the missing information;

2. Some of the missing information and written notice from the applicant that no other information will be provided; or
3. Written notice from the applicant that none of the missing information will be provided.

- B. The application complies with all of the applicable provisions of the underlying zone, including, but not limited to, building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards;**
- C. The application complies with the applicable General Development Provisions of Section 7.2.2 and the General Development Standards in Section 7.2.3;**

Planning Input: The project is within the Commercial Zone and the CBO districts. With a few exceptions, the CBO design standards generally supersede the standards in the Commercial Zone. The some of the applicable standards are discussed in detail below.

7.2.111 Central Business Area Overlay Zone(CBO)

7.2.111.04 Dimensional Standards

Table 7.2.111.04 – Central Business Area Overlay Zone Dimensional Standards	
Minimum Lot Area	None
Minimum Front/Street Side Yards	No front or streetside setback is allowed. Exceptions to the setback requirements may be granted to allow for a pedestrian plaza, courtyard, dining space, landscaping, or similar purpose.
Minimum Rear Yard	None
Minimum Side Yard	None
Maximum Structure Height*	45 feet maximum building height; or 55 feet with height bonus, subject to subsection 7.2.111.06. Except for the properties identified in subsection 7.2.111.06.D, where the maximum building height shall be 55 feet; or 65 feet with height bonus.
Setback from Residential Zones	Buildings shall be setback a minimum of 10 feet from R-1, R-2, and R-3 zoned properties. The minimum setback shall increase by one foot for each one foot of building height over 35 feet.

Planning Input: The application describes the setback requirements are met as follows:

The building meets the front/street side yard setback requirement on the 2nd and 3rd streets sides. On Ferry street, the building steps back to allow for a welcome plaza. This space is utilized for pedestrian and vehicular entry to the site and will be enhanced through specialty paving and additional landscaping. Please reference **Exhibit 3.12** and **Drawings A2.01** and **L1.01**.

Exhibit 3.12 and drawing A2.01 do not show any evidence that the welcome plaza provides a pedestrian plaza, courtyard, or dining space. Planning commission will need to find that the welcome plaza satisfies the “similar purpose” element of the standard to allow the larger setback. Staff also observe that Section 7.2.111.05 prohibits off-street parking and loading areas placed between building entrances and the street to which they are oriented. The standard is not met as submitted and will require an interpretation of the Planning Commission to find the standard is met.

Planning encourages the applicant to provide substantive support to the interpretation they would like the Planning Commission to consider.

7.2.111.05 Building Orientation

New buildings shall comply with the following standards:

A. *The building shall comply with the dimensional standards in subsection 7.2.111.04.*

Planning Input: Comments in response to subsection 7.2.111.04 above discuss how the maximum setback requirement does not meet the standards as submitted and relies on a favorable interpretation of Planning Commission to allow the maximum setback requirement to be enlarged to accommodate the loading area within the welcome plaza. Dimensional requirements related to the height exception are discussed under Section 7.2.111.06 - Building Height Bonus.

(...)

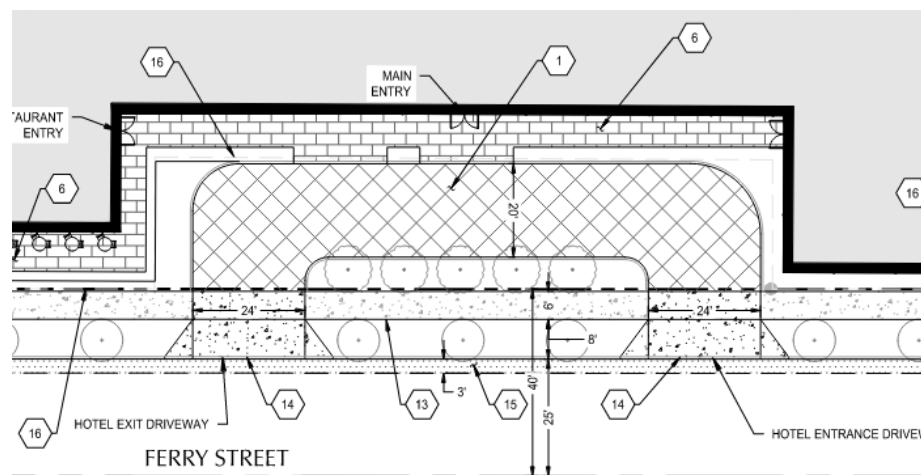
D. *Off-street parking and loading areas shall not be required within the Central Business Area. Off-street parking, loading areas, trash pick-up, and above ground utilities, including but not limited to utility vaults and propane tanks, shall not be placed between building entrances and the street(s) to which they are oriented, but shall be oriented internally to the block, screened, and accessed by alleys to the extent practicable.*

Planning Input: The applicant provided the following response:

The loading dock and loading dock entrance is located off of the alley to the north of the building. Trash will be stored inside of the building in the loading dock and trash pick-up will be off of the alley. Utilities and utility entry points into the building are off of the alley and screened as necessary.

The applicant did not respond to the element of the standard prohibiting the placement of off-street parking and loading areas between building entrances and the street or how the loading area proposed between the building entrance and the street meets the standard.

The application illustrates how the guest loading and unloading area is placed between a building entrance and the street...



The standard can be met by moving the main entry to a location that does not result in the loading area between the entrance and the street.

- C. *Where off-street parking is provided, it shall conform to the dimensional standards and landscape standards of Section 7.2.303.*

Planning Input: The response states that off-street parking is not provided on site. Elsewhere in the application, planning observes the applicant presents the following facts related to parking:

1. Parking will be provided
2. Parking will not be provided on site
3. “Temporary” parking will be provided off-site
4. Parking will meet the requirements in 7.2.303
5. No parking plan was submitted showing where parking will be provided or that it meets the requirement under Section 7.2.303

DLUDC 7.2.303.04 explains that in a non-residential zone, the parking area may be located off the site of the main building, structure or use if it is within 500 feet of such site. To meet the standard the applicant needs to include information showing that the parking plan conforms to the dimensional standards and landscape standards of Section 7.2.303. – including any plan for “temporary parking”.

(...)

- G. *Buildings on corner lots shall have a corner entrance not more than 20 feet from the corner of the building and contain architectural features that emphasize the corner (e.g., chamfered/rounded edge, windows, molding, art).*

Planning Input: The applicant provided the following response:

There is an entrance at the south side of the restaurant which is 32'-11 3/4" from the corner of the building. The location is set because of the sloped grading of the site and the need for the entrance to be at grade with the finish floor elevation of the interior for egress and ADA compliance. The doors also align with the center of the arched trellis beyond which signify the entrance. The corner is emphasized through a planted trellis arcade that wraps the ground floor and provides shelter for diners sitting outside. **Exhibit 3.12** shows the location of this entrance.

A minor variance is requested due to constraint of site.

Minor Variances may be approved for requests resulting in no more than a 10% change in a quantifiable standard. The request involves a change to a quantifiable standard of more than 60%. The request is not eligible for a Minor Variance. Planning is skeptical that the request can meet the approval criteria for a Major Variance including 7.3.108.05.G, which requires the applicant to provide evidence that the variance is not the result of a deliberate action on the part of the applicant. The placement of the entrance appears to be a design choice by the applicant. Planning Commission will make the final decision.

Planning is also skeptical that the placement of the arched trellis is an acceptable architectural feature that emphasizes the corner of the building. The arched trellis is a feature that is included along the majority of both street frontages with no particular

attention given the corner of the building. Further, the artistic rendering provided by the applicant shows that the corner of the of the building is substantially obscured by the planted trellis and deemphasizes the corner. Compliance will be subject to Planning Commission interpretation.



DR Application

7.2.111.06 Building Height Bonus

The following standards are intended to support the urban design objectives for downtown and facilitate mixed-use development through increased building height, while protecting the historic integrity of downtown buildings. All the standards in this section must be met for approval of a building height bonus:

The maximum allowable height may be increased from 45 feet to 55 feet when the standards under this section are met.

The portion of the building exceeding 45 feet shall cover not more than 50 percent of the building floor plate, as defined by the building foundation perimeter. Except the portion of the building subject to the height bonus may exceed 50 percent of the building floor plate for a mixed-use building that includes multifamily dwelling units or overnight accommodations above the ground floor.

The portion of the building exceeding 45 feet shall step-back from (recess behind) the building plane of the ground floor by one foot for each foot of building height above 45 feet.

Special Design Requirements. Due to the unique location of the properties at the corner of Ferry Street (OR 155) and Third Street (OR 221), the following height standards shall apply to the properties fronting the north side of Ferry Street, between Second and Third Streets:

Building Height. 55 feet maximum building height. The maximum building height may be increased to 65 feet when the standards in subsection 2 and 3 are met.

The portion of the building exceeding 55 feet shall cover not more than 50 percent of the building floor plate, as defined by the building foundation perimeter. Except the portion of the building subject to the height bonus may exceed 50 percent of the building floor plate for a mixed-use building that includes multifamily dwelling units or overnight accommodations above the ground floor.

The portion of the building exceeding 55 feet shall step-back from (recess behind) the building plane of the ground floor by one foot for each foot of building height above 55 feet.

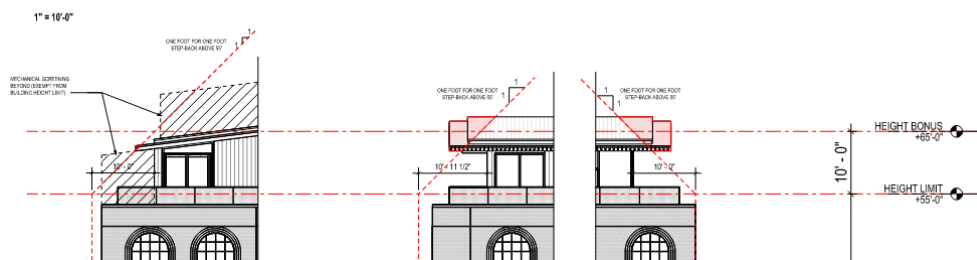
Planning Input: The applicant provided the following response:

The walls of the building on Level 5 step back from the building plane of the ground floor by at least 10'-0". However, the step-back includes a roof eave. The eave occurs on the north, east and west elevations. Please reference **Exhibit 3.16** illustrating this.

A minor variance is requested.

Exhibit 3.16 illustrates the step back as follows

STEP BACK DIAGRAM



Adjusting the step back requirement to accommodate the roof eave requires a Minor Variance application if the request adjusts the standard by no more than 10%. Planning staff observe that Criterion 7.3.103.05.A requires that the development satisfy the intent and purpose of the provision being varied. The intent and purpose of the standard is to mitigate the negative impact of the height of building. The step back provision is to ensure the portion of the building exceeding 55 feet shall step-back from (recess behind) the building plane of the ground floor by one foot for each foot of building height above 55 feet to mitigate the impacts of building built above 55 feet on this particular property. The provision was created by stakeholders, residents, Planning Commission, and City Council with the specific goal of mitigating the impacts of the height, mass and bulk of the particular building that was anticipated in this application.

Regarding the mechanical screening, DLUDC Section 7.2.202.01 reads as follows:

7.2.202.01 Building Height Limitations

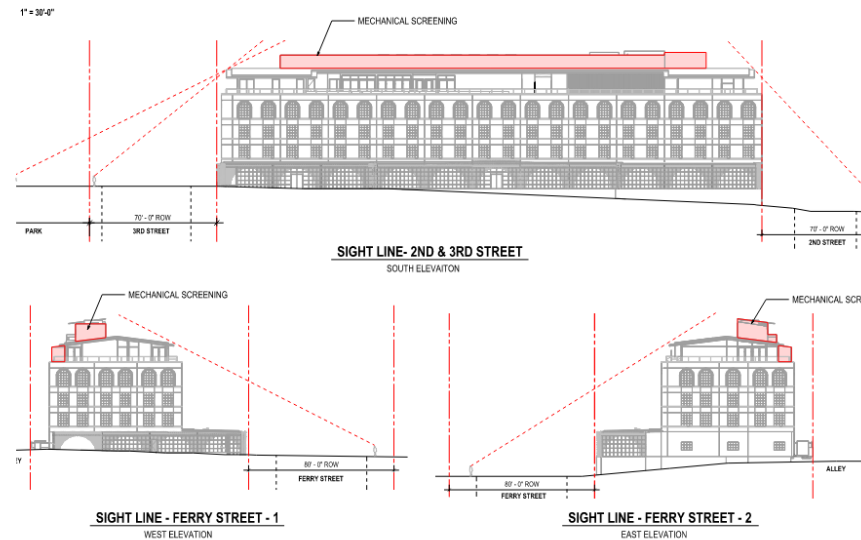
Projections above the maximum building height. The following structures may project above the maximum building height:

- A. Architectural features such as chimneys, spires, domes, towers, antenna, flagpoles, and other similar features not used for human occupancy.
- B. Rooftop mechanical equipment such as heating, ventilation, and air conditioning (HVAC) equipment, solar energy systems, mini wireless communication facilities, and elevator shaft housing

DLUDC does not exempt mechanical equipment screening from building height limitations.

Further, the mechanical screening exhibit shows that the screening is not needed to meet Section 7.2.111.07.G. because it is not visible to a person standing within an adjacent, at-grade public right of way, park, or open space.

MECHANICAL SCREENING



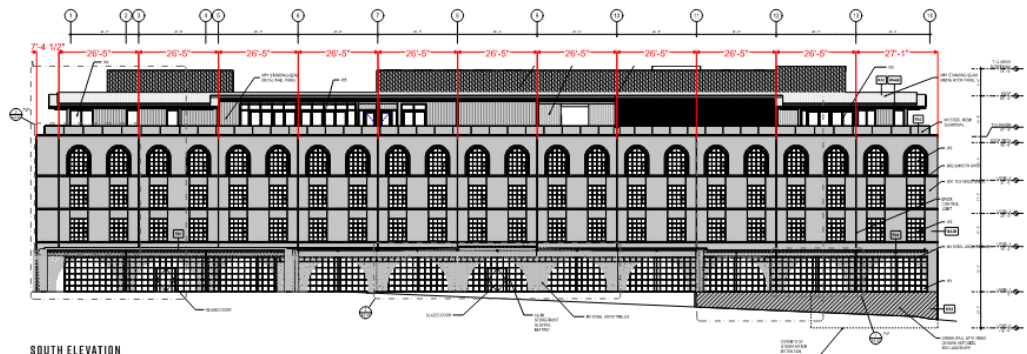
7.2.111.07 Building Design

- A. *Horizontal Articulation. Buildings more than 60 feet wide facing a street or plaza shall be visually divided into proportional bays similar in scale to historic building patterns and the historic lot widths of the Dayton Town Plat. Front elevations should be articulated (e.g., offset, recess, projection, or similar "break" in the wall plane) not less than once every 30 feet. Acceptable methods to satisfy the standard include offsets in a building elevation, roofline and/or the placement of windows, pilasters, awnings/canopies, trim, art/medallions, or other detailing and ornamentation. Changes in paint color do not satisfy this standard.*

Planning Input: The applicant states that the standard is met with vertical control joints in the masonry structure.

Vertical control joints are provided in the brick every 26'-5". The arches on the ground floor align with this module. Please reference **Exhibit 3.17** for an elevation showing this.

HORIZONTAL ARTICULATION



Vertical control joints are a structural engineering component typically used in poured concrete and masonry walls to control cracking associated with expanding and shrinking due to temperature changes. Vertical control joints are not listed as an acceptable architectural feature that can be used to meet the standard. The question of whether or not a vertical control joint is an acceptable method for providing the required break in the horizontal wall plane will be subject to Planning Commission interpretation.

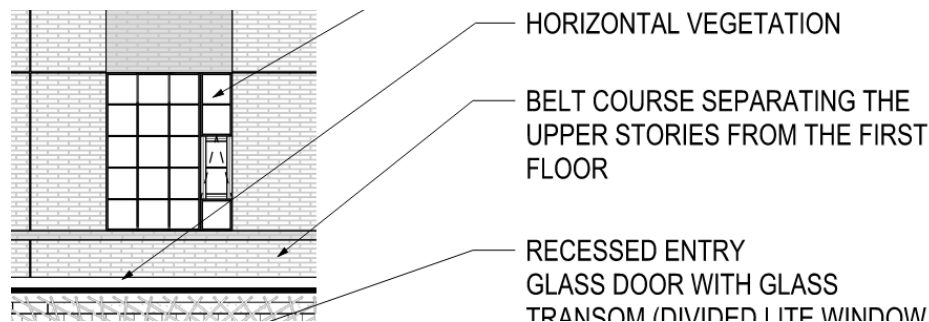
There are dozens of readily accessible examples of buildings throughout the state and the region that use approvable offsets, recesses, and projections to provide horizontal articulation to meet similar design requirements.

(...)

C. Storefronts (that portion of the building that faces a public street) shall include the following basic features of a historic storefront:

1. A belt course separating the upper stories from the first floor;

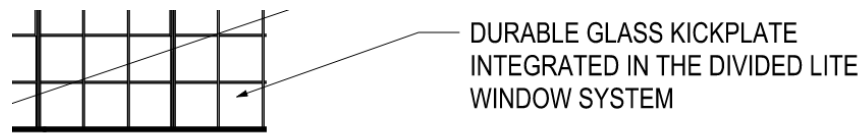
Planning Input: The applicant's response references the following drawing claiming to show showing a belt course...



The area of the façade labeled as a belt course appears to use the same finish as the rest of the upper stories and does not provide any particular separation between the ground floor and upper stories of the building. Planning Commission will need to provide an interpretation of “belt course” to find the standard is met.

2. A bulkhead or kickplate at the street level;

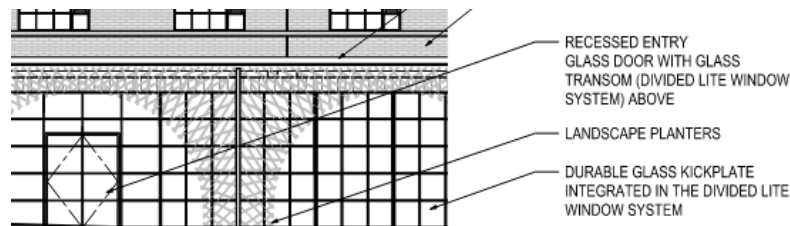
Planning Input: The applicant labels and illustrates a kickplate as follows...



The applicant's plans appear to label the bottom panel of glass as a kickplate without any further explanation. Bulkheads and kickplates are specified in the standard to define the base of the building's first floor. Planning commission will need to provide an interpretation of "kickplate" to find the standard can be met with glass window panes within a divided lite window system.

3. *A recessed entry and transom with transparent door; and*

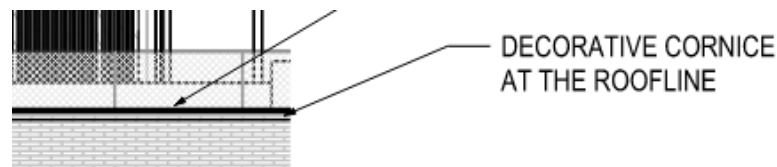
Planning Input: The applicant labels and illustrates a recessed entry and transom as follows...



The illustration does not clearly depict a recessed entry or transom. Compliance with the standard will depend on Planning Commission's interpretation of these terms. Planning staff encourage the applicant to provide definitions for these terms that the Planning Commission can concur with to facilitate approval.

4. *Decorative cornice or cap at the roofline.*

Planning Input: The applicant labels and illustrates a decorative cornice at the roofline as follows...



The illustration does not show a decorative cornice. A decorative cornice needs to be added to plans meet the standard.

D. *Pedestrian Shelters. Awnings, canopies, recesses or similar pedestrian shelters shall be provided along at least 60 percent of a building's ground floor elevation(s) where the building abuts a sidewalk or civic space (e.g., plaza).*

5. *Pedestrian shelters used to meet the above standard shall extend at least 5 feet over the pedestrian area, be proportionate to the building in its dimensions, and not obscure the building's architectural details.*

Planning Input: Planning Staff have noted that required architectural elements are either not clearly provided, or require some degree of interpretation by Planning Commission to find they are provided. Nevertheless, Planning observes that the arcade appears to obscure the area of the building where these architectural details are required...



Staff also observes that the entrance does not appear to be recessed as claimed in previous responses.

(...)

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

Planning Input: The parking plan – or lack of a parking plan as the case may be – has the potential to create significant adverse impacts to adjacent properties that will need to be avoided and minimized as required under this criterion. The application currently describes parking demand of 139 vehicles under relevant development standards. The CBO does not impose a minimum parking requirement. Nevertheless, if the hotel is as successful as the proponents of the project claim it will be, there will be substantial demand for parking, and the adverse impact resulting from that demand need to be avoided and minimized. Potential adverse impacts include, but may not be limited to noise, dust, drainage issues on sites should they be underdeveloped to serve the anticipated parking demand. Impacts on traffic circulation and pedestrian connectivity between the parking areas and the hotel site area also need to be addressed under this criterion. If the project does not include clean, safe convenient parking for employees and guests, the most likely scenario is the guests and employees will use on street parking in the adjacent residential neighborhood and in the CBO which creates substantial adverse impacts to the livability of the residential neighborhood, the availability of on street parking for patrons of existing downtown business, and the availability of street parking for visitors to major community attractions such as Courthouse Square Park.

The application should include thorough and robust responses to these issues and include the relevant supporting exhibits for the application to be approvable by Planning Commission, withstand public scrutiny, and to stand up to appeal.

Finally, please remove the interior property lines from sheets C1.00, C2.00, and EC1.10 that were vacated by PLA 2023-07 and remove all the Zone Change materials from the application.

PROCESS

Site Development Review is a [Type I administrative review](#) involving clear and objective standards that allow little to no discretion. Type I applications follow a limited land use process where notice is provided to property owners within 200 feet of the subject property and can be appealed to Planning Commission.

When applications are combined, the entire application will follow the highest order procedure required by the applications submitted. For example, a Major Variance is a [Type II application](#) that follows a quasi-judicial procedure decided by Planning Commission at a noticed public hearing.

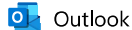
Modification to any design standards in the CBO also require Planning Commission to determine such modifications meet the criteria described in Section 7.2.111.10. The submitted application includes a number of other instances that rely on favorable interpretation of various terms to find compliance with applicable criteria. These interpretations will also require a hearing before Planning Commission.

OPTIONS FOR APPLICANT

ORS 227.178(2) describes the actions the applicant can take to make the application complete, and allow the City to begin review of the application. The application shall be deemed complete upon receipt of the following:

1. All of the missing information;
2. Some of the missing information and written notice from the applicant that no other information will be provided; or
3. Written notice from the applicant that none of the missing information will be provided.

Failure to provide any required item may result in an application that does not include information necessary to support approval.



RE: Dayton Hotel SDR Application

From Perenchio, Amy <amy.perenchio@zgf.com>

Date Tue 7/1/2025 4:44 PM

To Curt Fisher <cfisher@MWVCOG.ORG>

Cc Steve Scott <steve.scott@mcminnvilleproperties.com>; 'Jeremy Caudle' <jcaudle@daytonoregon.gov>; Rocio Vargas <rvargas@daytonoregon.gov>

Hi Curt, thanks for your clarification. I'm sorry if this wasn't clear in my last response, but per our client's direction, please deem our most recent response as complete.

Thank you,

Amy Perenchio ZGF ARCHITECTS LLP
 AIA, NCARB T 503-863-2463 M 206-909-5516
 Principal E amy.perenchio@zgf.com
 she/her 1223 SW Washington Street, Suite 200
 Portland, OR 97205
zgf.com
  

From: Curt Fisher <cfisher@MWVCOG.ORG>

Sent: Friday, June 27, 2025 12:20 PM

To: Perenchio, Amy <amy.perenchio@zgf.com>

Cc: Steve Scott <steve.scott@mcminnvilleproperties.com>; 'Jeremy Caudle' <jcaudle@daytonoregon.gov>; Rocio Vargas <rvargas@daytonoregon.gov>

Subject: RE: Dayton Hotel SDR Application

EXTERNAL

Amy,

The 120-day rule is explained in ORS 227.178(1)

Except as provided in subsections (3), (5) and (11) of this section, the governing body of a city or its designee shall take final action on an application for a permit, limited land use decision or zone change, including resolution of all appeals under [ORS 227.180 \(Review of action on permit application\)](#), within 120 days after the application is deemed complete.

The 120-day period will start when you provide the written notice under ORS 227.178(2)(b) or (c) that no other information will be provided:

- (2) If an application for a permit, limited land use decision or zone change is incomplete, the governing body or its designee shall notify the applicant in writing of exactly what information is missing within 30 days of receipt of the application and allow the applicant to submit the missing information. The application shall be deemed complete for the purpose of subsection (1) of this section or upon receipt by the governing body or its designee of:*
- (a) All of the missing information;*
 - (b) Some of the missing information and written notice from the applicant that no other information will be provided; or*
 - (c) Written notice from the applicant that none of the missing information will be provided.*

You can interpret "receipt" and meaning receipt of a complete application. You are entitled use ORS 227.178 to force the application to be deemed complete at any time. With the understanding that incomplete information can be the basis for denial or grounds for appeal.

These are the steps in the review process:

1. Notice of the application will be sent out to all property owner within a 200-foot radius of the project area, City Departments, and other affected public agencies.
2. The notice will include instructions for obtaining the application, submitting written testimony to be included in the staff report to Planning Commission, and submitting oral testimony at the public hearing.
3. The information received from the public and affected agencies will be incorporated into the staff report to planning commission. The staff report will be available at least 7 days before the public hearing.
4. The public hearing generally proceeds as follows:
 - a. Staff presentation of the staff report
 - b. Presentation by the applicant
 - c. Testimony from the public
 - d. Rebuttal from the applicant
 - e. Planning Commission deliberation
 - f. Motion to make a decision on the application or continue the hearing.
5. Notice of the Planning Commission is mailed to the applicant and anyone submitting testimony.
6. Parties have 15 days from the date the decision is mailed to file an appeal to City Council
7. Hearing before City Council is scheduled and follows the same decision steps as for Planning Commission.

This entire process needs to be completed within 120 days of completeness. I anticipate the Planning Commission and City Council will need nearly all this time to reach a final decision on this application based on the following:

- The application challenges several policy decisions that City Council made regarding the standards that apply to this site when they adopted them in 2023.
- The hearing will require the Planning Commission to revisit these policy decisions under the public scrutiny during the public hearing process.
- The application presents credible grounds for appeal on a number of these policy issues.
- If Planning Commission does choose to accept the policy compromises requested in the application, they will need to continue the hearing to deliberate and craft legally defensible findings that they are comfortable can withstand an appeal.

These are the policies that City Council implemented in the CBO based on the work performed by the Technical Advisory Committee (TAC), and as recommended by Planning Commission that Planning Commission will need revisit in this hearing...

- Zero building setbacks for buildings fronting streets. Implemented by Table 7.2.111.04 and 7.2.111.05.D
- Corner emphasis 3rd and Ferry that recognizes 221 as a significant gateway to downtown. Implemented by 7.2.111.05.
- Building height step back requirement for buildings exceeding 55 feet in height. Implemented by 7.2.111.06 specifically for this project. The application challenges this policy by extending the northern wall over 55 feet with "screening" that creates the exact outcome the TAC sought to avoid when creating the step-back requirement.
- Horizontal articulation requirements to mitigate the impact of large buildings. Specifically intended for this project and implemented by 7.2.111.07. It is unclear whether the 1 3/8 inch recess proposed is acceptable to PC or legally defensible.
- The required storefront elements described in 7.2.111.07.C intended to ensure that basic facade elements characteristic of the historic store fronts of the Merchant Blocks (Ferry between 3rd and 4th) are included in future development throughout the district.

While not a criterion intended to apply specifically to this site, 7.3.106.06.E. requires you mitigate adverse impacts to adjacent properties. The plan to provide parking off-site creates adverse impacts to adjacent properties and the application doesn't acknowledge these impacts or minimize them.

Even if they do want to walk back these policy decisions to accommodate this iteration of the project and all its flaws they still need to support their decision with legally defensible findings. The project as designed presents multiple, credible, legitimate opportunities to appeal PC's decision.

If opposition does emerge, it is likely to fall into three categories:

1. General NIMBYism, gentrification, and resistance to the future the project represents for Dayton. Members of this group will be looking for any opening to oppose and obstruct the project.
2. Opposition to the height and bulk of the building. Members of this group reflect the consensus of the TAC and will be focused on the height variance, the variance for the step back encroachment, the lack of building articulation, the omission of the required storefront elements, and the intent of the TAC for creating and recommending these standards.
3. Opposition based on parking impacts. Basis for appeal would be the absence of evidence in the record to find compliance with 7.3.106.06.E.

I hope this effectively communicates my concerns about the project.

Finally, you ask what typically happens in the 60 days following the completeness determination. My typical experience on the private side advising applicants on similar projects across the state is that we were able to get projects approved, at the staff level, without a public hearing, in or around 60 days following completeness. To achieve that outcome, I would provide the standards to the architect prior to the pre-app, review the pre-app submittal for compliance, bring any outstanding issues forward at the pre-app, that may need to be cleaned up in the submitted application so that the submitted application meets applicable standards outright and is protected from any threat of appeal.

Given the modest requirements in the Dayton CBO, my expectation for this project was that it would follow a similar path. And it still could, if the team is willing to take a step back and address the above issues. Instead of approaching the CBO requirements as a regulatory annoyance, it might help the team to embrace them as a tool that creates the opportunity for a comparatively quick and predictable approval that is protected from an appeal and avoids the long, complex, risky, and uncertain outcome of the current path.

I hope you find this helpful with whatever path you choose.

Regards,

Curt Fisher, AICP
Associate Planner

MWVCOG
100 High Street, Suite 200
Salem OR 97302
503-540-1616 | Cfisher@MWVCOG.org
Pronouns: he/him



From: Perenchio, Amy <amy.perenchio@zgfc.com>
Sent: Wednesday, June 25, 2025 5:07 PM
To: Curt Fisher <Cfisher@MWVCOG.ORG>

Cc: Steve Scott <steve.scott@mcminnvilleproperties.com>; 'Jeremy Caudle' <jcaudle@daytonoregon.gov>; Rocio Vargas <rvargas@daytonoregon.gov>
 Subject: RE: Dayton Hotel SDR Application

Hi Curt, Thanks for your review. After looking over the details, I had a couple of questions I am hoping you could help clarify.

- We're hoping you can help us better understand how the full 120-day review period is applied in this case. Could you walk us through what typically occurs during time?
- In reviewing Dayton Code section 7.3.205.01.A, it states that the initial public hearing should be scheduled "within 60 days of receipt of an application." Should we interpret "receipt" as the date the application was submitted, or does it refer to the date the application is deemed complete?
- We'd appreciate some insight into what typically happens during the 60 days following the initial public hearing, just so we can better anticipate the next steps and ensure alignment moving forward.
- We also noticed references to both the Dayton Municipal Code and the ORS sections. Would you be able to clarify how these two sets of regulations interact? For example, does one take precedence over the other in specific situations?

For the other items, please see below for our response to your comments in [blue](#).

We appreciate your time and look forward to continuing to work together to find solutions that support both the City's goals and our client's vision.

Best,

Amy Perenchio ZGF ARCHITECTS LLP
 AIA, NCARB T 503-863-2463 M 206-909-5516
 Principal E amy.perenchio@zgf.com
 she/her 1223 SW Washington Street, Suite 200
 Portland, OR 97205
zgf.com
  

From: Curt Fisher <cfisher@MWVCOG.ORG>
Sent: Wednesday, June 11, 2025 11:26 AM
To: Perenchio, Amy <amy.perenchio@zgf.com>
Cc: Steve Scott <steve.scott@mcminnvilleproperties.com>; 'Jeremy Caudle' <jcaudle@daytonoregon.gov>
Subject: RE: Dayton Hotel SDR Application

EXTERNAL

Hi Amy,

Thank you for your most recent submittal.

With this submittal, the outstanding requirements now missing from the application are the narrative responses in support of the Minor Variance applications that present the evidence that the approval criteria for both minor variances are met. The submitted Minor Variance application responds to the Major Variance approval criteria in Section 7.3.108.05 but does not respond to the approval criteria for Minor Variances in [Section 7.3.103.05](#). It appears that two minor variances are requested – one to the step back requirement necessary to qualify for the 65 foot height bonus, and a second variance to the 65 foot bonus height limit.

Our building complies with the 65-foot height limit, and per code section 7.2.202.01.B, mechanical equipment is permitted to extend above the maximum building height. We also understand that such equipment must be screened as outlined in 7.2.111.07.G, and we have designed accordingly. We submitted the variance request based on your initial guidance, and we want to ensure we're fully aligned with the code's intent. We'd appreciate the opportunity to work together on this to avoid any unnecessary delays caused by submitting an additional variance request, so we can keep the project moving forward efficiently.

We have revised our variance request for this item to respond to the approval criteria for the Minor Variance per 7.3.103.05 on Exhibit MV 2.01.

Criterion A will require the most robust response:

7.3.103.05 Criteria And Procedure

Staff may grant a minor variance in accordance with the Type I review procedures. Approval of a minor variance shall require compliance

- A. The intent and purpose behind the specific provision being varied is either clearly inapplicable under the circumstances; or otherwise clearly satisfies the intent and purpose of the provision being varied.**

The intent and purpose of the height is to limit overall building height on this property to 65 feet when the step-back requirements are met for portions of the building that exceed 55 feet. The code relies on architectural design tools such as step back requirements and horizontal articulation to mitigate the impacts of tall and bulky buildings. So if quantitative standards are not met, the minor variance creates the opportunity to satisfy the intent and purpose of the height limits by adding more vertical and horizontal articulation to mitigate the increase in height. The application already includes evidence that the rooftop equipment is out of sight from the public right of way. So that variance seems supported. The screening structure within the northern step back the one that will draw the most scrutiny because it compromises the step back area. When the code was updated, the Technical Advisory Committee was unwilling to support increasing the overall height in the district without the step-back requirements. So if the quantitative requirement is not met, the minor variance provides the opportunity to satisfy the "intent and purpose" by other qualitative mechanisms. The most logical being increasing the horizontal and/or vertical articulation to soften the impacts of the increase in height and bulk.

When the Technical Advisory Committee (TAC) first considered increasing the height limit in the CBO from 30 feet to 65 feet, the TAC opposed that proposal in favor of the height limit implemented in the rest of the district – 45 feet. Eventually, they were willing to accept greater height with the expectation that the adverse effects of the height, bulk, and mass of the building would be mitigated by the vertical step back requirement and the horizontal articulation requirements. And they were only willing to accept the 65-foot height on this site only. The high-level takeaway from those TAC meetings is that there are strong opinions and

concerns about the height and bulk of this building and those are the folks who will be paying close attention to this variance. It will be up to Planning Commission to decide whether or not the proposal is an acceptable implementation of the policy decisions the City made when writing the code.

The Major Variance to 7.2.111.05.G doesn't appear to be approvable because the evidence provided in the application shows that approval criteria 7.3.108.05.A., B, D, and G are not met. The existing slope across the site is characteristic of numerous properties across the district that slope toward the Yamhill River, the grading shows that those constraints have been overcome to allow for reasonable use of the property, the 6 inch differential between the FFE of the restaurant and the FFE of the outdoor seating are the result of the engineered finish grades, the distance between the entrance and the corner of the building are the result of the planned location of the corner of the building as much as the chosen location. All of which are deliberate actions (7.3.108.05.G) that are under your control. Further, ADA requires that at least 60 percent of entrance are accessible. The proposed entrance can stay, and an additional entrance can be provided to meet 7.2.111.05.G that does not need to be ADA accessible. However, the 6-inch differential in finished grade seems very manageable with minor revisions to the two finished grades or a simple ramp designed to ADA standards.

We have moved a door to be within 12'-9" of the building corner and no longer require the major variance request for this item. I've updated our response to this item on Exhibit 3.05 to reflect this change. Please also reference the attached for revisions made to Exhibits 3.17 and Drawing A2.01.

The response to 7.2.111.05.D does not address the placement of the vehicle loading area between the main entrance and the street. The intent of 7.2.111.05.D. is a policy decision that the TAC made to discourage and restrict vehicle use area between the street and building within the CBO. All the other model cites that informed the TACs decision include such restriction. The standard is less restrictive than most, because it only applies to the entrance, and not the entire building. The guidance provided at the pre-application meeting still applies. Improve the welcome plaza so that it can be approved as a similar purpose to a pedestrian plaza and move/remove the entrance so that the vehicle loading area is not between the entrance and the street. You did a really nice job of supporting the welcome plaza as a similar purpose to a pedestrian plaza but you still need to provide planning commission with a defensible justification to allow the loading area between the entrance and the street.

We have revised our response to this item on Exhibit 3.05 and have added Exhibit 3.40 showing the location of the passenger loading area is not between the main entrance and the street.

Parking...

The response to 7.3.106.06.E does not address the adverse impacts of the parking proposal. The parking demand (up to 139 spaces) combined with the lack of convenient and secure on-site parking that guests will expect creates potential for adverse impacts to adjacent properties. While relying on valet service to shuttle vehicles to the various off-site parking areas may be part of the solution – a portion of the guests, employees, and visitors are not likely to utilize that service as you would like them to because the on street parking will still be the most attractive and convenient option. If that happens, it will have adverse impacts to residential neighbors, businesses, and the availability of parking for other downtown attractions such as Courthouse Square Park.

A complete response to the parking issue would start with a realistic projection of parking demand based on projected occupancy rates, staffing demands, and employee shifts for the hotel, restaurant, and any of the other services planned that are projected to generate demand for parking spaces. From there you can address the anticipated parking demand with a combination of operational policies that keep the most attractive and convenient spaces available for the highest priority clientele and (presumably) ensure that employees use the most remote and least attractive parking areas to keep public spaces available. The most convincing evidence would come from experience successfully implementing solutions from similar projects that presented similar problems.

As mentioned in our response, the current parking plan is temporary. Twin Towers LLC is actively working with the City of Dayton to develop a more permanent and comprehensive solution. While this may take longer than the current review process allows, we appreciate your patience and understanding as both parties remain firmly committed to finding the right outcome for the City of Dayton.

It is very unusual for an application such as this to go to a public hearing with so many standards and criteria that are either not addressed or unmet. Because of that, when you feel that you have provided the information that you want planning commission to consider, please submit the written notice (email text is fine), as described in ORS 227.178(2) (a) or (b), so that I am confident that you are prepared to proceed.

ORS 227.178(2) also describes the actions the applicant can take to make the application complete, and allow the City to begin review of the application. The application shall be deemed complete upon receipt of the following:

- a. All of the missing information;
- b. Some of the missing information and written notice from the applicant that no other information will be provided; or
- c. Written notice from the applicant that none of the missing information will be provided.

Once that written notice is received, the City will have 120 days from the completeness date to review the application, issue a final decision, and resolve any appeals.

Curt Fisher, AICP
Associate Planner

MWVCOG
100 High Street, Suite 200
Salem OR 97302
503-540-1616 | Cfisher@MWVCOG.org
Pronouns: he/him



From: Perenchio, Amy <amy.perenchio@zgf.com>
Sent: Tuesday, June 10, 2025 5:49 PM
To: Curt Fisher <cfisher@MWVCOG.ORG>
Cc: Steve Scott <steve.scott@mcmminvilleproperties.com>
Subject: Dayton Hotel SDR Application

External: Please report suspicious email to security@wesd.org

Hi Curt, I'm writing to check in on the revised SDR Application that we resubmitted on May 29, 2025. Do you have any questions or items that I can help address?

Thank you,

Amy Perenchio ZGF ARCHITECTS LLP
AIA, NCARB T 503-863-2463 M 206-909-5516
Principal E amy.perenchio@zgf.com
she/her 1223 SW Washington Street, Suite 200
Portland, OR 97205
zgf.com
 [instagram](#)  [linkedin](#)  [youtube](#)

[ZGF Email Disclaimer](#)

EXHIBIT E



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Thursday, August 14, 2025 at 6:30 pm, the Dayton Planning Commission will conduct a public hearing to consider the following request. The meeting will be held at the City Hall Annex, 408 Ferry Street, Dayton, OR 97114.

Date: July 8, 2025

File Number: SDR 2025-01/VAR 2025-01

Applicant: Consultant - Amy Perenchio, AIA, NCARB
ZGF Architects, LLP
1223 SW Washington Street, Suite 200
Portland, OR 97205

Owner: Twin Towers, LLC
7401 SW Washco Ct. Suite 200
Tualatin, OR 97062

<u>Subject Site:</u>	<u>Address</u>	<u>Taxlot</u>	<u>Zoning</u>
	201 Ferry Street (Hotel)	4 3 17 DA 3001	C/CBO
	204 Ferry Street (parking lot)	4 3 17 DA 5900	C/CBO
	145 Ferry Street (parking lot)	4 3 17 DA 5800	C/CBO
	316 Ferry Street (parking lot)	4 3 17 DA 7100	C/CBO
	508 4 th Street (parking lot)	4 3 17 DD 0800	CR/CBO
	400 4 th Street (parking lot)	4 3 17 DA 1500	C/CBO

Size: Hotel Site - ±36,057 square feet
Surface parking lots - ±46,934 square feet total

Current Use: Residential triplex

Zoning: Commercial (C)
Central Business Area Overlay Zone (CBO)

Request: Site Development Review of a 5-story hotel with 118 rooms, 105,000 gross square feet, restaurant, cocktail bar, spa, and related amenities. No on-site parking is provided. 107 off-site parking spaces are provided in four off-site parking areas distributed throughout the CBO.

A minor variance to DLUDC 7.2.111.04 (65-foot height limit) to allow mechanical screening structures to be constructed up to 71.5 feet.

A minor variance to DLUDC 7.2.111.06.D.3. (step back requirement to qualify for the 65-foot height bonus) to allow for mechanical screening structures to be placed within the required step back area on the 5th floor.

Discretionary code interpretation of DLUDC 7.2.111.04 (exception to the zero streetside setback requirement) to approve a welcome plaza with a vehicular use area as a similar purpose to a pedestrian plaza.

Discretionary code interpretation of DLUDC 7.2.111.05.D to allow an off-street passenger loading area between the building entrance and the street.

Discretionary code interpretation of DLUDC 7.2.111.06.D.3. (step back requirement to qualify for the 65-foot height bonus) to allow eaves to encroach into the required step back area on the 5th floor.

Discretionary code interpretation of DLUDC 7.2.111.07.A requiring buildings more than 60 feet wide to be divided into proportional bays similar in scale to historic building patterns and historic lot widths of the Dayton Town Plat.

Discretionary code interpretation of DLUDC 7.2.111.07.C to waive or modify the required historic storefront elements for buildings facing public streets.

Discretionary code interpretation of DLUDC 7.2.111.07.G to waive, modify, or reduce the required architectural features to emphasize buildings on corner lots.

Criteria:

Dayton Land Use and Development Code (DLUDC):

Section 7.2.106:	Commercial (C)
Section 7.2.111:	Central Business Overlay Zone (CBO)
Section 7.3.103:	Minor Variances
Section 7.3.106:	Site Development Review

The DLUDC can be accessed on the City website:

https://dayton.municipalcodeonline.com/book?type=ordinances#name=7_DAYTON LAND USE AND DEVELOPMENT CODE

Persons wishing to speak for or against this proposal may appear in person or by representative at the date and time listed above. Written testimony can be submitted at any time but should be received one week prior to the hearing to be included in the staff report to planning commission. Written testimony can be submitted to City of Dayton 416 Ferry Street, Dayton, OR 97114 or submitted by email to Curt Fisher, contract planner, cfisher@mwvcog.org. or Rocio Vargas, City Recorder, rvargas@daytonoregon.gov. All testimony should be directed to the applicable criteria.

Failure to raise an issue at the hearing, in person or by letter, or failure to provide sufficient specificity to afford the applicant and decision-makers an opportunity to respond to an issue precludes appeal of the Planning Commission's decision to the Land Use Board of Appeals. It is the applicant's responsibility to raise constitutional or other issues relating to any proposed condition of approval. The failure of the applicant to raise such issues with sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes an action for damages in circuit court.

A copy of the application documents and evidence submitted by or on behalf of the applicant and applicable standards are available for inspection. A staff report related to this application will be available seven (7) days prior to the hearing. Electronic copies can be provided at no cost and physical copies can be provided at cost.

For additional information, please contact Curt Fisher at 503-540-1616.

This aerial map of downtown Springfield, MA, illustrates the proposed hotel site and associated parking spaces. The map is oriented with North at the top. Key streets shown include Church Street, Main Street, 5th Street, 4th Street, 3rd Street, 2nd Street, and Ferry Street. Courthouse Square Park is located between Main Street and Ferry Street. The proposed hotel site is marked with a white rectangle and labeled "HOTEL SITE" in the center-right. Four parking areas are highlighted with orange rectangles and labeled with their respective counts: 19 Parking Spaces (between 4th and 5th Streets), 24 Parking Spaces (south of 4th Street, west of the hotel site), 26 Parking Spaces (south of 4th Street, east of the hotel site), and 38 Parking Spaces (south of 3rd Street, east of the hotel site).

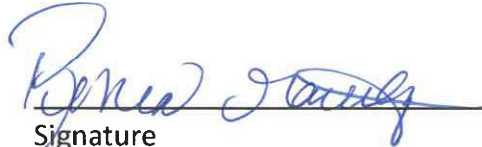
The site plan shows a rectangular building layout within a 'CR ZONE'. The building is oriented with its long side parallel to 3RD STREET and 2ND STREET. The plan includes the following details:

- Streets:** 3RD STREET to the west, 2ND STREET to the east, and FERRY STREET to the south. An ALLEY runs north from the building.
- Dimensions:**
 - Overall width (west-east): 105' - 6" WITH CANOPY (72.111.07 D).
 - Overall depth (north-south): 107' - 11" WITHOUT CANOPY (72.111.08 D).
 - Building width (west-east): 85' - 6" WITH CANOPY (72.111.07 D).
 - Building depth (north-south): 133' - 4" WITH CANOPY (72.111.07 D).
 - Building depth (north-south): 80' - 1" WITHOUT CANOPY (72.111.07 D).
 - Internal dimensions include 12' - 0" (72.111.06 G), 38' - 4" (72.111.04), 12' - 11" (72.111.04), 52' - 0" (72.111.04), and 6' - 0" (72.111.04).
- Annotations and Features:**
 - Primary Building Entrance:** Located on the south side of the building.
 - COVERED WALKWAY:** Indicated by a dashed line and arrows pointing to the south side of the building.
 - SIGNAGE TO BE PLACED ON SITE WALL:** Indicated by a dashed line and arrows pointing to the south side of the building.
 - El. +152.25':** Elevation marker on the north side of the building.
 - Red Hatched Areas:** Located at the corners of the building, likely indicating specific materials or features.
 - North Arrow:** Located in the bottom right corner of the plan.

AFFIDAVIT OF MAILING

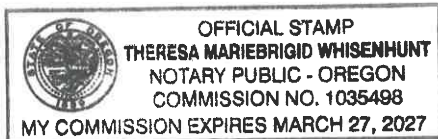
STATE OF OREGON)
) SS
COUNTY OF MARION)

I, Renea Oravetz, being first duly sworn, depose and say: That on the 8th day of July, 2025, I served upon the persons shown on the mailing list (Exhibit A), attached hereto and by this reference incorporated herein, a copy of the Notice of Public Hearing File # SDR 2025-01/VAR 2025-01 (Exhibit B), attached hereto by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses shown on said Exhibit A are their regular addresses as determined by the books and records of the City of Dayton in the Yamhill County Assessor's Office Property Records, and that said envelopes were placed in the United States Postal Service with postage fully prepared thereon.



Signature

SUBSCRIBED AND SWORN to before me on this 8th day of July, 2025.





Notary Public for Oregon

REYES RUBEN A
 403 A MAIN ST
 DAYTON, OR
 97114

VIGIL REYNALDO & JOSIE
 PO BOX 34
 DAYTON, OR
 97114

MARQUEZ DOMINGO & MARIA
 TRINIDAD
 PO BOX 274
 DAYTON, OR
 97114

ANDERSON ANN-MARIE C COLLINS
 JOHN J &
 PO BOX 57
 DAYTON, OR
 97114

P&P HOMETOWN PROPERTIES LLC
 13265 SW HOWARD DR
 TIGARD, OR
 97223

CHRISTENSEN JACQUELINE
 CHRISTENSEN KYLE
 23913 SW HERON LAKES DR
 SHERWOOD, OR
 97140

MARTINEZ-TOLBERT CORINA I CO-TRUSTEE
 MONTELONGO MARIA E CO-TRUSTEE
 MONTELONGO MARIA I CO-TRUSTEE
 110 MAIN ST
 DAYTON, OR
 97114

FLORES ESPERANZA
 PO BOX 443
 DAYTON, OR
 97114

POTTER MARY POTTER ROBERT J
 403 MAIN ST
 DAYTON, OR
 97114

KOZELL JEFFREY C & MICHELLE L
 401 MAIN ST
 DAYTON, OR
 97114

P&P HOMETOWN PROPERTIES LLC
 13265 SW HOWARD DR
 TIGARD, OR
 97223

SOBOTKA KATHRYN A SOBOTKA
 GREGORY W
 1309 SW 58TH AVE
 PORTLAND, OR
 97221

SHELBURNE DARREN SHELBURNE
 TERESA &
 7609 SE WALLACE RD
 DAYTON, OR
 97114

P&P HOMETOWN PROPERTIES LLC
 13265 SW HOWARD DR
 TIGARD, OR
 97223

MASLEN ROBERT M JR
 405 MAIN ST
 DAYTON, OR
 97114

SPROUL LIVING TRUST SPROUL MARY A
 TRUSTEE SPROUL WILLIAM D TRUSTEE
 22180 NE HIDDEN SPRINGS RD
 DUNDEE, OR
 97115

DAYTON CITY OF
 PO BOX 339
 DAYTON, OR
 97114

GERRARD JUDY L TRUST GERRARD
 JUDY L TRUSTEE
 PO BOX 159
 DAYTON, OR
 97114

HEDGEcock BENJIE M TRUST
 HEDGEcock BENJIE M TRUSTEE
 204 7TH ST
 DAYTON, OR
 97114

BRAUN TREVOR J
 400 2ND ST
 DAYTON, OR
 97114

DAYTON CITY OF
PO BOX 339
DAYTON, OR
97114

TWIN TOWERS LLC
7401 SW WASHOE CT SUITE 200
TUALATIN, OR
97062

BY-PASS BAR & GRILL LLC
105 CLIFFORD CT
NEWBERG, OR
97132

NEWPORT DONALD L (WROS)
NEWPORT JEFF &
1029 NE 4TH ST
MCMINNVILLE, OR
97128

HEDGECKOCK BENJIE M TRUST
HEDGECKOCK BENJIE M TRUSTEE
204 7TH ST
DAYTON, OR
97114

PATTON ANDREW C
35600 NE WILD HORSE MOUNTAIN
RD
SHERWOOD, OR
97140

ARCHDIOCESE OF PORTLAND IN OREGON ROMAN
CATHOLIC ARCHBISHOP OF PORTLAND OR
ATTN: PROPERTY MANAGER 2838 E BURNSIDE ST
PORTLAND, OR
97214

CISNEROS PEDRO & JANA E
305 FLOWER LN
DAYTON, OR
97114

SELDEN BRIAN
209 ALDER ST
DAYTON, OR
97114

EWING MARSHA 1/2 CHRESTENSEN
ROLAND 1/2 &
PO BOX 521
DAYTON, OR
97114

ANDERSON ERIC LIMON OLIVIA K
607 4TH ST
DAYTON, OR
97114

NAMBO PEDRO D & FRANCISCO S
513 4TH ST
DAYTON, OR
97114

OF THE NORTHWEST INC CONTINENTAL
TELEPHONE CO
106 W MAIN
SILVERTON, OR
97381

LYON HAROLD J
13600 SE ASH RD
DAYTON, OR
97114

VILLA ADAM & MARIA
303 FLOWER LN
DAYTON, OR
97114

IRVIN KAREN E
PO BOX 327
DAYTON, OR
97114

NAVOR JUANA A SANCHEZ MELISSA
410 4TH ST
DAYTON, OR
97114

COURSER LINDA
213 ALDER ST
DAYTON, OR
97114

AGUIRRE ISMAEL
7591 NE MINERAL SPRINGS RD
CARLTON, OR
97111

MARQUEZ MARIA T MARQUEZ
DOMINGO
PO BOX 274
DAYTON, OR
97114

ROCK AVON TRUSTEE ROCK JOHN &
AVON REVOCABLE LIVING TRUST
312 ALDER ST
DAYTON, OR
97114

HUAPEO PEDRO & TEODORO
280 COSMO ST
LAFAYETTE, OR
97127

SEUFERT WINERY LLC
PO BOX 1043
PACIFIC CITY, OR
97135

MILLER JERRY L
302A 9TH ST
DAYTON, OR
97114

SCHOOL DISTRICT NO 28
535 NE 5TH ST
MCMINNVILLE, OR
97128

DAYTON FERRY INVESTMENTS LLC
PO BOX 230938
PORTLAND, OR
97281

LOZADA TERRY J
404 MAIN ST
DAYTON, OR
97114

CRUZ RUBEN
402 MAIN ST
DAYTON, OR
97114

VANNOY PATRICIA
14877 SW MICHAEL CT
SHERWOOD, OR
97140

IRVIN KAREN E
PO BOX 327
DAYTON, OR
97114

EXHIBIT F



NOTICE OF LAND USE APPLICATION AND PENDING ADMINISTRATIVE DECISION SITE DEVELOPMENT REVIEW SDR 2025-01

Notice is hereby given that the City of Dayton has received the following application for a land use action in your neighborhood.

Request: Site Development Review of a 5-story hotel with 96 rooms, 105,000 gross square feet, restaurant, cocktail bar, spa, and related amenities. No on-site parking is provided. 107 off-site parking spaces are provided in four off-site parking areas distributed throughout the central business area.

File Number: SDR 2025-01

Applicant: Consultant - Amy Perenchio, AIA, NCARB
ZGF Architects, LLP
1223 SW Washington Street, Suite 200
Portland, OR 97205

Owner: Twin Towers, LLC
7401 SW Washco Ct. Suite 200
Tualatin, OR 97062

<u>Subject Site:</u>	<u>Address</u>	<u>Taxlot</u>	<u>Zoning</u>
	201 Ferry Street (hotel)	4 3 17 DA 3001	C/CBO
	204 Ferry Street (parking lot)	4 3 17 DA 5900	C/CBO
	145 Ferry Street (parking lot)	4 3 17 DA 5800	C/CBO
	316 Ferry Street (parking lot)	4 3 17 DA 7100	C/CBO
	508 4 th Street (parking lot)	4 3 17 DD 0800	CR/CBO
	400 4 th Street (parking lot)	4 3 17 DA 1500	C/CBO

Size: Hotel site: ±36,057 square feet
Surface parking lots: ±46,934 square feet total

Current Use: Residential triplex

Zoning: Commercial (C)
Central Business Area Overlay Zone (CBO)

Criteria: **Dayton Land Use and Development Code (DLUDC):**

Section 7.2.106:	Commercial (C)
Section 7.2.111:	Central Business Overlay Zone (CBO)
Section 7.3.106:	Site Development Review

The project was previously noticed as a Type II application that required a public hearing before Planning Commission because the applicant had requested a number of code interpretations to support approval. The applicant has since revised the site plan, and those interpretations are no longer necessary. Therefore, the revised plan is being reviewed as a Type I application. But no decision has been issued on the application to find that it complies with the approval criteria.

The Type I process is an administrative process that applies to limited land use decisions. The initial decision is

decided by staff following a 14-day comment period where the public can submit comments in writing to be included in the staff report. Anyone submitting written comments on the application will receive a copy of the decision and will have the opportunity to appeal. An appeal will be decided by Planning Commission following a public hearing.

The applicant is required to meet all the approval criteria for Site Development Review which can be viewed on the City website here:

https://dayton.municipalcodeonline.com/book?type=ordinances#name=7.3.106.06_Site_Development_Plan_Approval_Criteria

Anyone wishing to submit comments on the application can provide those comments in writing. Written comments will be received up to Tuesday, November 4, 2025 (14 days following the mailing of this notice) and can be submitted to City of Dayton 416 Ferry Street, Dayton, OR 97114 or submitted by email to Curt Fisher, contract planner, cfisher@mwvcog.org, or Rocio Vargas, City Recorder, rvargas@daytonoregon.gov. All comments should be directed to the applicable criteria.

Issues which may provide the basis for an appeal to the Land Use Board of Appeals (LUBA) must be raised in writing prior to the expiration of the comment period. All written comments need to be directed to applicable approval criteria. A copy of the application documents and evidence submitted by or on behalf of the applicant are available for inspection at no cost and will be provided at a reasonable cost.

Failure to raise an issue in writing or failure to provide sufficient specificity to afford the applicant an opportunity to respond to an issue precludes appeal of the decision to the Land Use Board of Appeals. It is the applicant's responsibility to raise constitutional or other issues relating to any proposed condition of approval.

A copy of the application documents and evidence submitted by or on behalf of the applicant and applicable standards are available for inspection. Electronic copies can be provided at no cost and physical copies can be provided at cost.

For additional information, please contact Curt Fisher at 503-540-1616.

Figure 1: Vicinity Map



Figure 2: Applicant's Site Plan Diagram

SITE PLAN DIAGRAM

1" = 40'-0"

PEDESTRIAN SHELTERS:

ALONG 3RD STREET, FERRY STREET AND 2ND STREET, 51.4% (±60%) OF THE GROUND FLOOR ELEVATIONS HAS A CANOPY,

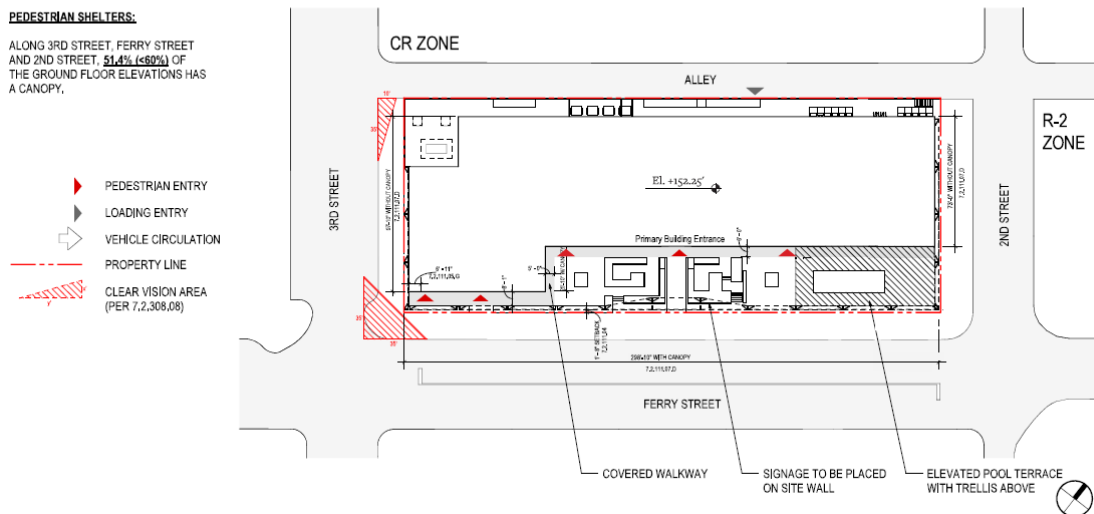


EXHIBIT G



Outlook

3rd & Ferry Hotel (SDR_VAR 2025-01), Land Use Application Review Comments & Proposed/Suggested Conditions

From Denny Muchmore <dmuchmore@westech-eng.com>

Date Sat 7/12/2025 12:01 PM

To Don Cutler, Dayton PW (dcutler@daytonoregon.gov) <dcutler@daytonoregon.gov>

Cc Curt Fisher <cfisher@MWVCOG.ORG>; Jeremy Caudle, Dayton (jcaudle@daytonoregon.gov) <jcaudle@daytonoregon.gov>

 1 attachment (4 MB)

Utility map excerpts, Ferry-3rd to 2nd (landscape).pdf;

External: Please report suspicious email to

security@wesd.org

Don,

We assume that you will review the information below and add any additional comments you may have (*we are cc'ing the City Planner as well*).

We are also cc'ing this email to Scott Law (*Fire Chief*), so that he is aware of our comments and recommendations (*water system discussions are near the end of this email*).

Per the City's request, we have reviewed the land use application and associated lot layout drawing submitted for the proposed hotel development located on the northeast corner of the 3rd & Ferry intersection. We reviewed the application for conformance with applicable City requirements, with regards to recommended street, access and utility improvements to mitigate anticipated impacts. For the most part, our review is limited to public works & infrastructure issues. We understand that the City Planner will be reviewing the application from a planning/zoning standpoint and preparing the staff report.

The following review comments are based on the assumption that the land use application for this property is approved in a manner that does not require significant changes to the proposed development layout in a manner not addressed by the proposed approval conditions (*if the street, access, infrastructure & utility recommendations in this review are addressed, the property should be able to be served by City street & utility systems*).

We recommend that the suggested conditions and requirements under City standards (*as noted below*) be included by reference in the land use decision, so that the applicant & developer are aware of these requirements as they move forward with the project.

If the Planning staff or Planning Commission wishes to modify any of the recommended requirements or suggested conditions outlined below, or grant any other variances based on information that we may not be aware of, we assume that this will be coordinated with Public Works as part of the land use approval process. The City Planner should exercise care and coordinate with Public Works staff if any of the suggested conditions are reworded, to avoid changing the meaning of the requirements.

It is important to be aware that the PWDS (*and Oregon Fire Code - OFC*) provisions referenced herein are not land use regulations, and are not intended to have an impact on the decision as to whether to approve or deny the application, but are listed so that the applicant is made aware of some of the design/construction standards which must be addressed during the final design & construction phase of the development (*ie. approval or denial should be based on*

the land use regulations, while conditions regarding specific improvements may reference the PWDS & OFC to clarify the extent of improvements required in order to provide service to or mitigate impacts from the development).

BACKGROUND INFORMATION & APPLICATION OVERVIEW.

By City convention and to minimize confusion regarding directions, “plan” north (for purposes of this review) is considered to be perpendicular to Ferry Street and parallel with 3rd Street.

Excerpts from the City utility maps are attached for reference. These maps show the approximate location and layout of the surrounding properties and known utilities.

The proposed development is generally located on the NE corner of 3rd & Ferry Street. The current application is to develop the property with a 118-room hotel with restaurant, cocktail bar, spa, and other amenities. Valet parking is proposed at four (4) new off-site parking areas to be constructed at various locations in downtown Dayton.

The proposed site consists of Taxlot 4317DA-03101 (*various addresses from old uses on the property*).

There are currently several buildings on the site, which are proposed for removal in conjunction with the new development.

The property is currently zoned Commercial (C). The zoning of land bordering the development is as follows:

- North: Commercial-Residential (CR) - across alley
- South: Commercial (C) & Commercial-Residential (CR) – across Ferry Street
- West: Public P – Courthouse Square Park across 3rd Street
- East: Residential (R-2) – across 2nd Street

Suggested Approval Conditions/Requirements. We recommend referencing this email and/or the following suggested conditions/requirements in the land use approval. As noted above, much of the information provided below is for the development team’s reference during the infrastructure design and construction process. The PWDS and OFC requirements are not land use regulations and for the most part are not subject to modification under the land use approval process (*any modifications proposed to PWDS & OFC standards which are outside of the land use regulations must be addressed through the applicable process after the land use process is finalized*).

General Items.

- Except for items specifically exempted by the planning approval, the development shall fully comply with the public facility requirements of the Dayton Land Use & Development Code (LUDC) and the Public Works Design Standards (PWDS), including information outlined in this email to the Public Works Director Don Cutler. The applicant/developer is responsible for the construction costs of required public or private infrastructure improvements associated with the development (*both onsite and offsite*).
- After issuance/finalization of the land use approval, the developer and his engineer shall schedule and participate in a pre-design conference with City Public Works for the purpose of coordinating any required site / grading / street / sidewalk / utility work (PWDS 1.9). This conference shall occur after the issuance of land use approval (*and expiration of any appeal period*), but prior to submitting site / grading / street / sidewalk / utility construction drawings for review by Public Works. Participants shall include the developer, developer’s engineer, City Public Works and the City Engineer, as well as public/franchise utility providers as applicable or desired by the development team. The developer shall provide all information required under PWDS 1.9 prior to the predesign conference (*including ensuring that a current title report is available*), as well as providing information on how each land use approval condition and Public Works issues identified herein will be addressed.
- After the pre-design conference, the applicant shall prepare and submit applicable final street, grading, parking, storm drainage, sewer, water and other infrastructure plans conforming to the requirements of the

Public Works Design Standards (PWDS) for review by the City Engineer and Public Works.

- Public Works construction permits for site / street / sidewalk / utility work shall not be issued until after the developer has received final approval of any required engineered site, street/sidewalk, utility and/or infrastructure construction drawings per PWDS requirements, a Developer-City construction agreement has been executed, and a performance security satisfactory to the City has been submitted guaranteeing that all improvements will be completed in accordance with the approved drawings and City Standards within the specified time period (PWDS G.10). The engineered site / street / sidewalk / utility / infrastructure construction drawings shall be based on a topographic survey showing the location of all property lines, right-of-way lines and existing easements (*including recording references*), and existing utilities. The construction drawings shall show any new easements required (*including recording references*), and all required site and utility improvements, addressing site grading, street improvements/repairs, sidewalk & pedestrian plans, street lights, waterlines, fire hydrants, sanitary sewer, storm drainage, access driveways/fire lanes and parking area layout/dimension plans as applicable, and irrigation plans & backflow device locations for all phases of the development as applicable, as well as information on how streets and/or utilities can be extended to serve adjacent or upstream undeveloped property as applicable.
- Any required off-site easements shall be approved by the City and recorded by the Developer prior to approval of the construction drawings by the City.
- Building permits for new structures shall not be issued prior to approval of the required infrastructure design by the City and applicable agencies, and issuance of a Public Works construction permit.
- Occupancy permits for new structures shall not be issued prior to completion of all required improvements and conditions of approval, and written acceptance by the City, including submission of maintenance bonds and reproducible as-built drawings which have been reviewed & accepted by Public Works.

Prior Land Use Approval for Property.

The only recent land use approvals of which we are aware include the zone change of the property (*Dayton Docket ZC 2023-06*) and a lot consolidation to combine all of the former lots into a single legal lot of record (*Plat 2024-22, Dayton Docket PLA 2023-07*).

We assume that the City Planner will verify that there are no outstanding issues from the previous land use approval(s).

Existing Plats, Easements, etc.

As noted above, this property was consolidated into a single legal lot by a previous plat (*Parcel 1, P2023-07*).

A current title report does not appear to have been provided with the application (*either for the hotel property itself, or for the four properties where off-site parking is proposed*).

--While title reports (*for the old lots underlying the hotel property*) were provided in conjunction with previous applications, we have not seen a current title report prepared after the lot consolidation was completed.

--Title reports for the off-site parking lot properties have also not been received.

As noted below, if current title reports are not submitted in conjunction with the development application, they will be required in conjunction with review of the site/street/utility/infrastructure drawings by Public Works.

New easements (*to the City*) will be required along any City or public utilities or drainage ways located outside of public right-of-ways, as well as providing for PUEs along all public street frontages (*excluding alleys*) where such easements (*meeting current City standards*) do not already exist and do not conflict with the approved building footprint.

Private easements (*with provisions complying with City standards*) will be required where any private accesses, driveways or private/franchise utilities cross property other than that being served (*private easements will need to include the specific language provisions required by the City PWDS*).

Existing buildings, setbacks, etc.

There are several existing building on the site. The existing buildings will be removed from the site in conjunction with development.

The new building will be required to meet all setback requirements in the code (*from existing or proposed right-of-ways and property lines*).

Phasing & Timeframes.

The developer is proposing to develop the project in a single phase.

LUDC 7.3.102.05 states that land use “*approvals shall be effective for a period of one year from the date of final approval.*” We assume this means that the approval will expire if Public Works site/utility/infrastructure construction permits and building permits are not obtained and substantial construction commenced within the one-year period, but does not require all construction to be completed within the 1 year period. To avoid confusion on this issue, we recommend that this be formalized as a condition of approval (*or other time frame as specified under the land use approval*).

- Except as specifically modified by this land use decision, the developer shall be responsible to obtain site/utility construction permits and building permits (*and commence substantial construction*) within one-year of this approval, or the approval will expire unless an extension is granted (*this does not require that all construction to be complete within the 1 year period*). Per LUDC 7.2.201.02.B, all structures must receive a certificate of occupancy within two years of beginning construction, or the approval will expire.

Lot Standards & Zoning Standards.

We assume that conformance with lot and general development standards under the zoning ordinance will be verified by the City Planner, and conditions added as applicable.

The proposed site improvements for the hotel development appear to be contained within the property boundaries, and the proposed parking lot improvements appear to be contained within the respective property boundaries. If this changes, easements will be required where accesses or private utilities cross property lines or are located on property other than that being served.

Site Layout, Grading, etc.

The preliminary drawing included layout information for the hotel building and for the proposed parking lots, as well as preliminary street and utility improvements associated with the hotel building. This information will be verified in conjunction with the predesign conference and the final construction drawings. The City is not responsible for any discrepancies or missing information not shown on the application drawings.

- Any fills within public rights-of-ways or fire lanes, or lot fills, shall be compacted and tested to City standards and per the Oregon Structural Specialty Code requirements as applicable (*95% optimum per ASTM D1557 within right-of-ways, and 90% optimum within lot building envelopes*).
- Any existing unsuitable fills within the public right-of-way or new building envelopes will need to be removed or remediated in conjunction with the development and infrastructure construction.

Site Layout, Vehicular Access, etc.

The preliminary layout drawing included information on proposed streets and utilities.

Pedestrian Access.

- The final site construction drawings shall include an on-site sidewalk or hard surfaced pedestrian path system that provides for approved pedestrian access to all building and connecting to the sidewalks along one or more of the fronting public streets. Any ADA pedestrian pathways shall not require pedestrians to share travel lanes with vehicles (*except at crossings*), and shall include detectable warning panels at

locations required by ADA or City standards. The final layout of the sidewalk or walkway system shall be acceptable to the City and the Building Official as applicable.

Offstreet Parking. Since this property is within the CBO overlay zone, off-street vehicular parking is not required, per LUDC 7.2.111.04. However, when off-street parking is provided, it must be configured to meet City standards.

The offsite parking lot layouts proposed include up to 107 offsite parking spaces, with ADA parking associated with each parking lot to be provided as required by State & Federal standards. One of the parking lots (*4th & Ferry*) appears to be shared with the existing small hotel building on the opposite corner of the 3rd & Ferry intersection (*currently under the same ownership as the new hotel*).

- The final parking lot construction drawings shall provide parking spaces in conformance with the PWDS, including a minimum number of handicap parking spaces as required by City or state standards.
- Marking, striping and signing of crosswalks, parking spaces and handicap spaces shall conform with City and ADA standards. The final layout of the parking areas and access driveways shall conform with the PWDS and be acceptable to the City Engineer and Public Works, including but not limited to width, alignment, turning radius, clear vision areas, etc.
- Sidewalks fronting head-in parking areas shall be 6 foot minimum width unless wheel-stops are provided.
- The style of any new private site & parking area lighting conforming with City standards shall be shown on the final drawings submitted for review, and shall be directed downward onto the areas to be lighted, and shall not project outward or upward. Site lighting styles shall be submitted for review and approval by City staff prior to installation. All site lighting on private property shall be metered and the utility bills paid by the property owner.
- The access drive configuration and signage shall conform to the requirements of the PWDS and any other agencies with jurisdiction.
- Offsite parking agreements shall be recorded against the properties in question and the development property per City standards, formalizing the legal use of these parking areas (*the agreements can be structured to allow modification if or when alternate parking arrangements are made in the future*). Provisions for any shared parking areas shall be clearly addressed in the recorded parking agreements.

ADA Accessible Parking. While the LUDC does not require off-street parking be provided in the CBO zone, the City does not have the authority to waive requirements for accessible parking required under provisions of applicable state or federal law or codes.

--- LUDC 7.2.303.07 requires that the number and configuration of accessible parking spaces comply with the building code and the Oregon Transportation Commission standards.

--- The number of accessible parking spaces required is based on the number of standard parking spaces typically required or provided for a particular development (*minimum of 1 accessible space for up to 25 parking spaces, with an additional accessible space required for each 25 additional parking spaces required or provided*), per OSSC Table 1106.1.

Parking Lot EV Charging Infrastructure Requirement per State Law. The State of Oregon has adopted requirements to provide EV charging infrastructure in conjunction with certain defined public or private parking lots (*while these provisions are incorporated into the Oregon Building Codes, the conduit and associated infrastructure must be shown on the civil design drawings to demonstrate how it will be installed without conflicting with other City or private utilities*).

- Per PWDS 1.11.f.1.b, parking lot drawings shall identify which parking spaces are designated for service by the EV charging infrastructure, as well as showing / dimensioning the alignment for the required conduit to serve the parking spaces identified for EV charging (*see also PWDS 2.28.n for required percentages*).

Bicycle Parking. While off-street vehicular parking is not required, the location and number of bicycle parking spaces will need to be determined by the City Planner and/or the Planning Commission as part of the land use process. LUDC 7.2.303.11 contains the City requirements for bicycle parking required for developments.

--- We assume that the City Planner and/or Planning Commission will determine the number of bicycle parking spaces required based on the type of occupancy/use proposed, and fill in the blanks below as applicable (*our understanding is that the number of accessible parking spaces required will be based on the number of parking spaces that would typically be required for the proposed uses in the building, if it were not in the CBO zone*).

- The final construction drawings shall include the number of bicycle parking spaces required by City standards.
 - ___ bicycle spaces.

Loading Zone. Since this property is within the CBO overlay zone, an off-street loading zone is not required, per LUDC 7.2.111.04. However, any loading zones proposed must conform with City standards.

--- A delivery loading zone for the new buildings appears to be proposed on the north side of the building in the alley (*although the exact location, size & signage to be determined during final design and review*).

--- LUDC 7.2.303.08 typically requires in part that “All commercial or industrial buildings shall require a minimum loading space of 12 feet wide, 30 feet long, and 14 feet high in the following amount: for buildings containing over 5,000 square feet of gross floor area, 1 space; for each additional 40,000 square feet of gross floor area, or any portion thereof, 1 space”. However, this requirement for off-street loading zones does not apply in the CBO overlay zone.

On-street delivery/loading zones are NOT allowed to infringe on or block standard vehicular traffic along public streets or public alleys, which is not possible along the alley due to its narrow width.

A major variance will need to be granted as part of the land use approval to allow the proposed delivery loading zone to periodically block traffic in the alley on the north side of the new hotel.

Similar to the previous approval for the small hotel across the 3rd & Ferry intersection from this site, we suggest that the City Planner include an approval condition requiring markings and signage to be installed at the loading zone showing the limits of the loading zone, and specifying the maximum time any single vehicle can be parked in the loading zone (*default code time limits listed below should be verified as part of the land use approval process*).

- The final construction drawings shall show the location and size for the delivery loading zone proposed on the alley located between Ferry & Main Street. The limits of the on-street loading zone in the alley shall be marked on the pavement with durable pavement markings per City standards, and shall not block more than 50% of the pavement width in the alley. Signs acceptable to Public Works and the City Engineer shall be installed specifying the maximum time that any single vehicle can be parked in the loading zone (*see PWDS 2.28.i., typically 90 minutes maximum per vehicle, or 4 hours maximum during any one day, with use of loading zone prohibited from 7-9 a.m. and from 4-6 p.m.*).

Fire Apparatus Access, etc.

- Unless otherwise approved in writing by the Fire Chief, the final layout shall be such that all portions of each building is within 150 feet from a fire apparatus access route as measured by an approved route around the exterior of the building per OFC 503.1.1. Any fire apparatus access routes outside of the public ROW are to be designated as fire lanes and signed for no parking in a manner acceptable to the Fire Chief and City standards. Fire lane widths shall conform with the OFC and be acceptable to the Fire Chief.
- Any fire apparatus access roads or fire vehicle pullouts located outside of the public ROW shall include a recorded fire lane easement to the City, which shall include provisions for maintenance by the owner(s) of the property served by the fire lane.

Aerial Fire Apparatus Access. Per OFC D105.2, building heights taller than 30 feet (*measured to the higher of the eaves, roof intersection with exterior wall, or top of parapet*) require that Aerial Fire Apparatus Access be provided.

Since these new buildings will be significantly taller than 30 feet, the development team will need to coordinate with the Fire Chief (& *Oregon State Fire Marshall*) to determine where aerial apparatus access will be required.

--- Per OFC D105.2, Aerial Fire Apparatus Access Road (*if required based on building height*) need to be 26 feet wide "in the immediate vicinity of the building" (*limits to be determined by the Fire Chief*).

--- Per OFC D105.3, the edge of any designated aerial fire apparatus access must be located at least 15 feet from the building but not further than 30 feet from the building, parallel with the side of the building where aerial access is required.

--- Per OFC D105.4, overhead utilities are prohibited over the aerial fire apparatus access road, or between the aerial fire apparatus access road and the building. The developer will have to coordinate with utility companies as necessary to have any conflicting overhead utilities relocated (*ie. along the frontage where aerial fire apparatus access is required, as directed by the Fire Chief*).

- Alleys, roadways or driveways which the Fire District will use for fire apparatus access will be designated as fire lanes (*Fire Apparatus Access Roads*), and will need to have widths and configurations as required by the Oregon Fire Code (OFC), as approved by the City and the Fire Chief. Unless otherwise approved in writing by the Fire Chief, the final layout shall be such that all portions of each building is within 150 feet from a fire apparatus access route as measured by an approved route around the exterior of the building per OFC 503.1.1. Aerial apparatus access shall be provided at locations and with configurations as approved by the Fire Code Official, including adding signs and marking curbs in the aerial apparatus access area for no parking (*active loading/unloading may be allowed, if approved in writing by the Fire Chief*). Any aerial fire apparatus access proposed within the ODOT right-of-way must be approved in writing by both the Fire Code Official and ODOT in conjunction with the design (*based on findings which include, but may not be limited to, demonstration that there is adequate width to ensure that fire apparatus will not block traffic along the ODOT roadway with equipment, hoses, traffic control devices, etc.*).

Streets, Sidewalks, etc.

The property has frontage on Ferry Street (~300 feet), 3rd Street/Hwy 221 (~140 feet including the alley being used as a driveway) and 2nd Street (~140 feet including the alley being used as a driveway). The total frontage on public streets is about ~580 feet.

The property also fronts on the alley which is parallel with Ferry and Main (*ie. alley runs from 3rd Street to 2nd Street*).

(*Frontage street – 3rd Street*).

3rd Street is an state highway (*Hwy 221, under the jurisdiction of ODOT*), and is designated as an arterial street.

The current right-of-way width is shown as 70 feet on current City & County maps.

3rd Street in this area is unimproved on the development side (*no curbs & functional sidewalks*).

The development property has approximately 140 feet of frontage on 3rd Street (*including the alley which is being used as a delivery driveway for the project*).

--- Additional R/W dedication does not appear to be required along 3rd Street in conjunction with this development. Street widening and a new sidewalk is proposed across the property frontage.

(*Frontage street – Ferry Street*).

Ferry Street is an City street, and is designated as an local street.

The current right-of-way width is shown as 80 feet on current City & County maps.

Ferry Street in this area is fully improved (*curbs & sidewalks both sides*) in good condition.

The development property has approximately 300 feet of frontage on Ferry Street.

--- PWDS 2.11 (table) specifies the typical minimum street right-of-way and minimum improvement widths for streets of various classifications (*with modifications determined on a case-by-case basis, per LUDC 7.2.302.04*).

--- Additional R/W dedication does not appear to be required along Ferry Street in conjunction with this development.

The sidewalk along the frontage is proposed to be replaced in conjunction with the development.

(*Frontage street – 2nd Street*).

2nd Street is an City street, and is designated as an local street.

The current right-of-way width is shown as 70 feet on current City & County maps.

2nd Street in this area is a turnpike street is poor condition, and does not meet the current vision site distance standards at the crest near the alley.

The development property has approximately 140 feet of frontage on 2nd Street (*including the alley which is being used as a delivery driveway for the project*).

--- PWDS 2.11 (table) specifies the typical minimum street right-of-way and minimum improvement widths for streets of various classifications (*with modifications determined on a case-by-case basis, per LUDC 7.2.302.04*).

--- Additional R/W dedication does not appear to be required along Ferry Street in conjunction with this development.

Street reconstruction will be required in conjunction with this development, resulting in a full street improvement from Ferry Street to the north side of the alley.

(Frontage street – alley).

The alley is a public right-of-way (*under the jurisdiction of the City of Dayton, 20 foot alley ROW*).

The alley is current an under-developed gravel surface, and is in relatively poor condition.

The development property has approximately 300 feet of frontage on the alley, which is proposed to be used as a delivery driveway from 3rd to 2nd Street.

---Alleys which are used as a driveway must be improved and paved along the proposed vehicular access portion (*the entire length, in this case*).

--- Per LUDC 7.2.303.09.A & PWDS 2.30.e, all driveways and parking areas shall be paved with asphalt or concrete.

--- Additional R/W dedication does not appear to be required along the alley in conjunction with this development (*although easements may be required for walkways or utilities as applicable, or for turning radius at the ends if required*).

Alley reconstruction will be required in conjunction with this development, resulting in a full width paved alley improvement (*without public sidewalks*).

- Street widening and sidewalk improvements shall be provided along 3rd Street (*including across the alley which is being used as a delivery driveway*), including new pedestrian ramps at the 3rd & Ferry intersection.
- New curb & sidewalk improvements shall be provided along Ferry Street to bring the curbs & sidewalk up to City standards, including new pedestrian ramps at the both intersections.
- Full Street & sidewalk improvements shall be provided along 2nd Street (*including across the alley which is being used as a delivery driveway*), with transitional street improvements extending offsite as required to transition back to and reconnect to the existing street improvements (*a newly paved turnpike transition shall be provided from the alley to the Main Street intersection [without sidewalks], since this route is anticipated to be utilized for vehicle delivery to or from some of the offsite valet parking lots*).

(Sidewalks).

- New sidewalks will be required in conjunction with the frontage street improvements, including intersection pedestrian ramps to City & state standards.

(PUEs).

- PUEs a minimum of 8 feet wide are required along all property lines fronting public street right-of-ways (*excluding alleys*) as required by PWDS 1.12.d, except where PUEs will encroach into the proposed building envelope.

(CBU Mailboxes, PWDS 1.11.j.3.k & 2.21.k).

---If mail delivery is proposed, the location of the required CBU mailbox will need to be shown on the applicable drawings, at a location acceptable to the local postmaster. An ADA pedestrian curb ramp must be located within 50 feet of the CBU (*PWDS 2.21.k.7 & Oregon Structural Specialty Code 1111.4.1*), and any sidewalk between the ramp & CBU will need to be constructed in conjunction with the CBU installation.

- CBU mailboxes per City & postal service standards (*and CBU access*) shall be installed by the Developer in conjunction with building construction per City and state standards. An ADA compliant pedestrian ramp from the street must be located within 50 feet of the new CBU mailboxes, per City standards, and any sidewalk between the ramp & CBU will need to be constructed in conjunction with the CBU installation.

(Street Lights).

Street lights must be provided along street frontage streets, per City spacing standards, where such street lights do not already exist (*PWDS 2.32.c, maximum of 200 feet spacing, or 3 lot widths, whichever is less*).

---There are existing street lights at the 2nd & Ferry intersection, and adjacent to the 2nd Street end of the alley.

- Additional street lights shall be provided in conjunction with this development, per PWDS 2.32 spacing standards.

Storm Drainage.

The preliminary drawings included information on the general manner in which proposed storm drainage improvements will be provided, by constructing a new storm drain along Ferry Street and connecting to the existing storm drain near the 1st & Ferry intersection.

(Existing Storm Mainlines).

There are no existing storm drain pipes along Ferry Street at this time, from 3rd Street to 1st Street. A new 12-inch storm line was installed across 1st Street as part of a recent City project, but the existing storm line between 1st Street and the 15" storm line near the utility/pedestrian bridge is undersized and is not adequate to accept the flows from this development and the new storm line along Ferry Street.

In addition to extending the new storm drain to 1st & Ferry as proposed on the application drawings, the existing 8-inch concrete storm pipe east of 1st Street will need to be replaced with a new larger diameter storm drain line (*at the developer's option, the existing pipe can be replaced via pipe bursting in order to minimize impacts to existing trees along this pipe alignment, or a new pipe can be installed along a parallel alignment from the existing pipe*).

From the information provided, it appears that storm drainage & detention system can be provided in accordance with PWDS standards, and connected to the existing drainage system in near the existing utility bridge at the east end of Ferry Street. The storm drain design will need to provide for drainage collection from the entire property and fronting streets (*with the detention provided per PWDS requirements, to limit flow to no more than existing conditions*), as well as addressing any drainage flowing onto the site from upstream/uphill properties if applicable.

- The Developer shall submit storm drainage construction drawings conforming to the requirements of the PWDS. The storm drainage plan shall demonstrate that there are no impacts to the downstream properties, and shall collect drainage from upstream properties and convey it through or around the development as applicable (*including providing easements as applicable across the development property*). Drainage maps and a summary of flow calculations for existing and developed conditions shall be included on the construction drawings. The storm drainage plan shall be designed to accommodate roof and foundation drains, as well as drainage from existing and reconstructed streets, and shall convey storm water runoff to an approved point of disposal. The storm drainage plan shall include extension of a new storm drain along Ferry Street to 1st Street (*including drainage collection at intersections per City standards*), as well as replacement of the undersized storm drain pipe east of 1st Street. These offsite

storm drainage improvements are required to provide capacity for the development, and shall be the responsibility of the Developer. The storm drain design shall include all catch basins at the intersections crossed, regardless of whether or not the developer will be required to construct all of the catch basins (*ie. in order to demonstrate that the design will accommodate the construction of all required catch basins at each intersection*). The required stormwater detention system (*PWDS 3.18*) shall conform with PWDS requirements, and may include underground detention pipes located within the public right-of-way (*2nd Street and/or Ferry Street*), and shall be provided with a recorded detention maintenance agreement per City standards. All weather maintenance access shall be provided to all public storm manholes and other structures unless otherwise approved by Public Works. Detention systems shall include provisions for inspection and maintenance access. Easements meeting PWDS requirements shall be provided for any storm drains located outside of street right-of-ways, or for private storm lines that cross property other than that which they serve.

The development team should be aware that surface drainage from the site and driveways is not allowed to flow across public sidewalks to the fronting street.

- Storm drainage improvement must include provisions to collect surface water before it flows across the Ferry Street or 2nd Street sidewalks.

Sanitary Sewer.

The preliminary drawings included information on proposed sanitary sewer system improvements, including offsite sewer improvements east of the development.

(Existing Sewer Mainlines).

Based on the utility maps, there is an existing 8-inch concrete sewer along the alley to a point east of 1st Street, and an 8-inch concrete sewer from the end of the alley to the north side of the Ferry Street right-of-way (*adjacent to the west end of the utility bridge*). The 18-inch trunk sewer south of Ferry Street was constructed by the City in 2019.

(New Sewer Mainlines).

Upsized sewer mainlines will be required along the alley and over to the trunk sewer at Ferry Street in order to accommodate the flows from this development (*10" or 12" sewers anticipated along the alley, and an 18" sewer is anticipated between the alley & Ferry Street*). The new sewer along the alley must be reconstructed far enough to accommodate all existing sewer service laterals, but does not need to extend across Ferry Street.

(New Sewer Service Laterals).

New sewer service laterals to property line shall be installed to serve the new building (*sized based on projected flows, to be verified during the design process*), and property line cleanouts shall be installed per City standards.

(Grease Interceptor).

- Restaurants or commercial style kitchens (*or other grease generating uses*) must be provided with a grease interceptor vault as required under PWDS 4.18, at a location acceptable to Public Works, and must be provided with a recorded maintenance agreement.
- If desired by the development team, a single grease interceptor can be installed to serve all users in the building.
- Per OPSC 1014.1 requirements, sanitary flows must be piped separately, so as to bypass the grease interceptor (*ie. so that it connects to the sewer service downstream of, or separately from, the grease interceptor*).

- The developer shall submit sanitary sewer drawings conforming to the requirements of the PWDS. Existing sewers downstream of the development shall be replaced and upsized per City standards to accommodate flows from the new development in addition to other flows from the drainage basin(s). Cleaning & TV inspection of the existing gravity sewer mains shall be completed as part of the design process, and reports and videos provided to the City Engineer (*in order to verify condition of the existing lines and the location of*

existing sewer service laterals that will need to be reconnected). Sewers crossing private property shall be located within easements conforming to PWDS 4.15.d as approved by the City Engineer.

- The development will require the installation of a grease interceptor vault in conformance with PWDS 4.18.e. Unless otherwise approved by the City Engineer and Public Works, a minimum 1,000 gallon exterior grease interceptor vault shall be provided per City standards. A maintenance agreement for the grease interceptor vault (*acceptable to the City*) shall be recorded against the property.
- Since the hotel is anticipated to “contribute more than 5,000 gpd to the public sewer”, a metering manhole shall be provided (*per PWDS 4.16.j*) unless waived by the Public Works Director and the City Manager based on an acceptable alternative billing methodology being proposed and accepted by the City.
- Any required sewer improvements must be completed, tested and accepted prior to occupancy permits being issued for the new uses in the existing buildings, including recording of the grease interceptor maintenance agreement.

Water.

The preliminary drawings include information on the location of proposed new water services and fire service to serve the buildings & development.

(Existing Waterlines)

Maps show the following waterlines around the project site.

- Existing 10-inch waterline along the 3rd Street frontage of the property, located on the opposite side of the street from the development.
- Existing 8-inch waterline along the Ferry Street frontage of the property, on the opposite side of the street from the development.
- There is no existing waterline along 2nd Street.

(Existing Fire Hydrants)

Maps show the following hydrants around the project site.

- 4th & Ferry intersection. This hydrant is located on the far side of a state highway, and is considered to be unavailable to this development for fire protection planning.
- 2nd & Ferry intersection. This hydrant is located on the opposite corner of the intersection from the development.

(Existing Water Services)

There are a few existing water services serving the existing building on the property, which will need to be abandoned per City standards.

- Existing water services will need to be exposed and capped at the mainline connection, in conjunction with the development.

(New Waterlines)

Since the existing waterlines along both Ferry & 3rd Street frontage match minimum sizes recommended in the Dayton water master plan, waterline improvements along 3rd Street and Ferry Street are not anticipated unless required to provide fire flows for the proposed development.

- A new waterline will be required along 2nd Street from Ferry to Main Street, in order to complete the looping so that redundancy requirements under the PWDS for fire flows can be provided.

(Water Service(s) & Water Meters)

Size & number of new water services and/or meters is uncertain at this point. While the application drawings include notes regarding a proposed 4-inch water meter, it is almost certain that a larger size meter will be required.

The developer will need to provide complete fixture lists and fixture unit counts and information for all uses proposed to be served from the existing or new meter(s), to allow verification that the meter(s) meet City sizing criteria as discussed below.

--- Meter sizing criteria. Sizing criteria for water meters is summarized under PWDS 5.20.a.5.

- With the final design, the development team will need to provide total fixture unit counts for the buildings being served (*as well as all irrigation systems*) for use in sizing any new domestic water meter(s).
- Fixture unit equivalents and demand curves (*used in determining the size of commercial water meters*) shall be established in accordance with the Oregon Plumbing Specialty Code, with the meter size being determined based on the PWDS criteria noted above (*once the development team provides a complete list of all fixtures and associated fixture unit counts, Public Works will indicate what size of meter will be required*).
- It is anticipated that the meter size required to serve the new building will be at least 6-inch diameter (*required size to be verified during design, since full information was not provided with the application*).

--- Standard water meter configurations are shown in the PWDS details.

--- The Developer will need to verify/clarify whether or not a separate irrigation meter is proposed.

--- Backflow prevention.

- A premise isolation backflow assembly shall be provided on the domestic water service line per City and state standards.

--- Water & Sewer SDC Notice.

- If on-site water storage is proposed inside the new building in order to reduce the peak flows and thus reduce the required water meter size, the water SDC will be based on the meter size which would be required without such on-site water storage, unless otherwise approved in writing by the Dayton City Council.
- The sewer SDC will be based on the water meter size that would have been required without such on-site water storage and associated smaller water meter size, since the peak sewer discharge flow rates will not be similarly reduced (*ie. the sewer SDCs are based on overall impacts on the sewer system which are typically proportional to the water meter size required under the standard sizing criteria. See also PWDS 5.20.b.*).

(Fire Sprinkler Systems)

The developer indicated that they plan to provide a fire sprinkler system for the new building.

- Since a fire sprinkler system is proposed, backflow devices and FDCs to City and Fire District standards will be required (*configured per Detail 554-556 for outdoor backflow assemblies, or per PWDS & OFC standards if backflow assemblies are located inside of the building*).
- FDCs will be required at locations acceptable to Public Works and the Fire Chief/Fire Code Official (*ie. FDC location in relation to the building(s) being served, as well as location in relation to a fire hydrant per PWDS 5.17.h*).
- The location of the forward flow test port required under NFPA 10.10.10.2.5 shall be shown on the construction drawings (*see general criteria on Detail 559*), as well as defining how flows during the initial & subsequent forward flow test will be conveyed to the outside without flooding or damage to the building.
- While the design of any required fire pump systems for the building will be separate from the infrastructure drawings which are reviewed by Public Works, such design shall include backflow prevention between the pump and the connection to the City water system, and shall be completed and approved by the applicable authority prior to final approval of the civil infrastructure drawings by Public Works, with verification that the proposed fire service line is adequately sized to serve the fire pump system.

(New Fire Hydrants & FDC Location)

- New hydrants shall be installed around the perimeter of the project site as required to meet City standards and at locations approved by Public Works and the Fire Code Official. (*ie. as noted under PWDS 5.17.b.6.b, hydrants on the opposite side of an ODOT right-of-way are not considered to be available for fire protection planning, since utilization would require closing the State highway to traffic*).

The application drawings propose the FDC to be located on the 3rd Street frontage of the property. This location will need to be approved in writing by both ODOT and the Fire Code Official per PWDS & OFC standards.

- FDCs shall not be located on frontages with ODOT right-of-ways unless approved in writing by both the Fire Code Official and ODOT in conjunction with the design *(based on findings which shall include, but may not be limited to, demonstration that there is adequate width to ensure that fire apparatus can access both the FDC and the associated fire hydrant without blocking traffic along the ODOT roadway with equipment, hoses, traffic control devices, etc., AND that there is no other feasible alternative location where the FDC can be located)*.
- Also see discussions above regarding aerial fire apparatus access location & requirements.

If the FDC location changes due to ODOT or Fire Code Official requirements *(or at the development team's option)*, the criteria listed below will also apply to the final FDC location approved by Public Works and the Fire Code Official.

- In addition to other hydrants required by PWDS or the Fire Code Official within or around the site, a new fire hydrant will also be required on the frontage where the new FDC is located *(within 40 feet of the FDC location as required by the PWDS)*.

(Fire Flows Requirements)

- Fire flows required will need to be determined from the Oregon Fire Code, based on the size and type of building, type of fire sprinklers provided for the new building, etc.
- Even when fire sprinkler systems are proposed, the minimum fire flows required at the site for commercial/industrial buildings is at least 1500 gpm *(OFC B105.3.1)*.
- The Developer shall submit water system construction drawings conforming to the requirements of the PWDS, and shall demonstrate that the required fire flows are available to all hydrants at the site. As a minimum, a new 8-inch waterline shall be constructed along 2nd Street to complete looping between Ferry Street & Main Street. All water system improvements required to provide the minimum fire flows *(with or without fire sprinklers)* shall be the sole responsibility of the developer. The drawings shall show the location and size of any existing or proposed domestic and/or irrigation water meters, as well as any existing or proposed backflow assemblies. The connection point of the domestic, irrigation and fire service lines to the public system, and the location of backflow devices, shall be as approved by Public Works and the City Engineer. Fire hydrants will be required at locations approved by the City Engineer and the Fire Chief. For buildings that are fire sprinklered, the developer shall provide an approved fire system backflow device and FDC between the public system and the fire sprinkler system. The location of the detector backflow device, FDC and forward flow test port shall be as approved by the City Engineer and the Fire Chief. Any required water system improvements must be completed, tested and accepted prior to occupancy permits being issued for any uses in the new building.

Franchise Utilities.

LUDC 7.2.305.02.C states in part that: *"All development which has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground."*

- Franchise utility service will need to be arranged with the applicable utility provider.
- Easements meeting PWDS requirements shall be provided for any franchise utility service located outside of the street right-of-way, which crosses property other than that which it serves.
- The development team shall coordinate to relocate any existing overhead utilities which conflict with aerial fire apparatus access requirements, at no expense to the City.

If you have any questions or need additional information regarding this review, please contact us to discuss.

Denny Muchmore, PE (OR, WA)

Westech Engineering, Inc. *Celebrating 57 Years of Service 1968-2025*

3841 Fairview Industrial Drive SE, Suite 100, Salem, OR 97302

503-585-2474 ph 503-585-3986 fax 503-931-8708 cell

dmuchmore@westech-eng.com

From: Curt Fisher <cfisher@MWVCOG.ORG>

Sent: Monday, July 7, 2025 2:46 PM

To: Denny Muchmore <dmuchmore@westech-eng.com>; dfdchief6@frontier.com; Don Cutler (dcutler@daytonoregon.gov) <dcutler@daytonoregon.gov>; Jason Shirley <jshirley@daytonoregon.gov>; modet@yamhillcounty.gov; PGE <PropertyServices@pgn.com>; 'SCOTT Brion' <Brion.SCOTT@odot.oregon.gov>; stevensonj@yamhillcounty.gov; 'Jeremy Caudle' <jcaudle@daytonoregon.gov>

Subject: Request for Comments SDR_VAR 2025-01 (3rd & Ferry Hotel)

Greetings,

City of Dayton planning is requesting comments you may wish to have considered in the City's review of the above-described land use case. The project involves Site Development Review of a 118-room hotel with restaurant, cocktail bar, spa, and other amenities on a ±36,000 square foot property at the corner of Ferry Street (SE Dayton Amity Hwy) and 3rd Street (OR Hwy 221). Parking is proposed on four off site parking areas as shown on the applicant's attached site plans. Please let me know if there is any other information from the applicant's submittal you would like to have to assist with your review.

Please submit comments, including any draft conditions of approval that will be necessary to comply with the requirements of your particular department or agency by **July 21, 2025** so they can be incorporated into the staff report to Planning Commission. You may also take use this opportunity to inform the applicant of the applicable permits, submittal requirements, and review procedures that your agency or department will require to permit the project following the land use decision. If we do not receive any response by this date, we will assume you have no concerns.

Please submit your written response by replying to this email.

Thank you,

Curt Fisher, AICP

Associate Planner

MWVCOG

100 High Street, Suite 200

Salem OR 97302

503-540-1616 | Cfisher@MWVCOG.org

Pronouns: he/him



EXHIBIT H



Outlook

Re: 3rd & Ferry Hotel (SDR_VAR 2025-01), Land Use Application Review Comments & Proposed/Suggested Conditions

From Scott Law <scott.law@daytonfiredistrict.org>

Date Mon 7/21/2025 5:02 PM

To Curt Fisher <cfisher@MWVCOG.ORG>

Cc Perenchio, Amy <amy.perenchio@zgf.com>; Jeremy Caudle, Dayton (jcaudle@daytonoregon.gov) <jcaudle@daytonoregon.gov>; Don Cutler <dcutler@daytonoregon.gov>; dmuchmore@westech-eng.com <dmuchmore@westech-eng.com>; Steve Scott <steve.scott@mcminnvilleproperties.com>

External: Please report suspicious email to

security@wesd.org

Good evening everyone,

Sorry I am responding to this at the last minute. I have been working with our representative at the State Fire Marshal's Office (Tony Miller) and we have the following, some of which have already been addressed by others:

- **Aerial Fire Apparatus Access.** Due to the height of the proposed structure Aerial Fire Apparatus Access requirements will apply. OFC D105
D105.1 Where required. Where the vertical distance between the *grade plane* and the highest roof surface exceeds 30 feet (9144 mm), *approved* aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater. Exception: Where *approved* by the *fire code official*, buildings of Type IA, Type IB or Type IIA construction equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 and having fire fighter access through an enclosed *stairway* with a Class I standpipe from the lowest level of fire department vehicle access to all roof surfaces. D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof. D105.3 Proximity to building. One or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be *approved* by the *fire code official*. D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the *fire code official*
- **Fire Apparatus Access.** *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility per OFC 503.1.1. Fire apparatus access road will need to meet the design specifications listed in OFC 503.2.

Obstructions for fire apparatus access roads will need to meet the requirements in OFC 503.4.

- FDCs will be required off the structure at a remote location acceptable to Public Works and the Fire Chief/Fire Code Official (*ie. FDC location in relation to the building(s) being served, as well as location in relation to a fire hydrant* (within 100 feet of the FDC).
- Existing Fire Hydrants will need to be tested to meet the required fire flows for the type of construction and square footage of the structure per OFC 507, B101-B109 and meet the location and distribution requirements per OFC C101-C105.
- Access to buildings and premise identification will need to meet the requirements of OFC 504-505.

Thank you

Scott Law

Dayton Fire District

scott.law@daytonfiredistrict.org

971-237-1842

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****PUBLIC RECORDS DISCLOSURE**** This is a public document and subject to the State Retention Schedule and may be made available to the public upon their requests of public disclosure.

On Mon, Jul 14, 2025 at 10:44 AM Curt Fisher <cfisher@mwvcog.org> wrote:

Good Morning Amy,

I'm forwarding the comments received from engineering/ public works on the SDR application.

Engineering has identified the need for another variance to permit the use of the alley for on-street loading....

On-street delivery/loading zones are NOT allowed to infringe on or block standard vehicular traffic along public streets or public alleys, which is not possible along the alley due to its narrow width.

A major variance will need to be granted as part of the land use approval to allow the proposed delivery loading zone to periodically block traffic in the alley on the north side of the new hotel.

Similar to the previous approval for the small hotel across the 3rd & Ferry intersection from this site, we suggest that the City Planner include an approval condition requiring markings and signage to be installed at the loading zone showing the limits of the loading zone, and specifying the maximum time any single vehicle can be parked in the loading zone (default code time limits listed below should be verified as part of the land use approval process).

- The final construction drawings shall show the location and size for the delivery loading zone proposed on the alley located between Ferry & Main Street. The limits of the on-street loading zone in the alley shall be marked on the pavement with durable pavement markings per City standards, and shall not block more than 50% of the pavement width in the alley. Signs acceptable to Public Works and the City Engineer shall be installed specifying the maximum time that any single vehicle can be parked in the

EXHIBIT I



Outlook

RE: Request for Comments SDR_VAR 2025-01

From SCOTT Brion <Brion.SCOTT@odot.oregon.gov>

Date Mon 7/21/2025 2:09 PM

To Curt Fisher <cfisher@MWVCOG.ORG>

External: Please report suspicious email to

security@wesd.org

Well, that's embarrassing that I didn't read your initial email well enough. Updated comments below.

Thank you for notifying Oregon Department of Transportation of this application at the corner of Ferry St (Amity-Dayton Highway) and 3rd Street (Salem-Dayton Highway (OR 221)). ODOT has no objections to this proposal and our comments are as follows:

1. All frontage improvements within highway right of way will need to be reviewed, approved, and permitted by ODOT. Plan sets for review can be submitted directly to me.
(brion.scott@odot.oregon.gov)
2. The reconstructed alley driveway will require an approach application that can be found at the access management website here: <https://www.oregon.gov/odot/engineering/pages/access-management.aspx>.
 - a. Because this is a public approach the applicant should make sure to receive authorization as a designated agent by Dayton. Frontage improvements discussed above (comment #1) may be included in the access permit approval process.
 - b. Access application should be submitted to District Permitting. They can be contacted at 503-986-2900.
3. Any utility connections that cross the highway may require a Miscellaneous permit which can be found here: <https://www.oregon.gov/odot/maintenance/pages/permits.aspx>.
4. ODOT recommends as a condition of approval that the applicant submit a traffic impact analysis (TIA) for review to determine impacts and potential mitigation of added traffic by this development.

Thanks,

Brion Scott, PE

Development Review Coordinator

ODOT - Region 2 - Area 3

885 Airport Road SE, Building P Salem, OR 97301

(503) 871-1411

Brion.Scott@odot.oregon.gov

From: Curt Fisher <cfisher@MWVCOG.ORG>

Sent: Monday, July 21, 2025 1:59 PM

To: SCOTT Brion <Brion.SCOTT@odot.oregon.gov>
Subject: Re: Request for Comments SDR_VAR 2025-01

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Thanks Brion,

The project involves 118 rooms, a restaurant, and various other amenities.

The project involves Site Development Review of a 118-room hotel with restaurant, cocktail bar, spa, and other amenities on a ±36,000 square foot property at the corner of Ferry Street (SE Dayton Amity Hwy) and 3rd Street (OR Hwy 221).

Curt Fisher, AICP
Associate Planner

MWVCOG
100 High Street, Suite 200
Salem OR 97302
503-540-1616 | Cfisher@MWVCOG.org
Pronouns: he/him



From: SCOTT Brion <Brion.SCOTT@odot.oregon.gov>
Sent: Monday, July 21, 2025 1:49 PM
To: Curt Fisher <cfisher@MWVCOG.ORG>
Subject: RE: Request for Comments SDR_VAR 2025-01

External: Please report suspicious email to
security@wesd.org

Curt,

Thank you for notifying Oregon Department of Transportation of this application at the corner of Ferry St (Amity-Dayton Highway) and 3rd Street (Salem-Dayton Highway (OR 221)). ODOT has no objections to this proposal and our comments are as follows:

1. All frontage improvements within highway right of way will need to be reviewed, approved, and permitted by ODOT. Plan sets for review can be submitted directly to me.
(brion.scott@odot.oregon.gov)

2. The reconstructed alley driveway will require an approach application that can be found at the access management website here: <https://www.oregon.gov/odot/engineering/pages/access-management.aspx>.
 1. Because this is a public approach the applicant should make sure to receive authorization as a designated agent by Dayton. Frontage improvements discussed above (comment #1) may be included in the access permit approval process.
 2. Access application should be submitted to District Permitting. They can be contacted at 503-986-2900.
3. Any utility connections that cross the highway may require a Miscellaneous permit which can be found here: <https://www.oregon.gov/odot/maintenance/pages/permits.aspx>

End comments

Curt,

I appreciate the previous comments but I'm not seeing an issue with the "temporary" valet parking unless this hotel has a lot of rooms. I couldn't tell how many there were supposed to be because floors 2, 3, and 4 weren't included in the plans and there was no narrative describing it. Do you have information on the number of rooms? If there are 65 or more rooms, I'd like to amend my comments and request at least a trip generation memo with potential for a full traffic study pending review of the memo.

Thanks,

Brion Scott, PE

Development Review Coordinator

ODOT - Region 2 - Area 3

885 Airport Road SE, Building P Salem, OR 97301

(503) 871-1411

Brion.Scott@odot.oregon.gov

From: Curt Fisher <cfisher@MWVCOG.ORG>

Sent: Monday, July 7, 2025 2:46 PM

To: dmuchmore@westech-eng.com; dfdchief6@frontier.com; Don Cutler (dcutler@daytonoregon.gov) <dcutler@daytonoregon.gov>; Jason Shirley <jshirley@daytonoregon.gov>; modet@yamhillcounty.gov; PGE <PropertyServices@pgn.com>; SCOTT Brion <Brion.SCOTT@odot.oregon.gov>; stevensonj@yamhillcounty.gov;

'Jeremy Caudle' <jcaudle@daytonoregon.gov>

Subject: Request for Comments SDR_VAR 2025-01

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Greetings,

City of Dayton planning is requesting comments you may wish to have considered in the City's review of the above-described land use case. The project involves Site Development Review of a 118-room hotel with restaurant, cocktail bar, spa, and other amenities on a ±36,000 square foot property at the corner of Ferry Street (SE Dayton Amity Hwy) and 3rd Street (OR Hwy 221). Parking is proposed on four off site parking areas as shown on the applicant's attached site plans. Please let me know if there is any other information from the applicant's submittal you would like to have to assist with your review.

Please submit comments, including any draft conditions of approval that will be necessary to comply with the requirements of your particular department or agency by **July 21, 2025** so they can be incorporated into the staff report to Planning Commission. You may also take use this opportunity to inform the applicant of the applicable permits, submittal requirements, and review procedures that your agency or department will require to permit the project following the land use decision. If we do not receive any response by this date, we will assume you have no concerns.

Please submit your written response by replying to this email.

Thank you,

Curt Fisher, AICP

Associate Planner

MWVCOG

100 High Street, Suite 200

Salem OR 97302

503-540-1616 | Cfisher@MWVCOG.org

Pronouns: he/him



From: Tiffany Braun <tiffany.ann.cook@gmail.com>
Subject: Braun Concerns Regarding Dayton Hotel Development Plans
Date: August 11, 2025 at 1:43:11 PM PDT
To: tvargas@daytonoregon.gov, cfisher@mwvcog.org

Dear Ms. Vargas and Mr. Fisher,

My husband and I are the owners of 400 2nd Street in Dayton. We have reviewed the proposed development plans for the Dayton Hotel. While we fully support the addition of a hotel in Dayton and recognize the benefits it could bring to our community, we have several concerns with the current plans that we ask be addressed prior to approval.

1. Parking

Our primary concern is the lack of a permanent, long-term parking solution. Although a temporary plan has been provided, it does not address the ongoing needs of hotel guests and staff. The size and scope of the project will require a significant amount of parking. While we understand that city code does not require on-site parking, it does require that new developments avoid creating adverse impacts for nearby residents and businesses. Without a permanent solution, overflow parking will inevitably affect the surrounding neighborhood. We respectfully request that a permanent parking plan be finalized and approved before building permits are issued.

2. Alleyway Access – Retaining Walls

Our property shares the alleyway with the proposed hotel site. Current plans show a retaining wall in front of our driveway and garage. (Note: the plans mistakenly identify our property as a “shop,” but it is our home.) We currently access our garage via the alleyway, and our future house plans also rely on this access, in alignment with city preferences. We request that no retaining wall be installed that would block or limit our property's access.

3. Alleyway Environment – Loading and Waste Areas

The alley is used by both residential and commercial properties. The current plans place hotel loading and garbage access in the alleyway. We ask that these functions be relocated to the 2nd Street side of the building. Loading docks and garbage areas in the alley will negatively affect residents and visitors, creating a dark, noisy, and unpleasant space. The developer has an opportunity to create an alleyway that is well-lit, clean, and welcoming for residents and guests alike, rather than one that detracts from the neighborhood environment.

Thank you for your attention to these matters. We look forward to hearing how the city and developer plan to address these concerns before final approval of the hotel project.

Sincerely,

Tiffany Braun

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

EXHIBIT K

TO: Rocia Vargas, Dayton City Recorder
From: Judy Gerrard, Resident 305 Main St

October 30, 2025

RE: Proposed Hotel at 201 Ferry St.

The early design concepts for this hotel concerned me and I met with Steve Scott of Twin Towers to provide feedback. My concerns were the look and feel, at that time, being of a big black rectangular box, with little differentiation on the front elevation, little connection with our "living room" aka Courthouse Square Park, and a general feeling of disregard for our Central Business Overlay design requirements.

I shared some possible changes; such as, use of the brick to create design elements to help break up the long façade on Ferry. I shared examples of how Willamina Brick was used on some Portland buildings (e.g. Wells Fargo bank – the original; Paramount Theater (Keller now) and so forth. In terms of size/mass of building compared to surrounding area, with local landmarks, I shared information about infill from Restore Oregon's guidelines on same. Steve carried my feedback to the team working on the hotel design.

I feel that the current rendition has a much better look and feel that is closer to what we imagined when putting the City's Central Business Overlay Design Guidelines together (I was on committee). The talk by the committee was what size a hotel would be economically viable in our CBO area; and the result of that musing was the height allowances for that corner at 201 Ferry. We discussed look and feel and fitting in with our historic downtown, yet not mimicking what was there, but fitting in in terms of design elements on the front of buildings, building materials, and wrote code to support that. They are proposing brick, and a color that is within the color palette in the CBO design guidelines.

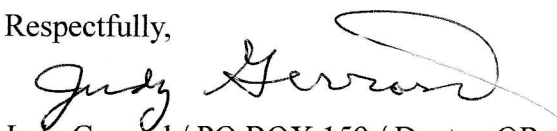
From what I have seen, I feel that the changes made to the design and most recently, are in much more alignment with the Central Business Overlay Design Guidelines. I am pleased that all of the exceptions or interpretations originally requested have been redrawn and moot point now.

I am a cautious about bringing change to our downtown, our community, that may harm the small town, quaint sense of place that so many say they value as seen in the answers to the community surveys that have been done the last 2 years.

Having said that, I think we have no better partner in this than Twin Towers. This business has proven itself three times over in our downtown (the former Baptist Church; Francis Court and the 2 story business/residential next to it; and The Inn at Dayton). They have developed quality buildings, these buildings have added to our sense of place and they work with businesses in these buildings that have enhanced our downtown. All three of these projects have won state-wide awards for the architecture, design, historic preservation, and compatible new design.

I'd like to see us take a chance on this Twin Towers hotel. It will be a big change for our downtown, and community. I am hopeful that because it is Twin Towers at the helm, the end result will be one of quality, something we can all take pride in, that it enhances our sense of place, and adds to our community.

Respectfully,



Judy Gerrard / PO BOX 159 / Dayton OR judyg@macnet.com

cc: Steve Scott

EXHIBIT L

WAIVER OF FINAL ACTION

PARTIES: The CITY OF DAYTON, hereinafter referred to as the City, and the following person(s), or corporation, hereinafter referred to as Owner:

NAME: Twin Towers, LLC

ADDRESS: 7401 SW Washo Ct. Suite 200, Tualatin, OR 97062

NAME: _____

ADDRESS: _____

REAL PROPERTY: A parcel of land belonging to Owner, hereinafter referred to as Property, described as follows:

MAP/TAX LOT: 3000, 3101, 3200, 3300, 3400, 3500

ADDRESS: 403 3rd St, Dayton, OR 97114

IN CONSIDERATION of the Owner's desire for a favorable land use decision by the City on the above listed property for the pending decision identified as City File SDR 2025-01_VAR involving a request for Site Development Review with Minor Variances to permit a 118 room hotel. The Owner's agent previously invoked ORS 227.178(2), forcing the application to be deemed complete on July 1st, 2025. The current 120-day deadline in October 29th, 2025.

The Owner agrees as follows:

WAIVER. Owner hereby waives rights under ORS 227.178(5) which requires the City to take final action on an application requesting a land use decision within 120 days of filing a complete application. The Owner's agent previously invoked ORS 227.178(2), forcing the application to be deemed complete on July 1st, 2025 and thereby set the current 120-day deadline as October 29th, 2025. Owner's consent and waiver are continuing and binding for the time that the application is deemed active by the City or until the Owner withdraws the application¹.

WE THE UNDERSIGNED have read and agree to the terms contained in this Waiver.

OWNER(S): Wayne Marschall, Manager, Twin Towers, LLC

(PRINT) W. Marschall

(Signature)

(PRINT)

(Signature)

¹ORS 227.178(5) The 120-day period set in subsection (1) of this section or the 100-day period set in ORS 197.311 (Final action on application for certain residential developments required within 100 days) may be extended for a specified period of time at the written request of the applicant. **The total of all extensions, except as provided in subsection (11) of this section for mediation, may not exceed 245 days.**

ORS 227.178(11) (11) The periods set forth in subsections (1) and (5) of this section and ORS 197.311 may be extended by up to 90 additional days, if the applicant and the city agree that a dispute concerning the application will be mediated.