

**COUNCIL MEETING MINUTES  
JANUARY 27, 2025**

**DATE**     **COUNCIL CHAMBERS, CITY HALL, CITY OF WOODBURN, COUNTY OF MARION, STATE OF OREGON, JANUARY 27, 2025**

**CONVENED**   The meeting convened at 7:04 p.m. with Mayor Lonergan presiding.

**ROLL CALL**

Mayor Lonergan	Present
Councilor Cantu	Present
Councilor Cornwell	Present
Councilor Schaub	Present
Councilor Brizuela	Absent
Councilor Grijalva	Present
Councilor Wilk	Present

**Staff Present:** City Administrator Derickson, City Attorney Granum, Assistant City Administrator Row, Economic Development Director Johnk, Community Development Director Kerr, Human Resources Director Gregg, Special Projects Director Wakely, Senior Planner Cortes, Police Chief Millican, Community Services Director Cuomo, Public Affairs and Communications Manager Guerrero, Finance Director Turley, Public Works Director Stultz, Assistant City Attorney Killmer, Community Relations Manager Herrera, City Recorder Pierson

**MOMENT OF REFLECTION**

Mayor Lonergan took a moment of reflection to acknowledge the following:

- Congratulated the Fire District and acknowledged that four firefighters from the Woodburn Fire District were deployed to Los Angeles to assist with the fires and they successfully returned on Saturday. He expressed gratitude to the four firefighters, namely Robb Gramzow, Raul Garza, Dan Agee, and Joe Jacobucci, for their efforts.
- Recognized the 80th anniversary of the Auschwitz liberation, emphasizing that it serves as a reminder of the consequences we may face if we lose our freedom and democracy.
- Asked for a moment of silence for the 15-year-old community member that was killed in a train accident. He stated that our hearts go out to his family and friends.
- Addressed the uncertainty surrounding immigration policies and their potential impact both nationally and locally. He noted that the City of Woodburn supports the principles of Diversity, Equity, and Inclusion (DEI). To further clarify the City’s stance, the Mayor invited the Police Chief to speak on the City’s position moving forward.

Police Chief Millican read a brief statement regarding the federal government’s nationwide immigration enforcement that is causing concern in the community. Noting that the Woodburn Police Department, under Oregon law, is not authorized to enforce federal immigration laws and is committed to following state laws and the department will continue to serve the

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community by upholding the U.S. Constitution, Oregon laws, and department policies, and encourages residents to contact the police for services as needed.

### **BUSINESS FROM THE PUBLIC**

Ansar El Muhammed, 1421 June Way, shared that they have lived in the community for nearly 20 years, and the recent incidents involving teens and railroad accidents have prompted them to speak out. They emphasized the need for safety improvements, proposing several initiatives, including: approaching the Woodburn School District to implement railroad safety classes for all grades, taught by Union Pacific, distributing educational flyers to all Woodburn households, installing fences to prevent shortcuts and educating the public on railway laws, slowing down trains and adjusting train schedules to avoid overlap with school walking times, increased patrolling of the tracks during school hours. She provided the City Council with a handout that contained information on train fatalities in Marion County.

Emily Rojas, stated that her friend passed away last Friday and emphasized that actions should be taken in response to this loss. She stated that her friend didn't deserve to die and that children should be protected from preventable tragedies and suggested putting up a barrier between the trees to enhance safety and avoid further deaths.

Claudia Rojas, stated that the tragedy could have been avoided with proper safety measures. She emphasized the need for barriers between train tracks and walking areas, urging the city to take action to prevent future accidents and protect the lives of young people. She also mentioned the pain families feel when they lose children to preventable accidents and called for more proactive measures.

Rebecca Lurback, 1180 Koeffler Ave, thanked the Council for their work on affordable housing, highlighting the need for better education on how this impacts the community. She also voiced strong support for the immigrant community, praising the chief of police for advocating against bigotry and for the fair treatment of immigrants. Additionally, she raised safety concerns regarding Evergreen Rd. near Meadows Estates, which is a high-risk area for seniors. She requested the installation of a stop sign at a dangerous intersection near Walmart, citing frequent accidents and the vulnerability of elderly residents.

### **CONSENT AGENDA**

- A. Woodburn City Council minutes of January 13, 2025,
- B. Traffic Photo Enforcement Report – October through December 2024,
- C. Monthly Financial Report,
- D. Acceptance of Public Utility Easement at 1274 N 5th Street (Tax Lot 051W07DB00300),
- E. Acceptance of Easements and Right of Way Associated with the Speculative Industrial Development Project (Tax Lot 052W140000800 & 052W140000801),
- F. Liquor License Application for Romero's Cantina LLC.

Councilor Cornwell asked about the concerns the police department had with the application for Romero's Cantina LLC. Chief Millican stated they do have concerns about people moving from food cart to food cart with alcohol, however, they do not have a legal reason to recommend denial of the application. He added that they will monitor the location. Mayor Lonergan recommended that the applicant put up some sort of barrier.

**Motion: Schaub/Cantu...** approve the consent agenda as presented.

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The Motion passed with the following vote: Councilors Schaub, Cornwell, Wilk, Cantu, and Grijalva voting "aye." [5-0]

### **PUBLIC HEARING**

A Public Hearing to consider input on Planning Commission approval with conditions of the US Market gas station development at 2540 & 2600 Newberg Hwy at the southwest corner of Newberg Hwy & Oregon Way (CU 24-02).

Mayor Lonergan declared the hearing open at 7:32 p.m. for the purpose of hearing public input on the Planning Commission approval with conditions of the US Market gas station development at 2540 & 2600 Newberg Hwy at the southwest corner of Newberg Hwy & Oregon Way (CU 24-02). Mayor Lonergan asked if there were any declarations from the Council. Councilor Schaub stated that she is aware of the property and had an issue with tree removal at that location in the past. Councilor Cornwell stated that she is familiar with the property and was a teacher for Rosa Reyes. Councilor Wilk stated that he went to the bank that used to be there. Councilor Cantu stated that she also went to the bank that used to be there. Councilor Grijalva stated that she is familiar with the property. Mayor Lonergan stated that he is familiar with the property.

City Recorder Pierson read the public hearing statement.

Senior Planner Cortes provided a staff report. He noted that two pieces of testimony came in after the packet went out and they were made available to Councilors today and posted online.

Mark Shipman, land use attorney with Saalfeld Griggs PC 250 Church St., Salem, OR, provided testimony on behalf of the applicant. He noted that the vacant property is being developed into a business with significant input from staff and support from the Planning Commission. Key changes from the 2022 application include a "right-in" only driveway design to restrict right-out turns onto Hwy 214, approval from ODOT for access, and a modified landscaping plan with more deciduous trees. The project is located within 160 feet of residential zones, requiring a conditional use permit. The Planning Commission approved the permit with conditions to mitigate impacts on the surrounding neighborhood, and staff recommends approval as the project meets all criteria. Mr. Shipman submitted a letter with supplemental findings for the record to the City Council dated January 27, 2025.

Joe Bessman, Transight Consulting LLC, 61721 Splendor LN Bend, OR 97702, addressed concerns regarding the project's access, traffic flow, and safety. He noted that originally the plan included a right-in, right-out access, but this was changed to a right-in only after safety concerns about traffic weaving on Highway 214 were raised. Working with ODOT, the revised access was approved, as it benefits the transportation system by diverting eastbound traffic onto Oregon Way, which is less congested and has a signal for safe left turns.

Kevin Girets, with Ronald James Ped Architect PC, stated that the tanks on this project are double wall tanks.

Property Owner Don Sidhu stated that there will be two tanks that are split with four different products.

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He added that he expects a delivery by the fuel tanker around every other day.

Mick Harris, 888 SW 5th Ave. Ste.1600 in Portland, OR 97204, an attorney with Tonkon Torp representing the appellant Paula Kilgore, stated that there are issues of compatibility with this project and whether the proposal could fit harmoniously with the neighborhood. He stated that the previous design, rejected by the City Council two years ago, had become worse, particularly due to ODOT's highway safety requirements, which could burden Oregon Way. Harris also raised concerns about potential future easements with Dairy Queen and additional site strain. He highlighted non-traffic issues like lighting, noise, and smells, which should also be considered for compatibility. He briefly referred to technical and procedural aspects of the appeal, noting concerns about deferred compliance with future decisions and inadequate analysis in the staff report. Mr. Harris mentioned that he hadn't had time to review the supplemental findings or the letter circulated by the applicant's attorney, requesting a delay in the decision until further review.

City Attorney Granum stated that she had not reviewed the supplemental material submitted this evening. She highlighted that the Council had several options during deliberation, including the choice of whether or not to adopt the applicant's proposed additional findings. She added that the Council could still choose to move forward without accepting the supplemental materials. If the Council needed more time to review the material, it was advisable to make that decision before finalizing their decision.

Mayor Lonergan asked if any member of the public wished to speak in support of the Planning Commission approval with conditions of the US Market gas station development at 2540 & 2600 Newberg Hwy at the southwest corner of Newberg Hwy & Oregon Way (CU 24-02).

Mohan Grewal, 2620 Newberg Hwy, expressed concern about a vacant property near his own, which has been unused for several years. He noted that the site invites issues such as homelessness, garbage, and decreased property values. He emphasized the need for development on the property. He stated that a developed property would bring more jobs, revenue, and improve the city's image. He also raised concerns about local gas prices, advocating for more affordable options, especially for low-income residents.

Lorena Silva, PO Box 162, Hubbard, expressed support for the proposed gas station. She highlighted the contributions of Don and Rosa, who are well-regarded in the community, and mentioned their past charitable efforts, such as installing a water filtration system at Saint Luke's. She noted that their involvement would bring positive change to the community. Lorena emphasized that the unpredictability of gas prices should not overshadow the broader benefits of having a responsible and reliable business in the area.

Alma Shevchenko, 489 Turnberry Ave., supported the development of the gas station, citing the potential to boost Woodburn's economic growth, create jobs, and stimulate the local economy. She advocated for a more reliable option, like the proposed U.S. market station, based on her positive experiences with their cleanliness and organization at other locations. She stated that she also believed that the new gas station would lead to increased traffic, which would, in turn, increase property values in the area.

Rick Hascall, 2832 Olympic St., stated that he is a Woodburn business owner and resident, and

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emphasized the importance of supporting local businesses, particularly those like Don and Rosa, who are invested in the city's growth. He argued that the primary concern for the proposed gas station was traffic, but he disagreed with comparisons to the nearby Safeway, stating that the new gas station would be similar to the Chevron station in terms of traffic flow. He pointed out that the city needs another gas station, especially with developments like Amazon's opening. He also noted that competition in the gas market would help drive down prices, benefiting residents and preventing price manipulation by Chevron.

Myrna Gusdorf, 665 Troon Ave., spoke in favor of the development of the vacant lot near the city entrance. She described the property as an eyesore with weeds, garbage, and homelessness, which has been an issue for years. They emphasized the need for a project like the U.S. Market to improve the area. She also praised the developer's plan, highlighting that it is a thoughtfully designed project that fits the city's needs. She argued that gas prices are a significant concern, particularly for low-income residents who need affordable and conveniently located gas stations. She encouraged a vote in favor of the plan, emphasizing the competitive pricing the new station would likely offer.

Amar Sidhu, 1311 Lancaster Drive, Northeast Salem, stated that he is the marketing representative for U.S. Market, and he is in favor of the proposed gas station, emphasizing the positive impact the company has on the community. He shared that U.S. Market is known for being community-friendly and offering excellent customer service. He addressed concerns raised about U.S. Market's impact on traffic and delivery logistics, reassuring the council that the company has addressed these issues with careful planning and coordination. He added that the development would help bring more visitors to the city and improve fuel pricing for residents, supporting local economic growth.

Julian Cocklin, 17225 SE 120th Ave. Clackamas, stated that he is an account executive with Coremark (a vendor for U.S. Market), provided additional context about delivery procedures. He explained that Coremark specializes in delivering to convenience stores. He assured the Council that deliveries would be efficient and would not disrupt traffic flow. He stated that deliveries typically take 25 to 35 minutes and are scheduled to minimize disruption, especially in tight convenience store locations.

Fred Shadrin, 35913 S. Kropf Road, expressed support for the U.S. Market development, particularly praising Don Sidhu for his charitable contributions, including donations to Doernbecher Children's Hospital. He addressed concerns regarding traffic flow, stating that sufficient engineering had been done to ensure smooth traffic management. Mr. Shadrin shared his experience with fuel stations and noted that lighting would not be an issue at the proposed site, citing other stations as examples. He compared the proposed project to a similar one on Division Street in Portland, arguing that traffic flow would not be negatively impacted. He encouraged the Council to vote in favor of the project.

Mayor Lonergan noted that the following individuals, while not wishing to speak, filled out speaker cards in support of the project: Kevin Cach, Todd Mitchell, Doug Eyer, Ivan Tippin, Serge Chernishoff, Marco Sancuz, Patrick McDonough, Tiffanie Baker, Lorena Silva, Parvee Sidhu, Balrad Singh, Daniel Shucknke, Sonya Darling, Jay Bahia, Todd Garner, Irshad Suri, Michael Vasquez, Todd Nelson, Rob Stuart, Mark Shipman, Bryan Galbraith, Harry Bhullar, Tony Sidhu, Bill Hammack, Emily Hammack, Norman Mabee, Inderdit Singh, David Arthur Milam, Sarbjit Kaur, Najma, and Donna Svela.

Debbie Holland, 405 Troon Ave, Woodburn, expressed support for the proposed project, stating that

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she and her husband fully support Don Sidhu's application.

Kevin Cach, 14900 SW 103rd, Tigard, stated that he is a representative for Space Age Fuel (the fuel vendor for U.S. Market), and provided insight into the delivery process. He explained that Space Age Fuel delivers 40 to 50 thousand loads of gasoline and diesel each month across the state and can accommodate any delivery timing restrictions the City may impose. He mentioned that the company prefers to make deliveries in the evening or late at night to minimize traffic disruption. He reviewed the project plans and confirmed that the delivery process to the proposed location would be safe and efficient.

Todd Garner, 2782 Tukwila Drive, Woodburn, expressed his support for the project, commending the planning staff for their excellent presentation and thorough answers to his questions. He also suggested that in lieu fees could be considered for enhancing safety around the nearby railroad tracks, referencing the emotional testimony given earlier in the meeting.

Mayor Lonergan asked if any member of the public wished to speak in opposition of the Planning Commission approval with conditions of the US Market gas station development at 2540 & 2600 Newberg Hwy at the southwest corner of Newberg Hwy & Oregon Way (CU 24-02).

Jan Dirkham, Oregon Way, expressed strong concerns about the proposed gas station, as she lives just three houses away from the site. She and her husband bought their home to retire in a quiet neighborhood, but they are worried about the increased traffic, noise, and safety issues. She mentioned frequent speeding cars on their street, which could worsen with the gas station's presence. She voiced concerns about the disruption to their quality of life, particularly with noise from nighttime gas pumping. While she is not against having a gas station in town, she believes the location is not suitable for it.

Jill Morris, 952 Oregon Way, stated that her home is directly across from the proposed gas station exit and raised concerns about traffic congestion. She mentioned that cars exiting the gas station turning left onto Oregon Way will likely block the left turn lane onto Highway 214, causing further traffic issues. She also expressed concern about headlights from cars shining into her home, disrupting her ability to enjoy quiet evenings. She highlighted that there are already two gas stations within two blocks of her home and questioned the need for another. Environmental impacts and a potential decrease in home values were also mentioned as significant concerns.

Jan Duncum,, 980 Oregon Way, stated that she is a resident living directly across from the proposed site, and voiced concerns about traffic and congestion. She mentioned that with the current traffic light on Highway 214, four vehicles would already block her driveway, and she worries this issue will be exacerbated by the gas station. Additionally, the bus stop near the service station exit and increased traffic from golfers and maintenance vehicles further complicates the situation. She suggested that while a gas station could be beneficial to Woodburn, this location is not appropriate for such a facility due to its residential setting.

Karen Halter, 938 Oregon Way, echoed the concerns raised by her neighbors, agreeing that the proposed gas station is not suitable for their residential area. She noted the existing traffic from semis and loud cars, which already cause significant noise and disruption. She also stated that the gas station

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would exacerbate these problems, making it difficult for her and others in the neighborhood to get any rest. She emphasized that while she acknowledged the businessman's good intentions, the location is not appropriate.

Paula Kilgore, 636 Oregon Way, stated that she is the one who filed the appeal against the proposed gas station and convenience store at the location. She opposes the project due to several concerns including traffic hazards on both Highway 214 and Oregon Way, the dangerous traffic light system at the intersection, and congestion caused by the existing businesses in the area. Paula also noted the potential health risks to residents, including fire danger and fuel spills. She is concerned about the future obsolescence of the gas station due to the rise of electric vehicles. She also stated that she has gathered 70 signatures opposing the project and provided them to the City Recorder.

Mickey Harrison, 924 Oregon Way, stated that he shares the concerns raised by others and emphasized that his objection to the project is not personal, as he believes the developer might be a good person. However, he reiterated that the location is not suitable for the gas station. He emphasized the negative impact on the quality of life in the area due to increased traffic and safety issues.

Susan Huggins, 910 Oregon Way, stated that she lives near the proposed exit onto Oregon Way, and voiced her strong opposition to the gas station, stating it would disrupt her community. She shared concerns about the safety and livability of the neighborhood, mentioning broken bottles and potential issues with littering. She also mentioned the noise, light pollution, and construction disruptions. Susan emphasized that the location is not right for the proposed project.

Becky Hayes, 950 Evergreen Rd, Unit 205, stated that she is a member of a 55+ community, and expressed her strong opposition to the gas station proposal. She noted the insufficient soundproofing and lighting issues with the project and raised concerns about pollution from the gas station affecting the ozone layer and the local environment. She also pointed out that there are existing gas stations nearby, questioning the need for another. Becky further criticized the developer for neglecting to maintain the property in its current state, which she believes is contributing to the area's dilapidated look.

Anika Figueroa, 791 S Settlemier Ave, stated that she is speaking on behalf of her parents, who live at 966 Oregon Way, directly across from the proposed gas station. She outlined several concerns, including noise, illumination, hours of operation, and traffic. She emphasized that the traffic report from the applicant was inaccurate, as it compared the gas station to banks, which operate only during business hours, while the gas station would be open much longer. She expressed concerns about headlights shining into homes and the potential safety hazards posed by increased traffic and accidents in the area. She urged the City Council to deny the project due to its negative impact on the neighborhood.

Jaime Rodriguez, 1639 Newport Way, spoke against the project, highlighting concerns about traffic congestion on Oregon Way and the Newberg Freeway. He pointed out the existing traffic challenges and the potential for a 25% increase in traffic, especially during peak hours. Jaime also mentioned environmental concerns, including air pollution and gas emissions, which he believes would negatively impact the community. He stressed the importance of making a decision that benefits the overall community rather than focusing on profit and urged the council to consider other locations for the gas

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station.

Mayor Lonergan noted that the following individuals, while not wishing to speak, filled out speaker cards in opposition of the project: Mary McGrath, Robert Boyle, Marilyn Sbardellati, Lynda Hines, Julie Prevost, Donna Owen, Carol Sullivan, William Wright, Ed Ivey, Janie Torabi, Janie Durk, Vickie Hibberd, Largo Abshere, Laurie Kramer, Gordon Hall, Deborah Lebold, Gloria Bonnie, Donna Rector, Nancy Bellinger, Merrra Frochen, Sergio Figuero, Carolyn Shindlebower, Norman Ebanks, Doris Ebanks, Anna and Henry Phillips, Dixie Hilton, Alice Green, Larry Durk, Carolyn Forrest, Stormie Strand, Candy Steffen, Carol Paradis, Jennifer Lopinski, Janice Aiken, Betty Yaws, Ed and Sheila Hawn, Wanda Stevens, Loretta Vittoria, James Burnes, Debbie Grith, Rosemary Hinkle, Julie Hadley, Malena Turner, Diana Meithof, Nancy Landers, Ed, Hawn, Dorothy Monnier, Pam Garrett, Carol Bettendorff, Tom Barrell, Susan Nichols

Mayor Lonergan asked for rebuttal testimony from the applicant.

Don Siddhu, 692 Troon Ave, shared his positive experience with the growing community and addressed a few concerns. He noted that while the local bank had standard business hours, its ATMs were available 24/7, and the parking lot had well-placed, downward-pointing lights for safety. He noted that there are still poles in the parking lot, around 22-25 feet high, but they are pointed downwards and not towards residential areas. He assured Council that they would work with the city staff to ensure compliance with lighting requirements, making sure it is directed appropriately. He emphasized the modern technology used in underground fuel tanks, which includes double-walled tanks and piping with sensors to prevent leaks. He explained that if there's a leak or malfunction, the system shuts off automatically. He reassured that fuel leaks are unlikely unless caused by human error, such as spilling during fueling. He stated that he is committed to working with the city to meet all necessary requirements.

Mark Shipman addressed a procedural error allegation made by Mr. Harrison, asserting that no error occurred. The applicant acknowledges the burden of proof and explains that the process of working with the Council to create the final findings is customary. He emphasized that the testimony presented was consistent with the Planning Commission's, which had already made a decision based on substantial evidence, meeting approval criteria and staff conditions. Mr. Shipman clarified that the zoning is long-established as commercial general, and while traffic concerns are noted, the system can handle the proposed use without failure. The Planning Commission's approval, despite some dissent, was based on careful consideration of the evidence. The speaker urged approval of the staff recommendation and conditions as outlined in the Planning Commission's decision.

Mayor Lonergan closed the hearing at 9:51 p.m.

Mayor Lonergan stated that it was now time for Councilor discussion.

Councilor Wilk commented on the importance of comprehensive land use planning in Oregon, acknowledging its benefits despite some criticisms. He noted that within a commercial zone, property owners are allowed to develop their land according to the zoning rules, and in cases like this one, a conditional use permit is required. Councilor Wilk pointed out that the proposed gas station is 160 feet away from the nearest residences, addressing concerns from those most affected. He stated he feels this



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is an appropriate use for this facility and that the conditions set by staff and approved by the Planning Commission are designed to minimize the impact of the gas station and make it as non-intrusive as possible.

Mayor Lonergan noted that the City can't dictate what a person does with their property as long as they follow the conditions in the property zoning.

Councilor Schaub expressed her concerns about the property's development, noting that after the banks were torn down and the property remained vacant, two trees were removed without permission. She also highlighted the worries about the impact on traffic and noise for the nearby senior residents. She added that although the developer met the conditions set by the Planning Commission and planning department, she feels this project does not seem compatible with the neighborhood she has been a part of for 18 years.

Councilor Cornwell stated that no one wants a gas station by their home and that if this was in the Tukwila neighborhood it would be a whole different fight. She stated that she enjoys US Markets but wants to do what is best for her constituents.

Councilor Cantu stated that she went through all the material so she could make an informed decision. She stated that she understands that nobody wants a gas station right across the street from them, but she feels that this property needs to be developed and it has been sitting vacant way to long. She feels that this development will make that area a lot cleaner and safer.

Councilor Grijalva stated that she also went through all the materials so she could make an informed decision. She added that she believes this lot needs to be developed. She added that she appreciates that someone in the community will be the owner and a partner in the community.

Mayor Lonergan asked the Council if they believe they can make a decision tonight without looking at the additional material that was passed out by the applicant. Councilors agreed that they could.

**Motion: Wilk/Grijalva...** approve the application with one additional condition that the property owners across the street from the exit on to Oregon Way have an arborvitae barrier and direct staff to prepare a final land use decision for consideration at the next City Council meeting.

On roll call vote the motion passed 3-2 with Councilors Wilk, Cantu, and Grijalva voting "aye" and Councilor Cornwell and Schaub voting "nay"

### **AWARD PERSONAL SERVICE AGREEMENT TO OPSIS ARCHITECTURE LLP**

Assistant City Administrator Row provided a staff report. Dhagmar Kinne, 586 Front Street, expressed her support for the project and offered her help.

**Motion: Schaub/Cornwell...** authorize the City Administrator to enter into a Personal Services Agreement with Opsis Architecture LLP in the amount of \$29,600 plus reimbursable expenses estimated to be \$500 to provide architectural programming and concept design services for the Community Center Project.

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The Motion passed with the following vote: Councilors Schaub, Cornwell, Wilk, Cantu, and Grijalva voting “aye.” [5-0]

### CITY ADMINISTRATOR’S REPORT

The City Administrator reported the following:

- A group of students and adults addressed the council tonight about a recent fatal train collision involving a student and he spoke with them before the meeting and invited them to return for further discussion at the next City Council meeting. He stated that the City has a long history with Union Pacific and trying to engage to improve safety conditions around the railroad tracks and that the Safe Trails to School project is currently underway. The City Administrator emphasized the need for immediate conversations with young people about the dangers of the tracks, urging adults, teachers, parents, and neighbors to have these discussions. While longer-term solutions are explored, such as access improvements and overpasses, these conversations can start right away.

### MAYOR AND COUNCIL REPORTS

Councilor Grijalva appreciates all of the training and information she is getting and that the organizational chart she received is wonderful.

Councilor Cantu noted that she will be handing over the gavel to the Woodburn Chambers next president during Friday’s annual meeting.

Councilor Wilk gave a shout out for citizen participation in regard to the gas station and the train tragedy and added that our community engagement needs to continue and that it will help make Woodburn a safer place.

Councilor Schaub thanked staff for their work.

Councilor Cornwell asked that staff address the woman that asked for a stop sign on Evergreen Rd. and Harvard. She also noted that the police department had won best chili in the chili cook off.

Mayor Lonergan reminded the Council that they have a goal setting session coming up in February and he would like to have everyone’s goals at least a week before they meet.

### ADJOURNMENT

**Motion: Schaub/Cornwell** ... move to adjourn.

The Motion passed with the following vote: Councilors Schaub, Cornwell, Wilk, Cantu, and Grijalva voting “aye.” [5-0]

Mayor Lonergan adjourned the meeting at 10:42 p.m.

APPROVED \_\_\_\_\_  
FRANK LONERGAN, MAYOR

**COUNCIL MEETING MINUTES  
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ATTEST \_\_\_\_\_  
Heather Pierson, City Recorder  
City of Woodburn, Oregon

**CITY OF WOODBURN**  
**Community Development Department**

**MEMORANDUM**

270 Montgomery Street

Woodburn, Oregon 97071

(503) 982-5246

**Date:** January 31, 2025  
**To:** Chris Kerr, Community Development Director  
**From:** Melissa Gitt, Building Official  
**Subject:** **Building Activity for January 2025**

	2023		2024		2025	
	No.	Dollar Amount	No.	Dollar Amount	No.	Dollar Amount
Single-Family Residential	5	\$1,610,571	20	\$6,241,336	27	\$8,842,598
Multi-Family Residential	0	\$0	0	\$0	0	\$0
Assisted Living Facilities	0	\$0	0	\$0	0	\$0
Residential Adds & Alts	12	\$110,900	9	\$82,517	6	\$275,588
Industrial	0	\$0	0	\$0	0	\$0
Commercial	5	\$1,195,820	5	\$455,888	5	\$224,509
Signs and Fences	0	\$0	1	\$60,000	0	\$0
Manufactured Homes	2	\$152,600	0	\$0	0	\$0
<b>TOTALS</b>	<b>24</b>	<b>\$3,069,891</b>	<b>35</b>	<b>\$4,468,119</b>	<b>38</b>	<b>\$9,342,695</b>
<b>Fiscal Year to Date (July 1 – June 30)</b>		<b>\$63,428,910</b>		<b>\$76,084,652</b>		<b>\$134,363,458</b>

Totals Reflect Permit Valuation



# Agenda Item

February 10, 2025

TO: Honorable Mayor and City Council through City Administrator  
FROM: Chris Kerr, Community Development Director  
Melissa Gitt, Building Official  
SUBJECT: **Multijurisdictional IGA – Building Evaluation Support Agreement (BESA)**

**RECOMMENDATION:**

Authorize the City Administrator to sign the “Building Evaluation Support Agreement,” which gives all signatories the ability to request and share staff resources with other signatories.

**SUMMARY:**

The Oregon Building Codes Division (BCD) has created a multijurisdictional intergovernmental agreement, making it easier for local building departments to share resources directly with each other and with BCD. The program was created as part of an ongoing initiative by BCD to assist local governments in maintaining their building inspection program staff and support. BESA promotes efficiency by eliminating the need to negotiate and execute multiple intergovernmental agreements with neighboring jurisdictions and the State.

**BACKGROUND / DISCUSSION:**

The unprecedented growth of the City has outpaced staff capacity to provide both plan review and building inspection services. Since 2021 the City has contracted with Clair Company to support City staff in carrying out these functions. Becoming a signatory to BESA will allow the City Building Department to receive support from other signatories, when needed, in order to maintain adequate staffing flexibility for plan review and building inspection services.

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

**FISCAL IMPACT:**

There is no cost to the City's General Fund for entering into this agreement. When the City provides resources to other signatory jurisdictions, funding for program support is generated from building permit fees.

Attachments:

1. Attachment A- Building Evaluation Support Agreement (BESA).
2. Attachment B – BCD BESA Backgrounder, informational overview.

## **BUILDING EVALUATION SUPPORT AGREEMENT (FIXED TERM)**

### **MASTER AGREEMENT PO-44000-00039380**

This BUILDING EVALUATION SUPPORT AGREEMENT (FIXED TERM) (“**Agreement**”) is entered into by and amongst the Joining Parties, as defined in Section I of this Agreement, in accordance with ORS 190.110 and 455.185.

#### **I. PARTIES; NOTICES**

The parties to this Agreement are (A) the Department of Consumer and Business Services, Building Codes Division (“DCBS”); and (B) each municipality providing building official services, plan review services, or inspection services pursuant to ORS Chapter 455 (and its related rules) that executes an undertaking in the form attached hereto as Exhibit 1 and delivers (by mail or email) such undertaking to the following (or such other address and email address as may be specified in writing by DCBS):

Building Codes Division  
Department of Consumer and Business Services  
Attn: Dawn Bass  
P.O. Box 14470  
Salem, OR 97309-0404  
Email: [Dawn.Bass@dcbs.oregon.gov](mailto:Dawn.Bass@dcbs.oregon.gov)

Each such executed and delivered undertaking (including the undertaking executed and delivered by DCBS) may be referred to herein as an “**Undertaking**”. Those who become party to this Agreement (including DCBS) may be referred to herein individually as a “**Joining Party**” and collectively as the “**Joining Parties**”. DCBS will maintain on its website, [www.oregon.gov/bcd](http://www.oregon.gov/bcd), a list of all Joining Parties, and DCBS will deliver and make available to all Joining Parties each Undertaking executed and delivered in accordance with this Agreement. The Undertaking executed and delivered by DCBS is attached hereto as Exhibit 2.

All notices to be given to any Joining Party under this Agreement shall be delivered in accordance with the information set forth on the Undertaking of such Joining Party.

#### **II. PURPOSE**

By this Agreement, the Joining Parties intend to provide building official services, plan review services, or inspection services to each other when requested and mutually agreed. For example, any municipality that is a Joining Party may request from and provide services to DCBS and any other municipality that is also a Joining Party.

#### **III. TERM OF AGREEMENT**

As to each Joining Party, this Agreement shall become effective on the date on which such Joining Party has executed and delivered its Undertaking in accordance with this Agreement. As to all

Joining Parties, this Agreement shall expire on June 30, 2034, unless earlier terminated in accordance with Section X of this Agreement.

#### IV. STATEMENT OF WORK

- A. When requesting or receiving services under this Agreement, a Joining Party is a **“Requesting Party”**. When providing or agreeing to provide requested services under this Agreement, a Joining Party is the **“Service Provider”**.
- B. A Requesting Party shall:
1. When services are needed, contact the Building Official of the Service Provider from whom such services are requested;
  2. Electronically provide inspection requests to the Building Official of the Service Provider, at least twenty-four (24) hours in advance of any inspection;
  3. Send all construction plans for which plan review is requested to the address referenced in the Undertaking of the Service Provider; and
  4. Remit payment in accordance with Section V.
- C. If a Service Provider agrees to provide requested services to a Requesting Party, the Service Provider shall:
1. Provide an interim Building Official who is certified to perform Building Official duties during business hours by telephone and onsite, as requested. The interim Building Official shall be an employee of the Service Provider, managed by, reporting within, and subject to the direction and control of the Service Provider;
  2. Perform plan review and inspection services, by plan or inspection as requested, consistent with construction codes and standards adopted by the State of Oregon;
  3. Perform services using Service Provider staff possessing appropriate certification or designation recognized by the State of Oregon;
  4. Complete residential plan reviews within ten (10) calendar days of receipt of complete plans, not including any time the plans are with the customer for correction. Complete commercial Plan reviews within fifteen (15) calendar days of receipt of complete plans, not including any time the plans are with the customer for correction; and
  5. Submit inspection reports to the Requesting Party within forty-eight (48) hours of the inspection.
- D. The only services that will be provided under this Agreement are those requested by the Requesting Party and as Service Provider has available staff to complete the requested work and has agreed to so provide.



**V. CONSIDERATION**

- A. Each Requesting Party agrees to pay each Service Provider according to one of the following options:
1. Percentage Option:
    - a. Ninety percent (90%) of the plan review fee collected by the Requesting Party for each plan review completed by the Service Provider.
    - b. Ninety percent (90%) of the permit fee collected by the Requesting Party for permitted work where the Service Provider will conduct all associated inspections with the permit.
    - c. Eighty-five dollars (\$85.00) per hour for any work performed by Service Provider that is not identified in (a) or (b).
    - d. For each month that Service Provider provides interim building official services, but no inspection services or plan review services, ten percent (10%) of all building code related fees collected by Requesting Party.
  2. Hourly Option: An hourly rate of eighty-five dollars (\$85.00) per hour for all work performed by the Service Provider.
- B. Each Joining Party certifies that, at the time such Joining Party executes and delivers its Undertaking in accordance with this Agreement, sufficient funds are available and authorized for expenditure to satisfy the financial obligations incurred by such Joining Party under this Agreement.
- C. Requesting Party shall remit payment to Service Provider on a quarterly basis. Quarters will be: January through March, April through June, July through September, and October through December. Payment is due within 60 days of the close of each quarter. Requesting Party shall deliver payment to the address specified in the Undertaking of the Service Provider.
- D. With each payment for work done under this Agreement, Requesting Party shall provide Service Provider with the following for each quarter for which payment is being remitted:
1. Documentation of each plan review performed by Service Provider and the associated fees collected by Requesting Party;
  2. Documentation of each permit inspected by Service Provider and the associated fees collected by Requesting Party;
  3. Documentation of any request for interim building official services made, as well as the month and number of hours Service Provider provided interim building official services;
  4. Documentation of all work performed by Service Provider at the hourly rate under paragraph A.1.c or A.2 of this section, as well as the date and number of hours such

work was performed; and

5. If interim building official services were provided, Requesting Party's accounting of all plan review fees and permit fees collected by Requesting Party, and all payment remitted to Service Provider, for the subject quarter.
- E. Each Requesting Party agrees that it shall provide or make available, if and as requested by a Service Provider, any and all records and information related to this Agreement of which the Requesting Party is custodian, within thirty (30) days of such request by the Service Provider.
  - F. Each Joining Party agrees that it shall retain and not destroy any and all documents and records related to this Agreement for a minimum of one year after such document or record is created.

## VI. TRAVEL AND OTHER EXPENSES

Requesting Party shall not be responsible to Service Provider for travel or other expenses.

## VII. BREACH

No Joining Party shall be in breach of this Agreement until written notice of an unperformed obligation has been given and such obligation remains unperformed after notice for ten (10) days. In the event of a breach, a Joining Party not in breach (a "**Nonbreaching Party**") shall be entitled to seek damages or any other remedy provided by applicable law against the breaching Joining Party (a "**Breaching Party**").

## VIII. THIRD PARTY CLAIMS; CONTRIBUTION

If any person who is not a Joining Party ("**Third Party**") makes any claim or brings any action, suit, or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("**Third Party Claim**") against a Joining Party (the "**Notified Party**") with respect to which any other Joining Party (each, an "**Other Party**") may have liability, the Notified Party must promptly notify each such Other Party in writing of the Third Party Claim and deliver to each such Other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. The Notified Party and each Other Party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by an Other Party of the notice and copies required in this paragraph and the meaningful opportunity for such Other Party to participate in the investigation, defense, and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to such Other Party's liability with respect to the Third Party Claim.

With respect to any Third Party Claim for which any Joining Party is jointly liable with any of the other Joining Parties (or would be if joined in the Third Party Claim), each such jointly liable Joining Party shall contribute to the amount of expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred and paid or payable by all such jointly liable Joining Parties in such proportion as is appropriate to reflect the relative fault of such jointly liable Joining Party in connection with the events which resulted in such expenses, judgments, fines, or settlement amounts, as well as any other relevant equitable considerations. The relative fault of each such jointly liable Joining Party shall be determined by reference to,

among other things, the parties' relative intent, knowledge, access to information, and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. In any instance, the contribution amount of each such jointly liable Joining Party is capped to the same extent as it would have been capped under Oregon law if such Joining Party had sole liability in the proceeding.

#### **IX. AMENDMENTS**

The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended except by written instrument signed by all Joining Parties. This Agreement may be extended upon written amendment.

#### **X. TERMINATION**

This Agreement may be terminated with respect to all Joining Parties by the written mutual assent of all Joining Parties. Any Joining Party may terminate its status as a party to this Agreement upon thirty (30) days' notice, in writing to DCBS.

#### **XI. FORCE MAJEURE**

No Joining Party shall be held responsible for delay or failure to perform when such delay or failure is due to fire, flood, epidemic, strikes, acts of God or the public enemy, unusually severe weather, legal acts of public authorities, or delays or defaults caused by public carriers, which cannot be reasonably foreseen or provided against. In such event, the period for the performance shall be extended for the period of such delay. Upon the cessation of the cause of delay or nonperformance, the affected Joining Party shall resume performance of its obligations under this Agreement. Any Joining Party may terminate its status as a party to this Agreement, effective with the giving of written notice, if it determines that such delays or failure will reasonably prevent successful performance in accordance with the terms of this Agreement.

#### **XII. ALTERNATIVE DISPUTE RESOLUTION**

The Joining Parties shall attempt in good faith to resolve any dispute arising out of this Agreement. This may be done at any management level, including at a level higher than persons directly responsible for administration of this Agreement. In addition, the Joining Parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.

#### **XIII. NONDISCRIMINATION**

The Joining Parties shall comply with all applicable requirements of Federal and State civil rights and rehabilitation statutes, rules, and regulations in the performance of this Agreement.

#### **XIV. COMPLIANCE WITH APPLICABLE LAWS; GOVERNING LAW**

The Joining Parties shall comply with all Federal, State, and local laws and ordinances applicable to the work to be done under this Agreement. The parties agree that this Agreement shall be administered and construed under the laws of the State of Oregon.

**XV. PARTNERSHIP**

No Joining Party is, by virtue of this Agreement, a partner or joint venturer with any other Joining Party in connection with activities carried out under this Agreement, and no Joining Party shall have any obligation with respect to any other Joining Party's debts or any other liability or obligation of any other Joining Party of whatever kind or nature.

**XVI. AUDIT**

DCBS reserves the right to audit all records of any other Joining Party that may be pertinent to this Agreement, and such other Joining Party shall bear the expense of any such audit.

**XVII. NO WAIVER OF CLAIMS**

The failure by any Joining Party to enforce any provision of this Agreement shall not constitute a waiver by that party of that provision or of any other provision or provisions of this Agreement.

**XVIII. ENTIRE AGREEMENT**

This Agreement, including all Undertakings executed and delivered by the Joining Parties, constitutes the entire Agreement between the Joining Parties concerning the subject matter of this Agreement and supersedes any and all prior or contemporaneous negotiations or agreements between the Joining Parties, or any of them, whether written or oral, concerning the subject matter of this Agreement which is not fully expressed herein. This Agreement may not be modified or amended except by a writing signed by all Joining Parties.

**JOINING PARTY SIGNATURES**

See various Undertakings, each of which is incorporated into and made part of this Agreement.

**EXHIBITS**

Ex. 1: Form of Undertaking

Ex. 2: Executed DCBS Undertaking

**EXHIBIT 1**

**BUILDING EVALUATION SUPPORT AGREEMENT**

**FORM OF UNDERTAKING**

The undersigned \_\_\_\_\_ hereby:

1. Enters into and joins that certain BUILDING EVALUATION SUPPORT AGREEMENT (FIXED TERM), a copy of which is attached hereto as Exhibit A (the "Agreement"), as a Joining Party;
2. Represents that it has read and understands the Agreement and all terms and conditions thereof;
3. Agrees to comply with and be bound by the Agreement and all terms and conditions thereof; and
3. Reaffirms and restates all material assertions, representations, and warranties made by the Joining Parties in the Agreement.

**CONTRACT ADMINISTRATOR**

The undersigned's Contract Administrator for the Agreement is:\*

Name: \_\_\_\_\_ Address: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_ FEIN: \_\_\_\_\_

**NOTICES**

All notices and deliveries (other than payment) to the undersigned under the Agreement should be directed to:\*

Joining Party: \_\_\_\_\_  
 ATTN: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Email: \_\_\_\_\_

**PAYMENTS**

All payments to the undersigned under the Agreement should be directed to:\*

Joining Party: \_\_\_\_\_

ATTN: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

*\*Or as may be otherwise designated in writing and delivered to all Joining Parties.*

The undersigned understands and acknowledges that this undertaking shall not take effect unless and until this undertaking is executed and delivered in accordance with Section I of the Agreement.

IN WITNESS WHEREOF, the undersigned has executed this undertaking and the Agreement as of the date set forth below.

JOINING PARTY:

\_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT 2**

**BUILDING EVALUATION SUPPORT AGREEMENT**

**EXECUTED DCBS FORM OF UNDERTAKING**

The undersigned, Department of Consumer and Business Services, Building Codes Division hereby:

1. Enters into and joins that certain BUILDING EVALUATION SUPPORT AGREEMENT (FIXED TERM), a copy of which is attached hereto as Exhibit A (the "Agreement"), as a Joining Party;
2. Represents that it has read and understands the Agreement and all terms and conditions thereof;
3. Agrees to comply with and be bound by the Agreement and all terms and conditions thereof; and
3. Reaffirms and restates all material assertions, representations, and warranties made by the Joining Parties in the Agreement.

**CONTRACT ADMINISTRATOR**

The undersigned's Contract Administrator for the Agreement is:\*

Name: Michelle Usselman Address: PO Box 14470  
Financial Operations  
Title: Manager Salem, OR 97309-0404  
Phone: 503-378-3755 Email: [Michelle.M.Usselman@dcbs.oregon.gov](mailto:Michelle.M.Usselman@dcbs.oregon.gov)

**NOTICES**

All notices and deliveries (other than payment) to the undersigned under the Agreement should be directed to:\*

Joining Party: DCBS – Building Codes Division  
ATTN: Statewide Services  
Address: PO Box 14470  
Salem, OR 97309-0404  
Email: [BCD.jurisdictionsupport@dcbs.oregon.gov](mailto:BCD.jurisdictionsupport@dcbs.oregon.gov)

**PAYMENTS**

All payments to the undersigned under the Agreement should be directed to:\*

Joining Party: DCBS – Building Codes Division

ATTN: Fiscal Services

Address: PO Box 14470  
Salem, OR 97309-0404

Email: [Fiscal.BCD@dcbs.oregon.gov](mailto:Fiscal.BCD@dcbs.oregon.gov)

*\*Or as may be otherwise designated in writing and delivered to all Joining Parties.*

The undersigned understands and acknowledges that this undertaking shall not take effect unless and until this undertaking is executed and delivered in accordance with Section I of the Agreement.

IN WITNESS WHEREOF, the undersigned, Department of Consumer and Business Services, Building Codes Division has executed this undertaking and the Agreement as of the date set forth below.

**DCBS:**

State of Oregon, Department of Consumer and Business Services, Building Codes Division

Reviewed by:

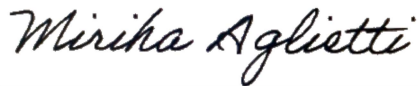
Executed by:

Signature:   
Dawn Bass (Oct 2, 2024 11:55 PDT)

Name: Dawn Bass

Title: Deputy Administrator

Date: 10/02/2024

Signature: 

Name: Miriha Aglietti

Title: Designated Procurement Officer

Date: 10/03/2024

**State of Oregon Approvals:**

*Approved Pursuant to ORS 279A.140*  
Department of Administrative Services

*Approved Pursuant to ORS 291.047*  
Department of Justice

Signature: Not Required per OAR 125-247-0365(4)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: Approved via email

Name: Jacob Gill

Title: Assistant Attorney General

Date: 09/09/2024





**Oregon**

Tina Kotek, Governor



Department of Consumer  
and Business Services

**Date:** Oct. 1, 2024

**Subject:** Building Evaluation Support Agreement Informational Backgrounder

**Background:**

In response to industry needs for increased resources for building official, plan review and inspection services, the Oregon Building Codes Division (BCD) has created an interagency agreement that will make it easier for jurisdictions to share resources directly with each other. The Building Evaluation Support Agreement (BESA) will be a voluntary, multilateral mutual aid agreement (Multilateral Agreement) that building departments may use to request and share Building Official services between departments, such as plan review and inspection services.

By using BESA, the requesting building department and the service provider department (“Joining Parties”) will agree to the basic terms outlined in the Agreement. All building departments signatory to the agreement will be able to share staff resources with each other. BESA promotes efficiency by eliminating the need to negotiate and execute new interagency agreements every time mutual aid is requested or required. Being able to offer mutual aid allows jurisdictions to keep their projects moving, while not having to carry the added expense of unused labor capacity.

**Questions:**

1. What are the costs for using BESA?
2. How does a building department begin using BESA?
3. How long is the agreement valid for?
4. Is the agreement limited to specific services?
5. What is the effect of the BESA on any preexisting mutual aid agreements that a jurisdiction may have with other building departments?

**Answers:**

1. As stated in section V of the agreement, the requesting party agrees to pay the service provider on a quarterly basis, at a rate that involves one of the following options:
  - a) Ninety percent (90%) of the plan review fee collected by the requesting party for plan reviews completed under this agreement.
  - b) Ninety percent (90%) of the permit fee collected by the requesting party for permitted work where BCD will conduct all associated inspections with the permit.
  - c) Eighty-five dollars (\$85.00) per hour for work not identified in (a) or (b).



1535 Edgewater St. NW  
P.O. Box 14470  
Salem, OR 97309



503-378-4133



[bcd.info@dcbs.oregon.gov](mailto:bcd.info@dcbs.oregon.gov)



[oregon.gov/bcd](http://oregon.gov/bcd)

- d) For each month that service provider provides interim building official services, but no inspection or plan review services, 10% of all building code related fees collected by requesting party.
2. To begin receiving and / or providing services, each party must agree to the terms as outlined in the BESA by executing an “Undertaking to Join” form. BCD will have a current list of joining parties, along with their signed undertakings, publicly available on the BCD website. This will allow for joining parties to communicate directly with each other.
  3. Agreements will be valid from the time a joining party executed and delivered it’s Undertaking to Join form. Undertakings will expire on June 30, 2034.
  4. As described within Section IV “Statement of Work” of the agreement, the only services that will be provided under the agreement are those requested by the requesting party and as service provider has available staff to complete the requested work.
  5. None. The intent is not to limit options for building departments. The intent of the language at Section XVIII of the agreement is that execution of the BESA “...supersedes any and all prior or contemporaneous negotiations or agreements between the Joining Parties, or any of them, whether written or oral, concerning the subject matter of this Agreement...”. BESA only supersedes any prior multilateral mutual aid agreements between the participating jurisdictions. Execution of the BESA is not intended to supersede any other bilateral mutual aid agreements that a jurisdiction may have with other building departments. If a building department has mutual aid agreements with other departments, it may choose to continue to operate under those agreements or it may choose to operate under the terms of BESA. It can choose on a case-by-case basis which agreement to use.

For additional information, please visit the BESA webpage by scanning the QR code:





# Agenda Item

February 10, 2024

TO: Honorable Mayor and City Council through City Administrator

FROM: Chris Kerr, Community Development Director  
Melissa Gitt, Building Official

SUBJECT: **IGA with Marion County for Structural/ Mechanical Inspection and Plan Review Services on an as needed basis (renewal)**

**RECOMMENDATION:**

Authorize the City Administrator to sign an IGA with Marion County which provides both parties with Structural/ Mechanical Inspection and Plan Review services on an as needed basis.

**BACKGROUND:**

In February 2020, the City and Marion County entered into an Intergovernmental Agreement for the purpose of establishing the terms and conditions under which the Parties would provide Structural and Mechanical Inspection and Plan Review services to each other on an as-needed basis, as requested. Under the terms and conditions of that agreement, the City and County have been providing reciprocal inspection and plan review services that remain beneficial to both parties.

**DISCUSSION:**

The original IGA is set to expire March 01, 2025. Both the City and Marion County agree that renewal of the IGA with an extended term is in the best interest of the Parties. The attached IGA extends the term of the agreement to March 01, 2028. Aside from the extension of the term, no other substantive changes were made to the IGA.

**FISCAL IMPACT:**

There is no cost to the City’s General Fund for entering into this agreement. When the City provides resources to Marion County, funding for program support is generated from building permit fees.

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Agenda Item Review: City Administrator  City Attorney  Finance

Attachments:

1. Intergovernmental Agreement Between Marion County and City of Woodburn, PW-6420-25

**INTERGOVERNMENTAL AGREEMENT**  
**Between**  
**MARION COUNTY and CITY OF WOODBURN**  
**PW-6420-25**

**1. PARTIES TO AGREEMENT**

This Agreement between City of Woodburn, hereafter called City, and Marion County, a political subdivision of the state of Oregon, hereafter called County, is made pursuant to ORS 190.010 (Intergovernmental Cooperation).

**2. PURPOSE/STATEMENT OF WORK**

The purpose of this Agreement is to establish the terms and conditions under which the Parties will provide Structural/Mechanical Inspection and Plan Review services to each other on an as-needed basis, as requested. These services are further described in Section 5.

**3. TERM AND TERMINATION**

**3.1** This Agreement shall be effective for the period of March 01, 2025 through March 01, 2028 unless sooner terminated or extended as provided herein.

**3.2** This Agreement may be extended for an additional period of two (2) years by agreement of the parties. Any modifications in the terms of such amendment shall be in writing.

**3.3** This agreement may be terminated by mutual consent of both parties at any time or by either party upon 30 days' notice in writing and delivered by mail or in person. Any such termination of this agreement shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

**3.4** County may terminate this agreement effective upon delivery of written notice to City or at such later date as may be established under any of the following conditions:

**3.4.1** If funding from federal, state, or other sources is not obtained or continued at levels sufficient to allow for the purchase of the indicated quantity of services. This agreement may be modified to accommodate a reduction in funds.

**3.4.2** If federal or state regulations or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this agreement or are no longer eligible for the funding proposed for payments authorized by this agreement.

**3.4.3** If any license, certificate, or insurance required by law or regulation to be held by City to provide the services required by this agreement is for any reason denied, revoked, or not renewed.

- 3.4.4 If City fails to provide services called for by this agreement within the time specified herein or any extension thereof.
- 3.4.5 If City fails to perform any of the provisions of this agreement or so fails to pursue the work as to endanger the performance of this agreement in accordance with its terms and after written notice from County, fails to correct such failure(s) within ten (10) days or such longer period as the County may authorize.
- 3.5 Any such termination of this agreement shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

**4. FUNDING AND BILLING**

- 4.1 The total amount paid under this contract shall not exceed \$50,000.00 per party. Parties shall pay each other for services provided under this Agreement at the rate of \$100.00 per hour, with a minimum of two (2) hours for each daily occurrence. These rates may be adjusted annually (in writing) to the mutual satisfaction of the Parties.

Payment under the terms of this Agreement is separate from and in addition to the payments made under any other existing agreement between County and City.

- 4.2 Requests for payment shall be submitted monthly to:

City of Woodburn  
 Building Official  
 270 Montgomery Street  
 Woodburn, OR 97071

Marion County Public Works  
 5155 Silverton Rd NE  
 Salem, OR 97305  
 PWAP@co.marion.or.us.

Final invoices are due no later than 30 days after termination or expiration of this Agreement.

**5. OBLIGATIONS UNDER THE TERMS OF THIS AGREEMENT**

- 5.1 UNDER THE TERMS OF THIS AGREEMENT, CITY SHALL:
  - 5.1.1 Perform structural/mechanical inspections and plan reviews on behalf of County, as requested by County.
  - 5.1.2 Comply with all ORS and OAR requirements and regulations pertaining to the structural/mechanical inspection and plan review programs.

- 5.1.3 Provide State of Oregon certified/licensed inspectors to perform all inspections.
  - 5.1.4 Provide Results of Inspections through the County portal of the State E-Permitting program.
  - 5.1.5 Provide identification upon entering a job site and state the reason for the site visit.
  - 5.1.6 Provide completed inspection results to County E-Permitting within 24 hours of completion of the inspection.
  - 5.1.7 Comply with the inspection notification requirements of applicable ORS and OAR.
  - 5.1.8 Provide County a monthly request for payment to be submitted with a list of the inspection requests and plan reviews completed, listing each day and number of hours performing plan reviews.
  - 5.1.9 Send a request for inspection to County the morning of the requested date of inspection after first verifying with the County Building Official that adequate staffing exists to provide City with backup services. (Inspection request form shall include the site location, type of inspection needed, and permit number and information).
  - 5.1.10 Remit payment to County within 30 days of receipt of monthly request for payment by County. County shall submit final invoice for work completed under this Agreement not later than 30 days after the expiration date of this Agreement.
- 5.2 UNDER THE TERMS OF THIS AGREEMENT, COUNTY SHALL:
- 5.2.1 Perform structural/mechanical inspections and plan reviews on behalf of City, as requested by City.
  - 5.2.2 Comply with all ORS and OAR requirements and regulations pertaining to the structural/mechanical inspection and plan review programs.
  - 5.2.3 Provide State of Oregon certified/licensed inspectors to perform all inspections.
  - 5.2.4 Provide Results of Inspections through the City portal of the State E-Permitting program.
  - 5.2.5 Provide identification upon entering a job site and state the reason for the site visit.
  - 5.2.6 Provide completed inspection results to City within 24 hours of completion of the inspection.
  - 5.2.7 Comply with the inspection notification requirements of applicable ORS and OAR.

- 5.2.8 Provide City a monthly request for payment to be submitted with a list of the inspection requests and plan reviews completed, listing each day and number of hours performing plan reviews.
- 5.2.9 Send a request for inspection to City the morning of the requested date of inspection after first verifying with the City Building Official that adequate staffing exists to provide County with backup services. (Inspection request form shall include the site location, type of inspection needed, and permit number and information).
- 5.2.10 Remit payment to City within 30 days of receipt of monthly request for payment by City. City shall submit final invoice for work completed under this Agreement not later than 30 days after the expiration date of this Agreement.

**6. COMPLIANCE WITH APPLICABLE LAWS**

The parties agree that both shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this agreement. The parties agree that this agreement shall be administered and construed under the laws of the state of Oregon.

**7. NONDISCRIMINATION**

The parties agree to comply with all applicable requirements of Federal and State civil rights and rehabilitation statutes, rules and regulations in the performance of this agreement.

**8. HOLD HARMLESS**

To the extent permitted by Article XI, Section 7 of the Oregon Constitution and by the Oregon Tort Claims Act, each party agrees to waive, forgive, and acquit any and all claims it may otherwise have against the other and the officers, employees, and agents of the other, for or resulting from damage or loss, provided that this discharge and waiver shall not apply to claims by one party against any officer, employee, or agent of the other arising from such person's malfeasance in office, willful or wanton neglect of duty, or actions outside the course and scope of his or her official duties.

**9. INSURANCE**

Each party shall insure or self-insure and be independently responsible for the risk of its own liability for claims within the scope of the Oregon tort claims act (ORS 30.260 TO 30.300).

**10. MERGER CLAUSE**

Parties concur and agree that this agreement constitutes the entire agreement between the parties. No waiver, consent, modification or change to the terms of this agreement shall bind either party unless in writing and signed by both parties. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement. Parties, by the signatures below of their authorized representatives, hereby agree to be bound by its term and conditions.

**11. NOTICES**



Any notice required to be given the City or County under this Agreement shall be sufficient if given, in writing, by first class mail or in person as follows:

For City:  
City of Woodburn  
Building Official  
270 Montgomery Street  
Woodburn, OR 97071

For County:  
Public Works Department  
5155 Silverton Rd NE  
Salem, OR 97305  
PWContracts@co.marion.or.us

**12. SIGNATURES**

This agreement and any changes, alterations, modifications, or amendments will be effective when approved in writing by the authorized representative of the parties hereto as of the effective date set forth herein.

In witness whereof, the parties hereto have caused this agreement to be executed on the date set forth below.

**MARION COUNTY SIGNATURE:**

Authorized Signature: \_\_\_\_\_  
Department Director or designee                      Date

Reviewed by Signature: \_\_\_\_\_  
Marion County Legal Counsel                      Date

Reviewed by Signature: \_\_\_\_\_  
Marion County Contracts & Procurement                      Date

**CITY OF WOODBURN**

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_



# Agenda Item

February 10, 2025

TO: Honorable Mayor and City Council through City Administrator

FROM: Chris Kerr, Community Development Director  
Colin Cortes, AICP, CNU-A, Senior Planner

SUBJECT: **Action on Final Decision Document Approving the US Market Gas Station Development at 2540 & 2600 Newberg Hwy at the Southwest Corner of Newberg Hwy & Oregon Way (CU 24-02)**

**RECOMMENDATION:**

Adopt the Final Decision approving land use applications, Conditional Use 24-02, Design Review 24-02, Phasing Plan 24-01, and Street Adjustment 24-01 for the US Market Gas Station development and authorize the Mayor to sign the Final Decision document.

**BACKGROUND/ DISCUSSION:**

On January 27, 2025, the City Council held a duly noticed public hearing and voted to tentatively approve with conditions the consolidated applications package for the US Market Gas Station development and directed staff to prepare a final decision document for its adoption.

**FINANCIAL IMPACT:**

None.

**Attachments:**

1. Final Decision document and its Attachments.



# Final Decision

## City Council (Appeal)

**File number(s):** CU 24-02, DR 24-02, PP 24-01, & SA 24-01 (Appeal)

**Project name:** US Market gas station

**Date of decision:** February 10, 2025

**Applicant:** Ronald “Ron” Ped, President/Architect, Ronald James Ped Architect, PC, 1220 20th Street SE, Suite 125, Salem, OR 97302-1205

**Landowner:** Lal Din Sidhu (“Don” Sidhu), Woodburn Petroleum LLC, 1311 Lancaster Dr NE, Salem, OR 97301-1907

**Appellant:** Paula Kilgore c/o Tonkon Torp, LLP, Attn: David Petersen, 888 SW 5th Ave, Ste 1600, Portland, OR 97204

**Site location:** 2540 & 2600 Newberg Hwy (Tax Lots 052W12DB03600 [primary] & 3700)

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## I. Introduction & Procedural History

**Proposal:** The Applicant requests approval on a consolidated land use application package (Type III), Conditional Use 24-02, Design Review 24-02, Street Adjustment SA 24-01, & Phasing Plan PP 24-01 for a gas station with convenience store, known as US Market, and commercial office space, in the Commercial General (CG) zoning district.

**Approval Criteria:** To be approved, this proposal would need to comply with the following applicable approval criteria: Transportation System Plan (TSP) Figures 1, 4 & 7 and Woodburn Development Ordinance (WDO) 1.02, 1.04, 2.01.05, 2.03, 2.06, 3.01-3.07, 3.11, 4.01, 4.02, and 5.03.01, 02, 03, & 05.

### Procedural History:

- **Woodburn Planning Staff Recommendation to Planning Commission:** Approval with conditions.
- **Woodburn Planning Commission Public Hearing:** The Planning Commission held a public hearing on October 24, 2024, and by a vote of 5-2 approved the consolidated applications package with the conditions recommended by staff through the staff report, except striking condition CU8(d), which would have required construction of a median on Oregon Way.

Testimony at the Planning Commission focused generally on the following concerns:

- Traffic exiting onto Oregon Way
- Compatibility with neighboring residential uses
- Noise
- Crime
- Environmental impacts, specifically gas fume smell and concern over gas spillage.

A comprehensive list of individuals who testified at the Planning Commission hearing can be found in Section VIII of this Final Decision. A Final Decision of the Planning Commission was signed by Planning Commission Chair Lisa Ellsworth on October 30, 2024. The Final Decision was then mailed on October 31, 2024.

- **Appeal:** Type III decisions rendered by the Planning Commission are appealable to the City Council. The City Council's decision is the City's final decision. The last date to appeal the Planning Commission's decision for consolidated applications for the US Market applications was November 12, 2024. The Appellant, Paula Kilgore, represented by David J. Petersen of Tonkon Torp, LLP, timely appealed by submitting a Notice of Intent to Appeal, which included each of the elements required by WDO 4.02.01.B.2., including a statement of the grounds for the appeal.

The Appellant specifically cited the following grounds for appeal: (i) failure of the Planning Commission to recognize the serious incompatibility of the applicant's project with surrounding residential neighborhood, including concerns regarding traffic exiting onto Oregon Way and internal site circulation issues; (ii) that the Planning Commission relied on a staff report that proposed legally inadequate findings that improperly defer determinations of compliance and fail to explain how compliance is feasible with the imposition of conditions. Specifically, the Appellant cited that the findings adopted by the Planning Commission were inadequate because

they: (i) make certain conclusory findings without the required analysis; (ii) in some instances, find that a criterion is not met but provide no analysis that it is feasible to meet the criterion, instead stating that a condition will be imposed to insure compliance; (iii) concede in the findings that the Applicant will later need to revise the site plan with no further opportunity for public review; (iv) fail to analyze the relevant Comprehensive Plan policies or cite to any facts in evidence as to how those policies are met; and (v) improperly employ conditions of approval that defer the determination of compliance to administrative staff.

- **City Council Hearing:** Notice of the Public hearing before the City Council on appeal of a land use decision by the Planning Commission was mailed on January 7, 2025, to all parties who signed in or participated before the close of the record of the Planning Commission Hearing (per WDO 4.02.01C).

The City Council held a public hearing on the appeal on January 27, 2025. The meeting was held in person at Woodburn City Hall, 270 Montgomery Street, Woodburn, Oregon, with the hearing beginning at 7:32 p.m. and closing at 9:51 p.m. The hearing was simultaneously held virtually.

Per WDO 4.01.15, the City Council conducted the public hearing pertaining to the Type III appeal pursuant to the standard quasi-judicial hearing procedure, proceeding in the following general order: (i) staff report; (ii) applicant's presentation; (iii) testimony in favor of the application; (iv) testimony in opposition to the application (with appellant permitted to testify and present its argument first); (v) rebuttal by the applicant; (vi) record closes; and (v) deliberation and decision.

While the WDO standard for appeal hearing notices provides that the notice shall include the following statement, "the appeal hearing is confined to the issues raised in the notice of appeal" (WDO 4.02.01.C.7); the Council interprets that provision to be limited in application to the notice itself and not to any restriction on evidence that may be admitted during the appeal hearing. Furthermore, per WDO 4.01.16.E.2-3, the City Council did not limit the appeal hearing to an "on-the-record" hearing, but rather conducted a *de novo* hearing, permitting the applicant and other parties an opportunity to "present testimony, arguments, and evidence on applicable criteria," and permitting the discussion of issues beyond those raised in the notice of appeal.

City Council heard testimony from the Applicant, then the Appellant, and then from numerous individuals arguing in favor of and against the proposed project. The table in Section VIII of this Final Decision lists those who provided testimony to City Council. The Applicant was also provided an opportunity for rebuttal.

Following the testimony and closure of the record, a motion was made to (i) Uphold the Planning Commission's Decision; (ii) Tentatively Approve the Consolidated Applications, CU 24-02, DR 24-02, PP 24-01, & SA 24-01 for US Market Gas Station based on the findings and conditions in the staff report, except adding a condition (what has now been numbered as CU12), requiring the applicant to provide vegetative screening from headlights existing the Subject Property for the three houses directly across Oregon Way from the Subject Property

(located at 966, 988, and 994 Oregon way); and (iii) Direct Staff to return with a final decision at the next Council Meeting. The motion was based on the grounds that evidence in the record demonstrated that the proposed use would be compatible with surrounding uses per WDO 5.03.01 B.3. The motion was seconded. A vote was taken and City Council voted 3-2 in support of upholding the Planning Commission's decision and approving the Applicant's consolidated applications. Staff were directed to prepare findings consistent with Council's tentative decision and return to a future Council meeting with a final decision in writing.

The City Council considered the findings at a public meeting on February 10, 2025, and approved this Final Decision.

- **Summary of the Decision:** The City Council voted to uphold the Planning Commission's decision with the imposition of an additional condition of approval in the form of CU12, approved Consolidated Applications, CU 24-02, DR 24-02, PP 24-01, & SA 24-01, and directed staff to return with a Final Decision with associated conditions and findings.

The approval was based on the grounds that evidence in the record demonstrated that the proposed use would be compatible with surrounding uses per WDO 5.03.01 B.3.

All section references are to the Woodburn Development Ordinance (WDO)

## II. General Facts:

### *Applications*

The land use application master case file number is Conditional Use CU 24-02, and the corollary case file numbers are Design Review DR 24-02, Street Adjustment SA 24-01, & Phasing Plan PP 24-01.

- CU 24-02 & DR 24-02: Conditional use application and design review to redevelop vacant land following demolition of two vacant bank buildings into a gas station of 6 islands with 12 pumps total with a convenience store of 4,110 square feet (sq ft), attached office tenant space of 1,863 sq ft, and a southwest office building of 5,000 sq ft.
- SA 24-01: Street Adjustment application to *not* upgrade the highway frontage by demolishing the curb-tight sidewalk and planting a landscape strip with street trees and new sidewalk. Includes partial upgrade of Oregon way frontage with some new landscape strip and street trees.
- PP 24-01: A Phasing Plan (PP) to allow different timing to develop the gas station / convenience store versus the office building. Direct questions about highway access management to Brion Scott, PE, Development Review Coordinator, ODOT Region 2, (503) 871-1411, [brion.scott@odot.state.or.us](mailto:brion.scott@odot.state.or.us).

### *Site*

The subject property is addressed 2540 & 2600 Newberg Highway (tax lots 3700 and 3600 respectively), totaling approximately 1.42 acres, and located at the southwest corner of the intersection of Newberg

Highway (Oregon Highway 214) and Oregon Way. The request is for conditional use (for a gas station), design review, phasing plan, and Street Adjustment application types to develop the site as follows:

1. On Tax Lot 3600 (east, corner lot), a convenience store of 4,110 square feet (sq ft), a commercial office tenant space of 1,863 sq ft attached to the south side of the convenience store, and;
2. On Tax Lot 3700 (west, interior lot), 6 pump islands with 12 pumps and, as Phase 2 a southwest commercial office building of 5,000 sq ft.

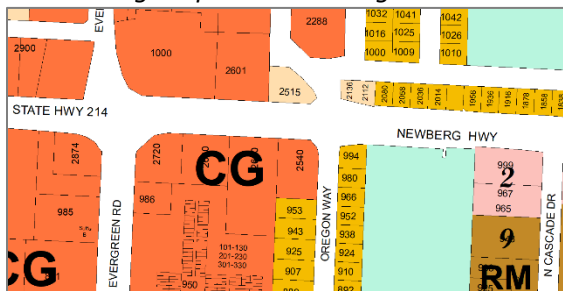
*History of the Site*

The subject property was occupied by two vacant bank buildings. A contractor demolished the buildings and cleared the site in 2021.

*Zoning*

Commercial General (CG)

*Surrounding Properties and Neighborhood*



*Zoning map excerpt*

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	Across OR Hwy 214: Commercial General (CG)
East	Across Oregon Way: Retirement Community Single Family Residential (R1S)
South	East to west: R1S (943 & 953 Oregon Way; houses) and CG (950 Evergreen Rd; Panor 360 condominiums)
West	CG (950 Evergreen Rd; Panor 360 condominiums; and 2620 Newberg Hwy; Dairy Queen)

*\*Surrounding Properties and Neighborhood Table*

*Traffic Impact Analysis*

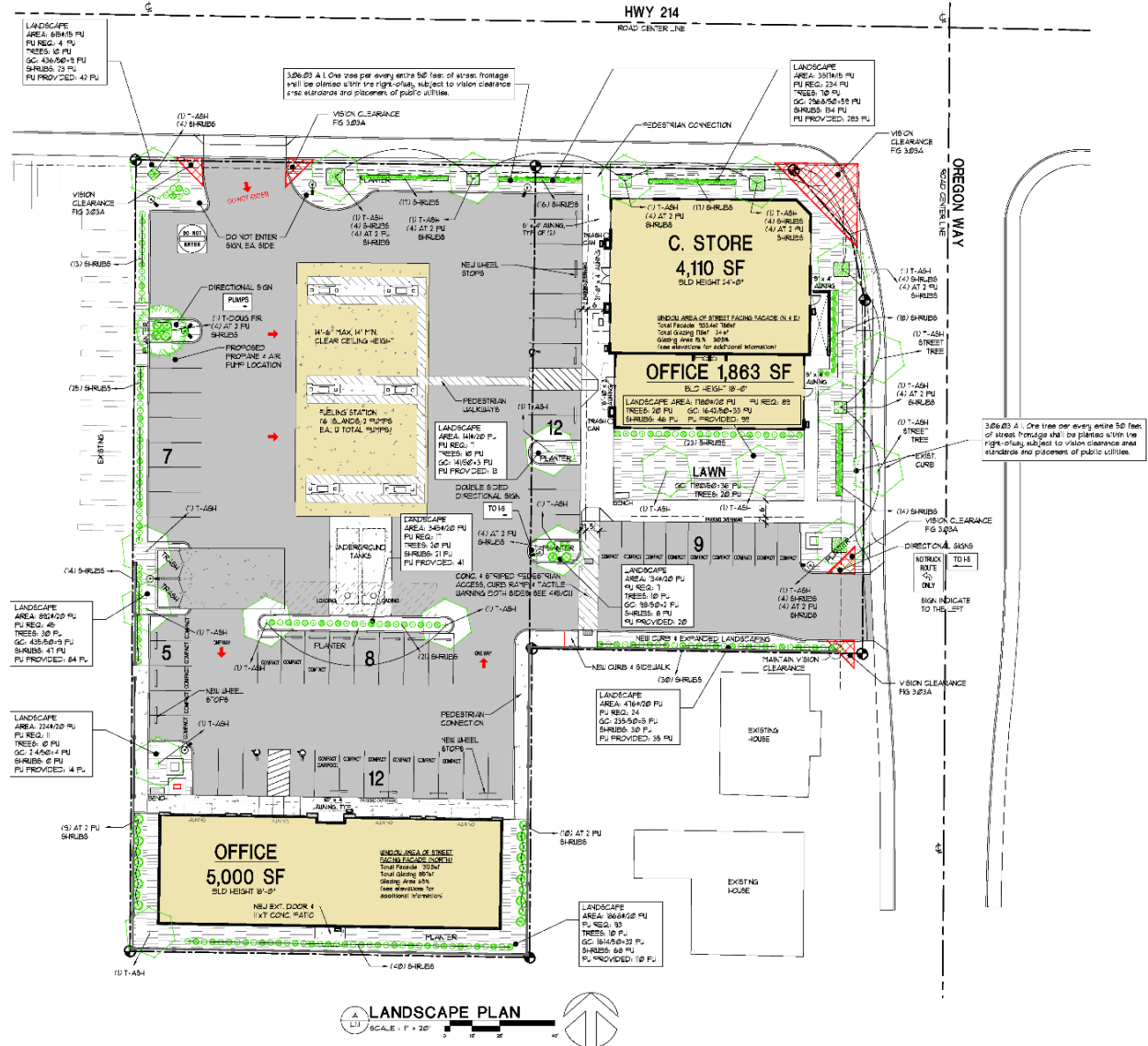
The Applicant, as part of the application materials, submitted a traffic impact analysis (TIA) dated August 13, 2021, as required by WDO 3.04.05 (Exhibit E). The applicant then submitted a revised TIA dated June 23, 2023 (Exhibit H). The City’s traffic consultant reviewed the TIA materials and provided comments in two memoranda which the Applicant then addressed in a supplemental TIA, dated July 23, 2024 (Exhibits F & G respectively). Appellant submitted their own comments responding to Applicant’s TIA materials (Kittleson Memo), dated August 20, 2024 (Exhibit J). Applicant responded with a memorandum from their traffic engineer (the Transight Memo), dated September 23, 2024 (Exhibit K). A complete overview of these documents, and their incorporation by reference is included in Finding 7 of this Final Decision. Each of the above documents is hereby incorporated by into the record by reference.

# Site and Phasing Plan

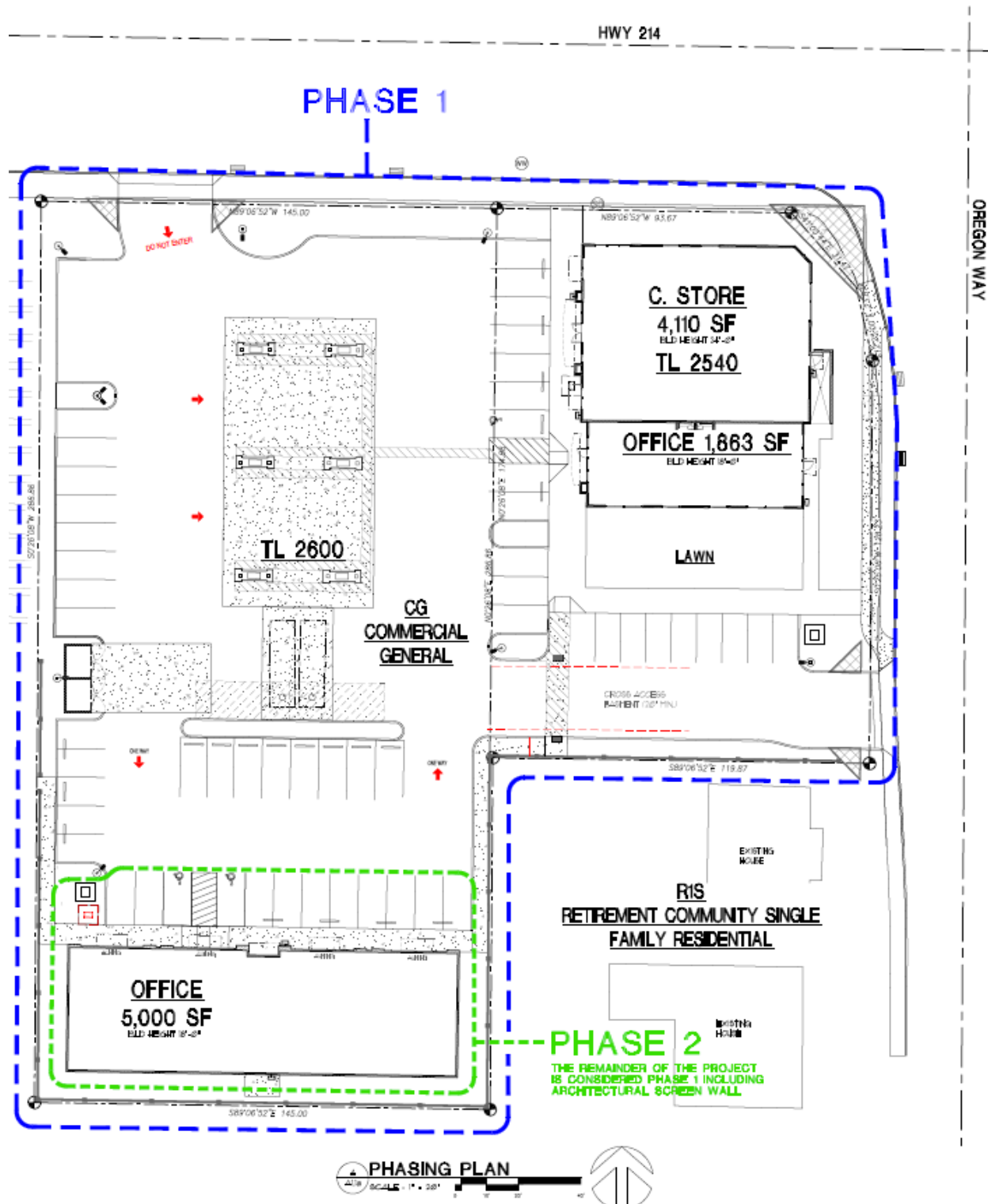
The Applicant submitted and later revised and resubmitted a Site and Phasing Plan as follows:

## SITE SUMMARY

PROPERTY SIZE	= 62,122 SF (1.43 AC)
TOTAL BUILDING AREA	= 10,213 SF
TOTAL PAVED AREA	= 4,121 SF
TOTAL LANDSCAPE AREA	= 10,136 SF (24.7%)







### III. Standards and Criteria

The Conditional Use Criteria apply to gasoline stations located in the commercial general zoning district when that use will be located within 200 feet of residentially zoned properties (WDO Table 2.03A).

**WDO 5.03      General Requirements**

- A. The purpose of this Section is to identify what types of actions are considered Type III decisions. Type III decisions involve significant discretion and evaluation of subjective approval standards, yet are not required to be heard by the City Council, except upon appeal. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the Planning Commission or Design Review Board hearing is published and mailed to the applicant, recognized neighborhood associations and property owners. The decision of the Planning Commission or Design Review Board is appealable to the City Council. The City Council's decision is the City's final decision and is appealable to the Land Use Board of Appeals.
- B. To initiate consideration of a Type III decision, a complete City application, accompanying information, and filing fee must be submitted to the Director. The Director will evaluate the application as outlined in this Section.

5.03.01 Conditional Use

5.03.02 Design Review, Type III

5.03.03 Exception to Street Right of Way and Improvement Requirements

5.03.04 Manufactured Dwelling Park, Preliminary Approval

5.03.05 Phasing Plan for a Subdivision, PUD, Manufactured Dwelling Park or any other Land Use Permit

5.03.06 Planned Unit Development (PUD), Preliminary Plan Approval

5.03.07 Planned Unit Development (PUD), Design Plan Final Approval

5.03.08 Special Conditional Use - Historically or Architecturally Significant Building

5.03.09 Special Use as a Conditional Use

5.03.10 Subdivision Preliminary Approval

5.03.11 Telecommunications Facility, Specific Conditional Use

5.03.12 Variance

**WDO 5.03.01      Conditional Use**

- A. Purpose: A conditional use is an activity which is permitted in a zone but which, because of some characteristics, is not entirely compatible with other uses allowed in the zone, and cannot be permitted outright. A public hearing is held by the Planning Commission and conditions may be imposed to offset impacts and make the use as compatible as practical with surrounding uses. Conditions can also be imposed to make the use conform to the requirements of this Ordinance and with other applicable criteria and standards. Conditions that decrease the minimum standards of a development standard require variance approval.
- B. Criteria:
  - 1. The proposed use shall be permitted as a conditional use within the zoning district.
  - 2. The proposed use shall comply with the development standards of the zoning district.
  - 3. The proposed use shall be compatible with the surrounding properties.

Relevant factors to be considered in determining whether the proposed use is compatible include:

- a. The suitability of the size, shape, location and topography of the site for the proposed use;
- b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;

- c. **The impact of the proposed use on the quality of the living environment:**
  - 1) **Noise;**
  - 2) **Illumination;**
  - 3) **Hours of operation;**
  - 4) **Air quality;**
  - 5) **Aesthetics; and**
  - 6) **Vehicular traffic.**
- d. **The conformance of the proposed use with applicable Comprehensive Plan policies; and**
- e. **The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.**

#### **IV. Application of Criteria and Findings**

##### ***Analysis and Findings from City Council Staff Report***

This final decision adopts the analysis and findings from the January 27, 2025, City Council Staff Report, which is attached as Exhibit L to this Final Decision and is hereby incorporated by reference herein. City Council made only two changes to the Planning Commission Analysis and findings, both of which are reflected in the Supplemental Findings and Conditions of Approval, Specifically Finding 21 and CU12.

##### ***Supplemental Analysis and Findings based on the City Council Hearing Testimony / Evidence***

Based on testimony at the City Council hearing and evidence in the record, the City Council further adopts the following supplemental findings. To the extent that any of the findings and conclusions of law in Exhibit B (Planning Commission Staff Report) conflict with any of the below responsive findings, the responsive findings shall hereby control. While not an exclusive list, the findings and conclusions of law for the following criteria as stated in Exhibit B, Attachment 102 conflict with the responsive findings and are hereby superseded: 3.05.02J, and 5.02.04 regarding Street Adjustments. The issues raised are summarized in bold, with the finding responding to that comment below.

The law firm of Tonkon Torp submitted that letter dated August 21, 2024, into the record for the Planning Commission Hearing, and that letter dated October 7, 2024, into the Open Record Period following the Planning Commission Hearing, identified on the City’s website page for the project as “CU 24-02 Arguments in Opposition by Tonkon Torp (October 7, 2024)” (herein collectively the “***Chevron and Arco Comments***”) on behalf of Woodburn Fast Serv Inc., which is the owner of the land developed with the Chevron filling station (“***Chevron***”) and Extra Mile convenience store, and LB Group LLC, which is the owner of the land developed with the Arco filling station and the am pm convenience store (“***Arco***”). The Chevron and Arco Comments, along with the issues raised in the appeal (filed November 12, 2024) and those by other parties, are responded to in detail below. The primary issues raised are that: (1) the Applicant did not satisfy the requirements of WDO 5.03.01.B.3 because the proposed use is not compatible with the surrounding properties; (2) the findings of fact and conclusions of law in the Planning Commission Decision were inadequate to support approval of the Applications and the Planning Commission Decision improperly delegated the discretionary application of criteria and standards to a

non-public forum; and, (3) the Street Adjustments approved in the Planning Commission Decision are not supported by substantial evidence and the criteria under WDO 5.02.04.C was improperly applied.

The following summarizes the issues raised by the parties that relate to mandatory approval criteria and explains the evidence that satisfies the approval criteria and adequately responds to the comments.

**A. The Application did not satisfy the requirements of WDO 5.03.01.B because the proposed use is not compatible with the surrounding properties based on testimony that some of the surrounding residences will experience impacts associated with the proposed development.**

Finding 1: Applicant has presented substantial evidence that, together with the conditions of approval, satisfies this criterion. These responsive findings are a supplement, which explain the evidence in the record that satisfies this criterion including a reference to the evidence relied upon by the City. Below is a summary of specific issues and concerns raised, together with responsive supplemental findings related to this criterion. Additionally, the comments that express concern as to potential impacts from the proposed development are inconsistent with the text and purpose of the City’s conditional use criteria.

The purpose statement of the conditional use permit criteria provides an express statement of intent on how the conditional use permit criteria should be interpreted and applied. It states:

“A conditional use is an activity which is permitted in a zone but which, because of some characteristics, is not entirely compatible with other uses allowed in the zone, and cannot be permitted outright. A public hearing is held by the Planning Commission and conditions may be imposed to offset impacts and make the use as compatible as practical with surrounding uses. Conditions can also be imposed to make the use conform to the requirements of this Ordinance and with other applicable criteria and standards. Conditions that decrease the minimum standards of a development standard require variance approval.”

Fueling stations within the Commercial General (CG) zone that are 201 or more feet from residential zone property are allowed as outright uses with no conditions. Fueling stations in the CG zone between 0 and 200 feet are legally permitted, subject to the application of conditions of approval needed to either conform with the obligations of the code or to “offset impacts and make the use as compatible as practical with the surrounding uses.” The fueling station in this case is located less than 200 feet from the residentially zoned properties, and therefore, the City must apply conditions of approval that make the use practically compatible – but not absolutely compatible.

The purpose statement provides helpful guidance in this case. It rebuts the requested interpretation that the Applicant must mitigate all impacts on surrounding uses and the Proposed Use must be completely compatible with the surrounding properties. Such arguments set an impossible standard that is inconsistent with the purpose, intent and text of the zoning code.

WDO 5.03.01.B. sets forth three approval criteria:

- “1. The proposed use shall be permitted as a conditional use within the zoning district.
2. The proposed use shall comply with the development standards of the zoning district.
3. The proposed use shall be compatible with the surrounding properties.”

As discussed above, the standard is not whether the Proposed Use is absolutely or entirely compatible with the surrounding properties. The analysis is to be based on all the evidence in the record, and whether the proposed conditional use, as conditioned, meets the compatibility requirements to a practical standard of review.

The code provides a list of “[r]elevant factors to be considered in determining whether the proposed use is compatible.” These factors are only to be considered and not construed as separate mandatory approval criterion. The factors are:

- a. “The suitability of the size, shape, location and topography of the site for the proposed use;
- b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;
- c. The impact of the proposed use on the quality of the living environment:
  - 1) Noise;
  - 2) Illumination;
  - 3) Hours of operation;
  - 4) Air quality;
  - 5) Aesthetics; and
  - 6) Vehicular traffic.
- d. The conformance of the proposed use with applicable Comprehensive Plan policies; and
- e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.”

These factors are discussed in detail below in these supplemental findings of fact in addition to the findings of fact and conclusions of law adopted and incorporated by the City’s final order.

**1) General concerns as to the odor and air quality impacts from gas fumes that will be generated by the proposed gas station.**

Finding 2: The surrounding area is an automobile oriented due to the proximity to Hwy 214 (also referred to herein as “**OR 214**”) and I-5. The proposed use includes bicycle parking, as demonstrated by the site plans submitted by Applicant, which can be found on pages 1 through 10 of the document identified as “CU 24-02 Design review plans revised (June 10, 2024),” henceforth referred to as Exhibit C, and pages 26 through 27 of the document identified as “CU 24-02 Testimony through September 23, 2024 (September 25, 2024),” henceforth referred to as Exhibit D. Both Exhibits C and D are incorporated by this reference herein (collectively herein the “**Site Plans**”). The City applies Condition of Approval CU4 which requires improvements such a wider sidewalk along Oregon Way as a public bicycle pedestrian path, serving as transportation demand management (TDM) by inducing adjacent and nearby residents to drive less often, especially to and from the proposed development and nearby destinations in the commercial area around the intersections of the highway with Country Club Road and Evergreen Roads and with Lawson Avenue, and with fewer driving trips comes better air quality.

The City also applies Condition of Approval CU3 and CU4 to require landscaping including but not limited trees strategically placed adjacent to the highway and Oregon Way which will produce oxygen and help mitigate potential odors and negative impacts on air quality. The convenience store, office buildings, and architectural wall will also provide additional buffering from adjacent residential uses, reducing the odors

that may impact surrounding uses. As demonstrated by the Site Plans, there will be a total of 6 fuel islands which will be centrally located on Lot 3700 and the fuel islands shall be located approximately 160 feet from the southern property line of Lot 3700 and approximately 160 feet from the eastern property line of Lot 3600. These locations are approximately 80 percent of the standard necessary for the use to be an outright permitted use with no obligation of mitigation or design modifications. With the requisite landscaping plans, significant distance between the fueling stations and residences, and buffer facilities located between the stations and residences, the Applicant has demonstrated that the proposed use will be practically compatible with the surrounding residential uses. This conclusion is further supported by the surrounding auto orientated uses that demonstrate the impacts of the proposed use, if any, will not be significant given the existing conditions both onsite and those that are likely to be permitted as an outright conditional use.

Applicant Don Sidhu testified that their development of the fueling station must comply with DEQ and EPA regulations, which require double walled fuel tanks and related pipes. These improvements include sensors that detect leaks and automatically shut off the pumps in the event of any detected leak. These systems greatly mitigate potential the risk of odor and other environmental impacts from the proposed use. Given the Applicant's significant experience in operating these facilities, the City Council find his testimony substantial evidence absent any other evidence to the contrary.

Applicant has provided substantial evidence to support the conclusion that the addition of office buildings, a convenience store, and gas station adjacent to Hwy 214 will not significantly impact the existing air quality of the area and the proposed conditions of approval, together with the site design, will reasonably mitigate any potential impacts.

## **2) General concerns as to the impacts of noise generated from the proposed use.**

Finding 3: Pursuant to the Sound Impact Assessment submitted as part of Applicant's Open Record Response Submittal, which can be found on pages 27 through 28 of Exhibit D ("CU 24-02 Testimony through September 23, 2024 (September 25, 2024)), the proposed use is estimated to increase the sound level for the Panor 360 Condominiums by less than 1dB, which is an insignificant and almost imperceptible increase. Condition CU5 requires construction of and provides development standards for an Architectural Wall ("**AW**") that will be constructed along the southern and western perimeter of the Subject Property. The Sound Impact Assessment concluded that "with the increased mitigation provided by the proposed 8ft high wall at the perimeter of the property no further action is needed." Condition CU8 limits the hours of operation for the gas station and convenience store to Monday through Saturday from 6:00 a.m. to midnight and Sunday 6:00 a.m. to 11:00 p.m. rather than permitting the proposed use to operate 24 hours 7 days a week, which reduces any potential noise impacts during nighttime hours. Condition CU8 prohibits audio advertising at the fuel islands and limits the hours of operation for any tire pump and vehicle interior vacuum facilities, which are more restrictive than the hours of operation for the gas station and convenience store. Condition CU8 also requires "vehicle interior vacuum facility outdoors, tire pump facility outdoors, or other similar mechanical facility outdoors for gas station customers that makes noise shall be located min 100 ft north of the south lot line of Tax Lot 3700" to further reduce any potential noise impacts on surrounding uses. As shown on the Site Plans, the air pump is proposed to be located in

the northwestern corner of Lot 3700, which is the furthest practical distance on site from the adjacent residential uses.

Substantial evidence demonstrates that the noise generated from the proposed use will not significantly impact the surrounding uses and the City imposes conditions CU5 and CU8 to ensure compatibility. The AW required by Condition CU5 in combination with the site design, such as the proposed office buildings, and Condition CU8 will reasonably mitigate any potential noise impacts on the surrounding uses.

**3) General concerns as to the lighting impacts generated from the proposed use as well as that the potential lighting impacts are greater than a bank, which was the previous use of the Subject Property, and that the AW will be inadequate to address potential lighting impacts.**

Finding 4: Applicant submitted a Lighting Plan, which can be found on page 7 of Exhibit C (“CU 24-02 Design review plans revised (June 10, 2024)).” The AW will mitigate potential lighting impacts, but it is not the only proposed mitigation effort to address potential lighting impacts. Condition CU7 further ensures any potential light impacts are reasonably mitigated by limiting the location of lighting, type of lighting that can be used, and the hours which the fuel pump canopy lights can remain on. Applicant’s architect testified as to the lighting impacts. He testified that the lighting is designed to have a downward projection and that the convenience store building, which is located between the fueling station and single family residences, is taller than the fueling canopy (Video Recoding at 1:31:48). Condition CU8 also limits the hours of operation for the gas station and convenience store to Monday through Saturday from 6:00 a.m. to midnight, and Sunday 6:00 a.m. to 11:00 p.m., which mitigates potential lighting impacts during the nighttime hours by reducing the lighting from the buildings. The limited operational hours also reduce nighttime traffic on site, which reasonably mitigates the lighting impacts from the headlights of vehicles exiting the site. The office buildings and AW will provide screening for adjacent uses from the lighting produced by the buildings as well as from the headlights of vehicles entering the site from Hwy 214 and Oregon Way. Regarding headlights of vehicles exiting the site, Condition CU12 provides for screening of the three house fronts at 966, 980, & 994 Oregon Way. Regarding the comment that the lighting impacts of the proposed use would be greater than that of a bank, the applicable criterion under WDO 5.03.01.B.3 requires that the proposed use is compatible with the surrounding properties. Said criterion requires the City Council to evaluate the potential impacts in light of the current proposal. The standard does not require that the proposed use be as or less impactful than any previous uses on the Subject Property. There is substantial evidence to support that Conditions CU7 and CU8 in combination with site design, such as the AW and proposed office buildings, will reasonably mitigate any potential lighting impacts and ensure compatibly with the surrounding uses.

**4) General concerns as to the aesthetic impact of the proposed use.**

Finding 5: As demonstrated by the Site Sections – Noise Analysis and Sensory Considerations submitted as part of Applicant’s Open Record Response Submittal, which can be found on pages 27 through 28 of Exhibit D, the AW and proposed office buildings will reasonably mitigate any potential adverse aesthetic

impacts on surrounding uses by providing visual screening. When the Subject Property is viewed at street level from the adjacent residential use to the south, the view will be of the AW and the proposed office building on Lot 3700. When the Subject Property is viewed at street level from the adjacent residential uses to the east, which are located across Oregon Way, the view will be of the convenience store and office buildings and be at least partially obscured by trees, as demonstrated by the Site Plans.

Condition CU5 includes requirements for the design of the AW to ensure that the AW is aesthetically consistent with standard development in the General Commercial zone. Condition CU6 also includes requirements for the design of the proposed buildings to ensure that said buildings are aesthetically consistent with standard development in the General Commercial zone. As shown by the Site Plans and required by Condition CU3 and CU4, the site design includes landscaping which will also improve the aesthetic impact of the proposed use.

Regarding the comment that the proposed use will result in trash and litter in the yards of surrounding residential uses, there was no evidence produced that littering will occur or is likely to occur as a result of the proposed use and enforcement of littering is a matter outside the scope of these Applications. However, the AW will reasonably mitigate impacts from litter by preventing litter from blowing onto adjacent properties and demonstrated by the Site Plans, the trash enclosure will contain waste from the proposed use within the enclosure and there will be trash cans on site for customers to properly dispose of waste, reducing the temptation to litter.

Many public comments stated that the current use of the Subject Property as a vacant lot has a detrimental negative aesthetic impact compared to the proposed use. Several public comments noted that the Subject Property is currently an “eyesore” and an “empty ugly lot” that attracts graffiti and litter whereas US Markets are consistently well maintained and the proposed US Market will improve the aesthetic appeal of the area. The proposed use will improve the current aesthetic impact of the Subject Property.

There is substantial evidence to support that the design of the proposed use, as demonstrated by the Site Plans, in combination with the AW, proposed office buildings, and Conditions CU3, CU4, CU5, and CU6 will reasonably mitigate any potential adverse aesthetic impacts on surrounding uses.

#### **5) General concerns that the proposed use will increase crime in the area.**

Finding 6: The City notes that the public has expressed general concerns that the development of the proposed use will increase crime in the area, but no evidence has been presented to support that the proposed use will result in increased crime or explain the reasoning behind the concerns. One public comment specifically stated that people have been stealing from their yard and they were concerned that the proposed use would increase such theft. However, no evidence was provided to support the assertion that the development of the proposed use would exacerbate the already existing problem of theft from that commenter’s yard. Another commenter stated concerns that the convenience store would attract customers late at night who would potentially cause trouble. Crime, including theft from yards, is an enforcement matter for the applicable authorities, and it is not within the scope of the Applications to proactively prevent when no evidence suggests that the proposed use will result in an increase in crime.



Condition CU8 limits the hours of operation for the gas station and convenience store from Monday through Saturday from 6:00 a.m. to midnight and Sunday 6:00 a.m. to 11:00 p.m., reducing the number of customers who will be in the area during nighttime hours. As demonstrated by the Site Plans, specifically the lighting plan, which can be found on page 7 of Exhibit C, the gas station and convenience store will be well lit during operational hours. There is no evidence to support the assertion that the design or use will create or exacerbate criminal behavior during these hours. Additionally, there is no evidence to support a possible assertion that, when the gas station and convenience store are closed and lighting is off, this would create or exacerbate criminal behavior.

**6) General concerns that increased traffic from the proposed use will negatively impact surrounding residential neighborhoods, that the proposed use will cause additional road safety hazards, and that the proposed use is generally incompatible with the surrounding residential uses.**

Finding 7: Applicant submitted the Original TIA dated August 13, 2021, henceforth referred to as Exhibit E and incorporated into the record by reference herein. Applicant then submitted a Revised TIA, dated June 23, 2023, henceforth referred to as Exhibit H and incorporated by reference herein. The City hired a transportation consultant to review and provide comments. The transportation consultant drafted two memorandums, identified as “City Transportation Consultant Memo 1 (February 26, 2024)”, and “City Transportation Consultant Memo 2 (July 19, 2024),” henceforth referred to as Exhibit’s F and G respectively and incorporated by reference herein. The first memorandum, Exhibit F, responded to the Revised 2023 TIA. Applicant then submitted a Supplemental TIA, dated July 23, 2024, henceforth referred to as Exhibit I and incorporated by reference herein, which addressed the comments from the first memorandum. The second memorandum, Exhibit G, reviewed and commented on the Supplemental TIA (Exhibit I). The second memorandum requested that Applicant clarify the weekday AM and PM pass-by rates stated, but it otherwise concluded that “all another analysis assumptions appear to be reasonable and consistent with the City’s code.” Applicant provided the requested clarification regarding pass-by rates in the Transight Memo, henceforth referred to as Exhibit K, and incorporated by reference herein.

Page 14 of the Supplemental TIA (Exhibit I) identifies high vehicle turning and angle crash rate at most intersections in Table 4 of the Supplemental TIA, reproduced below, and p. 12 of the Supplemental TIA references crash history.

As shown below, Table 4 of the Supplemental TIA provides a crash rate per million entering vehicles, which is often used to assess whether a geometric or traffic control deficiency is present when the crash rate is greater than 1.0 per million entering vehicles.

**Table 4. Intersection Crash Summary (January 2015 to December 2019)**  
*(Note that 2020 crash data is available but is impacted by COVID trends)*

Intersection	# of Crashes	Severity			Crash Rate per MEV	ODOT 90 <sup>th</sup> % Rate
		Fatal	Injury	Non-Injury		
1: I-5 SB Ramps/ Newberg Hwy	48	0	35	13	0.93	3SG: 0.509 Urban
2: I-5 NB Ramps/ Newberg Hwy	48	0	27	21	0.90	3SG: 0.509 Urban
3: Evergreen Rd/ Newberg Hwy	67	0	39	28	1.36	4SG: 0.860 Urban
4: RI Access/ Newberg Hwy	1	0	0	1	0.05	Right-In/ Right-Out
5: Oregon Way/ Newberg Hwy	43	0	30	13	1.08	4SG: 0.860 Urban
6: Oregon Way/ Access	0	0	0	0	0.00	3ST: 0.293 Urban

3SG: Three-legged signalized, 4SG: Four-legged signalized, 3ST: Three-legged stop-controlled

**Table 9. Trip Generation Estimates (ITE 11<sup>th</sup> Edition)**

Land Use	ITE Code	Metric	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
<b>Existing Uses</b>									
Drive-in Bank	912	5,714 SF	573	57	33	24	120	60	60
Pass-by Trips			-201	-17	-10	-7	-42	-21	-21
<b>Net New Trips</b>			<b>372</b>	<b>40</b>	<b>23</b>	<b>17</b>	<b>78</b>	<b>39</b>	<b>39</b>
<b>Proposed Uses</b>									
Small Office Building	712	6,863 SF	99	11	9	2	15	5	10
Convenience Store/ Gas Station	945	4,110 SF 12 pos.	3,086	324	162	162	273	137	136
Pass-by Trips			-2,315	-246	-123	-123	-205	-103	-102
<b>Total Proposed Uses</b>			<b>3,185</b>	<b>335</b>	<b>171</b>	<b>164</b>	<b>288</b>	<b>142</b>	<b>146</b>
<b>Total Pass-by Trips</b>			<b>-2,315</b>	<b>-246</b>	<b>-123</b>	<b>-123</b>	<b>-205</b>	<b>-103</b>	<b>-102</b>
<b>Net New Trips</b>			<b>870</b>	<b>89</b>	<b>48</b>	<b>41</b>	<b>83</b>	<b>39</b>	<b>44</b>
<b>Total New Trips (Proposed Trips – Approved Bank Trips)</b>									
Total Trip Difference			+2,612	+278	+138	+140	+168	+82	+86
Pass-by Trip Difference			-2,114	-229	-113	-116	-163	-82	-81
<b>Net New Trip Difference</b>			<b>+498</b>	<b>+49</b>	<b>+25</b>	<b>+24</b>	<b>+5</b>	<b>+0</b>	<b>+5</b>

Modeling predicts that the proposed use would generate a net 870 daily vehicle trips, which is a net 498 more than the now demolished two banks did, of which AM peak trips are total 89 or net 49 and PM peak trips are total 83 or net 5, as shown above by Table 9 on page 26 of the Revised 2024 TIA.

Page 36 of the Supplemental TIA states the findings and recommendations with the third bullet stating that “the safety analysis identified high crash rates at the I-5 ramp intersections, Evergreen Road, and Oregon Way on OR 214.” However, the fourth bullet states that:

“the Evergreen Road/OR 214 and Oregon Way/OR 214 intersections were included on the ODOT [Safety Priority Index System] lists in 2019, 2020, and 2021 at a 95th percentile. The signal phasing was recently changed at these signals from protected-permissive to protected only left-turn phasing, which is not reflected in the crash data. As most crashes at these intersections were turning collisions on the highway, this is expected to reduce the number of crashes reported at these intersections and further monitoring is recommended.”

For the above stated reasons, the Supplemental TIA constitutes substantial evidence related to traffic related criteria.

In an effort to further mitigate existing condition impacts, the City has required conditions of approval regarding the intersection of Country Club Road and Oregon Way, which is the second-highest crash rate intersection listed. The City applies Condition T-A1 to fund the Transportation System Plan (TSP) Project R11, a signal timing study from page 32 of the Transportation System Plan (“**TSP**”), excerpted below from TSP p. 32, and to supplement with addition funding both to examine improving safety and to account for inflation after the City Council adopted the TSP in September 2019, using the U.S. Bureau of Labor Consumer Price Index (CPI) Inflation Calculator to adjust \$15,000 from then to July 2024, the latest month the calculator made available as of August 14, 2024.

Project Number	Location	Responsible Jurisdiction	Type	Description	Priority	Cost Estimate <sup>2</sup>
R11	OR 214/Oregon Way/Country Club Road Intersection	State	Traffic signal timing	Investigate corridor signal timing and coordination adjustments in coordination with ODOT	Medium	\$15,000

The City conditioned the approval of the Design Review DR 21-07 Amazon warehouse, formerly known as “Project Basie”, at 450 Butteville Road through Condition 10 thereto to provide a proportionate share contribution of \$10,000 towards TSP Projects R8 & R9, signal/intersection studies estimated at \$15,000 each and totaling \$30,000, to address the elevated crash rate along the highway at the I-5 northbound on and off-ramps, the third-highest crash rate per Table 4 of the Supplemental TIA, as shown above.

Table 7 on page 22 of the Supplemental TIA lists developments including Amazon and cites its trip generation as 457 trips during the AM Peak hours and 176 during the PM peak hour. However, the DR 21-7 revised TIA dated July 6, 2021, totals 599 AM peak hour trips per Figure 13 on page 33 and 224 PM peak hour trips per Figure 14 on page 35 of said Supplemental TIA dated July 23, 2024.

The Subject Property, as examined earlier above, would generate 89 AM peak trips compared with 83 PM peak hour trips. Both Amazon and the proposed use have higher trips during the AM peak than the PM one. The 89 trips of the proposed use equals 14.9% of the 599 trips of Amazon. Because of Amazon having given \$10,000, 14.9% of that would be \$1,490 towards the total remaining \$20,000 needed for the estimated total cost of \$30,000 of both TSP Projects R8 & R9.

The City adjusts from September 2021, the date of the DR 21-07 Planning Commission staff report, to July 2024, the latest month the aforementioned calculator made available, and this yields \$1,709 rounded. To

reasonably mitigate the effect of the proposed use and address the elevated crash rate along the highway at the I-5 northbound on and off-ramps, the third-highest crash rate per Table 4 of the Supplemental TIA, as shown above, the City applies Condition T-A1b requiring the Applicant to pay its proportionate share of the fee towards TSP Projects R8 & R9, the amount of which is listed in Exhibit B, Attachment 202, Parts A and B.

For Design Review DR 2019-05 Allison Way Apartments at 398 Stacy Allison Way through Condition T-A3 thereto, the City required a proportionate contribution of \$15,000 toward a signal/intersection study related to TSP Project R10 to alleviate the crash condition for the 67 additional PM peak hour trips added to the intersection. The Public Works Department has not reported that there has been a study. The proposed use would add 61 trips to that intersection, similar to that of the Allison Way Apartments, and as Table 4 of the Supplemental TIA shows above, the intersection of Evergreen Road and Hwy 214 has the highest crash rate listed. The proportionate share calculation is 61 trips from the proposed use compared to 67 trips from the Allison Way Apartment. Sixty-one trips equal 91.0% of 67 trips, which when applied to \$15,000 yields \$13,657. Because the base amount dates from May 2020, the date of the DR 2019-05 Planning Commission staff report, the City adjusts the \$13,657 for inflation to be in July 2024 dollars, the latest month the aforementioned calculator made available. This yields \$16,755 rounded. To reasonably mitigate the effect of the proposed use on the intersection of Evergreen Road and Hwy 214 and reduce vehicle crashes at said intersection, the City applies Condition T-A1c requiring the Applicant to pay its proportionate share of the fee towards TSP Project R10, the amount of which is listed in Exhibit B, Attachment 202, Parts A and B.

To further transportation demand management ("**TDM**") through bus transit, regarding the Woodburn Transportation System ("**WTS**") Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because Right-of-Way ("**ROW**") and streetside Public Utility Easements ("**PUE**") are too narrow relative to the street to accommodate installation, the City applies a condition for fees in lieu of a bus shelter and bus stop bicycle parking. The cost is based on the City Transit Development Plan (TDP; Resolution No. 2213 on June 12, 2023). The TDP follows the Transit Plan Update, also known as the Transit Update Plan, adopted via Resolution No. 1980 on November 8, 2010. TDP Figure 68 from page 94, footnote 6, estimated \$15,000 for the cost of a bus stop improved with a shelter. The City adjusts from June 2023 to July 2024, the latest month the aforementioned calculator made available. The City determined the cost of bus stop bicycle parking was \$510.20 through ANX 2019-01 Woodburn Eastside Apartments (known as Woodburn Place Apartments), and the City adjusts from October 2020 to July 2024. To reasonably mitigate the effect of the proposed use on transit system and further transportation demand management, the City applies Condition T-T requiring the Applicant to pay a fee in-lieu of a bus stop and bus stop bicycle rack, the amount of which is listed in Exhibit B, Attachment 202, Parts A and B.

Comments also raised safety concerns regarding vehicles that run stop signs and red lights in the area and stated that traffic cameras are needed. The prevalence of the issue was not described in adequate detail to allow the Applicant an opportunity to respond; however, to the extent the behavior exists, it is a pre-existing enforcement issue for the applicable authorities that is outside the scope of the Applications. There was no evidence presented to suggest that the development of the proposed use will increase or attribute to such pre-existing issues.

As described above, Applicant has been conditioned to pay fees towards TSP Projects, R8, R9, and R10, in order to reduce crashes and improve safety at intersections which will reasonably mitigate impacts

attributable to the proposed use and pre-existing conditions. Approval of the request will therefore satisfy the criteria and improve the existing conditions.

The letter submitted by Tonkon Torp into the record for the Planning Commission Hearing on behalf of Chevron and Arco dated August 21, 2024, included that certain traffic memorandum prepared by Wayne Kittleson of Kittleson & Associates, dated August 20, 2024 (the "**Kittleson Memo**"), henceforth referred to as Exhibit J and incorporated by reference herein. The Kittleson Memo found that "at the request of Woodburn Fast Serv Inc. and LB Group, LLC, we have reviewed the Transportation Impact Analysis (TIA) submitted in support of City Case File No. CU 24-02, DR 24-02, PP 24-01, and SA 24-01 "US Market gas station" and dated June 23, 2023. We found the analysis approach and findings to be reasonable and consistent with the applicable City policies and concur with the findings and recommendations of the study (emphasis added)." In response to the comments raised in the Kittleson Memo and the public comments stating concerns with the potential traffic impacts of the proposed use. In response to the Kittleson Memo (Exhibit J), Applicant submitted Exhibit K, which included responses to the Kittleson Memo and a memo from the Applicant's traffic engineer (Transight Memo), which is incorporated by reference herein. Applicant's traffic evidence is supported by the Applicant itself, whom is an expert in operating fueling stations and convenience stores, and the testimony of Joe Bessman, P.E, a traffic engineer with unmatched experience in fueling station and convenience store design and development (City Council Video Recording at 1:17:26).

While the Appellant and participants the January 27, 2025 hearing expressed generalized traffic concerns regarding safety of onsite circulation and capacity of Hwy 214, Oregon Way, and the intersection thereof, City Council finds the expert testimony of Mr. Bessman adequately addressing these concerns and applicable criteria and outweighs the testimony of the Appellant and opponents. His testimony addressed the following:

- A summary of his qualifications: professional traffic engineer since 2002 who has worked on approximately 30 fuel stations in the last 5 years throughout the state of Oregon.
- The current applications modified the 2022 design to limit access on Hwy 214 to right-in only. Applicant has already obtained an access permit from ODOT. The state traffic engineer found it would be an overall benefit to the transportation system if the site could bring eastbound traffic on Hwy 214 into the site.
- The fuel centers closer to the I-5 corridor than the Subject Property have a single access point. The Subject Property has an ingress and effectively a signalized egress through the traffic light on Oregon Way/Hwy 214, which supports a determination of existing onsite and offsite capacity for vehicles. The queues taking a left turn at Hwy 214 on Oregon Way are generally 1 or 2 cars. All the occasional queues that are longer than 1 or 2 cars are clearing once the signal turns green. The signal is not failing, it clears the queues every single signal cycle.
- The site will not connect directly to the Dairy Queen, but it will have a cross access easement along our western border. If Dairy Queen redevelops in the future, there's an opportunity to allow access from the gas station without having to go back onto the highway and come all the way around. The proposed project is helping improve the existing transportation system. ODOT is very satisfied with this approach.

- Access from Hwy 214 is designed to channelize so that if someone wants to leave the site and go the wrong direction, they have to pass do not enter signs and one way stencils on the ground and now have to make really elongated turn in order to turn right out. ODOT feels the design of the access can adequately mitigate the likelihood of someone exiting the site directly onto Hwy 214.
- Unlike other fuel service centers, the design of the proposed use includes two dedicated spaces for deliveries - one for delivery trucks and one for fuel tanks. Applicant has developed coordinated schedule to ensure that there are not multiple trucks trying to deliver all at once and without impacts during the peak hours. There is storage for 18 vehicles to fuel at once not because this is expected but so that we can accommodate it or if larger vehicles like RVs pull up there's adequate space for those vehicles without affecting the maneuverability of the aisles, blocking the exit, or disrupting circulation.
- There is one way flow at the pumps so that the vehicles at the pumps do not conflict with those vehicles parked in front of the convenience store or vice versa.
- His ultimate conclusion is that the design is much better than anything nearby and is confident the design will satisfy the traffic needs.

The Original TIA from 2021 (Exhibit E), the Revised TIA dated June 23, 2023 (Exhibit H), the Supplemental TIA dated July 23, 2024 (Exhibit I), Transight Memo (Exhibit K), Site Plan (Exhibit C) and testimony from Mr. Bessman, provide substantial evidence that the proposal is consistent with applicable state and City standards and criteria. The potential traffic impacts can further be reasonably mitigated with Conditions T-T and T-A1, in combination with the site design.

**7) The proposal is inadequate to ensure the access drive from Hwy 214 is used for ingress only. Without physical barriers, no plan to prevent egress from the Subject Property onto Hwy 214 will be successful. Similarly, trucks will turn right when exiting onto Oregon Way despite signage and the proposed median and create conflicts with the residential uses.**

Finding 8: As evidenced by page 67 of Exhibit D, (“CU 24-02 Testimony through September 23, 2024 (September 25, 2024)),” ODOT conditioned approval of the Grant of Access at the Subject Property from Hwy 214 on restricting said access to ingress only. ODOT found that “the Grant of Access can benefit the state highway system if traffic movements for the private approach are restricted to only allow right turns off Hillsboro-Silverton Highway, prohibiting right turns onto the highway.”

The Kittleson Memo stated that the access drive on Hwy 214 will not prevent right turn out movements, but said analysis was based on a version of Applicant’s site plan that has since been modified. Pages 8 through 10 of the Transight Memo (Exhibit K) responds to such comments. As evidenced by the Site Plans, and the testimony of Mr. Bessman, Applicant adjusted the site plan so that in addition to “do not enter” signs indicating that the access from Hwy 214 is right-turn-in-only, the design of the entrance from Hwy

214 has been modified to institute channelization which will restrict turning right and exiting onto OR 214 from the Property. Applicant provided the McMinnville Example, available on page 29 of Exhibit D, to demonstrate this channelization design that has been incorporated into the updated site plan. The proposed channelization and site design, including directional signage, as demonstrated by the Site Plans and the Transight Memo (Exhibit K), in combination with Condition D3(a)(1) is reasonable to prevent egress from the Subject Property onto Hwy 214 in compliance with the condition imposed by ODOT in the Grant of Access.

The Staff Report proposed condition CU8(d) to require a median on Oregon Way, which was struck by the Planning Commission Decision. As evidenced by the Site Plans and the Transight Memo (Exhibit K), Applicant adjusted the site plan and revised the proposal so to remove reference to the proposed median on Oregon Way. The median design could conflict with residential driveways on the east side of Oregon Way or would otherwise prevent local residents using an RV or towing a boat from safely making the legal right-turn maneuver. The City finds that the onsite traffic signage is an effective means of managing through trucks and will avoid impacts on nearby residential driveways located immediately south of the driveway. This modification avoids unintended impacts related to installing a median which could be difficult for RVs or passenger vehicles towing boats or trailers.

Oregon Way is classified as an Access Street which is intended to serve higher traffic volumes to a higher number of uses as compared to a local street. The increased traffic onto Oregon Way which will be generated from the Proposed Use, as demonstrated by the Revised TIA, Supplemental TIA, and Transight Memo, is consistent with the function of an Access Street. There is substantial evidence to support that the site design is adequate to ensure safe and efficient ingress and egress.

The applicant's traffic engineer, Joe Bessman of Transight Consulting, LLC, testified January 27 at approximately 8:21 p.m. that unlike the first attempt at the gas station through CU 21-02 in which the highway driveway was two-way, the one that CU 24-02 proposes will be engineered for right-in only access, that an on-site do-not-enter sign will reinforce this to motorists leaving the gas station, and that ODOT has granted preliminary approval of such access.

- 8) The northern-most fueling positions result in limited on-site queue storage space. The northern-most fueling positions are located in close proximity to Hwy 214 and will occasionally block inbound traffic at the right-in driveway, creating safety hazards. In addition, the Site Plans showing queueing circulation are based on vehicles that are approximately 15 feet in length and will be unable to accommodate larger vehicles.**

Finding 9: The proposed gas station design provides 65 feet from the center of the northwesternmost fueling position to the back of sidewalk, or about 50 feet of queue storage space (room for two passenger vehicles) if a vehicle was situated within this fueling position. The diesel fuel pumps are located in the southernmost portion of the site so that longer vehicles (pick-up trucks, RVs, or passenger vehicles towing boats) will be provided additional queue storage space.

This site does not cater to commercial truck fueling, and the fuel demands at US Market are not similar to those at Costco or other high-demand locations. The site can readily accommodate 18 simultaneous fueling and queued vehicles. In addition, staff will be available to promptly address queuing on site in the

event queuing space begins to near capacity, which as stated herein would be a rare occasion since the fuel demands of the proposed gas station will not be a high demand location. Staff will have adequate time to reasonably respond to queuing concerns in the event that queuing space begins to fill up during a spike in demand.

Also as stated on pages 12 through 18 of the Transight Memo (Exhibit K), the submitted architectural queuing plan is an illustrative figure demonstrating that more than adequate queue storage space is available within this site. This figure was developed by placing vehicle icons onto the site plan, showing that numerous passenger vehicles can easily fit within the site's queue storage area, which also included generous spacing between queued vehicles. This was not an engineering diagram and does not reflect actual vehicular positioning, nor is it intended to represent actual fuel center demands. A revised and more representative graphic is provided within Figure 7 of the Transight Memo, showing storage space for 18 vehicles while maintaining a clear two-way aisle. This storage space will be suitable to meet peak demands, as well as to accommodate the occasional larger vehicle. As shown on the queuing analysis provided on pages 34 through 36 of the 2023 Revised TIA, the access driveway from OR 214 will not be blocked by the 95th percentile queues during the peak fifteen minutes of the peak summer design hour in 2025 even with build-out of planned and approved projects. Locations on OR 214 that experience queue blockage at the end of the red signal cycle experience low delay as the intersections are operating below capacity so these queues clear during the green cycle, as shown in Figure 18 of the 2023 Revised TIA. At the end of the red cycle the queue on Oregon Way may extend to the driveway location for the site, and motorists entering the queue during this peak period at the end of the red signal cycle could have to wait for the green signal indication to clear the queue. However, these movements also operate with low delays, and the queue is primarily a function of the longer green time allocated to east-west travel along the highway. No changes to signal timing were recommended in the Revised TIA in order to accommodate traffic impacts from the proposed use.

The Subject Property has adequate queuing space to accommodate on site traffic. There is substantial evidence to support that the site design, as demonstrated by the Site Plans and supported by the Transight Memo (Exhibit K), in combination with the availability of on-site staff to manage such situations if and when they occur, will reasonably mitigate any potential traffic impacts on OR 214 and Oregon Way which could result from queuing.

- 9) The location of the cross-easement may affect off-site operations and safety. When this easement is used by the adjacent property for ingress purposes, the increased vehicular demand at this location to serve both sites may impede inbound vehicles at the site driveway. In addition, traffic from the cross easement will create more traffic on Oregon Way than previously studied.**

Finding 10: Pursuant to Condition D4, to comply with WDO 3.02.01E, 3.04.01A.2, 3.04.03B.3 & 5, 3.04.03C.1, 3, & 4, and 3.04.03D.2, Applicant is required to grant cross access across Tax Lots 3600 & 3700 to the benefit of Tax Lot 052W12DB03800 (2620 Newberg Hwy; Dairy Queen). A cross-access easement is situated along the western edge of the site as required by the City. The City has required that this connection omit any curbing. While accommodations for a future connection are provided as required, a connection is not proposed and will not occur with this development. The subject matter of this condition of approval, i.e., granting of an easement, does not create any impacts on surrounding properties.



Any future cross-access connection will be subject to further analysis and evaluation by the City (and ODOT) at the time of redevelopment of the eastern properties. This will include a formal site plan review that will allow public notice and comment. The City's intent of requiring this cross-access easement is to limit circulation between adjacent uses from using the highway to travel between adjacent businesses. With OR 214 access limited to right-in access only, the location identified in the plans provides suitable spacing from OR 214. There will be no outbound queues due to the movement restriction and no modifications to the location of the easement are necessary. At this time, no connection to properties to the west is provided or supported by the conditionally approved ODOT permit so the cross easement required by Condition D4 will not create traffic impacts.

**10) Parking stalls directly in front of and behind fueling positions will interfere with internal circulation.**

Finding 11: The layout of the fuel center provides a one-way circulation pattern that will avoid conflicts between the parking stalls adjacent to the convenience market and the fueling positions. The parking stalls along the western boundary will experience low utilization, serving more as overflow parking, as convenience market patrons tend to park within the closest stalls near the store entrance. Based on discussions with the owners/managers of the US Market these stalls could be designated for employees to provide more capacity within the closer stalls. No conflicts are anticipated with the site design given the available queue storage, as described above in Finding 9, and number of fueling dispensers provided. As demonstrated by the Site Plans and supported by the Transight Memo (Exhibit K), substantial evidence supports that the parking stalls directly adjacent to the fueling positions will not interfere with internal circulation on the Subject Property.

**11) Cars entering from Oregon Way will need to turn right in front of the pump island exits to access the convenience store or drive west across the designated fuel delivery zone and try to enter the queues on the west side of the pump islands, which will be even more difficult for vehicles with fuel dispensers located on the passenger side. If there are any cars in the queue at all, this will be very difficult.**

Finding 12: This comment appears to relate to the original queuing figure which has been revised (see Figure 7 on page 12 of the Transight Memo). Motorists entering from Oregon Way or from OR 214 will enter the fueling positions from the west side of the site, and using the one-way (eastbound) circulation will fuel, and then head toward the Oregon Way egress.

The width of the drive aisle on either side of the fueling station is 36 feet to 38 feet wide, which can accommodate backing and parking maneuvers without encroaching into the vehicles that are fueling. As addressed within the field review on pages 12 through 18 of the Transight Memo, the proposed layout improves on many of the circulation, queuing, and loading issues present at the nearby Arco and Chevron sites.

The provision of 12 fueling positions on site will help reduce customer wait times and queues, and unlike high-volume fuel distributors like Costco, the US Market typically operates with no more than a single vehicle in queue, which is similar to conditions observed at the nearby Chevron and Arco. The layout supports 18 total vehicles being fueled or queued, which is more than would be expected at this fueling

center. A one-way circulation pattern addresses concerns for vehicles with fuel dispensers located on the vehicle's passenger side. Vehicles with a driver-side fueling position will use the southern row within the island, whereas those with a passenger-side fueling cap will typically fuel on the northern position. Smaller vehicles can be fueled from either side of the island using the longer hose lengths that are now common.

The fuel center and parking near the convenience market is not conflicting. This is the same configuration as the nearby Arco, and there are no historical records indicating any type of safety issue present. Patrons moving from a stopped position, whether exiting the fueling positions or exiting a parking stall, will be required to yield before moving, following conventional parking lot driving rules as contained within the Oregon's Drivers Manual (see Figure 19 on page 26 of the Transight Memo). This is a common layout at fuel centers throughout the country, including the nearby Arco (see Figure 20 on page 27 of the Transight Memo). As addressed above in Finding 9, and as demonstrated by the Site Plan and supported by the Transight Memo, substantial evidence supports that the site will have adequate queuing space to accommodate traffic on site while reasonably mitigating potential traffic impacts to OR 214 and Oregon Way. The design of the Subject Property is adequate to ensure safe and efficient vehicle maneuvering for vehicles entering and exiting the site.

**12) Vehicles exiting the site onto Oregon Way will be trying to turn left, creating significant conflicts with both southbound and northbound traffic. Any vehicle queue that might be present at one or more of the fuel pumps during this time can also block the truck's pathway.**

Finding 13: As stated in the Transight Memo responding to this comment and as shown on pages 34 through 36 of the 2023 Revised TIA, the 95th percentile queue during the peak fifteen minutes of the summertime evening commute hour can extend beyond the Oregon Way driveway location. ODOT's signal timing provides priority to through travel along the highway, resulting in fairly long cycle lengths for the Oregon Way approaches. However, once the traffic signal turns green these queues clear, and motorists can then maneuver unimpeded. Similar conditions occur along OR 214 at the Chevron station, with the Evergreen Avenue queue extending past and blocking the right-out access from Lawson Avenue (see Figure 16 on page 23 of the Transight Memo), which clears with the green cycle and allows vehicles to maneuver (see Figure 17 on page 24 of the Transight Memo).

Field review conducted on September 12, 2024 (following the start of the school year) between 4:00 and 5:00 p.m. observed a maximum queue on Oregon Way of three vehicles, which fully cleared during each signal cycle and did not extend to the driveway location of the Subject Property. This is not the maximum possible queue, but does show typical conditions, which are readily accommodated at this site (see Figure 18 on page 25 of the Transight Memo) and will allow patrons to directly turn onto Oregon Way. Finding 9 above also addresses queueing on site, which is incorporated by this reference herein.

As demonstrated by the Site Plan and supported by the 2023 Revised TIA and Transight Memo, there is substantial evidence to support that the design of the Subject Property is adequate to ensure safe and efficient vehicle maneuvering and that it provides adequate queuing space on site to mitigate potential traffic impacts. Testimony regarding pre-existing speed violations or driving of golf carts on City roads are

pre-existing violations of state and municipal laws. Applicant's obligation to mitigate onsite impacts do not extend to preventing such violations.

**13) Trucks making fuel and goods deliveries will cause safety and operational issue. Fuel trucks are unable to enter the site or turn right onto West Hayes Street from Oregon Way without going beyond the curblin. A similar result will occur whenever other truck-trailer combinations deliver goods to the convenience store, which typically happens periodically throughout the day.**

Finding 14: As is common on all streets, truck maneuvers can require travel within adjacent travel lanes. For example, a fuel semi-truck exiting the site onto Oregon Way will swing wide through the northbound left- and right-turn lane with its front passenger-side cab wheel positioned near the eastern curblin before heading north, limiting the trailer tracking within the opposing travel lane. Turning into the site from OR 214 is no different. Most semi-truck drivers will either hug the inside eastbound travel lane line if a vehicle is adjacent to their vehicle, or if outside of more congested periods will encroach into the median-side through lane to turn into the site. As trucks are wider and longer than passenger vehicles this type of maneuvering is common. However, it only occurs with semi-trucks. Single unit delivery vehicles used by most vendors contain a wheelbase more similar to large passenger vehicles. This type of maneuvering is common in commercial properties and is occurring to a greater degree at the nearby fuel centers due to site design issues.

This analysis is further supported by the testimony of delivery personnel for the Applicant. A representative for Space Age Fuel, Kevin Cach, testified that they can accommodate any time restrictions related to fuel deliveries, and having reviewed the plans for development is confident they can safely deliver fuel (Video Recording at 2:07:23). This testimony supports the analysis of Transight, which concludes that deliveries and internal circulation patterns are safe and adequate.

The landowner, Don Sidhu of Woodburn Petroleum LLC, testified January 27 at approximately 8:28 p.m. that regarding fuel delivery, "probably every other day a load will come", "maybe three, four loads a week", and in the evening, "when the slowest time of day" is.

Commenters also stated that they have observed trucks turning right onto W. Hayes Street from Oregon Way and use most of both lanes to turn right, in addition to property damage that has occurred to curbs and yards by trucks making that turn. As stated above, the type of maneuvering the commenters is concerned about is specific to semi-trucks, and most vendors making deliveries to the Subject Property will utilize single-unit delivery trucks. In addition, in order to turn right onto W. Hayes Street from Oregon Way, trucks would have to first turn right onto Oregon Way. As described in Finding 8 above and as demonstrated by the Site Plans, trucks will be prohibited from turning right onto Oregon Way and Applicant will install directional signage on site at the driveway to Oregon Way indicating that trucks are prohibited from turning right.

Trucks exiting the Subject Property will be prohibited from turning right onto Oregon Way and as such will not be making the right turn from Oregon Way onto W. Hayes Street. It is outside the scope of these Applications to require further mitigation or other actions regarding a pre-existing issue that the proposed use will not contribute to.

In addition, the design of the entrance has been modified from the original site plan in 2022 to restrict movements to inbound only access, as required by ODOT, and support delivery trucks from OR 214. In addition to bulk fuel deliveries, other types of vendor trucks will also visit the site. Most of these are smaller single-unit box trucks that typically travel between stores, but semi-trucks could occasionally also enter the site. Space is available within the northern edge of the site for smaller trucks to park and load, with loading typically occurs via hand truck, with secondary delivery space co-located with fuel deliveries to accommodate larger semi-trucks. Additional details, including turning movement diagrams, on service vehicle and fuel deliveries are included within the Site Plan and on pages 9 through 20 of the Transight Memo.

Overall, the maneuvers within a fuel center parking lot occur at low speeds, with drivers expecting to yield to fuel attendants, other patrons, and delivery vehicles. The scheduled vendor trips to the US Market have been developed to avoid multiple trucks loading simultaneously. As shown by Table 1 on page 2 of the Transight Memo, the vendor deliveries to US Market are scheduled to occur only during off peak late morning hours. Vendor scheduling will allow the proposed use to avoid conflicts with AM or PM peak trips and avoid simultaneous on-site deliveries with other food or drink vendors or fuel deliveries. Bulk fuel deliveries occur once every other day (unless sales dictate additional needs), with a maximum of one fuel delivery per day. The provision of two separate loading areas will also help to ensure that customers, office tenants, and employees are provided safe routes between parking areas, building entrances, fueling positions, and loading points during deliveries, as demonstrated by the Site Plan. Delivery vendor Julian Cocklin of Core-Mark International Inc. testified January 27 at approximately 9:01 p.m. that their company serves 40,000 locations nationwide and serves many of the Applicant's existing stores, that they use 28-foot tri-temp trailers for delivery that specialize in deliveries to convenient stores, that their delivery times are flexible for customer needs, and that convenience store deliveries for the Subject Property likely would be weekly, taking about 25-35 minutes, using said 28-foot long trailer (Video Recording at 2:01:13).

As supported by the Site Plan and the Transight Memo, there is substantial evidence to support that the design of the Subject Property is adequate to ensure safe and efficient vehicle maneuvering for ingress and egress. As supported by the Site Plan, the Transight Memo, and above in Finding 9, there is also substantial evidence to support that the site has adequate queuing space and room for the maneuvering of vehicles during deliveries to adequately accommodate traffic on site, including delivery trucks, and reasonably mitigate potential impacts.

**14) During the Planning Commission Hearing, there were comments about vehicles racing and driving recklessly along Hwy 214, particularly during late night hours.**

Finding 16: OR 214 is a State Highway that provides the City and Applicant limited options to address these types of issues outside of increased traffic enforcement and monitoring, particularly as the issues appear to occur outside of the typical operating hours of the US Market and occurs today without the development proposal. Expected contributing factors that are not related to the proposed development include: access-controlled section of OR 214, highway width, lack of traffic control signals east of Oregon Way, limited development on the south side of the highway, and proximity to I-5. Field observation noted that there is a concrete block sound wall along OR 214 east of Oregon Way to shield the adjacent residents, as well as street trees with overhanging canopies that help to narrow the perceived width and cobra-head

luminaires for safety. The planned addition of vegetation and the building frontage near the highway will provide a different development pattern than the setback buildings that are present to the east that may help. Increased enforcement will be the most effective treatment of this pre-existing condition, which is outside the scope of the Application (and are issues unrelated to the mandatory approval criteria) given the jurisdiction of OR 214 and limited, if any, relation to the proposed use.

**15) The design of other sites, such as the nearby Chevron and Arco, and other permitted uses for the Subject Property that could be more intense than the proposed use are irrelevant. To the extent the design of the nearby Chevron and Arco sites are relevant, the nearby Chevron and Arco sites are distinguishable because ingress and egress do not require passing through residential areas.**

Finding 17: WDO 5.03.01.B.03 requires that “the proposed use shall be compatible with the surrounding properties.” WDO 5.03.01.B.03 requires the weighing of relevant factors to determine whether the proposed use will be compatible and provides a list of relevant factors to consider. This criterion applies to all surrounding properties including the commercial uses – not just the residential uses.

The City has addressed the factors provided under WDO 5.03.01.B.03, as evidenced by these responsive findings in addition to the findings below addressing applicable approval criteria. The City has also addressed factors not on the list, but that relate to the compatibility of the proposed use and were brought up in public comments such as the impacts on safety and specific concerns related to site design and traffic flow. In evaluating whether there is substantial evidence to find that the proposed use shall be compatible with the surrounding properties as required by WDO 5.03.01.B.03, the City has given the most weight to the relevant factors listed under WDO 5.03.01.B.03, and relied on evidence provided by the Applicant such as the Site Plan, 2023 Revised TIA, Supplemental TIA, and Transight Memo which the City found to be authoritative and persuasive.

While not given as much weight as other factors, the Chevron and Arco sites as well as the other proposed uses do have at least minimal relevance in evaluating whether the proposed use will be compatible with the surrounding uses. The Chevron and Arco sites are both located within one thousand (1,000) feet of the Subject Property and are also developed with a convenience store and gas station.

Therefore, the design of the nearby Chevron and Arcos sites have at least minimal relevance given the proximity and similar uses on whether the proposed design will be adequate to accommodate the flow of traffic and mitigate potential impacts, as evaluated in the Transight Memo in comparison to the Subject Property.

Pages 12 through 18 of the Transight Memo include a field review of the nearby Chevron and Arco sites and note design elements incorporated into the Site Plan which are either comparable or improve upon the nearby Chevron and Arco sites. Such comparison is at least minimally relevant in evaluating whether the site design can adequately accommodate traffic on site and mitigate potential impacts on surrounding properties, as long as the differences in location are considered when evaluating the relevancy and weight of the evidence, as done by the City in this instance.

Similarly, the other permitted uses on the Subject Property are at least minimally relevant in evaluating whether the proposed use shall be compatible with the surrounding properties as required by WDO 5.03.01.B.03. The other permitted uses on the Subject Property have been legislatively found to be compatible with the other permitted and conditional uses in the General Commercial zone. The permitted uses in the same zone are at least minimally relevant in providing a comparison as to what constitutes compatibility with surrounding properties. However, as stated above, the City gave very little weight to this evidence when evaluating whether the proposed use would be compatible with the surrounding properties.

When considering the relevant factors to determine whether proposed use shall be compatible with the surrounding properties pursuant to WDO 5.03.01.B.03, the City gave the most weight given to the evidence the City found to be the most relevant, authoritative, and persuasive such as the Site Plan, 2023 Revised TIA, Supplemental TIA, Transight Memo, Applicant's narrative application statements, and Applicant's Rebuttal Record Response. The City agrees that the applicable standard under WDO 5.03.01.B.03 is whether "the proposed use shall be compatible with the surrounding properties." The City has properly applied said standard in drafting findings, including these responsive findings, in regards to WDO 5.03.01.B.03.

In the alternative, even without any consideration of the comparison to the adjacent Chevron and Arco sites and other permitted uses for the Subject Property, as demonstrated herein by these responsive findings and the findings below addressing the applicable approval criteria, there is substantial evidence to support that the proposed use shall be compatible with the surrounding properties as required by WDO 5.03.01.B.03.

**16) The City previously rejected the proposal in 2022 and despite this rejection, the Applicant submitted the exact same proposal, with the only difference being that access from Hwy 214 is limited to ingress only.**

Finding 18: The current proposal differs from the application that was denied in 2022 in many ways, including but not limited to the revision that access from OR 214 is limited to ingress only, as required by ODOT. Applicant submitted additional evidence, including an updated Site Plan, which includes a revised circulation plan in light of OR 214 being limited to ingress only, the 2023 Revised TIA, the Supplemental TIA, the Transight Memo, and the Applicant's Rebuttal Record Response, which responds to public comments.

One element of the updated Site Plan was that Applicant provided the Sign/ Maneuvering Plan, which can be found on page 26, of Exhibit D (testimony submitted through September 23, 2024). The Sign Maneuvering Plan provides adequate detail of the directional markings and signs necessary to direct the flow of traffic on site which includes but is not limited to signage directing motorists to I-5, signage and markings directing the motorists to pump queues and towards the egress after using the pumps, signage and marking indicating that the access from Hwy 214 is for ingress only, and signage indicating that the exit onto Oregon Way is left turn only for trucks. Traffic and related safety concerns were one of the primary reasons for denial of the proposal in 2022 which Applicant has revised this application to address.

Notwithstanding, pursuant to WDO 4.02.09.1, the same or substantially similar proposal may be made one year following the date of the final decision. The date of the final decision denying the previous proposal was August 8, 2022. Applicant submitted the Applications on February 8, 2024, in compliance with WDO 4.02.09.1. The City may approve the Applications even if the Applications were the same or substantially similar proposal denied in 2022 pursuant to WDO 4.02.09.1.

**17) The majority of the neighborhood testimony has been in opposition to the Applications because the new proposal directs more site traffic onto Oregon Way to the detriment of nearby residential uses.**

Finding 19: The site design, traffic circulation, and potential impacts to Oregon Way are addressed in the above Findings. While public comments are considered by the City and these responsive findings address the public comments consistent with applicable law, there is no applicable approval criteria that the majority of the neighborhood, or public comments in general, must support the Applications. The City addresses public comments related to concerns with compatibility, which the City has weighed as a relevant factor under WDO 5.03.01.B.03, as detailed in these responsive findings.

**18) General concerns that the proposed use will negatively impact property values for the nearby residential properties, such as those on Oregon Way.**

Finding 20: A commenter expressed concerns that property values would decrease if the proposed use is developed. However, no evidence was presented on what effect, if any, the proposed use would have on the values of nearby residential properties apart from speculation. Whether or not the proposed use will affect property values is also not a relevant factor in determining if the proposed use is compatible with surrounding uses. Property values are affected by many different factors, but even if evidence was presented proving that the development of the proposed use decreased nearby residential property values, this fact does not render the proposed use incompatible with surrounding uses. Decreased property values would not interfere with an owner's rights to their property, such as the right to use, develop, or sell the property pursuant to applicable law.

**19) Concerns from residents of three homes directly across Oregon Way from the Subject Property regarding the potential impact that vehicle headlights exiting the Subject Property will have on their residences.**

Finding 21: Annika Figueroa, on behalf of her parents, Don and Manette Zehrung, who reside at 966 Oregon Way, Woodburn, OR, 97071, submitted testimony by e-mail and testified at the hearing, requesting that the applicant offer subsidies for landscaping, fencing, screening, and or metal protective devices for properties located immediately east of the Subject Property on Oregon way within the line of sight of the property. The written testimony can be found on page 260 of Exhibit A. City Councilor Wilk commented on Ms. Figueroa's request and suggested that the City impose a condition of approval requiring vegetative screening for the houses immediately across the street from the Subject Property

(Video Recording at 2:43:13). The Applicant, through counsel, stated that they would support a condition of approval along those lines. The City finds that the properties located at 966, 980 & 994 Oregon Way are within the line of sight of the subject property. Accordingly, the City imposes CU12 as a condition of approval to ensure compatibility with surrounding residential uses, specifically, those three listed addresses. CU12 requires that the developer provide vegetative screening from headlights exiting the subject property for the three addresses directly within the line of sign of the Subject Property.

**B. The Planning Commission relied on a staff report that proposed legally inadequate findings that improperly delegated the discretionary application of criteria and standards to a non-public forum and failed to explain how compliance is feasible with the imposition of conditions.**

Finding 22: The comments related to the staff report findings and conclusions are not relevant to this decision. The City has set forth its own findings of fact and conclusion of law in this decision, which adopts some of the staff report findings but also adopts these responsive findings and includes additional findings of facts and conclusion of law related to the applicable approval criteria that were not present in the staff report. The comment that the staff report improperly delegated the discretionary application of criteria and standards to a non-public forum relates to the staff reporting findings and conditions which indicated the site plan would be updated before building permit review. However, Applicant updated the site plan during the open record period and no further updates are required, as evidenced by the findings and conditions stated in this decision, except updates necessary to conform with those conditions. This decision adequately addresses each approval criterion and explains how compliance with criterion is feasible where conditions are imposed. It is routine practice for staff to work with the applicant after a final decision has been issued to ensure the site plan adequately addresses the imposed conditions. This does not constitute an improper delegation of decision-making to a non-public forum but rather ensures that the proposed site plan indeed meets the criteria and conditions outlined in the final decision.

**C. The Street Adjustments approved in the Planning Commission Decision are not supported by substantial evidence and the criteria under WDO 5.02.04.C was improperly applied.**

Finding 23: The applicable criteria, findings, and conditions of approval for Street Adjustments can be found below under the Street Adjustment Section. As stated below, the City conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and the City conditions fee in lieu of Oregon Way on-street parking.

As shown on Table 202, which can be found on pages 131 through 132 of the Planning Commission Decision, the City has conditioned fees in lieu of four street improvements required under the development code, which are as follows: (1) a \$83,547 fee in lieu of sidewalk improvements on Hwy 214; (2) a \$4,832 fee in lieu of landscaping strip on Hwy 214; (3) a \$14,713 fee in lieu of offsite street parking improvements; and, (4) a \$950 per tree fee for a maximum of four trees along Oregon Way and nine trees along Hwy 214.



However, the Community Development Director has discretion pursuant to WDO 04.02.12 to require fees in lieu of public and on-site private improvements. WDO 04.02.12 provides that the Director has the discretion to require fees in lieu “whether wholly in lieu for one, some, or all of the kinds of required improvements or for some or all of a kind.” The Director properly exercised his discretion under WDO 04.02.12 to require fees in lieu of all the improvements which Applicant sought an adjustment. The Street Adjustments do not approve altered standards for the required improvements. Rather, as stated above, the Community Development Director conditionally approved the Street Adjustments with the conditions of approval requiring fees in lieu of the required improvements, as permitted by the WDO to demonstrate compliance with the applicable criteria for the Street Adjustments.

In the alternative, pages 29 through 33 of the Transight Memo addresses the criteria under WDO 5.02.04 for the proposed Street Adjustments, which are incorporated by this reference as if fully restated herein.

**Supplemental Findings Conclusion:**

As demonstrated by the responsive findings to public comments above which are intended to supplement the findings of fact and conclusions of law which directly address the applicable approval criteria of the WDO, Applicant has demonstrated compliance with the applicable approval criteria and any potential impacts from the proposed use can be reasonably mitigated through conditions of approval and site design. The public comments submitted in opposition to the applications do not provide a basis for denial.

**V. Conditions of Approval**

Based on the findings of fact and conclusions of law above, the City Council, in this Final Decision, adopts the following conditions of approval. These conditions are the same conditions approved by the Planning Commission except for the addition of CU12 which addresses the concern raised in Supplemental Finding 21 above (requiring the applicant to plant vegetative screening for three houses directly across Oregon Way from the subject property.

*General*

G1. As part of building permit application, the applicant shall submit revised site plans meeting the conditions of approval and obtain Planning Division approval through sign-off on permit issuance. The applicant shall submit a cover letter indicating what specific plans sheets or document page numbers demonstrate how the submittal meets each condition.

G2. The applicant or successors and assigns shall develop the property in substantial conformance with the final plans submitted and approved with these applications, except as modified by these conditions of approval. Were the applicant to revise plans other than to meet conditions of approval or meet building code, even if Planning Division staff does not notice and signs off on building permit issuance, Division staff retains the right to obtain restoration of improvements as shown on an earlier land use review plan set in service of substantial conformance.

G3. References: Attachment 201 serves as a dictionary or glossary defining certain abbreviations, acronyms, phrases, terms, and words in the context of the conditions of approval. The 200 series of attachments are as binding as the conditions of approval in the main body of the final decision.

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E and 4.02.12 unless if and where a condition of approval has more restrictive timing. By this condition, there is more restrictive timing: In any case, they are due no later than by Building Division issuance of first certificate of occupancy (C of O), regardless of deferral, if any, that Public Works (PW) might have approved through 3.01.02E. This condition is not deferring to C of O; it is saying that if there were to be PW deferral, then the department could not defer to later than C of O.
- b. ROW/easements: Correct recordation of required right-of-way (ROW) and public easements is due per WDO 2.01.05A – by building permit issuance. See Note A below.
- c. Where phasing is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located. Where an improvement spans phases and cannot be functionally divided by phase, it shall be due by the earliest phase.
- d. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an [Address Assignment Request](#). This is due prior to building permit application, and if property line adjustment or lot consolidation were to become relevant, then also after recordation with County. (See the Notes to the Applicant section following the conditions of approval, Note to the Applicant 17.)

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than 6 months prior to expiration of the land use approval as WDO 4.02.04B establishes, and shall complete recordations no later than 3 years past the land use “final decision” date. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage.

G6. Administration:

- a. Conformance: That a land use approval does not reiterate any and each particular detail, provision, requirement, rule, spec, or standard from any of the WDO, other ordinances, resolutions, public works construction code, or department policies does not exempt development from conformance with them.
- b. Copies: Per WDO 2.01.05B, the developer, including any succeeding contractor, shall provide copies of documentation that a City staff person requests regardless if the documentation source is another City staff person or department.
- c. Fees: The developer shall pay fees per Attachment 202.

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works (PW) and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the Planning Commission, contact PW to begin and finish dedication and granting sooner. The City Council meets most second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.



*Phasing Plan 24-01*

PP1. Phasing Plan:

- a. Basic Description:
  - (1) Phase 1: On Tax Lot 3600 (east, corner lot), a single northeast (NE) building of with convenience store of 4,110 sq ft and an attached commercial office tenant space of 1,863 sq ft. On Tax Lot 3700 (west, interior lot), a fuel pump canopy. Minimum off-street parking and other corollary improvements for these uses.
  - (2) Phase 2: On Tax Lot 3700 (west, interior lot), a southwest (SW) commercial office building of 5,000 sq ft and its parking and other corollary improvements.
- b. Phasing: The developer may choose to develop Phase 2, the SW office building and necessary corollary improvements, per land use review Sheet A1.1a later than the Phase 1 gas station complex of convenience store, NE commercial office, and fuel pump canopy and necessary corollary improvements.
- c. Phase 2 expiration:
  - (1) Phase 1 substantial construction would keep land use approval with conditions valid longer than the baseline 3 years per WDO 4.02.04B (or longer than baseline per subsection D if there will have been an appeal). However, in reference to condition part b. above, there must be building permit application for Phase 2 by 8 years past the date that the Planning Commission motioned to tentatively approve CU 24-02.
  - (2) If Phase 1 fails to achieve substantial construction by 5 years past the date of the hearing at which the Planning Commission motioned tentative approval, WDO 4.02.04B.1 & 2 would not be met and – absent the City granting a time extension as subsection B.3 references – the land use approval with conditions would expire for both phases.
- d. Phase 2 interim: If Phase 2 does develop later than Phase 1, then – regarding the area where the SW office building and its corollary improvements would be – until Phase 2 develops:
  - (1) The landowner shall pour curb or affix a linear obstruction to motor vehicles from driving and parking beyond the boundary of Phase 1 improvements and maintain such obstruction. Exhibit PP1 is an aerial photo of the area in 2023.
  - (2) The landowner shall maintain its grounds in conformance with [City Ordinance No. 2338](#) (June 9, 2003; amended regarding lighting by Ordinance No. 2522 September 22, 2014). Staff draws attention to Sections 5-9 about noxious vegetation, “attractive nuisances”, junked vehicle nuisances, open storage of junk, and scattering rubbish.
  - (3) Vehicular circulation and parking within the undeveloped Phase 2 area is permissible only if the landowner upgrades as needed for conformance with WDO 3.05.02A, F, & K and 3.04.04. Together they prohibit gravel.



*Exhibit PP1-1*

- e. All conditions apply to any phasing, unless worded or under a header such that a condition applies more specifically. Where something is due by building permit application or issuance, it means the first of any phase, any building, unless a condition is more specific.

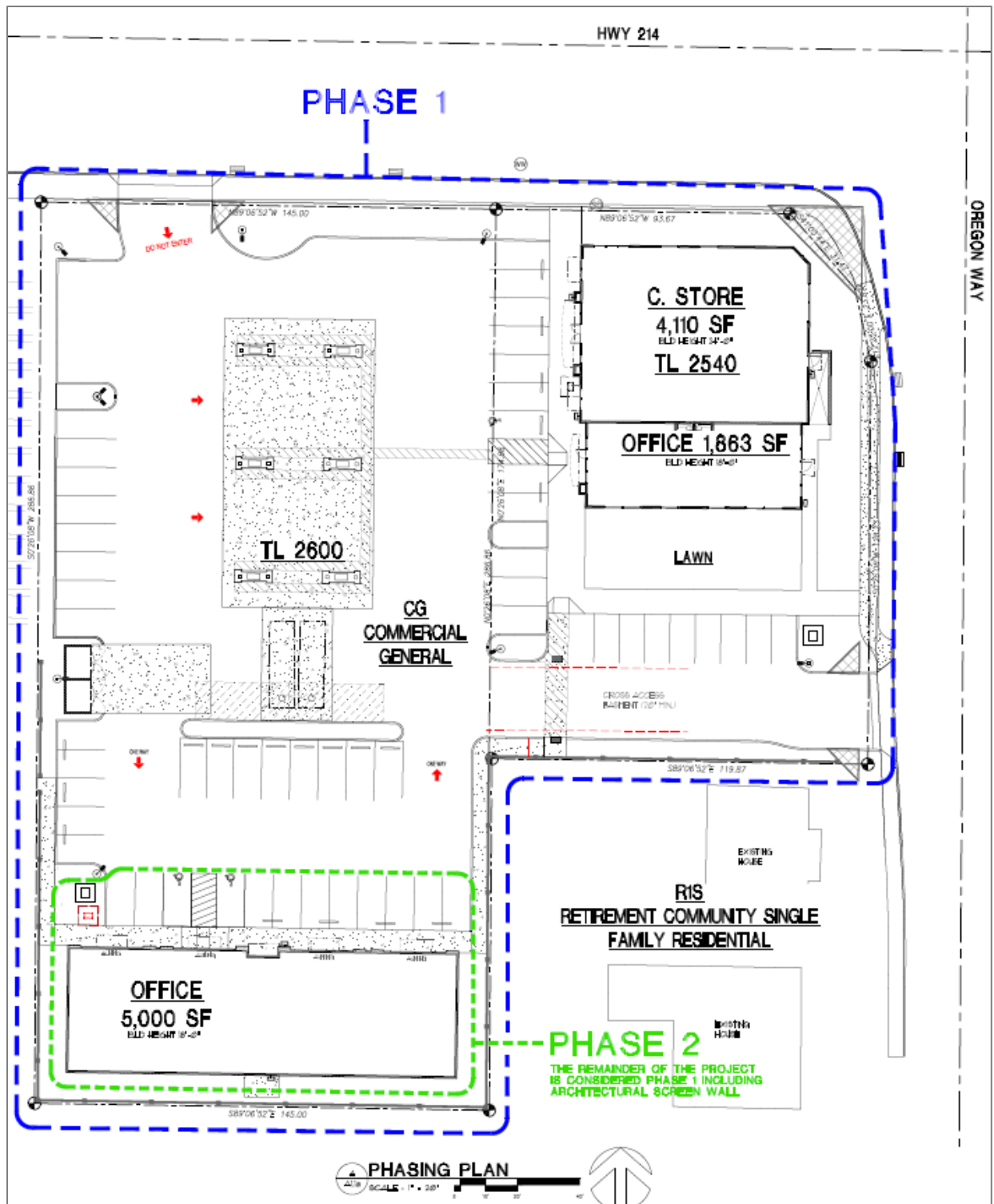


Exhibit PP1-2: Phasing plan excerpt from Sheet A1.1a dated February 5, 2024 and submitted February 8, 2024

Design Review 24-02

D1. ROW:

- a. Highway: To conform with WDO Figure 3.01B "Major Arterial", as part of recordation the developer shall dedicate ROW if and as necessary to result in half-street ROW that is uniform min width of 50 ft measured from centerline. This is due by building permit application.
- b. Oregon Way: To conform with WDO Figure 3.01E "Access Street", as part of recordation the developer shall dedicate variable width ROW resulting in half-street ROW that is uniform min width measured from centerline of 33 ft plus additional width along the northerly extent to accommodate the half-street width of the existing northbound left turn lane that the Figure 3.01E, which assumes a mid-block cross section, does not make explicit for telescoping width at intersections. The developer may take and report field measurement of the lane width or assume a lane width of 12 ft, yielding a total minimum width from centerline of  $33 + (12 / 2) = 39$  ft. "Northerly extent" shall extend minimum 140 ft south from a point in line with the highway ROW boundary; it is probable that the total half-street dedication along this extent would equal or approximate a min of  $3 + (12 / 2) = 9$  ft. Dedication is due by building permit application.

D2. PUE: If streetside public utility easements (PUEs) do not yet exist along any of the highway per the minimum of WDO Figure 3.01B and Oregon Way per the minimum and maximum of WDO 3.02.01B & F.2, then the developer shall grant the one or both PUEs.

D3. Driveways:

- a. Number & widths: To conform with WDO 3.04.03B.5 regarding access management, driveways shall be limited as follows:
  - (1) Highway: 1, max width per WDO Table 3.04A: 20 ft for one-way. If one-way inbound, there shall be min one *MUTCD*-compliant do-not-enter sign facing the site, one the east side of the driveway throat, and the pavement shall be striped to indicate no exit.
  - (2) Oregon Way: 1, max width 24 ft for two-way, except 26 ft for two-way if the developer through WDO Table 3.04A footnote 7 provides the same kind of documentation as condition part (1) above describes.
- b. Approach / apron / curb cut: Driveways shall conform to PW SS&Ds, Section [4150](#), unless documented as overridden by ODOT choosing to apply its standards.

D4. Access management: cross access: To conform with WDO 3.02.01E, 3.04.01A.2, 3.04.03B.3 & 5, 3.04.03C.1, 3, & 4, and 3.04.03D.2, the developer shall provide for what is termed any of cross access, ingress/egress, or shared access revocable only with the written concurrence of the Director and as follows:

- a. Properties:
  - (1) Subject property: Grant cross access (A) across Tax Lot 3600 (2540 Newberg Hwy) to the benefit of 3700 (2600 Newberg Hwy) and (B) across Tax Lot 3700 to the benefit of 3600. (Instead of cross access for the subject property, which is comprised of both Tax Lots 3600 & 3700, the developer may opt to consolidate lots by applying and paying for as well as obtaining City approval of a Property Line Adjustment [PLA], which would be a land use review Type II per WDO 5.01.08 and so a staff decision, and record with the County the lot consolidation, all prior to building permit application.) This is due by building permit application per WDO 2.01.05A.
  - (2) Adjacent property: Grant cross access across Tax Lots 3600 & 3700 to the benefit of Tax Lot 052W12DB03800 (2620 Newberg Hwy; Dairy Queen). This is due by building permit application per WDO 2.01.05A.
- b. Alignment: Applicable to both the subject property and the Tax Lot 3800, follow a drive aisle or aisles and connect each of the highway driveway, the common lot line between Tax Lots 3700 & 3800 somewhere within the segment 60 ft south of the north property line, the common lot line between Tax Lots 3600 & 3700, and the Oregon Way driveway.
- c. Drive aisle stub: Extend a drive aisle stub conforming with WDO 3.04.03C.4b to Tax Lot 3800 (2620 Newberg Hwy; Dairy Queen) within the above-specified alignment.
- d. Barriers: At the interface of a property line and a drive aisle stub, WDO 3.04.03C.4b prohibits curb and fixed barriers mounted to the drive aisle. (The developer may instead place signed barricades atop the pavement.) While fencing a property line remains permissible per WDO 2.06.02, were the developer or property manager to install fencing, then the segment over the drive aisle shall have vehicular gates.
- e. Bicycle/pedestrian: The developer shall grant cross access not only for driving, but also walking and cycling, with alignment along each of the two wide walkways that WDO 3.04.06B requires and connecting with each of the highway and Oregon Way sidewalks.
- f. Instrument: Regarding recordation of the cross access easement (CAE) or other types of legal instruments and how, the developer shall conform to the conditions in ways that satisfy the County. This is due by building permit application.
- g. Shared parking: Because Tax Lot 3600 (2540 Newberg Hwy) would lack minimum off-street parking ratio for all land uses on the lot per WDO Table 3.05A, then the developer shall either (1) revise site plans to conform with WDO 3.05.02 & Table 3.05A or (2) create a shared parking agreement, for which cross access is a pre-requisite, per WDO 3.05.05. (A shared parking agreement would be due per WDO 3.05.05D.3: by building permit issuance.) Minimum agreement attachments or exhibits shall be a County tax map, a revised site plan, and if such would exist, a recorded plat.
- h. ODOT factor:
  - (1) The developer shall apply to and obtain from ODOT the relevant approval(s) by building permit application to conform with the access management condition.
  - (2) If after City land use decision ODOT objects specifically to how the City administers or the developer conforms to other parts of the condition or to other conditions concerning vehicular access, then the developer may request and the Director may administratively approve in writing changes to administration or conformance to accommodate the ODOT factor while still having the development meet the WDO and conditions of approval to the max extent remaining. The Director may require developer application for any of Extension

of a Development Decision per WDO 4.02.05 or Modification of Conditions per WDO 4.02.07.

- (3) If after City land use decision ODOT directs access management in conflict with other parts of the condition or to other conditions concerning vehicular access, then the developer shall forward the written direction from ODOT to the attention of the Director; describe the conflict(s); describe the minimum deviation from conformance necessary to comply with ODOT direction while also conforming to the remainder of the condition to the maximum, including plan view illustrations where helpful; and request Director approval through a dated document that cites the land use case file and condition numbers. The Director may approve what the developer first requests or a modified request. The City intends that if the developer were to make use of this part (d) of the condition, he would do so once.

D5: Parking:

- a. Wheel stops: To conform with WDO 3.05.02H, the compact parking spaces along the northeast (NE) office south lawn shall have wheel stops, either 5 shared among the spaces or one per each of the nine spaces, to prevent any overhang of the wide walkway.
- b. Vehicular circulation directional markings/signage: To conform to WDO 3.05.02J, during building permit review the Director may administratively establish details, specifications, and revisions to administer the WDO section. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
- c. C/V: Carpool/vanpool (C/V) parking shall conform with Table 3.05C and 3.05.03H.
- d. EV: Electric vehicle (EV) parking shall conform with Table 3.05E and 3.05.03I.

D6. Electric power poles removal and lines burial: Development shall conform with WDO 3.02.04. The fee in-lieu shall be per Attachment 202. (Absent direction by the applicant otherwise, staff will proceed as if the developer intends to conform by paying the fee in-lieu and will assess it through the building permit.)

D7. Trash enclosure: Outdoor storage of trash and shall be enclosed in conformance with WDO 3.06.06B.5-7 and, regarding roofing, in conformance with Public Works Department Engineering Division administration of standards or directions regarding such, if any, in relation to keeping polluted water from entering drains.





- c. Buffering/screening: Evergreen hedge or shrubbery shall:
  - (1) Line Architectural Wall (AW) segments.
  - (2) Screen transformers and other at-grade electrical and mechanical equipment along min 2 sides.
  - (3) Serve as means of conformance with WDO 3.06.05B (parking screening).
- d. Coniferous/evergreen trees: Among newly planted trees, min 1 tree of the following coniferous or evergreen species:

Cedar, deodar	Madrone, Pacific
Cedar, incense	Oak, Oregon White
Cedar, Western Red	Pine, Lodgepole
Douglas-fir	Pine, Ponderosa
Fir, Grand	Pine, Western white; and
Hemlock, Western	Yew, Pacific

- e. Tree standards: The same as WDO Table 3.06A “Minimum Size” column – either 10 ft height or 2 inches caliper.

CU4. Front yard landscaping:

- a. Depth: The depth of landscaping from highway ROW south, in the yard west of the convenience store, shall be min 13 ft to vehicular circulation area back of curb to accommodate newly planted front yard trees outside of the streetside PUE. The min depth may instead be 6 ft if ODOT, such as through the Region 2 Development Review Coordinator, allows planting of trees within the PUE, the allowance is documented through building permit review and by building permit issuance with the applicant having submitted plans revised accordingly to both the agency and the City Community development Department, and the developer will have planted such trees by building permit inspection.
- b. Trees: Based on WDO 5.03.01B.3c5), the developer shall plant min:
  - (1) 7 trees in the yard along the highway max 20 ft from ROW; and
  - (2) 4 trees in the yard along Oregon Way max 20 ft from ROW, in a loose row with min 3 of them spaced offset from and complementing street trees.
- c. Hedge/shrubbery: In all areas not occupied by buildings and pavement, landscape per WDO 3.06.
  - (1) On Tax Lot 3700 in the yard along the highway, plant a hedge or row of continuous small or medium shrubbery extending between the driveway and east lot line. Plant min 5 ft from sidewalk and max 12 ft from ROW.
  - (2) On Tax Lot 3600 in the yard along the Oregon Way, line the convenience store rear east free-standing screen wall or wing wall with a hedge or row of continuous small or medium shrubbery, unless the developer declines to build the wing wall.
- d. Site interior:
  - (1) AW: Line each Architectural Wall (AW) segment with a hedge or row of continuous medium or large shrubbery.

- (2) Lawn large tree: Within open space within 30 ft of the NE commercial office, plant min 2 trees, either both large or min 1 medium and 1 large. Min 1 of these west or south of the plaza – see below.
- (3) Plaza: At or within 30 ft of the NE commercial office and adjacent to a wide walkway shall be a plaza min 56 sq ft, exc. walkway area, at 7.5 ft narrowest dimension, paved with brick; concrete pavers; field or flagstone; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.
- (4) South yard: Within 100 ft of the Tax Lot 3700 south lot line, plant min 2 trees.
- e. Parking area:
  - (1) Front yards: To conform with WDO 3.06.05B, within the yards abutting streets the site perimeter landscaped area shall have a hedge or shrubbery as a screen of parking and vehicular circulation area min height 3.5 ft. Such shall be planted to be min 2 ft from sidewalks and wide walkways.
  - (2) NE office: Min 1 large tree in the southwesterly area of the south yard lawn.
  - (3) SW office: For common use by tenants, have a south rear door and a patio of brick, pavers, or poured concrete min 7 ft north-south by 11 ft east-west. Align patio flush with door outer swing. Plant a small tree near the patio west side.

CU5: Architectural Wall (AW) / Fences / Fencing:

- a. Exemption: Where chain-link fence with slats already exists along the north and west lot lines of Tax Lot 3500 (953 Oregon Way), the developer may exempt these two lines from AW if the homeowner in writing consents to exemption and the developer submits documentation by and as part of building permit application.
- b. Extent: Min height shall be along the:
  - (1) North and west lot lines of Tax Lot 3500 6 ft, 1.5 inches (if CMU, equal to 9 courses of blocks plus 1.5-inch smooth concrete cap).
  - (2) North and east lot lines of Tax Lot 90000 (950 Evergreen Road), 9 ft including a 1.5-inch smooth concrete cap between piers or pilasters.
  - (3) Where fencing may substitute per other conditions, for part (1) above it shall be 6 ft, and for part (2) above, 8 ft.
- c. Height at AW ends: Min height shall drop where subject to stair-stepped height limits in yards abutting streets per WDO 2.06.02, within VCA or sight triangles per 3.03.06, and AW shall remain outside streetside PUEs. AW may cross an off-street PUE, if any exist, with written authorization by the Public Works Director, and the PW Director may instead direct that instead of a segment of wall that there be coated chain-link fencing with slats across an off-street PUE. For crossing of private easements, the developer similarly may instead fence.
- d. Gaps or rectangular openings:
  - (1) There shall be one along the east lot line of Tax Lot 90000, min 4 ft wide and 6 ft, 8 inches high above grade, and with the south end of the gap aligned with the Tax Lot 90000 north east-west drive aisle, south curb, north face.



Exhibit CU5-1



Exhibit CU5-2

- (2) If AW exemption per part a. above is not applicable, then there may be a gap along the west lot line of Tax Lot 3500, aligned with where there exist west backyard chain-link gates, minimum width equal to the width of the gates.
- e. Color: Masonry, whether dyed or painted, regarding WDO 3.06.06B.5 & 6 shall be a color or colors other than black, charcoal, or dark gray. For any other fence / fencing or free-standing wall, including gates if any, the coating and slats that WDO 2.06.02D requires and any wall shall be a color or colors other than black, charcoal, or dark gray. On free-standing walls with two or more colors, darker color shall be towards the bottom and lighter color towards the top.
- f. Material: Masonry; however, AW segments, other than those along the north and east lot lines of Tax Lot 90000 (950 Evergreen Road), may be partly made of opaque cedar wood fencing if the wall appears mostly masonry. Specifically, masonry must constitute the bottom extent of wall segment from grade up to min of 4 ft (for example, 6 CMU courses) above grade plus the height of a smooth concrete cap between the masonry and the wood, and there shall be piers, pillars, or pilasters per subsection "Pillars" below. Exhibit CU5-3 below illustrates a similar example (that does not exactly meet the condition) and serves as concrete masonry unit (CMU) model:

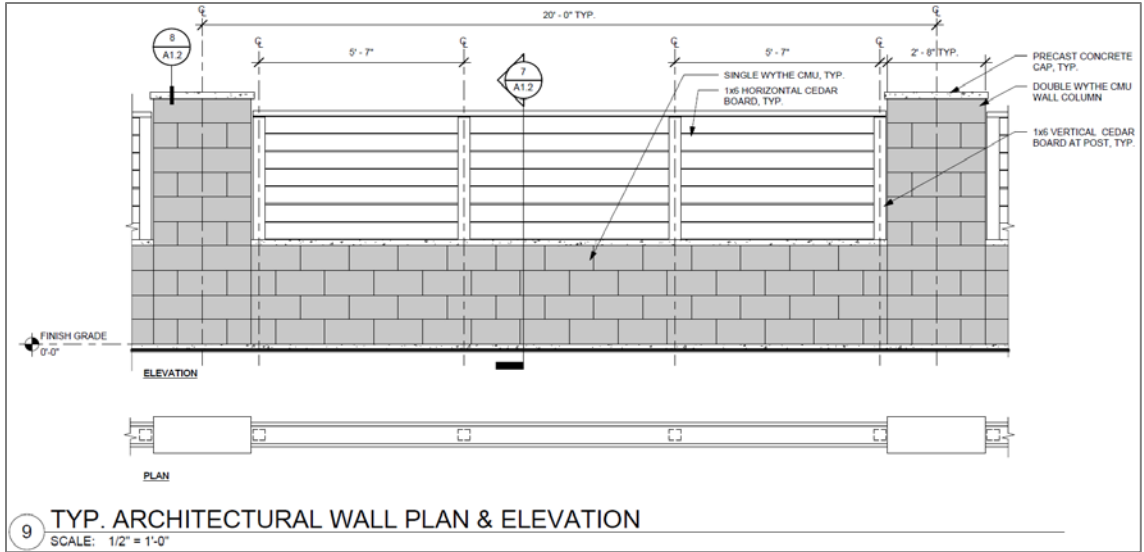


Exhibit CU5-3 (DR 2017-08)

- g. Texture: WDO 3.06.06B.7 is interpreted such that the standard for scoring, texture, or pattern on minimum 80.0% of the wall surface is applicable only to the WDO Table 3.06D minimum height of 6 ft – 80.0% being 7.2 of 9 CMU courses – not the conditioned minimum height of 9 ft, which equals 13.5 courses. In this context, the scored, textured, or split-face CMU courses shall start at or just beneath grade, and there shall be minimum 3 courses of ground or smooth-face CMU composing an upper band of the wall and minimum 1 course of ground or smooth-face CMU at approximately elbow height of an average height person standing at grade.
- h. Pillars: Whether the AW is solid masonry or incorporates wood fencing, each AW segment end shall have a pier, pillar, or pilaster min 16 inches wide relative to wall face and per WDO 3.06.06B.3 projecting min 3 inches each side of the wall.
  - (1) Number: Each segment shall have a min number of piers, pillars, or pilasters equal to a ratio of 1 per 40 ft of wall, and each segment end shall have a pier, pillar, or pilaster.
  - (2) Cap: Each pier or pilaster shall be capped with ornamental concrete in the form of any of a shallow-sloped pyramid or sphere or other finial atop such pyramid.
- i. This condition is due by the first building permit regardless of phase; that is, it is due regardless if Phase 2 is not developed at the same time as Phase 1.

CU6. Architecture:

- a. Canopies / fixed awnings:
  - (1) General: Min height clearance 9 ft.
  - (2) Fuel pump canopy: Max ceiling height 16 ft to either (a) ceiling or (b) ceiling-mounted lighting fixtures, whichever is lower.
  - (3) Convenience store and NE commercial office: The store and NE commercial office main entrances shall each have a canopy, fixed awning, building recess, or roof projection that shelters from precipitation, the former 4 ft narrowest dimension and 48 sq ft min area and the latter 4 ft and 32 sq ft. Each side or rear single staff door on the rest of the store and NE commercial office shall have the same, except 3 ft narrowest dimension and 18 sq ft min area, and for a set of double staff doors, 30 sq ft min area.

- (4) SW commercial office: Each north entrance shall have a fixed awning, canopy, building wall projection, or secondary roof that shelters from the weather, min area 48 sq ft, min depth 4 ft. A fixed awning or canopy may be smaller if combined with a building recess and together they meet the min area. The south patio door elsewhere conditioned shall have the same, except min area 66 sq ft, min depth 6 ft.
- b. Cladding/materials: Convenience store and attached NE commercial office area:
  - (1) Base cladding min height 2 ft of brick, ceramic tile resembling stone, concrete masonry unit (CMU) block finished to resemble cut stone, or adhered stone. Otherwise, the desired materials provision of WDO 3.07.06B.2b(2) shall be a standard for all building elevations.
  - (2) The prohibited materials provision of WDO 3.07.06B.2b(3) shall be a standard.
  - (3) The proposed east CMU mandoor screen wall or wing wall, if not precluded by streetside PUE, shall be max height 4 ft, 2 inches, have the bottom 2 courses be split face and the upper 4 courses ground face and be capped with smooth concrete. The NE corner angled wall shall have a window min area 15 sq ft, min 2.5 ft wide, and wholly within 8.5 ft of grade.
  - (4) Subsection (3) is void if the screen wall or wing wall would come to be in part or wholly within a streetside PUE because it would come closer to the building than the developer anticipates because of telescoping ROW width – see Conditions D1b & D2 – and if any of PW or ODOT directs and administers there not be a newly constructed free-standing wall within the Oregon Way streetside PUE, shortening or precluding the wall. Also, in this scenario, because PW has historically allowed chain-link fencing with streetside PUEs, the developer may in place of the intended wing wall install a chain-link fence that conforms with WDO 2.06.02D.1 & 2 and has slats of a color other than black, charcoal, or dark gray.
- c. Scuppers: Any building rainwater scuppers shall not to dump onto the pavement of a wide walkway.
- d. Setbacks:
  - (1) General: Site NE corner min setback shall equal streetside PUE.
  - (2) Convenience store / NE commercial office building: max 15 ft from highway ROW and max 20 ft from Oregon Way widened ROW (measured from straight line ROW, not the curved ROW near the intersection).
  - (3) SW commercial office: min 5 ft from Tax Lot 3700 east, south, and west lot lines.
- e. Windows:
  - (1) General: All windows shall be square, round, or vertically proportioned. Operable windows shall have insect screens.
  - (2) Min areas, which shall be transparent:
    - (A) Convenience store:
      - 1. West façade 30.0%; north 30.0%; east 36 sq ft. For the angled, NE façade in particular, min 18 of the 36 sq ft.
      - 2. NE commercial office: West and south façades 30.0%; east 132 sq ft.
    - (B) SW commercial office: North façade 30.0%; east 15.0%; south 20.0%; and west 20.0%.

CU7. Lighting: Besides conformance with WDO 3.11, including 3.11.02C color temperature:

- a. Buffer: Parking area or other pole-mounted fixtures are prohibited between the north lot line of 953 Oregon Way (Tax Lot 3500) and the east-west drive aisle.

- b. Fuel pump canopy:
  - (1) Max 14 ceiling fixtures. Any ceiling fixture shall be no closer to ceiling outer edge than 4 ft. Neon lighting, or a lighting technology that mimics the appearance of neon lighting, is prohibited on the fuel pump canopy and on the southernmost primary building on Tax Lot 3700. The developer shall make so either of the following: (a) ceiling light fixtures shall not drop below the ceiling plane, or (b) for ceiling-mounted fixtures, the canopy roof edge perimeter shall as a shield drop or extend down to the same plane as the underside of the lowest fixture. In either case, fixtures that drop or extend down from the ceiling shall each have opaque housing on all sides.
  - (2) Based on the hours in Ordinance No. 2338, Section 5A Light Trespass, fuel pump canopy lights shall be off during the same hours as when the fuel pumps are closed.
- c. Max:
  - (1) Convenience store: 1 wall fixture on the east rear and none on the north side.
  - (2) NE commercial office: 1 wall fixture each on the east and west and none on the south side.
  - (3) South commercial office: 1 wall fixture at the south rear and none at the east and west sides.

CU8. Gas station operations:

- a. Noise:
  - (1) Gas station and convenience store: The gas station and convenience store shall be open to customer use no earlier and later than Monday through Saturday 6:00 a.m. to midnight and Sunday 6:00 a.m. to 11:00 p.m.
  - (2) Fuel pumps: Audible audiovisual advertising, if any, is prohibited from sounding from fuel pump electronic display speakers. Such advertising shall be limited to sight only.
  - (3) Tire/vacuum: Addition of any vehicle interior vacuum facility outdoors, tire pump facility outdoors, or other similar mechanical facility outdoors for gas station customers that makes noise shall be located min 100 ft north of the south lot line of Tax Lot 3700. Any vacuum shall be open to customer use no earlier and later than Monday through Saturday 7:00 a.m. to 9:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m.
- b. Trash: There shall be at least one trash receptacle along each of the walkways, at min 0.5 ft from walkway edge or outside wide walkway minimum width (8 ft), to and from the highway and Oregon Way sidewalks, within 25 ft of ROW, for intended use by convenience store customers, and remaining privately maintained and serviced.
- c. Vehicular circulation: The Director may administratively establish locations, details, specifications, and revisions to administer this condition part during building permit review. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
  - (1) Fuel pump queueing:
    - (a) General: The developer shall stripe directional arrows and lines to direct motorists into fuel pump queues and distinguish the queues from driving routes around the fuel pump canopy.
    - (b) Stacking: Of six queues, min 3 shall each fit stacking of min one car west of the fuel pump island behind cars parked at the pumps. Queueing may be obtusely angled relative to the pump islands.

- (c) Queuing shall not back up past face of curb in the highway right lane, and property management shall dispatch one or more employees to direct motorists as needed to prevent or correct such queuing.
- (2) Pump directional signage: There shall be directional signage that accomplishes directing on-site motorists where and how to queue, including pumps that are self-service and those served by an attendant.
- (3) I-5 directional signage: There shall be outside of ROW and streetside PUEs directional signage that accomplishes directing on-site motorists bound for I-5:
  - (A) On Tax Lot 3700 (west lot), min 2 signs, each min area 18 by 24 inches, mounted min 2 ft and max 7 ft above grade, text min 6 inches high, and including the standard Interstate 5 logo. Detail drawings of these specifications are due by building permit application.
  - (B) On Tax Lot 3600 (east lot), min 2 signs, the same dimensions and mounting as per part (A) above. One sign shall indicate trucks to turn left only, and the other sign shall indicate that left is to I-5 by using a left arrow and the standard Interstate 5 logo. The two signs may be mounted together on the same support.  
Sign detail drawings – in color – are due by building permit application.

CU9. Signage: Electronic changing image: In addition to WDO 3.10.12, based on the hours in Ordinance No. 2338, Section 5A Light Trespass, any sign electronic changing image, if and where WDO 3.10 allows such, other than fuel price displays, shall be off during the same hours as when the convenience store is closed.

CU10. Modification: Because the WDO, including 5.03.01, does not specify how changes to an approved conditional use (CU) and related site improvements might trigger another CU or modification of a CU approval, for Director determination the following serve as criteria and – where noted – as factors:

- a. Significant expansion of the use(s), factors being an increase in any of: total GFA by 25.0% or more or by an absolute value of 1,000 sq ft or more, and, the number of buildings by 1 or more;
- b. Increase in off-street parking by 6 or more stalls, even if the existing supply were in excess of the minimum required ratio(s);
- c. Net increase in impervious surface totaling at least 1,000 sq ft;
- d. Adding the land uses of automotive maintenance and repair, whether or not including through service bay structures.
- e. Development as defined in WDO 1.02 within twenty (20) feet of a property boundary and not already conditioned through the subject approval;
- f. Any proposal necessitating a request for Adjustment to Street Right-of-Way and Improvement Requirements (“Street Adjustment”);
- g. Any proposal necessitating a request to vary from the WDO, that is, a variance;
- h. Any proposal necessitating a Type III or IV land use application type;
- i. City adoption of a unified development ordinance replacing the WDO were to have intervened;
- j. A request for major modification, as the Director determines, of the phasing plan; and
- k. Conversion of any NE or SW commercial office GFA to fast-food restaurant or limited-service eating place, for which WDO Table 3.05A row 11 has a minimum parking ratio higher than for general retail or food and drinking places. Exemptions from this condition are the creation of (1) a food or drinking place that is a permitted use within the CG zoning district, max 400 sq ft GFA,



and accessory to the primary use of commercial office, and (2) fast-food restaurant or limited-service eating place that is a permitted use within the CG zoning district, has no drive-through, and is any of max 400 sq ft GFA within the NE commercial office and max 1,200 sq ft GFA within the SW commercial office building. Exemptions do not exempt permitted uses from some or all of the off-street parking minimum ratios per WDO Table 3.05A.

- I. Shared parking change: Future changes of use, such as expansion of a building or establishment of hours of operation which conflict with, or affect, the shared parking agreement, shall require review and authorization not only through any of, “a subsequent Design Review or Modification of Conditions” per WDO 3.05.05D.1, but also with the option of being through a Conditional Use (CU).

Modification of a specific condition of approval remains pursuant to WDO 4.02.07. Were the City to have amended the WDO to establish modification provisions for conditional uses, the Director may decide that the provisions supersede this condition of approval.


CU11. Discontinuance/revocation: Because the WDO does not specify if and when a conditional use approval would expire were a use to cease, based on WDO 4.02.04B the approval shall expire if the WDO Table 2.03A, B.2 use of “gasoline station” ceases and 3 years pass without the use recommencing. This CU approval excludes the uses "automotive maintenance" and "repair services" from the group of uses as the WDO terms. Violation of one or more conditions of approval may serve as a basis for City revocation.

CU12. Vegetative screening: The City imposes CU12 as a condition of approval to ensure compatibility with surrounding residential uses, specifically, the residential lots located at 966, 980 & 994 Oregon Way, Woodburn OR, 97071. CU12 requires that the developer provide vegetative screening from headlights exiting the subject property for those three listed addresses as follows:

- a. Provide screening along those front yards to be *arborvitae* or similar vegetative screening with each shrub minimum size 7 gallons. Minimum number of shrubs shall be 1 per 3 lineal feet of frontage, minus assumed driveway width, which Exhibit CU12 calculates below. A landscape plan sheet or sheets revised to illustrate and note conformance with this condition and the WDO, are due by building permit issuance, and the developer shall plant by Phase 1 final inspection.
- b. Buy-out option: Because any or all three homeowners might not want the vegetative screening as described above, the developer may deposit with the City a \$2,600 lump sum per lot, to allow the homeowner to fund personal choice of headlight screening. The developer shall pay by Phase 1 final inspection. The Community Development Director may require a landscape plan revised to omit each bought-out lot before finding final inspection passed.

<i>Address</i>	<i>Tax Lot</i>	<i>County Tax Map Frontage (ft)</i>	<i>Calcs</i>
<u>994 Oregon Way</u>	100	75	(75 ft - 16 ft of driveway) / 3 = 19.6 → 20 plants
<u>980 Oregon Way</u>	200	56	(56 ft - 16 ft of driveway) / 3 = 13.3 → 13 plants
<u>966 Oregon Way</u>	300	56	(56 ft - 16 ft of driveway) / 3 = 13.3 → 13 plants

Exhibit CU12



*Conditional Use 24-02: Transportation*

T-A1:

- a. OR 214 & Oregon Way: The developer shall pay a fee per Attachment 202 to fund a transportation study, specifically to investigate in coordination with ODOT (1) corridor signal timing and coordination adjustments and (2) improving safety by reducing vehicle turning or angle crashes. This is due by building permit issuance. [TSP R11 & revised TIA p. 14]
- b. I-5 interchange with OR 214: To reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R8 & R9 & revised TIA p. 14]
- c. OR 214 & Evergreen Rd: To mitigate effect on the intersection and reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R10 & revised TIA p. 14]

T-T. Bus transit: Bus stop improvements: To further TDM through bus transit, regarding the WTS Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because ROW and streetside PUE are too narrow relative to the street to accommodate installation, the developer shall pay a fee in-lieu as well as a fee in lieu of a bus stop bicycle rack per Attachment 202.



*Street Adjustment 24-01*

SA1. Frontage/street improvements: Highway: No min surface improvements are required other than either elsewhere conditioned or necessary to conform to Public Works (PW) direction or comply with ODOT engineering guidance. The developer may let existing improvements lie, excepting conforming upgrade of the driveway apron as the WDO and other conditions require, but also shall pay fees in lieu of highway improvements per Attachment 202.

SA2. Frontage/street improvements: Oregon Way: These shall be as follows:

- a. Parking: No on-street parallel parking lane 8-feet wide is required, this being an adjustment from what WDO Figure 3.01E would have required. The developer shall pay a fee in-lieu per Attachment 202.
- b. Landscape strip: Min width 6.5 ft wide inc. curb width and with min street trees per WDO 3.06.03A.1 (1:30), equaling 6 trees. For max 4 of the trees, the developer may pay a fee in-lieu per Attachment 202. Landscaping of area remaining after tree planting and irrigation shall be per the WDO 3.01.04B last paragraph.
- c. Sidewalk: Min width 8 ft.

Overlap: Wider sidewalk shall not narrow the landscape strip. The extra width of planter strip and sidewalk shall either (1) be within additional ROW that accommodates them, or (2) overlap outside ROW into streetside PUE, the PUE or other recorded legal instrument granting public access to the overlap. If (2), then the developer shall submit a draft of the legal instrument for Planning and PW review by either civil engineering plan (CEP) review application to PW or, if PW performs CEP review through building permit review, then by building permit application. Per WDO 2.01.05A, the developer shall submit copies of correctly recorded documents to the Planning Division.

SA3. ROW & PUE: There is no street adjustment to narrow below the minimum requirements; instead, see Conditions D1 & D2.

**Expiration:** Per Woodburn Development Ordinance (WDO) 4.02.04B., a final decision expires within three years of the date of the final decision unless:

1. A building permit to exercise the right granted by the decision has been issued;
2. The activity approved in the decision has commenced; or
3. A time extension, Section 4.02.05, has been approved.

Regarding subsection B.1 above, if by 10 years past the final decision date there is no substantial construction as Section 1.02 defines following issuance of a building permit, the final decision shall expire and fail to vest.

Regarding subsection B.2 above as applies to Property Line Adjustment, Consolidation of Lots, and Partition and Subdivision Final Plat Approval application, the developer shall complete recordation no later than the land use expiration date.

### Notes to the Applicant:

1. Records: Staff recommends that the applicant retain a copy of the subject approval.
2. Fences, fencing, & free-standing walls: The approval excludes any fences, fencing, & free-standing walls, which are subject to WDO 2.06 and the permit process of 5.01.03.
3. Signage: The approval excludes any private signage, which is subject to WDO 3.10 and the permit process of 5.01.10.
4. PLA Time Limit: WDO 4.02.04B. specifies that, "A final decision on any application shall expire within three years of the date of the final decision unless: 1. a building permit to exercise the right granted by the decision has been issued; 2. the activity approved in the decision has commenced; or 3. a time extension, Section 4.02.05, has been approved. Because unrecorded re-plats lingering indefinitely have burdened staff, a condition sets sooner time limits for subsection 2. to begin and finish recordation.
5. Mylar signature: The Community Development Director is the authority that signs plat Mylars and not any of the mayor, City Administrator, Public Works Director, or City Engineer. Only one City signature title block is necessary.
6. PLA Plat Tracker: Marion County maintains a plat tracking tool at <http://apps.co.marion.or.us/plattracker/>. Use it to check on the status of a recordation request to the County. City staff does not track County plat recordation.
7. Technical standards:
  - a. Context: A reader shall not construe a land use condition of approval that reiterates a City technical standard, such as a PW standard, to exclude remaining standards or to assert that conditions of approval should have reiterated every standard the City has in order for those standards to be met.
  - b. Utilities: A condition involving altered or additional sidewalk or other frontage/street improvement that would in the field result in displacement or relocation of any of utility boxes, cabinets, vaults, or vault covers does not exempt the developer from having to move or pay to move any of these as directed by the City Engineer and with guidance from franchise utilities.
8. Other Agencies: The applicant, not the City, is responsible for obtaining permits from any county, state and/or federal agencies, which may require approval or permit, and must obtain all applicable City and County permits for work prior to the start of work and that the work meets the satisfaction of the permit-issuing jurisdiction. The Oregon Department of Transportation (ODOT) might require highway access, storm drainage, and other right-of-way (ROW) permits. All work within the public ROW or easements within City jurisdiction must conform to plans approved by the Public Works Department and must comply with a Public Works Right-of-Way permit issued by said department. Marion County plumbing permits must be issued for all waterline, sanitary sewer, and storm sewer work installed beyond the Public Right-of-Way, on private property.
9. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. Contact Planning Division staff at least 3 City business days prior to a

desired date of planning and zoning inspection of site improvements. This is required and separate from and in addition to the usual building code and fire and life safety inspections. Note that Planning staff are not primarily inspectors, do not have the nearly immediate availability of building inspectors, and are not bound by any building inspector's schedule or general contractor convenience.

10. Stormwater management: The storm sewer system and any required on-site detention for the development must comply with the City Storm Water Management Plan, Public Works storm water practices and the Storm Drainage Master Plan.
11. Public Works Review: Regarding public infrastructure, consult the Public Works Department Engineering Division about when, where, and how to apply and implement [Public Works construction specifications, Standard Drawings, Standard Details](#), and general conditions of a permit type issued by the Public Works Department. Where the Oregon Dept. of Transportation (ODOT) has jurisdiction over a roadway, consult Public Works about role and process clarification. The [Engineering Division](#) can be reached at (503) 982-5240.
12. ROW:
  - a. Dedication: The Public Works Department Engineering Division has document templates for ROW and easement dedications that applicants are to use.  
  
ROW – and public utility easement (PUE) – dedications are due prior to building permit issuance per Public Works policy.
  - b. Work: All work within the public ROWs or easements within City jurisdiction must require plan approval and permit issuance from the Public Works Department. All public improvements construction work must be performed in accordance with the plans stamped “approved” by the City, and comply with the City’s Standard Specifications and Standard drawings.  
  
Where the Oregon Dept. of Transportation (ODOT) has jurisdiction over a roadway, consult Public Works about role and process clarification. The [Engineering Division](#) can be reached at (503) 982-5240.
13. Franchises: The applicant provides for the installation of all franchised utilities in any required easements.
14. Water: All water mains and appurtenances must comply with Public Works, Building Division, and Woodburn Fire District requirements. Existing water services lines that are not going to be use with this new development must be abandoned at the main line. The City performs required abandonment of existing water facilities at the water main with payment by the property owner. All taps to existing water mains must be done by a “Hot Tap” method and by approved City of Woodburn Contractors. The applicant shall install the proper type of backflow preventer for all domestic, lawn irrigation and fire sprinkler services. The backflow devices and meters shall be located near the city water main within an easement, unless approved otherwise by Public Works. Contact Byron Brooks, City of Woodburn Water Superintendent, for proper type and installation requirements of the backflow device at (503) 982-5380.
15. Grease Interceptor/Trap: If applicable, a grease trap would need to be installed on the sanitary service, either as a central unit or in a communal kitchen/food preparation area. Contact Marion County Plumbing Department for permit and installation requirements, (503) 588-5147.

16. Fire: Fire protection requirements must comply with Woodburn Fire District standards and requirements, including how the District interprets and applies Oregon Fire Code (OFC). Place fire hydrants within the public ROW or public utility easement and construct them in accordance with Public Works Department requirements, specifications, standards, and permit requirements. Fire protection access, fire hydrant locations and fire protection issues must comply with current fire codes and Woodburn Fire District standards. See City of Woodburn Standard Detail No. 5070-2 Fire Vault. The fire vault must be placed within the public right-of-way or public utility easement.

17. Street address assignment: The CU 24-02 redevelopment necessitates changes to [street address assignment](#). Assume and request the following with the request form:

<i>Lot</i>	<i>Existing Address</i>	<i>Requested Address</i>
Tax Lot 3600	2540 Newberg Hwy	Convenience store: 2540 Newberg Hwy, Ste 1 NE attached commercial office area: 2540 Newberg Hwy, Ste 2
Tax Lot 3700	2600 Newberg Hwy	SW commercial office building: 2600 Newberg Hwy, with one suite number per tenant space for all tenant spaces west to east, e.g. Stes 1, 2, 3, etc.

18. [Planning Division fee schedule](#): Additional fees are or might become applicable per the schedule:

- Page 2, row “Bond or performance guarantee release or status letter”, Applicable to such held by the Planning Division, not any by the Public Works Department Engineering Division. (This usually means bonding through the Planning Division is limited to street trees and/or on-site landscaping.)
- Page 2, “Civil engineering plan(s) (CEP) review, Planning Division review of Public Works Department permit application materials”. Where CEP is done through building permit review instead of a separate process prior to building permit application, Planning Division assess the fee on the building permit, avoiding separate invoicing and allowing the applicant to pay the fee along with the other permit fees.
- Page 2, row “Exception to when all public improvements are due / delay or deferral of frontage/street improvements”, applicable if a developer obtains Public Works Department approval of exception (delay/deferral) through WDO 3.01.02E(1) & (2). The fee serves as an exception disincentive. If Planning Division staff see no evidence of improvements under construction or constructed based on the building permit application materials, staff will assume deferral and assess the fee on the building permit, avoiding separate invoicing and allowing the applicant to pay the fee along with the other permit fees.

19. SDCs: The developer pays system development charges prior to building permit issuance. Engineering Division staff will determine the water, sewer, storm, traffic, and parks SDCs after the developer

provides a complete Public Works Commercial/Industrial Development information sheet. The [Engineering Division](#) can be reached at (503) 982-5240.

**VI. Decision**

Based on the above findings of fact, conclusions of law, and imposed conditions of approval, the City Council makes the following decision:

- (1) Uphold the Planning Commission’s Decision;
- (2) Approve the Consolidated Applications, CU 24-02, DR 24-02, PP 24-01, & SA 24-01 for US Market Gas Station based on the findings and conditions in the staff report, except adding condition CU12, requiring the applicant to provide vegetative screening from headlights existing the Subject Property for the three houses directly across Oregon Way from the Subject Property (located at 966, 988, and 994 Oregon way);
- (3) Adopt a final decision at the Council Meeting of February 10, 2025.

**VII. Appeals**

Per WDO 4.01.11E., the decision is final unless appealed pursuant to Oregon Revised Statutes (ORS), state administrative rules, and WDO [4.02.01](#).

A copy of the decision is available for inspection at no cost, and the City would provide a copy at reasonable cost at the Community Development Department, City Hall, 270 Montgomery Street, Woodburn, OR 97071. For questions or additional information, contact Cassandra Bassich, Administrative Specialist, at (503) 982-5246 or [cassandra.martinez@ci.woodburn.or.us](mailto:cassandra.martinez@ci.woodburn.or.us).

**VIII. Testifiers**

Name	Address	Planning Commission		City Council		
		Written	Verbal	Written	Verbal	Requested Standing
Mark D. Shipman (applicant’s attorney)	250 Church St SE, Ste 200 Salem, Oregon 97301-3921	x	x	x	x	
Joe Bessman	Transight Consulting, LLC 61721 Splendor Ln Bend, OR 97702				x	
Kevin Gerlits	Ronald James Ped Architect, PC 1220 20 <sup>th</sup> St SE, Ste 125, Salem, OR 97302-1205				x	
Lal Din Sidhu “Don”	Woodburn Petroleum LLC 1311 Lancaster Dr NE Salem, OR 97301-1907				x	
Vic & Sandy Alsbury	2227 Oregon Ct Woodburn, OR 97071	x				x



Rich & Trudy Fowlks	831 N. Cascade Dr Woodburn, OR 97071	x				x
Jim & Linda Hoover	1480 Thompson Rd Woodburn, OR 97071	x				x
Loretta Vittoria	2202 W. Hayes St Woodburn, OR 97071	x				x
Sharon Miller	2243 W Hayes St Woodburn, OR 97071	X				x
Malena Turner	400 S. Cascade Dr Woodburn, OR 97071	x				x
David J. Petersen (opposition attorney)	Tonkon Torp 888 SW Fifth Ave, Ste 1600 Portland, OR 97204-2099	x			x	
Mick Harris (opposition attorney)	Tonkon Torp 888 SW Fifth Ave, Ste 1600 Portland, OR 97204-2099		x		x	
Paula Kilgore (appellant)	636 Oregon Way Woodburn, OR 97071	x	x	x	x	x
Norman Mabee	950 Evergreen Rd, Unit 219 Woodburn, OR 97071	x	x			x
Danny Draper	993 Lawson Ave Woodburn, OR 97071		x			x
Jan Duncum	980 Oregon Way Woodburn, OR 97071		x		x	
Nancy Ferguson	950 Evergreen Rd, Unit 323 Woodburn, OR 97071		x			x
Bryan & Carla Galbraith	590 Troon Ave Woodburn, OR 97071		x			x
Michelle "Micky" Harrison	924 Oregon Way Woodburn, OR 97071		x		x	
Rick Hascall	2832 Olympic St Woodburn, OR 97071		x		x	
Rebecca "Becki" Hayes	950 Evergreen RD, Unit 205 Woodburn OR, 97071:		x		x	
Susan Huggins	910 Oregon Way Woodburn, OR 97071		x		x	
Todd Mitchell	377 Ironwood Terr Woodburn, OR 97071		x			x
Robert Moore	943 Oregon Way Woodburn, OR 97071		x			x
Anna & Henry Phillips	2329 Oregon Ct Woodburn, OR 97071		x			x
"Bobbi" (Louise Roberta) Reiner	950 Evergreen Rd, Unit 212 Woodburn, OR 97071		x			x
Anne Reslock	1375 Quinn Rd Woodburn, OR 97071		x			x
Marilyn Sbardellati	1675 Quinn Rd Woodburn, OR 97071		x			x

Alma & Daniil Shevchenko	489 Turnberry Ave Woodburn, OR 97071		x		x	x
Amar Sidhu	7501 35 <sup>th</sup> Ave NE Salem, OR 97303		x		x	x
Don Zehring	966 Oregon Way Woodburn, OR 97071		x	x		x
Sam Charitar	2855 Hazelnut Dr Woodburn, OR 97071	x				x
Joyce Cutsforth	689 Troon Ave Woodburn, OR 97071	x		x		x
David Milam & Sonya Darling	484 Troon Ave Woodburn, OR 97071	x				x
Marvin & Katy Fessler	12668 Monitor McKee Rd NE Woodburn, OR 97071-8846	x				x
Carla Galbraith	590 Troon Ave Woodburn, OR 97071	x				x
Mike & Debbie Holland	405 Troon Ave Woodburn, OR 97071	x				x
Christina J. Mealue	2856 Olympic St Woodburn, OR 97071	x				x
Todd & Lisa Nelson	17280 Boones Ferry Rd NE Woodburn, OR 97071	x				x
Rosa Reyes	692 Troon Ave Woodburn, OR 97071	x				x
Alma & Daniil Shevchenko	489 Turnberry Ave Woodburn, OR 97071	x			x	x
Carolyn Shindlebower	950 Evergreen Rd, Unit 206 Woodburn, OR 97071	x				x
Lorena Silva	P.O. Box 162 Hubbard, OR 97032	x			x	x
Panor 360 Homeowners Assoc. Attn Rosalie Carmen, Secretary	950 Evergreen Rd, Unit 204 Woodburn, OR 97071	x				x
David and Carol Bolton	448 W. Clackamas Cir Woodburn, OR 97071			x		x
Robert Boyle	1936 Rainier RD Woodburn OR, 97071					x
Lynda Hines	1058 Randolph RD Woodburn, OR 97071					x
Julie Prevost	1741 Umpqua RD Woodburn, OR 97071					x
Carol Sullivan	1042 Randolph RD Woodburn, OR 97071					x
William E. Wright	706 Oregon Way Woodburn, OR 97071				x	x
Ed Ivey	2022 Sallal RD Woodburn, OR 97071				x	x
Janie Torabi	925 Oregon Way Woodburn, OR 97071				x	x

Jill Morris	952 Oregon Way Woodburn, OR 97071				x	x
Karen Halter	938 Oregon Way Woodburn, OR 97071				x	x
Jamie Rodriguez	1639 Newport Way Woodburn, OR 97071				x	x
Janice Aiken	1331 Princeton Rd Woodburn, OR 97071					x
Ed & Sheila Hawn	1570 Sallal Rd Woodburn, OR 97071					x
Wanda Stevens	1361 Thompson Rd Woodburn, OR 97071					x
Rosemary Lorenz Hinkle	1543 Quinn Rd Woodburn, OR 97071					x
Nancy Landers	1988 Umpqua Rd Woodburn, OR 97071					x
Carol Bettendorff	717 N. Cascade Dr Woodburn, OR 97071					x
Alice Green	2042 Heather Way Woodburn, OR 97071					x
Dixie Hilton	1607 Newport Way Woodburn, OR 97071					x
Mary McGrath	442 W. Clackamas Cir Woodburn, OR 97071					x
Donna Owen	2043 Sallal Rd Woodburn, OR 97071					x
Annika Figueroa	791 S. Settlemier Ave Woodburn, OR 97071				x	x
Larry & Janie Durk	691 N. Cascade Dr Woodburn, OR 97071					x
Vickie Hibbard	2317 Umpqua Rd Woodburn, OR 97071					x
Largo Abshere	855 N. Cascade Dr Woodburn, OR 97071					x
Laurie Kramer	1323 Randolph Rd Woodburn, OR 97071					x
Jennifer Lopinski	672 Oregon Way Woodburn, OR 97071					x
Betty Yaws	784 S. Columbia Dr Woodburn, OR 97071					x
James Burnes	421 S. Columbia Dr. Woodburn, OR 97071					x
Debbie Gaith	795 S Columbia Dr Woodburn, OR 97071					x
Julie Hadley	1755 Princeton Rd Woodburn, OR 97071					x
Malena Turner	400 S Cascade Dr Woodburn, OR 97071					x
Diana Meithof	275 S. Cascade Dr Woodburn, OR 97071					x
Ed Hawn	1830 Sallal Rd Woodburn, OR 97071					x

Dorothy Monnier	1200 Quinn Rd Woodburn, OR 97071								x
Pamela Garrett	1890 Sallal Rd Woodburn, OR 9701								x
Tom Barrell	232 E. Clackamas Cir Woodburn, OR 97071								x
Susan Nichols	232 E. Clackamas Cir Woodburn, OR 97071								x
Carol Paradis	394 W Clackamas Cir Woodburn, OR 97071								x
Sandy Steffen	1516 Thompson Rd Woodburn, OR 97071								x
Stormie Strand	784 S. Columbia Dr Woodburn, OR 97071								x
Carolyn Forrest	813 S. Columbia Dr Woodburn, OR 97071								x
Doris & Norman Ebanks	2340 Oregon Ct Woodburn, OR 97071								x
Fred Shadrin	35913 S. Kropf Rd Woodburn, OR 97071							x	x
Myrna Gusdorf	665 Troon Ave Woodburn, OR 97071							x	x
Mohan Grewal	2620 Newberg Hwy Woodburn, OR 97071							x	x
Kevin Cach	14900 SW 103 <sup>rd</sup> Ave Tigard, OR 97224							x	x
Doug Eyer	642 Fairwood Crescent Woodburn, OR 97071								x
Serge Chernishoff	6757 Rochester St NE Brooks, OR 97305								x
Patrick McDonough	215 N. 3 <sup>rd</sup> St Woodburn, OR 97071								x
Tiffanie Baker	15094 Manning Rd NE Woodburn, OR 97071								x
Parveen Sidhu	2620 Newberg Hwy Woodburn, OR 97071								x
Balrad Singh	2620 Newberg Hwy Woodburn, OR 97071								x
Jay Bahia	1625 E. Lincoln Rd Woodburn, OR 97071								x
Todd Garner	2782 Tukwila Dr Woodburn, OR 97071							x	x
Irshad Suri	1367 Parkview Ct. NE Keizer, OR 97303								x
Michael Vasquez	911 Caradon Ct NW Salem, OR 97304								x
Tony Sidhu	692 Troon Ave Woodburn, OR 97071								x
Rob Stuart	638 Troon Ave Woodburn, OR 97071								x
Harry Bhullar	18211 NE 78 <sup>th</sup> Cir Vancouver, WA 98682								x

Bill & Emily Hammack	23065 Bents Rd NE Aurora, OR, 97002						x
Inderdit Singh	953 Oregon Way Woodburn, OR 97071						x
Sarbjit Kaur	953 Oregon Way Woodburn, OR 97071						x
Julian Cocklin	Core-Mark International Inc. 17225 SE 120 <sup>th</sup> Ave Clackamas, OR 97015					x	x
Sergio Figueroa	791 S. Settlemier Av. Woodburn, OR 97071						x
Gordon Hall	1248 Stanfield Rd Woodburn, OR 97071						x
Deborah Lebold	1605 Ecola Way Woodburn, OR 97071						x
Gloria Bourne	689 W Clackamas Cir Woodburn, OR 97071						x
Donna Rector	853 Oregon Way Woodburn, OR 97071						x
Nancy Bellinger	694 S. Columbia Dr Woodburn, OR 97071						x
Merra Frochen	1831 Jansen Way Woodburn, OR 97071						x
Donna Svela	549 Turnberry Ave Woodburn, OR 97071						x

**IX. Exhibits:**

- A. City Council January 27, 2025 Staff Report and attachments:
    - 1. Appellant’s letter of appeal (November 12, 2024; 2 pages)
    - 2. Planning Commission October 24, 2024 final decision and attachments:
      - o 101. Marked Tax Map
      - o 102A. Public Works comments (Revised October 28, 2024; 2 pages)
      - o 103. Application materials / site plans / elevations (June 10, 2024; 6 sheets)
      - o 104. Transportation System Plan (TSP) Fig. 2 “Functional Roadway Classification”
      - o 201.\* CU 24-02 US Market Gas Station: Dictionary & Glossary
      - o 202. CU 24-02 US Market Gas Station: Conditioned Fees
  - \*The 200 series of attachments are details for the conditions of approval.
  - 3. Planning Commission August 22, 2024 Staff Report and attachment not attached to the final decision:
- B. Planning Commission August 22, 2024 Staff Report and attachments:
    - 101. Marked Tax Map
    - 102. Analyses & Findings
    - 102A. Public Works comments (Revised October 28, 2024; 2 pages)
    - 103. Application materials / site plans / elevations (June 10, 2024; 6 sheets)
    - 104. Transportation System Plan (TSP) Fig. 2 “Functional Roadway Classification”
    - 201.\* CU 24-02 US Market Gas Station: Dictionary & Glossary
    - 202. CU 24-02 US Market Gas Station: Conditioned Fees
  - \*The 200 series of attachments are details for the conditions of approval.
- C. Design Review Plans June 2024
  - D. Testimony Received Through September 23, 2024
  - E. Applicant’s Original TIA
  - F. City Traffic Consultant’s Memo #1 – February 2024
  - G. City Traffic Consultant’s Memo #2 – July 2024
  - H. Applicant’s Revised TIA – June 2023
  - I. Applicant’s Supplemental TIA – July 2024
  - J. Appellant’s Memo / Kittleson Memo – August 21, 2024
  - K. Applicant’s Response to Kittleson Memo - September 2024
  - L. Planning Commission Analysis and Findings

Sincerely,



Colin Cortes, AICP, CNU-A

Senior Planner

As authorized by the City Council on February 10, 2025:

February 1\_\_, 2025

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Frank Lonergan, Mayor

Date

FL/mg/cmc

cc: Chris Kerr, Community Development Director [e-mail]  
Curtis Stultz, Public Works Director [e-mail]  
Dago Garcia, P.E., City Engineer [e-mail]  
Melissa Gitt, Building Official [e-mail]  
Jason Space, GIS Technician [e-mail]  
Ronald "Ron" Ped, President/Architect, Ronald James Ped Architect, PC, 1220 20th Street SE, Suite 125, Salem, OR 97302-1205 [applicant] [mail & e-mail]  
Lal Din Sidhu ("Don" Sidhu), Woodburn Petroleum LLC, 1311 Lancaster Dr NE, Salem, OR 97301-1907 [landowner] [mail & e-mail]  
Testifiers: Per the table above. [mail]  
Brion Scott, PE, Development Review Coordinator, Oregon Dept. of Transportation (ODOT) Region 2 [mail & e-mail]  
Marion County Assessor's Office <assessor@co.marion.or.us>  
Marion County Geographic Information System (GIS) <gis@co.marion.or.us>  
Marion County Planning Division <planning@co.marion.or.us>  
Marion County Land Development Engineering & Permits <mcldep@co.marion.or.us>  
Marion County Public Works Dept. <mcdpw@co.marion.or.us>

List of Exhibits

Exhibit Number	Title
Exhibit A	City Council January 27, 2025 Staff Report and Attachments
Exhibit B	Planning Commission, August 22, 2024 Staff Report and Attachments
Exhibit C	Design review plans revised (June 10, 2024)
Exhibit D	Testimony through September 23, 2024 (September 25, 2024)
Exhibit E	Applicants Original TIA
Exhibit F	City Traffic Consultants Memo #1 – Feb. 2024
Exhibit G	City Traffic Consultant’s Memo #2 – July 2024
Exhibit H	Applicant’s Revised TIA – June 2023
Exhibit I	Applicant’s Supplemental TIA – July 2024
Exhibit J	Appellant’s August 21, 2024 memo including Kittleson Memo
Exhibit K	Applicant’s response to Kittleson Memo (Transight Memo) – September 2024
Exhibit L	Planning Commission Analysis and Findings





# Agenda Item

January 27, 2025

TO: Honorable Mayor and City Council through City Administrator

FROM: Chris Kerr, Community Development Director *CK*,  
Colin Cortes, AICP, CNU-A, Senior Planner

SUBJECT: **Appeal of the Planning Commission approval with conditions of the US Market gas station development at 2540 & 2600 Newberg Hwy at the southwest corner of Newberg Hwy & Oregon Way (CU 24-02)**

**RECOMMENDATION:**

Conduct a public hearing and make a motion to affirm the Planning Commission approval with conditions (Attachment 2), directing staff to prepare a final land use decision for consideration at the next City Council meeting.

**BACKGROUND:**

The item before the Council is an appeal of the Planning Commission's approval with conditions of Conditional Use CU 24-02 and corollary applications Design Review 24-02, Phasing Plan PP 24-01, & Adjustment to Street Improvement Requirements ("Street Adjustment") SA 24-01, for the US Market gas station development at 2540 & 2600 Newberg Highway, which is at the southwest corner of the intersection of the highway and Oregon Way.

The subject property of approximately 1.42 gross acres is zoned Commercial General (CG) and is currently vacant land.

The applicant is architect Ronald "Ron" Ped, acting on behalf of property owner Lal "Don" Sidhu of Woodburn Petroleum LLC. The party appealing the Planning Commission decision (appellant) is Paula Kilgore of 636 Oregon Way, represented by attorney David Petersen of Tonkon Torp LLP . A copy of the appellant's letter received November 12, 2024, requesting an appeal is included as Attachment 1.

*Project Summary*

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Agenda Item Review: City Administrator  City Attorney  Finance

The proposal is to develop a gas station with convenience store and speculative commercial office area on two lots. (There is no lot consolidation.) A colored site plan is included on a later page.

The site plan that the Planning Commission approved for development includes the following features:

- The east, corner lot, which has the one driveway along Oregon Way, would have a single northeast building with a convenience store of 4,110 square feet (sq ft) at the north end and a speculative commercial office of 1,863 sq ft at the south end.
- The west lot, which has the one driveway along the highway, would have a north fuel pump canopy and a south commercial office building of 5,000 sq ft.

### *Development Applications*

A gas station is a conditional use (CU) in the CG zoning district where it would be located within 200 feet of residentially zoned property.

A "conditional" use is called such because (1) it's conditional upon discrete approval by the City, and (2) the City can condition physical or operational aspects of a proposal, including on issues particular to the case at hand and above and beyond what Woodburn Development Ordinance (WDO) provisions directly address. Consistent with the CU purpose statement in WDO 5.03.01A, the Commission approved with conditions that offset the effects of development and make a gas station as compatible as practical with existing residential uses in the vicinity.

Incidentally, commercial office and retail are permitted uses in the CG zoning district, in other words, are allowed by right.

There are associated development applications submitted as part of the consolidated application package:

- Design Review DR 24-02: This relates to the site plan and the overall physical site development.
- Adjustment to Street Improvement Requirements ("Street Adjustment") SA 24-01: SA is a discretionary land use application type allowing developers to lessen or adjust street improvement requirements and standards.
- Phasing Plan PP 24-01: A phasing plan is a discretionary land use application type allowing developers to divide development across space and time, the

main purpose being that the City and a developer define increments of public improvement obligations for each phase so that the developer can better manage financial obligations through completion of the project. A phasing plan can also be a tool to accommodate different development options or scenarios. In this case, Phase 2 is the southwest office building and adjacent parking aisle.

See below and the next pages for an aerial photo and a site plan.



*Subject property outlined in green*

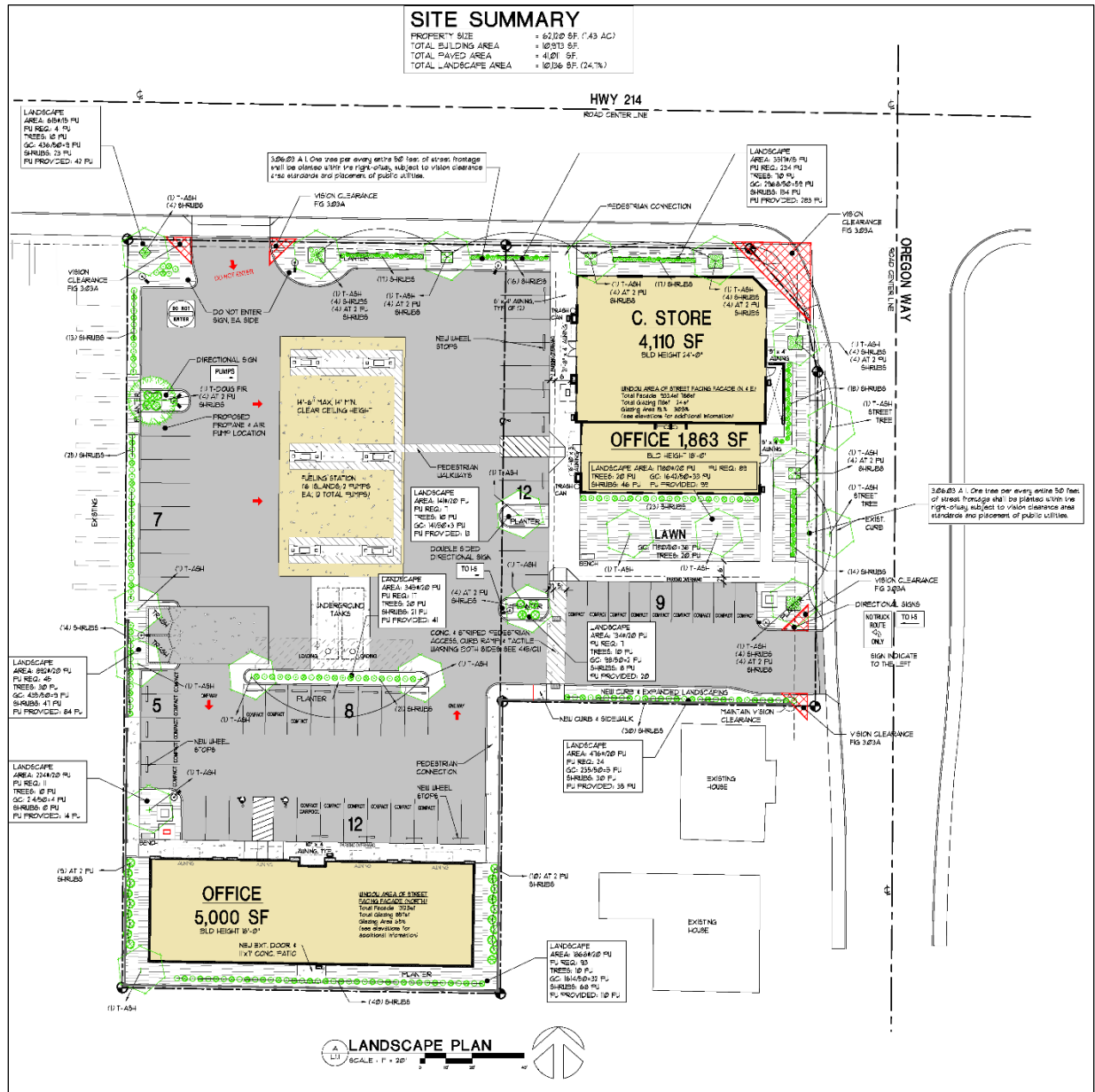


Exhibit L1.1: Landscape plan excerpt from Sheet L1.1 submitted February 8, 2024 and with building tan coloring by staff

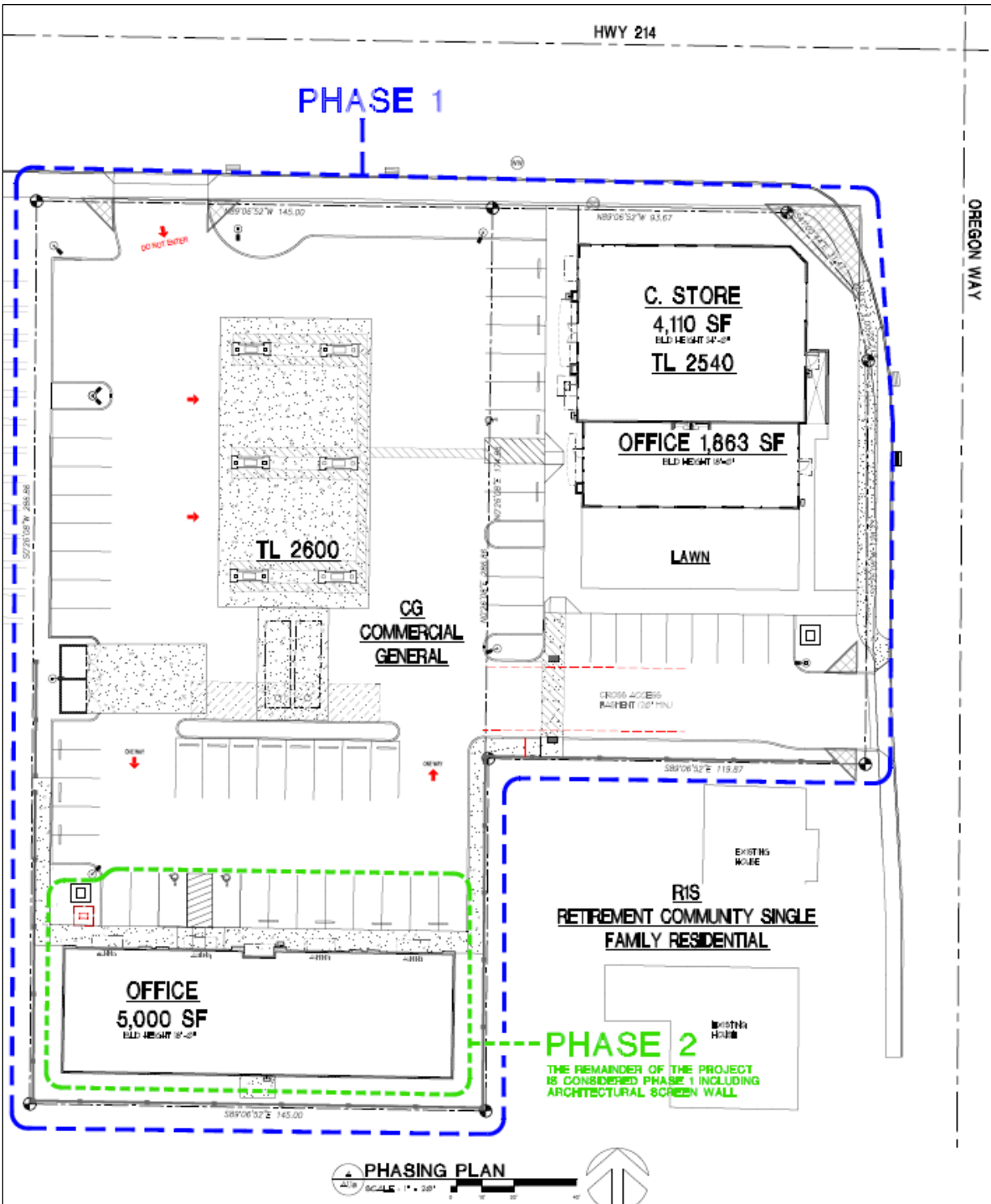


Exhibit PP1: Phasing plan excerpt from Sheet A1.1a submitted February 8, 2024



*Proposed convenience storefront (west elevation)*

### *Commission Decision*

The Planning Commission held a public hearing on August 22, 2024. The applicant requested to keep the record open for 30 days. Because that would fall on a weekend, it fell on the next business day, Monday, September 23.

On October 24, the Commission deliberated upon the additional evidence and written testimony received after the hearing, as well as written arguments based on the closed record submitted by both an opposition attorney as well as the applicant's attorney, and by a 5-2 vote approved the consolidated applications package (Type III) with the conditions recommended by staff through the staff report published August 22, except for one revision with two parts:

1. Striking Condition CU8d that would have required a median barrier to be constructed at Oregon Way to mitigate against right turns by trucks exiting the site and that referenced Commission staff report Attachment 102A, Public Works comments, item 6.
2. Deleting Attachment 102A, Public Works comments, item 6 that read, "A median barrier is required to be constructed at Oregon Way to mitigate against right turns by trucks exiting the site. The median barrier design and location will be part of the civil plans reviewed through the building permit application and construction of the median is due at the same time as Condition G4a (WDO 3.01.02E)." Items 7-12 became renumbered to 6-11.

### *Testimony*

Commission: The list of testifiers is on final decision pages 29 & 30 (Attachment 2). Testimony topics raised generally included concerns about:

- Gas fumes smell
- Light pollution
- Noise
- Traffic; and
- Unsavory convenience store customers.

Council: Neither the applicant nor the applicant's attorney had submitted anything by the time of staff report publication. Two pieces of public testimony came, one for and one against the project (Attachments 4 & 5).

### **DISCUSSION:**

On November 12, 2024, the appellant submitted a Notice of Intent to Appeal the Commission decision on consolidated application CU 24-02 pursuant to WDO 4.02.01. Staff thereafter scheduled this public hearing of the City Council in accordance with WDO 4.01.15.

The appellant's notice of appeal letter sets out two bases or grounds for its appeal (Attachment 1). Neither the applicant nor the applicant's attorney had submitted anything in defense of the Commission approval by the time of Council staff report publication.

While the City Council appeal hearing on the consolidated applications may consider or include discussion on any number of issues regarding the consolidated applications, including those raised in the appellant's appeal letter or by other parties that testified during the Planning Commission hearing, staff includes below a brief response to the appellant's two points:

1. *Appellant's Argument related to Compatibility*

One of the appellant's issues is alleged "serious incompatibility of the applicant's project with the surrounding residential neighborhood".

Staff affirms the Commission approval is with conditions that make the development compatible physically and operationally and mitigate unpleasant aspects of neighboring and patronizing a gas station and convenience store, primarily through a buffer/screen wall, landscaping including street trees new to Oregon Way, directional signage for motorists leaving the site, and limited hours of operation of the gas station (Monday through Saturday 6:00 a.m. to midnight and Sunday 6:00 a.m. to 11:00 p.m.) and specifically of any vacuums (Monday through Saturday 7:00 a.m. to 9:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m.).

Additionally, the applicant had submitted evidence and argument rebutting opposition points, including those of the now-appellant, and the Commission had reviewed and decided upon the record.

In short, the appellant had already made his points at the Commission's public hearing, and the applicant's revised and additional application materials and the conditions of approval, which staff had recommended and the Commission approved, addressed compatibility through the conditional use criteria and factors in WDO 5.03.01B.

2. *Appellant's Argument related to Staff Analyses & Findings*

The appellant's first bullet alleges that there are findings without analyses or missing findings; but, the appellant specifies no one or more findings in particular to which staff can respond.

The appellant's second bullet point implies that in cases where staff applied a condition of approval, it was somehow improper in that staff did not describe in enough detail how application of a condition of approval would ensure that code criteria is met. The Commission had approved the proposal with the vast majority of conditions staff had recommended. Staff frequently develops and recommends imposition of conditions of approval that staff concludes are necessary to approve subject applications. Often conditions are self-evident, and the corresponding findings in the approval detail and



explain, either explicitly or implicitly, how or why certain conditions of approval render the proposal consistent with applicable criteria.

The appellant's third bullet point alleges that staff concedes in the findings that, "the applicant will later need to revise the site plan with no further opportunity for public review."

Yes, the applicant will need to revise certain components of the site plan.

Revisions are needed to bring about conformance with conditions that will apply through construction and operations. The proposal and conditions went through a public hearing leading to Commission approval, satisfying public review. The Commission "final decision" document makes apparent the nature of the revisions needed by the applicant. Staff can administer limited, technical review by the time of building permit issuance.

A site revision example is Condition CU8c(1)(a):

"CU8. Gas station operations: ...

c. Vehicular circulation: The Director may administratively establish locations, details, specifications, and revisions to administer this condition part during building permit review. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.

(1) Fuel pump queueing:

(a) General: The developer shall stripe directional arrows and lines to direct motorists into fuel pump queues and distinguish the queues from driving routes around the fuel pump canopy."

The site-revision condition highlighted above is not one that requires further opportunity for public review because the condition clearly delineates what is required of the applicant in relation to his current site plan (i.e. establishing queuing directional striping), and it merely stipulates that the Community Development Director will ensure that revisions accurately reflect or conform to what is conditioned. The Director's review is neither discretionary nor a deferral of the criteria determination itself.

The appellant's fourth bullet alleges that staff failed to, "analyze relevant Comprehensive Plan policies or cite to any facts in evidence as to how those policies are met." This is incorrect because the August 22 Commission staff report analyses and findings on pages 33-39 did just that. Further, the appellant's attorney raised no specific Comprehensive Plan policies he

believes to apply to the application and have not been addressed through adopted findings.

The appellant's fifth and last bullet alleges that staff, "improperly employ conditions of approval that defer determination of compliance to administrative staff." This is a rehash of the second and third bullets (applying conditions and requiring revisions), which staff addressed above.

### *Next Steps*

The Council may act on the consolidated land use application package – the project – to:

1. Approve per staff recommendation (with conditions),
2. Approve with modified conditions, or
3. Deny, based on WDO criteria or other City provisions.

Staff will prepare the final decision based on the action taken by the City Council and return with a written decision document on February 10 or 24, 2025.

### **Financial Impact:**

n/a

### **Attachment(s):**

1. Appellant's letter of appeal (November 12, 2024; 2 pages)
2. Planning Commission October 24, 2024 final decision and attachments:
  101. Marked Tax Map
  - 102A. Public Works comments (Revised October 28, 2024; 2 pages)
  103. Application materials / site plans / elevations (June 10, 2024; 6 sheets)
  104. Transportation System Plan (TSP) Fig. 2 "Functional Roadway Classification"
  - 201.\* CU 24-02 US Market Gas Station: Dictionary & Glossary
  202. CU 24-02 US Market Gas Station: Conditioned Fees

\*The 200 series of attachments are details for the conditions of approval.
3. Planning Commission August 22, 2024 Staff Report and attachment not attached to the final decision:

102. Analyses & Findings

4. Testimony by the Boltons (received January 15, 2024; 1 page)
5. Testimony by Don Zehrung (received January 21, 2024; 1 page)



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November 12, 2024

**VIA HAND DELIVERY**

Woodburn City Council  
c/o Chris Kerr, Community Development Director  
270 Montgomery Street  
Woodburn, OR 97071

Re: 2540-2600 Newberg Highway, Woodburn, OR  
City File No. CU 24-02  
Planning Commission Final Order dated October 31, 2024

Dear City Council:

This firm's client, Paula Kilgore, appeals the above-referenced decision of the Woodburn Planning Commission. This letter is attached to the appellants' appeal notice pursuant to WDO 4.02.01. The underlying land use matter is a Type III decision. The appellant has standing to appeal under WDO 4.02.01.A.3 because she participated in writing in the Planning Commission proceedings below.

The grounds for appeal are as follows:

1. The Planning Commission's order fails to recognize the serious incompatibility of the applicant's project with the surrounding residential neighborhood. This is the same project that the City Council rejected in 2022 due to that incompatibility, except that the new proposal directs even more site traffic onto Oregon Way to the detriment of nearby residential areas. The vast majority of neighborhood testimony has been in opposition to this project because Oregon Way is a residential street and a large volume of traffic generated from the site, particularly trucks, would be incompatible with residential uses. The City Council recognized this in its 2022 decision. Unfortunately, this new application will only affect these residents in more negative and unacceptable ways.

Furthermore, the approved internal site layout contains serious site circulation issues. Experienced gas station operators know that delivery trucks do not always come when scheduled, and that fuel deliveries can come more than once per day, and at any time. They also know that not every customer drives a small car and always gets into the shortest available line – it only takes one extra car (or one long truck or RV) queuing at the

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City of Woodburn

11/12/2024

northernmost fuel position to block all entry into the site. Moreover, without physical barriers, no plan to prevent drivers from exiting onto Hwy. 214 will be successful. And the diagram provided by the applicant's traffic consultant showing traffic flow during fuel delivery (Fig. 14 of the September 23, 2024 Transight Consulting report) is highly unrealistic, since (A) it is physically impossible for a large fuel delivery truck to park as close to the curb as indicated; (B) the diagram does not account for the truck's hoses and coned-off area while filling the underground tanks; and (C) it requires inbound traffic from Oregon Way to travel counter-clockwise around the fuel islands, opposite of the intended flow of traffic, or through the office parking lot. This project attempts to squeeze too much onto a site that cannot accommodate everything while maintaining safe and efficient traffic operations, both on site and on adjacent streets.

For these reasons, this project does not satisfy WDO 5.03.01.B.3 requiring that the use be compatible with surrounding properties, and should be denied.

2. The Planning Commission relied on a staff report that proposed legally inadequate findings that improperly defer determinations of compliance and fail to explain how compliance is feasible with the imposition of conditions. As discussed in the letter in the record from this firm dated August 21, 2024, the findings proposed in the staff report and adopted by the Planning Commission are inadequate because they:
  - make certain conclusory findings without the required analysis, or in some cases make no finding at all;
  - in some instances, find that a criterion is not met but provide no analysis whatsoever that it is feasible to meet the criterion, instead just stating that a condition will be imposed to insure compliance;
  - concede in the findings that the applicant will later need to revise the site plan with no further opportunity for public review;
  - fail to analyze relevant Comprehensive Plan policies or cite to any facts in evidence as to how those policies are met; and
  - improperly employ conditions of approval that defer the determination of compliance to administrative staff.

These shortcomings require that the Planning Commission be overturned and the application be denied.





# Final Decision

## Planning Commission

**File number(s):** CU 24-02, DR 24-02, PP 24-01, & SA 24-01

**Project name:** US Market gas station

**Date of decision:** October 24, 2024

**Applicant:** Ronald “Ron” Ped, President/Architect, Ronald James Ped Architect, PC, 1220 20th Street SE, Suite 125, Salem, OR 97302-1205

**Landowner:** Lal Din Sidhu (“Don” Sidhu), Woodburn Petroleum LLC, 1311 Lancaster Dr NE, Salem, OR 97301-1907

**Site location:** 2540 & 2600 Newberg Hwy (Tax Lots 052W12DB03600 [primary] & 3700)

**Summary:** The Planning Commission held a public hearing on August 22, 2024. The applicant requested to keep the record open for 30 days. Because that would fall on a weekend, it fell on the next business day, Monday, September 23. On October 24, the Commission deliberated upon the additional evidence and written testimony received after the hearing, as well as written arguments based on the closed record submitted by both an opposition attorney as well as the applicant’s attorney, and by a 5-2 vote approved the consolidated applications package (Type III) with the conditions recommended by staff through the staff report published August 22, except for one revision with two parts:

1. Striking Condition CU8d that would have required a median barrier to be constructed at Oregon Way to mitigate against right turns by trucks exiting the site and that referenced Attachment 102A, Public Works comments, item 6.
2. Deleting Attachment 102A, Public Works comments, item 6 that read, “A median barrier is required to be constructed at Oregon Way to mitigate against right turns by trucks exiting the site. The median barrier design and location will be part of the civil plans reviewed through the building permit application and construction of the median is due at the same time as Condition G4a (WDO 3.01.02E).” Items 7-12 became renumbered to 6-11.

They are shown below in strikethrough-and-underline text and in Attachment 102A as a clean version.

City Council  
January 27, 2025  
**Attachment 2**

The request is for conditional use (for a gas station), design review, phasing plan, and Street Adjustment application types to develop a site of two lots totaling approximately 1.42 acres into a gas station as follows:

1. On Tax Lot 3600 (east, corner lot), a convenience store of 4,110 square feet (sq ft), 6 pump islands with 12 pumps, a commercial office tenant space of 1,863 sq ft attached to the south side of the convenience store, and;
2. On Tax Lot 3700 (west, interior lot), as Phase 2 a southwest commercial office building of 5,000 sq ft.

The subject property is in the Commercial General (CG) zoning district.

Many parties testified. The table below in the “Testifiers” section lists testifiers.

Section references are to the [Woodburn Development Ordinance \(WDO\)](#).

## Conditions of Approval:

### *General*

G1. As part of building permit application, the applicant shall submit revised site plans meeting the conditions of approval and obtain Planning Division approval through sign-off on permit issuance. The applicant shall submit a cover letter indicating what specific plans sheets or document page numbers demonstrate how the submittal meets each condition.

G2. The applicant or successors and assigns shall develop the property in substantial conformance with the final plans submitted and approved with these applications, except as modified by these conditions of approval. Were the applicant to revise plans other than to meet conditions of approval or meet building code, even if Planning Division staff does not notice and signs off on building permit issuance, Division staff retains the right to obtain restoration of improvements as shown on an earlier land use review plan set in service of substantial conformance.

G3. References: Attachment 201 serves as a dictionary or glossary defining certain abbreviations, acronyms, phrases, terms, and words in the context of the conditions of approval. The 200 series of attachments are as binding as the conditions of approval in the main body of the final decision.

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E and 4.02.12 unless if and where a condition of approval has more restrictive timing. By this condition, there is more restrictive timing: In any case, they are due no later than by Building Division issuance of first certificate of occupancy (C of O), regardless of deferral, if any, that Public Works (PW) might have approved through 3.01.02E. This condition is not deferring to C of O; it is saying that if there were to be PW deferral, then the department could not defer to later than C of O.
- b. ROW/easements: Correct recordation of required right-of-way (ROW) and public easements is due per WDO 2.01.05A – by building permit issuance. See Note A below.
- c. Where phasing is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located. Where an improvement spans phases and cannot be functionally divided by phase, it shall be due by the earliest phase.



- d. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an [Address Assignment Request](#). This is due prior to building permit application, and if property line adjustment or lot consolidation were to become relevant, then also after recordation with County. (See the Notes to the Applicant section following the conditions of approval, Note to the Applicant 17.)

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than 6 months prior to expiration of the land use approval as WDO 4.02.04B establishes, and shall complete recordations no later than 3 years past the land use “final decision” date. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage.

G6. Administration:

- a. Conformance: That a land use approval does not reiterate any and each particular detail, provision, requirement, rule, spec, or standard from any of the WDO, other ordinances, resolutions, public works construction code, or department policies does not exempt development from conformance with them.
- b. Copies: Per WDO 2.01.05B, the developer, including any succeeding contractor, shall provide copies of documentation that a City staff person requests regardless if the documentation source is another City staff person or department.
- c. Fees: The developer shall pay fees per Attachment 202.

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works (PW) and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the Planning Commission, contact PW to begin and finish dedication and granting sooner. The City Council meets most second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.



*Phasing Plan 24-01*

PP1. Phasing Plan:

- a. Basic Description:
  - (1) Phase 1: On Tax Lot 3600 (east, corner lot), a single northeast (NE) building of with convenience store of 4,110 sq ft and an attached commercial office tenant space of 1,863 sq ft. On Tax Lot 3700 (west, interior lot), a fuel pump canopy. Minimum off-street parking and other corollary improvements for these uses.
  - (2) Phase 2: On Tax Lot 3700 (west, interior lot), a southwest (SW) commercial office building of 5,000 sq ft and its parking and other corollary improvements.
- b. Phasing: The developer may choose to develop Phase 2, the SW office building and necessary corollary improvements, per land use review Sheet A1.1a later than the Phase 1 gas station complex of convenience store, NE commercial office, and fuel pump canopy and necessary corollary improvements.
- c. Phase 2 expiration:
  - (1) Phase 1 substantial construction would keep land use approval with conditions valid longer than the baseline 3 years per WDO 4.02.04B (or longer than baseline per subsection D if there will have been an appeal). However, in reference to condition part b. above, there must be building permit application for Phase 2 by 8 years past the date that the Planning Commission motioned to tentatively approve CU 24-02.
  - (2) If Phase 1 fails to achieve substantial construction by 5 years past the date of the hearing at which the Planning Commission motioned tentative approval, WDO 4.02.04B.1 & 2 would not be met and – absent the City granting a time extension as subsection B.3 references – the land use approval with conditions would expire for both phases.
- d. Phase 2 interim: If Phase 2 does develop later than Phase 1, then – regarding the area where the SW office building and its corollary improvements would be – until Phase 2 develops:
  - (1) The landowner shall pour curb or affix a linear obstruction to motor vehicles from driving and parking beyond the boundary of Phase 1 improvements and maintain such obstruction. Exhibit PP1 is an aerial photo of the area in 2023.
  - (2) The landowner shall maintain its grounds in conformance with [City Ordinance No. 2338](#) (June 9, 2003; amended regarding lighting by Ordinance No. 2522 September 22, 2014). Staff draws attention to Sections 5-9 about noxious vegetation, “attractive nuisances”, junked vehicle nuisances, open storage of junk, and scattering rubbish.
  - (3) Vehicular circulation and parking within the undeveloped Phase 2 area is permissible only if the landowner upgrades as needed for conformance with WDO 3.05.02A, F, & K and 3.04.04. Together they prohibit gravel.



*Exhibit PP1-1*

- e. All conditions apply to any phasing, unless worded or under a header such that a condition applies more specifically. Where something is due by building permit application or issuance, it means the first of any phase, any building, unless a condition is more specific.

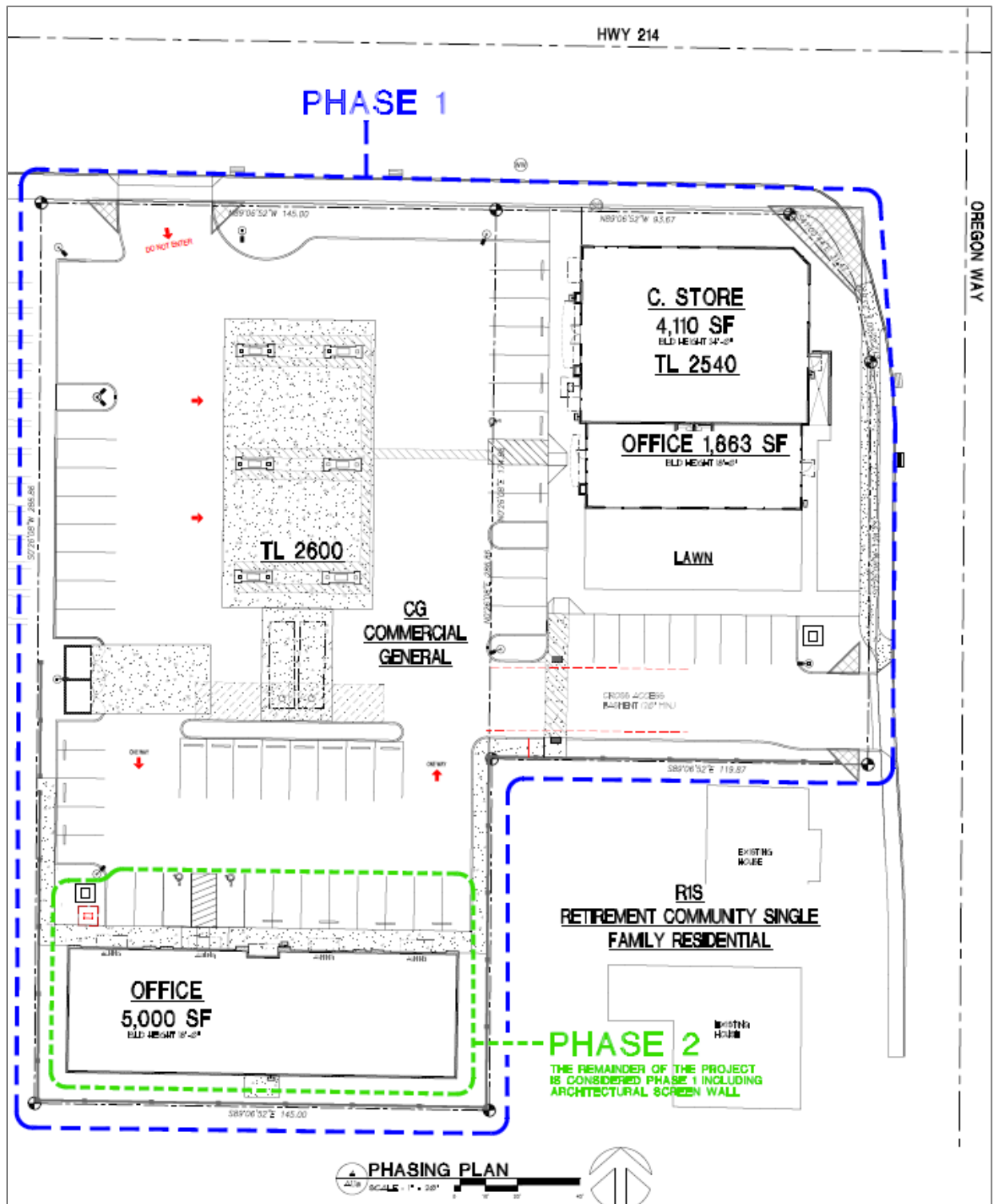


Exhibit PP1-2: Phasing plan excerpt from Sheet A1.1a dated February 5, 2024 and submitted February 8, 2024

Design Review 24-02

D1. ROW:

- a. Highway: To conform with WDO Figure 3.01B "Major Arterial", as part of recordation the developer shall dedicate ROW if and as necessary to result in half-street ROW that is uniform min width of 50 ft measured from centerline. This is due by building permit application.
- b. Oregon Way: To conform with WDO Figure 3.01E "Access Street", as part of recordation the developer shall dedicate variable width ROW resulting in half-street ROW that is uniform min width measured from centerline of 33 ft plus additional width along the northerly extent to accommodate the half-street width of the existing northbound left turn lane that the Figure 3.01E, which assumes a mid-block cross section, does not make explicit for telescoping width at intersections. The developer may take and report field measurement of the lane width or assume a lane width of 12 ft, yielding a total minimum width from centerline of  $33 + (12 / 2) = 39$  ft. "Northerly extent" shall extend minimum 140 ft south from a point in line with the highway ROW boundary; it is probable that the total half-street dedication along this extent would equal or approximate a min of  $3 + (12 / 2) = 9$  ft. Dedication is due by building permit application.

D2. PUE: If streetside public utility easements (PUEs) do not yet exist along any of the highway per the minimum of WDO Figure 3.01B and Oregon Way per the minimum and maximum of WDO 3.02.01B & F.2, then the developer shall grant the one or both PUEs.

D3. Driveways:

- a. Number & widths: To conform with WDO 3.04.03B.5 regarding access management, driveways shall be limited as follows:
  - (1) Highway: 1, max width per WDO Table 3.04A: 20 ft for one-way. If one-way inbound, there shall be min one *MUTCD*-compliant do-not-enter sign facing the site, one the east side of the driveway throat, and the pavement shall be striped to indicate no exit.
  - (2) Oregon Way: 1, max width 24 ft for two-way, except 26 ft for two-way if the developer through WDO Table 3.04A footnote 7 provides the same kind of documentation as condition part (1) above describes.
- b. Approach / apron / curb cut: Driveways shall conform to PW SS&Ds, Section [4150](#), unless documented as overridden by ODOT choosing to apply its standards.

D4. Access management: cross access: To conform with WDO 3.02.01E, 3.04.01A.2, 3.04.03B.3 & 5, 3.04.03C.1, 3, & 4, and 3.04.03D.2, the developer shall provide for what is termed any of cross access, ingress/egress, or shared access revocable only with the written concurrence of the Director and as follows:

- a. Properties:
  - (1) Subject property: Grant cross access (A) across Tax Lot 3600 (2540 Newberg Hwy) to the benefit of 3700 (2600 Newberg Hwy) and (B) across Tax Lot 3700 to the benefit of 3600. (Instead of cross access for the subject property, which is comprised of both Tax Lots 3600 & 3700, the developer may opt to consolidate lots by applying and paying for as well as obtaining City approval of a Property Line Adjustment [PLA], which would be a land use review Type II per WDO 5.01.08 and so a a staff decision, and record with the County the lot consolidation, all prior to building permit application.) This is due by building permit application per WDO 2.01.05A.
  - (2) Adjacent property: Grant cross access across Tax Lots 3600 & 3700 to the benefit of Tax Lot 052W12DB03800 (2620 Newberg Hwy; Dairy Queen). This is due by building permit application per WDO 2.01.05A.
- b. Alignment: Applicable to both the subject property and the Tax Lot 3800, follow a drive aisle or aisles and connect each of the highway driveway, the common lot line between Tax Lots 3700 & 3800 somewhere within the segment 60 ft south of the north property line, the common lot line between Tax Lots 3600 & 3700, and the Oregon Way driveway.
- c. Drive aisle stub: Extend a drive aisle stub conforming with WDO 3.04.03C.4b to Tax Lot 3800 (2620 Newberg Hwy; Dairy Queen) within the above-specified alignment.
- d. Barriers: At the interface of a property line and a drive aisle stub, WDO 3.04.03C.4b prohibits curb and fixed barriers mounted to the drive aisle. (The developer may instead place signed barricades atop the pavement.) While fencing a property line remains permissible per WDO 2.06.02, were the developer or property manager to install fencing, then the segment over the drive aisle shall have vehicular gates.
- e. Bicycle/pedestrian: The developer shall grant cross access not only for driving, but also walking and cycling, with alignment along each of the two wide walkways that WDO 3.04.06B requires and connecting with each of the highway and Oregon Way sidewalks.
- f. Instrument: Regarding recordation of the cross access easement (CAE) or other types of legal instruments and how, the developer shall conform to the conditions in ways that satisfy the County. This is due by building permit application.

- g. Shared parking: Because Tax Lot 3600 (2540 Newberg Hwy) would lack minimum off-street parking ratio for all land uses on the lot per WDO Table 3.05A, then the developer shall either (1) revise site plans to conform with WDO 3.05.02 & Table 3.05A or (2) create a shared parking agreement, for which cross access is a pre-requisite, per WDO 3.05.05. (A shared parking agreement would be due per WDO 3.05.05D.3: by building permit issuance.) Minimum agreement attachments or exhibits shall be a County tax map, a revised site plan, and if such would exist, a recorded plat.
- h. ODOT factor:
  - (1) The developer shall apply to and obtain from ODOT the relevant approval(s) by building permit application to conform with the access management condition.
  - (2) If after City land use decision ODOT objects specifically to how the City administers or the developer conforms to other parts of the condition or to other conditions concerning vehicular access, then the developer may request and the Director may administratively approve in writing changes to administration or conformance to accommodate the ODOT factor while still having the development meet the WDO and conditions of approval to the max extent remaining. The Director may require developer application for any of Extension of a Development Decision per WDO 4.02.05 or Modification of Conditions per WDO 4.02.07.
  - (3) If after City land use decision ODOT directs access management in conflict with other parts of the condition or to other conditions concerning vehicular access, then the developer shall forward the written direction from ODOT to the attention of the Director; describe the conflict(s); describe the minimum deviation from conformance necessary to comply with ODOT direction while also conforming to the remainder of the condition to the maximum, including plan view illustrations where helpful; and request Director approval through a dated document that cites the land use case file and condition numbers. The Director may approve what the developer first requests or a modified request. The City intends that if the developer were to make use of this part (d) of the condition, he would do so once.

D5: Parking:

- a. Wheel stops: To conform with WDO 3.05.02H, the compact parking spaces along the northeast (NE) office south lawn shall have wheel stops, either 5 shared among the spaces or one per each of the nine spaces, to prevent any overhang of the wide walkway.
- b. Vehicular circulation directional markings/signage: To conform to WDO 3.05.02J, during building permit review the Director may administratively establish details, specifications, and revisions to administer the WDO section. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
- c. C/V: Carpool/vanpool (C/V) parking shall conform with Table 3.05C and 3.05.03H.
- d. EV: Electric vehicle (EV) parking shall conform with Table 3.05E and 3.05.03I.

D6. Electric power poles removal and lines burial: Development shall conform with WDO 3.02.04. The fee in-lieu shall be per Attachment 202. (Absent direction by the applicant otherwise, staff will proceed as if the developer intends to conform by paying the fee in-lieu and will assess it through the building permit.)

D7. Trash enclosure: Outdoor storage of trash and shall be enclosed in conformance with WDO 3.06.06B.5-7 and, regarding roofing, in conformance with Public Works Department Engineering Division administration of standards or directions regarding such, if any, in relation to keeping polluted water from entering drains.



Conditional Use 24-02

CU1. Wide walkways: The wide walkways that WDO 3.04.06B requires shall have some width of some segments be decorative pavement, specifically, min width 6 ft and along the distance symbolized in green in Exhibit CU1 below. At the turn, the min width may narrow to avoid overlapping ADA ramp slopes. Decorative pavement means any of brick; concrete pavers; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.

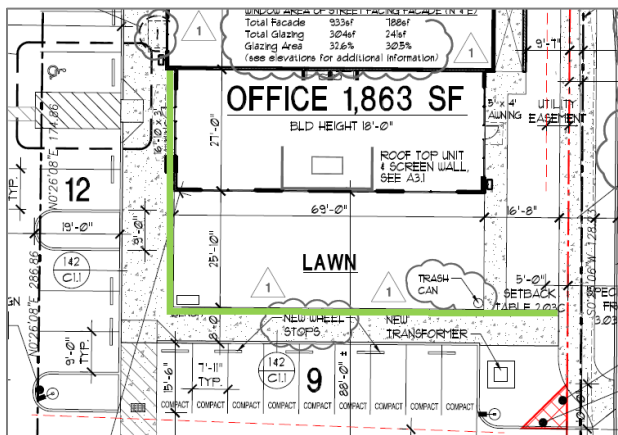


Exhibit CU1

CU2. Bicycle parking shall conform with 3.05.06 and be of min number:

- a. Convenience store: 2 (for example, 1 U-rack)
- b. NE commercial office: 2 (for example, 1 U-rack)
- c. SW commercial office: 4 (for example, 2 U-racks or a wave rack)

CU3. Landscaping generally:

- a. Bark dust: By the end of the time period per WDO 3.06.02C, 5.0% max of unpaved landscaped area may be non-living material such as bark dust, mulch, wood chips, cobbles, gravel, pebbles, or sand.
- b. Benches: Min 2.
  - (1) One in the landscaped open space at or near the NE commercial office space, along a wide walkway or in a plaza, install either a bench min width 6 ft or a picnic bench. Set back from walkway and pave the setback, min either 1.5 ft for a bench or 2 ft for a picnic bench.
  - (2) One bench min width 4 ft at or near the SW commercial office building and along a wide walkway.

- c. Buffering/screening: Evergreen hedge or shrubbery shall:
  - (1) Line Architectural Wall (AW) segments.
  - (2) Screen transformers and other at-grade electrical and mechanical equipment along min 2 sides.
  - (3) Serve as means of conformance with WDO 3.06.05B (parking screening).
- d. Coniferous/evergreen trees: Among newly planted trees, min 1 tree of the following coniferous or evergreen species:

Cedar, deodar	Madrone, Pacific
Cedar, incense	Oak, Oregon White
Cedar, Western Red	Pine, Lodgepole
Douglas-fir	Pine, Ponderosa
Fir, Grand	Pine, Western white; and
Hemlock, Western	Yew, Pacific

- e. Tree standards: The same as WDO Table 3.06A “Minimum Size” column – either 10 ft height or 2 inches caliper.

CU4. Front yard landscaping:

- a. Depth: The depth of landscaping from highway ROW south, in the yard west of the convenience store, shall be min 13 ft to vehicular circulation area back of curb to accommodate newly planted front yard trees outside of the streetside PUE. The min depth may instead be 6 ft if ODOT, such as through the Region 2 Development Review Coordinator, allows planting of trees within the PUE, the allowance is documented through building permit review and by building permit issuance with the applicant having submitted plans revised accordingly to both the agency and the City Community development Department, and the developer will have planted such trees by building permit inspection.
- b. Trees: Based on WDO 5.03.01B.3c5), the developer shall plant min:
  - (1) 7 trees in the yard along the highway max 20 ft from ROW; and
  - (2) 4 trees in the yard along Oregon Way max 20 ft from ROW, in a loose row with min 3 of them spaced offset from and complementing street trees.
- c. Hedge/shrubbery: In all areas not occupied by buildings and pavement, landscape per WDO 3.06.
  - (1) On Tax Lot 3700 in the yard along the highway, plant a hedge or row of continuous small or medium shrubbery extending between the driveway and east lot line. Plant min 5 ft from sidewalk and max 12 ft from ROW.
  - (2) On Tax Lot 3600 in the yard along the Oregon Way, line the convenience store rear east free-standing screen wall or wing wall with a hedge or row of continuous small or medium shrubbery, unless the developer declines to build the wing wall.
- d. Site interior:
  - (1) AW: Line each Architectural Wall (AW) segment with a hedge or row of continuous medium or large shrubbery.

- (2) Lawn large tree: Within open space within 30 ft of the NE commercial office, plant min 2 trees, either both large or min 1 medium and 1 large. Min 1 of these west or south of the plaza – see below.
- (3) Plaza: At or within 30 ft of the NE commercial office and adjacent to a wide walkway shall be a plaza min 56 sq ft, exc. walkway area, at 7.5 ft narrowest dimension, paved with brick; concrete pavers; field or flagstone; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.
- (4) South yard: Within 100 ft of the Tax Lot 3700 south lot line, plant min 2 trees.
- e. Parking area:
  - (1) Front yards: To conform with WDO 3.06.05B, within the yards abutting streets the site perimeter landscaped area shall have a hedge or shrubbery as a screen of parking and vehicular circulation area min height 3.5 ft. Such shall be planted to be min 2 ft from sidewalks and wide walkways.
  - (2) NE office: Min 1 large tree in the southwesterly area of the south yard lawn.
  - (3) SW office: For common use by tenants, have a south rear door and a patio of brick, pavers, or poured concrete min 7 ft north-south by 11 ft east-west. Align patio flush with door outer swing. Plant a small tree near the patio west side.

CU5: Architectural Wall (AW) / Fences / Fencing:

- a. Exemption: Where chain-link fence with slats already exists along the north and west lot lines of Tax Lot 3500 (953 Oregon Way), the developer may exempt these two lines from AW if the homeowner in writing consents to exemption and the developer submits documentation by and as part of building permit application.
- b. Extent: Min height shall be along the:
  - (1) North and west lot lines of Tax Lot 3500 6 ft, 1.5 inches (if CMU, equal to 9 courses of blocks plus 1.5-inch smooth concrete cap).
  - (2) North and east lot lines of Tax Lot 90000 (950 Evergreen Road), 9 ft including a 1.5-inch smooth concrete cap between piers or pilasters.
  - (3) Where fencing may substitute per other conditions, for part (1) above it shall be 6 ft, and for part (2) above, 8 ft.

- c. Height at AW ends: Min height shall drop where subject to stair-stepped height limits in yards abutting streets per WDO 2.06.02, within VCA or sight triangles per 3.03.06, and AW shall remain outside streetside PUEs. AW may cross an off-street PUE, if any exist, with written authorization by the Public Works Director, and the PW Director may instead direct that instead of a segment of wall that there be coated chain-link fencing with slats across an off-street PUE. For crossing of private easements, the developer similarly may instead fence.
- d. Gaps or rectangular openings:
  - (1) There shall be one along the east lot line of Tax Lot 90000, min 4 ft wide and 6 ft, 8 inches high above grade, and with the south end of the gap aligned with the Tax Lot 90000 north east-west drive aisle, south curb, north face.



*Exhibit CU5-1*



*Exhibit CU5-2*

- (2) If AW exemption per part a. above is not applicable, then there may be a gap along the west lot line of Tax Lot 3500, aligned with where there exist west backyard chain-link gates, minimum width equal to the width of the gates.

- e. Color: Masonry, whether dyed or painted, regarding WDO 3.06.06B.5 & 6 shall be a color or colors other than black, charcoal, or dark gray. For any other fence / fencing or free-standing wall, including gates if any, the coating and slats that WDO 2.06.02D requires and any wall shall be a color or colors other than black, charcoal, or dark gray. On free-standing walls with two or more colors, darker color shall be towards the bottom and lighter color towards the top.
- f. Material: Masonry; however, AW segments, other than those along the north and east lot lines of Tax Lot 90000 (950 Evergreen Road), may be partly made of opaque cedar wood fencing if the wall appears mostly masonry. Specifically, masonry must constitute the bottom extent of wall segment from grade up to min of 4 ft (for example, 6 CMU courses) above grade plus the height of a smooth concrete cap between the masonry and the wood, and there shall be piers, pillars, or pilasters per subsection "Pillars" below. Exhibit CU5-3 below illustrates a similar example (that does not exactly meet the condition) and serves as concrete masonry unit (CMU) model:

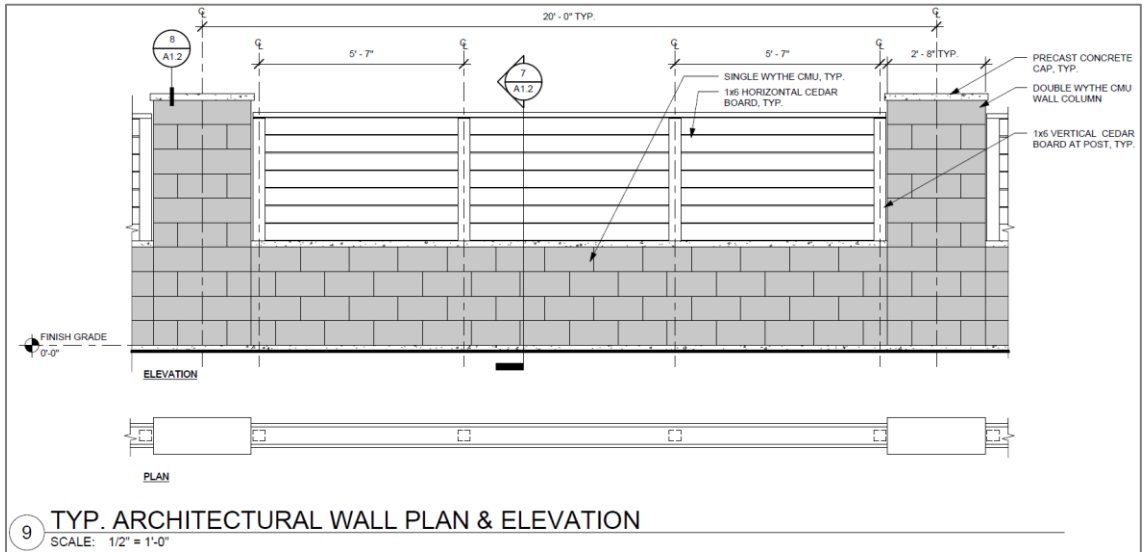


Exhibit CU5-3 (DR 2017-08)

- g. Texture: WDO 3.06.06B.7 is interpreted such that the standard for scoring, texture, or pattern on minimum 80.0% of the wall surface is applicable only to the WDO Table 3.06D minimum height of 6 ft – 80.0% being 7.2 of 9 CMU courses – not the conditioned minimum height of 9 ft, which equals 13.5 courses. In this context, the scored, textured, or split-face CMU courses shall start at or just beneath grade, and there shall be minimum 3 courses of ground or smooth-face CMU composing an upper band of the wall and minimum 1 course of ground or smooth-face CMU at approximately elbow height of an average height person standing at grade.

- h. Pillars: Whether the AW is solid masonry or incorporates wood fencing, each AW segment end shall have a pier, pillar, or pilaster min 16 inches wide relative to wall face and per WDO 3.06.06B.3 projecting min 3 inches each side of the wall.
  - (1) Number: Each segment shall have a min number of piers, pillars, or pilasters equal to a ratio of 1 per 40 ft of wall, and each segment end shall have a pier, pillar, or pilaster.
  - (2) Cap: Each pier or pilaster shall be capped with ornamental concrete in the form of any of a shallow-sloped pyramid or sphere or other finial atop such pyramid.
- i. This condition is due by the first building permit regardless of phase; that is, it is due regardless if Phase 2 is not developed at the same time as Phase 1.

CU6. Architecture:

- a. Canopies / fixed awnings:
  - (1) General: Min height clearance 9 ft.
  - (2) Fuel pump canopy: Max ceiling height 16 ft to either (a) ceiling or (b) ceiling-mounted lighting fixtures, whichever is lower.
  - (3) Convenience store and NE commercial office: The store and NE commercial office main entrances shall each have a canopy, fixed awning, building recess, or roof projection that shelters from precipitation, the former 4 ft narrowest dimension and 48 sq ft min area and the latter 4 ft and 32 sq ft. Each side or rear single staff door on the rest of the store and NE commercial office shall have the same, except 3 ft narrowest dimension and 18 sq ft min area, and for a set of double staff doors, 30 sq ft min area.
  - (4) SW commercial office: Each north entrance shall have a fixed awning, canopy, building wall projection, or secondary roof that shelters from the weather, min area 48 sq ft, min depth 4 ft. A fixed awning or canopy may be smaller if combined with a building recess and together they meet the min area. The south patio door elsewhere conditioned shall have the same, except min area 66 sq ft, min depth 6 ft.
- b. Cladding/materials: Convenience store and attached NE commercial office area:
  - (1) Base cladding min height 2 ft of brick, ceramic tile resembling stone, concrete masonry unit (CMU) block finished to resemble cut stone, or adhered stone. Otherwise, the desired materials provision of WDO 3.07.06B.2b(2) shall be a standard for all building elevations.
  - (2) The prohibited materials provision of WDO 3.07.06B.2b(3) shall be a standard.
  - (3) The proposed east CMU masonry screen wall or wing wall, if not precluded by streetside PUE, shall be max height 4 ft, 2 inches, have the bottom 2 courses be split face and the upper 4 courses ground face and be capped with smooth concrete. The NE corner angled wall shall have a window min area 15 sq ft, min 2.5 ft wide, and wholly within 8.5 ft of grade.
  - (4) Subsection (3) is void if the screen wall or wing wall would come to be in part or wholly within a streetside PUE because it would come closer to the building than the developer anticipates because of telescoping ROW width – see Conditions D1b & D2 – and if any of PW or ODOT directs and administers there not be a newly constructed free-standing wall within the Oregon Way streetside PUE, shortening or precluding the wall. Also, in this scenario, because PW has historically allowed chain-link fencing with streetside PUEs, the developer may in place of the intended wing wall install a chain-link fence that conforms with WDO 2.06.02D.1 & 2 and has slats of a color other than black, charcoal, or dark gray.

- c. Scuppers: Any building rainwater scuppers shall not to dump onto the pavement of a wide walkway.
- d. Setbacks:
  - (1) General: Site NE corner min setback shall equal streetside PUE.
  - (2) Convenience store / NE commercial office building: max 15 ft from highway ROW and max 20 ft from Oregon Way widened ROW (measured from straight line ROW, not the curved ROW near the intersection).
  - (3) SW commercial office: min 5 ft from Tax Lot 3700 east, south, and west lot lines.
- e. Windows:
  - (1) General: All windows shall be square, round, or vertically proportioned. Operable windows shall have insect screens.
  - (2) Min areas, which shall be transparent:
    - (A) Convenience store:
      - 1. West façade 30.0%; north 30.0%; east 36 sq ft. For the angled, NE façade in particular, min 18 of the 36 sq ft.
      - 2. NE commercial office: West and south façades 30.0%; east 132 sq ft.
    - (B) SW commercial office: North façade 30.0%; east 15.0%; south 20.0%; and west 20.0%.

CU7. Lighting: Besides conformance with WDO 3.11, including 3.11.02C color temperature:

- a. Buffer: Parking area or other pole-mounted fixtures are prohibited between the north lot line of 953 Oregon Way (Tax Lot 3500) and the east-west drive aisle.
- b. Fuel pump canopy:

- (1) Max 14 ceiling fixtures. Any ceiling fixture shall be no closer to ceiling outer edge than 4 ft. Neon lighting, or a lighting technology that mimics the appearance of neon lighting, is prohibited on the fuel pump canopy and on the southernmost primary building on Tax Lot 3700. The developer shall make so either of the following: (a) ceiling light fixtures shall not drop below the ceiling plane, or (b) for ceiling-mounted fixtures, the canopy roof edge perimeter shall as a shield drop or extend down to the same plane as the underside of the lowest fixture. In either case, fixtures that drop or extend down from the ceiling shall each have opaque housing on all sides.
- (2) Based on the hours in Ordinance No. 2338, Section 5A Light Trespass, fuel pump canopy lights shall be off during the same hours as when the fuel pumps are closed.
- c. Max:
  - (1) Convenience store: 1 wall fixture on the east rear and none on the north side.
  - (2) NE commercial office: 1 wall fixture each on the east and west and none on the south side.
  - (3) South commercial office: 1 wall fixture at the south rear and none at the east and west sides.

CU8. Gas station operations:

- a. Noise:
  - (1) Gas station and convenience store: The gas station and convenience store shall be open to customer use no earlier and later than Monday through Saturday 6:00 a.m. to midnight and Sunday 6:00 a.m. to 11:00 p.m.
  - (2) Fuel pumps: Audible audiovisual advertising, if any, is prohibited from sounding from fuel pump electronic display speakers. Such advertising shall be limited to sight only.
  - (3) Tire/vacuum: Addition of any vehicle interior vacuum facility outdoors, tire pump facility outdoors, or other similar mechanical facility outdoors for gas station customers that makes noise shall be located min 100 ft north of the south lot line of Tax Lot 3700. Any vacuum shall be open to customer use no earlier and later than Monday through Saturday 7:00 a.m. to 9:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m.
- b. Trash: There shall be at least one trash receptacle along each of the walkways, at min 0.5 ft from walkway edge or outside wide walkway minimum width (8 ft), to and from the highway and Oregon Way sidewalks, within 25 ft of ROW, for intended use by convenience store customers, and remaining privately maintained and serviced.
- c. Vehicular circulation: The Director may administratively establish locations, details, specifications, and revisions to administer this condition part during building permit review. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
  - (1) Fuel pump queueing:
    - (a) General: The developer shall stripe directional arrows and lines to direct motorists into fuel pump queues and distinguish the queues from driving routes around the fuel pump canopy.
    - (b) Stacking: Of six queues, min 3 shall each fit stacking of min one car west of the fuel pump island behind cars parked at the pumps. Queueing may be obtusely angled relative to the pump islands.



- (c) Queuing shall not back up past face of curb in the highway right lane, and property management shall dispatch one or more employees to direct motorists as needed to prevent or correct such queuing.
- (2) Pump directional signage: There shall be directional signage that accomplishes directing on-site motorists where and how to queue, including pumps that are self-service and those served by an attendant.
- (3) I-5 directional signage: There shall be outside of ROW and streetside PUEs directional signage that accomplishes directing on-site motorists bound for I-5:
  - (A) On Tax Lot 3700 (west lot), min 2 signs, each min area 18 by 24 inches, mounted min 2 ft and max 7 ft above grade, text min 6 inches high, and including the standard Interstate 5 logo. Detail drawings of these specifications are due by building permit application.
  - (B) On Tax Lot 3600 (east lot), min 2 signs, the same dimensions and mounting as per part (A) above. One sign shall indicate trucks to turn left only, and the other sign shall indicate that left is to I-5 by using a left arrow and the standard Interstate 5 logo. The two signs may be mounted together on the same support.

Sign detail drawings – in color – are due by building permit application.

~~d. Median: A median barrier is required to be constructed at Oregon Way to mitigate against right turns by trucks exiting the site; refer to Attachment 102A, Public Works comments, item 6.~~


CU9. Signage: Electronic changing image: In addition to WDO 3.10.12, based on the hours in Ordinance No. 2338, Section 5A Light Trespass, any sign electronic changing image, if and where WDO 3.10 allows such, other than fuel price displays, shall be off during the same hours as when the convenience store is closed.

CU10. Modification: Because the WDO, including 5.03.01, does not specify how changes to an approved conditional use (CU) and related site improvements might trigger another CU or modification of a CU approval, for Director determination the following serve as criteria and – where noted – as factors:

- a. Significant expansion of the use(s), factors being an increase in any of: total GFA by 25.0% or more or by an absolute value of 1,000 sq ft or more, and, the number of buildings by 1 or more;
- b. Increase in off-street parking by 6 or more stalls, even if the existing supply were in excess of the minimum required ratio(s);
- c. Net increase in impervious surface totaling at least 1,000 sq ft;
- d. Adding the land uses of automotive maintenance and repair, whether or not including through service bay structures.
- e. Development as defined in WDO 1.02 within twenty (20) feet of a property boundary and not already conditioned through the subject approval;
- f. Any proposal necessitating a request for Adjustment to Street Right-of-Way and Improvement Requirements (“Street Adjustment”);
- g. Any proposal necessitating a request to vary from the WDO, that is, a variance;
- h. Any proposal necessitating a Type III or IV land use application type;
- i. City adoption of a unified development ordinance replacing the WDO were to have intervened;
- j. A request for major modification, as the Director determines, of the phasing plan; and
- k. Conversion of any NE or SW commercial office GFA to fast-food restaurant or limited-service eating place, for which WDO Table 3.05A row 11 has a minimum parking ratio higher than for general retail or food and drinking places. Exemptions from this condition are the creation of (1) a food or drinking place that is a permitted use within the CG zoning district, max 400 sq ft GFA, and accessory to the primary use of commercial office, and (2) fast-food restaurant or limited-service eating place that is a permitted use within the CG zoning district, has no drive-through, and is any of max 400 sq ft GFA within the NE commercial office and max 1,200 sq ft GFA within the SW commercial office building. Exemptions do not exempt permitted uses from some or all of the off-street parking minimum ratios per WDO Table 3.05A.
- l. Shared parking change: Future changes of use, such as expansion of a building or establishment of hours of operation which conflict with, or affect, the shared parking agreement, shall require review and authorization not only through any of, “a subsequent Design Review or Modification of Conditions” per WDO 3.05.05D.1, but also with the option of being through a Conditional Use (CU).

Modification of a specific condition of approval remains pursuant to WDO 4.02.07. Were the City to have amended the WDO to establish modification provisions for conditional uses, the Director may decide that the provisions supersede this condition of approval.

CU11. Discontinuance/revocation: Because the WDO does not specify if and when a conditional use approval would expire were a use to cease, based on WDO 4.02.04B the approval shall expire if the WDO Table 2.03A, B.2 use of “gasoline station” ceases and 3 years pass without the use recommencing. This CU approval excludes the uses “automotive maintenance” and “repair services” from the group of uses as the WDO terms. Violation of one or more conditions of approval may serve as a basis for City revocation.



*Conditional Use 24-02: Transportation*

T-A1:

- a. OR 214 & Oregon Way: The developer shall pay a fee per Attachment 202 to fund a transportation study, specifically to investigate in coordination with ODOT (1) corridor signal timing and coordination adjustments and (2) improving safety by reducing vehicle turning or angle crashes. This is due by building permit issuance. [TSP R11 & revised TIA p. 14]
- b. I-5 interchange with OR 214: To reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R8 & R9 & revised TIA p. 14]
- c. OR 214 & Evergreen Rd: To mitigate effect on the intersection and reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R10 & revised TIA p. 14]

T-T. Bus transit: Bus stop improvements: To further TDM through bus transit, regarding the WTS Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because ROW and streetside PUE are too narrow relative to the street to accommodate installation, the developer shall pay a fee in-lieu as well as a fee in lieu of a bus stop bicycle rack per Attachment 202.



*Street Adjustment 24-01*

SA1. Frontage/street improvements: Highway: No min surface improvements are required other than either elsewhere conditioned or necessary to conform to Public Works (PW) direction or comply with ODOT engineering guidance. The developer may let existing improvements lie, excepting conforming upgrade of the driveway apron as the WDO and other conditions require, but also shall pay fees in lieu of highway improvements per Attachment 202.

SA2. Frontage/street improvements: Oregon Way: These shall be as follows:

- a. Parking: No on-street parallel parking lane 8-feet wide is required, this being an adjustment from what WDO Figure 3.01E would have required. The developer shall pay a fee in-lieu per Attachment 202.
- b. Landscape strip: Min width 6.5 ft wide inc. curb width and with min street trees per WDO 3.06.03A.1 (1:30), equaling 6 trees. For max 4 of the trees, the developer may pay a fee in-lieu per Attachment 202. Landscaping of area remaining after tree planting and irrigation shall be per the WDO 3.01.04B last paragraph.
- c. Sidewalk: Min width 8 ft.

Overlap: Wider sidewalk shall not narrow the landscape strip. The extra width of planter strip and sidewalk shall either (1) be within additional ROW that accommodates them, or (2) overlap outside ROW into streetside PUE, the PUE or other recorded legal instrument granting public access to the overlap. If (2), then the developer shall submit a draft of the legal instrument for Planning and PW review by either civil engineering plan (CEP) review application to PW or, if PW performs CEP review through building permit review, then by building permit application. Per WDO 2.01.05A, the developer shall submit copies of correctly recorded documents to the Planning Division.

SA3. ROW & PUE: There is no street adjustment to narrow below the minimum requirements; instead, see Conditions D1 & D2.

**Expiration:** Per Woodburn Development Ordinance (WDO) 4.02.04B., a final decision expires within three years of the date of the final decision unless:

1. A building permit to exercise the right granted by the decision has been issued;
2. The activity approved in the decision has commenced; or
3. A time extension, Section 4.02.05, has been approved.

Regarding subsection B.1 above, if by 10 years past the final decision date there is no substantial construction as Section 1.02 defines following issuance of a building permit, the final decision shall expire and fail to vest.

Regarding subsection B.2 above as applies to Property Line Adjustment, Consolidation of Lots, and Partition and Subdivision Final Plat Approval application, the developer shall complete recordation no later than the land use expiration date.

### Notes to the Applicant:

1. Records: Staff recommends that the applicant retain a copy of the subject approval.
2. Fences, fencing, & free-standing walls: The approval excludes any fences, fencing, & free-standing walls, which are subject to WDO 2.06 and the permit process of 5.01.03.
3. Signage: The approval excludes any private signage, which is subject to WDO 3.10 and the permit process of 5.01.10.
4. PLA Time Limit: WDO 4.02.04B. specifies that, "A final decision on any application shall expire within three years of the date of the final decision unless: 1. a building permit to exercise the right granted by the decision has been issued; 2. the activity approved in the decision has commenced; or 3. a time extension, Section 4.02.05, has been approved. Because unrecorded re-plats lingering indefinitely have burdened staff, a condition sets sooner time limits for subsection 2. to begin and finish recordation.
5. Mylar signature: The Community Development Director is the authority that signs plat Mylars and not any of the mayor, City Administrator, Public Works Director, or City Engineer. Only one City signature title block is necessary.
6. PLA Plat Tracker: Marion County maintains a plat tracking tool at <http://apps.co.marion.or.us/plattracker/>. Use it to check on the status of a recordation request to the County. City staff does not track County plat recordation.
7. Technical standards:
  - a. Context: A reader shall not construe a land use condition of approval that reiterates a City technical standard, such as a PW standard, to exclude remaining standards or to assert that conditions of approval should have reiterated every standard the City has in order for those standards to be met.
  - b. Utilities: A condition involving altered or additional sidewalk or other frontage/street improvement that would in the field result in displacement or relocation of any of utility boxes, cabinets, vaults, or vault covers does not exempt the developer from having to move or pay to move any of these as directed by the City Engineer and with guidance from franchise utilities.
8. Other Agencies: The applicant, not the City, is responsible for obtaining permits from any county, state and/or federal agencies, which may require approval or permit, and must obtain all applicable City and County permits for work prior to the start of work and that the work meets the satisfaction of the permit-issuing jurisdiction. The Oregon Department of Transportation (ODOT) might require highway access, storm drainage, and other right-of-way (ROW) permits. All work within the public ROW or easements within City jurisdiction must conform to plans approved by the Public Works Department and must comply with a Public Works Right-of-Way permit issued by said department. Marion County plumbing permits must be issued for all waterline, sanitary sewer, and storm sewer work installed beyond the Public Right-of-Way, on private property.
9. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. Contact Planning Division staff at least 3 City business days prior to a

desired date of planning and zoning inspection of site improvements. This is required and separate from and in addition to the usual building code and fire and life safety inspections. Note that Planning staff are not primarily inspectors, do not have the nearly immediate availability of building inspectors, and are not bound by any building inspector's schedule or general contractor convenience.

10. Stormwater management: The storm sewer system and any required on-site detention for the development must comply with the City Storm Water Management Plan, Public Works storm water practices and the Storm Drainage Master Plan.
11. Public Works Review: Regarding public infrastructure, consult the Public Works Department Engineering Division about when, where, and how to apply and implement [Public Works construction specifications, Standard Drawings, Standard Details](#), and general conditions of a permit type issued by the Public Works Department. Where the Oregon Dept. of Transportation (ODOT) has jurisdiction over a roadway, consult Public Works about role and process clarification. The [Engineering Division](#) can be reached at (503) 982-5240.
12. ROW:
  - a. Dedication: The Public Works Department Engineering Division has document templates for ROW and easement dedications that applicants are to use.

ROW – and public utility easement (PUE) – dedications are due prior to building permit issuance per Public Works policy.
  - b. Work: All work within the public ROWs or easements within City jurisdiction must require plan approval and permit issuance from the Public Works Department. All public improvements construction work must be performed in accordance with the plans stamped “approved” by the City, and comply with the City’s Standard Specifications and Standard drawings.

Where the Oregon Dept. of Transportation (ODOT) has jurisdiction over a roadway, consult Public Works about role and process clarification. The [Engineering Division](#) can be reached at (503) 982-5240.
13. Franchises: The applicant provides for the installation of all franchised utilities in any required easements.
14. Water: All water mains and appurtenances must comply with Public Works, Building Division, and Woodburn Fire District requirements. Existing water services lines that are not going to be use with this new development must be abandoned at the main line. The City performs required abandonment of existing water facilities at the water main with payment by the property owner. All taps to existing water mains must be done by a “Hot Tap” method and by approved City of Woodburn Contractors. The applicant shall install the proper type of backflow preventer for all domestic, lawn irrigation and fire sprinkler services. The backflow devices and meters shall be located near the city water main within an easement, unless approved otherwise by Public Works. Contact Byron Brooks, City of Woodburn Water Superintendent, for proper type and installation requirements of the backflow device at (503) 982-5380.
15. Grease Interceptor/Trap: If applicable, a grease trap would need to be installed on the sanitary service, either as a central unit or in a communal kitchen/food preparation area. Contact Marion County Plumbing Department for permit and installation requirements, (503) 588-5147.

16. Fire: Fire protection requirements must comply with Woodburn Fire District standards and requirements, including how the District interprets and applies Oregon Fire Code (OFC). Place fire hydrants within the public ROW or public utility easement and construct them in accordance with Public Works Department requirements, specifications, standards, and permit requirements. Fire protection access, fire hydrant locations and fire protection issues must comply with current fire codes and Woodburn Fire District standards. See City of Woodburn Standard Detail No. 5070-2 Fire Vault. The fire vault must be placed within the public right-of-way or public utility easement.

17. Street address assignment: The CU 24-02 redevelopment necessitates changes to [street address assignment](#). Assume and request the following with the request form:

<i>Lot</i>	<i>Existing Address</i>	<i>Requested Address</i>
Tax Lot 3600	2540 Newberg Hwy	Convenience store: 2540 Newberg Hwy, Ste 1 NE attached commercial office area: 2540 Newberg Hwy, Ste 2
Tax Lot 3700	2600 Newberg Hwy	SW commercial office building: 2600 Newberg Hwy, with one suite number per tenant space for all tenant spaces west to east, e.g. Stes 1, 2, 3, etc.

18. [Planning Division fee schedule](#): Additional fees are or might become applicable per the schedule:

- Page 2, row “Bond or performance guarantee release or status letter”, Applicable to such held by the Planning Division, not any by the Public Works Department Engineering Division. (This usually means bonding through the Planning Division is limited to street trees and/or on-site landscaping.)
- Page 2, “Civil engineering plan(s) (CEP) review, Planning Division review of Public Works Department permit application materials”. Where CEP is done through building permit review instead of a separate process prior to building permit application, Planning Division assess the fee on the building permit, avoiding separate invoicing and allowing the applicant to pay the fee along with the other permit fees.
- Page 2, row “Exception to when all public improvements are due / delay or deferral of frontage/street improvements”, applicable if a developer obtains Public Works Department approval of exception (delay/deferral) through WDO 3.01.02E(1) & (2). The fee serves as an exception disincentive. If Planning Division staff see no evidence of improvements under construction or constructed based on the building permit application materials, staff will assume deferral and assess the fee on the building permit, avoiding separate invoicing and allowing the applicant to pay the fee along with the other permit fees.

19. SDCs: The developer pays system development charges prior to building permit issuance. Engineering Division staff will determine the water, sewer, storm, traffic, and parks SDCs after the developer



provides a complete Public Works Commercial/Industrial Development information sheet. The [Engineering Division](#) can be reached at (503) 982-5240.

**Appeals:** Per WDO 4.01.11E., the decision is final unless appealed pursuant to Oregon Revised Statutes (ORS), state administrative rules, and WDO [4.02.01](#). The appeal to City Council due date is twelve (12) days from the mailing date of this notice per 4.02.01B.1. A valid appeal must meet the requirements of 4.02.01.

A copy of the decision is available for inspection at no cost, and the City would provide a copy at reasonable cost at the Community Development Department, City Hall, 270 Montgomery Street, Woodburn, OR 97071. For questions or additional information, contact Cassandra Bassich (née Martinez), Administrative Specialist, at (503) 982-5246 or [cassandra.martinez@ci.woodburn.or.us](mailto:cassandra.martinez@ci.woodburn.or.us).

**Testifiers:**

Name	Address	Planning Commission		City Council	
		Written	Verbal	Written	Verbal
Mark D. Shipman (applicant's attorney)	250 Church St SE, Ste 200 Salem, Oregon 97301-3921	x	x	n/a	n/a
Vic & Sandy Alsbury	2227 Oregon Ct Woodburn, OR 97071	x		n/a	n/a
Rich & Trudy Fowlks	831 N. Cascade Dr Woodburn, OR 97071	x		n/a	n/a
Jim & Linda Hoover	1480 Thompson Rd Woodburn, OR 97071	x		n/a	n/a
Loretta Vittoria	2202 W. Hayes St Woodburn, OR 97071	x		n/a	n/a
Sharon Miller	2243 W Hayes St Woodburn, OR 97071	X		n/a	n/a
Malena Turner	400 S. Cascade Dr Woodburn, OR 97071	x		n/a	n/a
David J. Petersen (opposition attorney)	Tonkon Torp 888 SW Fifth Ave, Ste 1600 Portland, OR 97204-2099	x		n/a	n/a
Mick Harris (opposition attorney)	Tonkon Torp 888 SW Fifth Ave, Ste 1600 Portland, OR 97204-2099		x	n/a	n/a
Paula Kilgore	636 Oregon Way Woodburn, OR 97071	x	x	n/a	n/a
Norman Mabee	950 Evergreen Rd, Unit 219 Woodburn, OR 97071	x	x	n/a	n/a
Danny Draper	993 Lawson Ave Woodburn, OR 97071		x	n/a	n/a
Jan Duncum	980 Oregon Way Woodburn, OR 97071		x	n/a	n/a
Nancy Ferguson	950 Evergreen Rd, Unit 323 Woodburn, OR 97071		x	n/a	n/a
Bryan & Carla Galbraith	590 Troon Ave Woodburn, OR 97071		x	n/a	n/a
Michelle Harrison	924 Oregon Way Woodburn, OR 97071		x	n/a	n/a
Rick Hascall	2832 Olympic St Woodburn, OR 97071		x	n/a	n/a
Rebecca Hayes	950 Evergreen RD, Unit 205 Woodburn OR, 97071:		x	n/a	n/a
Susan Huggins	910 Oregon Way Woodburn, OR 97071		x	n/a	n/a
Todd Mitchell	377 Ironwood Terr Woodburn, OR 97071		x	n/a	n/a
Robert Moore	943 Oregon Way Woodburn, OR 97071		x	n/a	n/a

Anna Phillips	2329 Oregon Ct Woodburn, OR 97071		x	n/a	n/a
"Bobbi" (Louise Roberta) Reisner	950 Evergreen Rd, Unit 212 Woodburn, OR 97071		x	n/a	n/a
Anne Reslock	1375 Quinn Rd Woodburn, OR 97071		x	n/a	n/a
Marilyn Sbardellati	1675 Quinn Rd Woodburn, OR 97071		x	n/a	n/a
Alma Shevchenko	489 Turnberry Ave Woodburn, OR 97071		x	n/a	n/a
Amar Sidhu	7501 35 <sup>th</sup> Ave NE Salem, OR 97303		x	n/a	n/a
Don Zehring	966 Oregon Way Woodburn, OR 97071		x	n/a	n/a
Sam Charitar	2855 Hazelnut Dr Woodburn, OR 97071	x		n/a	n/a
Joyce Cutsforth	689 Troon Ave Woodburn, OR 97071	x		n/a	n/a
David Milam & Sonya Darling	484 Troon Ave Woodburn, OR 97071	x		n/a	n/a
Marvin & Katy Fessler	12668 Monitor McKee Rd NE Woodburn, OR 97071-8846	x		n/a	n/a
Carla Galbraith	590 Troon Ave Woodburn, OR 97071	x		n/a	n/a
Mike & Debbie Holland	405 Troon Ave Woodburn, OR 97071	x		n/a	n/a
Christina J. Mealue	2856 Olympic St Woodburn, OR 97071	x		n/a	n/a
Todd & Lisa Nelson	17280 Boones Ferry Rd NE Woodburn, OR 97071	x		n/a	n/a
Rosa Reyes	692 Troon Ave Woodburn, OR 97071	x		n/a	n/a
Alma Shevchenko	489 Turnberry Ave Woodburn, OR 97071	x		n/a	n/a
Carolyn Shindlebower	950 Evergreen Rd, Unit 206 Woodburn, OR 97071	x		n/a	n/a
Lorena Silva	P.O. Box 162 Hubbard, OR 97032	x		n/a	n/a
Panor 360 Homeowners Assoc. Attn Rosalie Carmen, Secretary	950 Evergreen Rd, Unit 204 Woodburn, OR 97071	x		n/a	n/a

**Attachments:**

- Planning Commission August 22, 2024 Staff Report Attachment 101. Marked Tax Map
- 102A. Public Works comments (Revised October 28, 2024; 2 pages)
- 103. Application materials / site plans / elevations (June 10, 2024; 6 sheets)
- 104. Transportation System Plan (TSP) Fig. 2 "Functional Roadway Classification"
- 201.\* CU 24-02 US Market Gas Station: Dictionary & Glossary
- 202. CU 24-02 US Market Gas Station: Conditioned Fees

\*The 200 series of attachments are details for the conditions of approval.

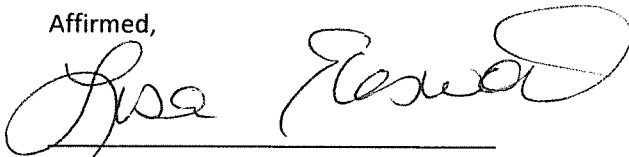
Sincerely,



Colin Cortes, AICP, CNU-A

Senior Planner

Affirmed,



Lisa Ellsworth, Planning Commission Chair

10/30/24

October 30, 2024

Date

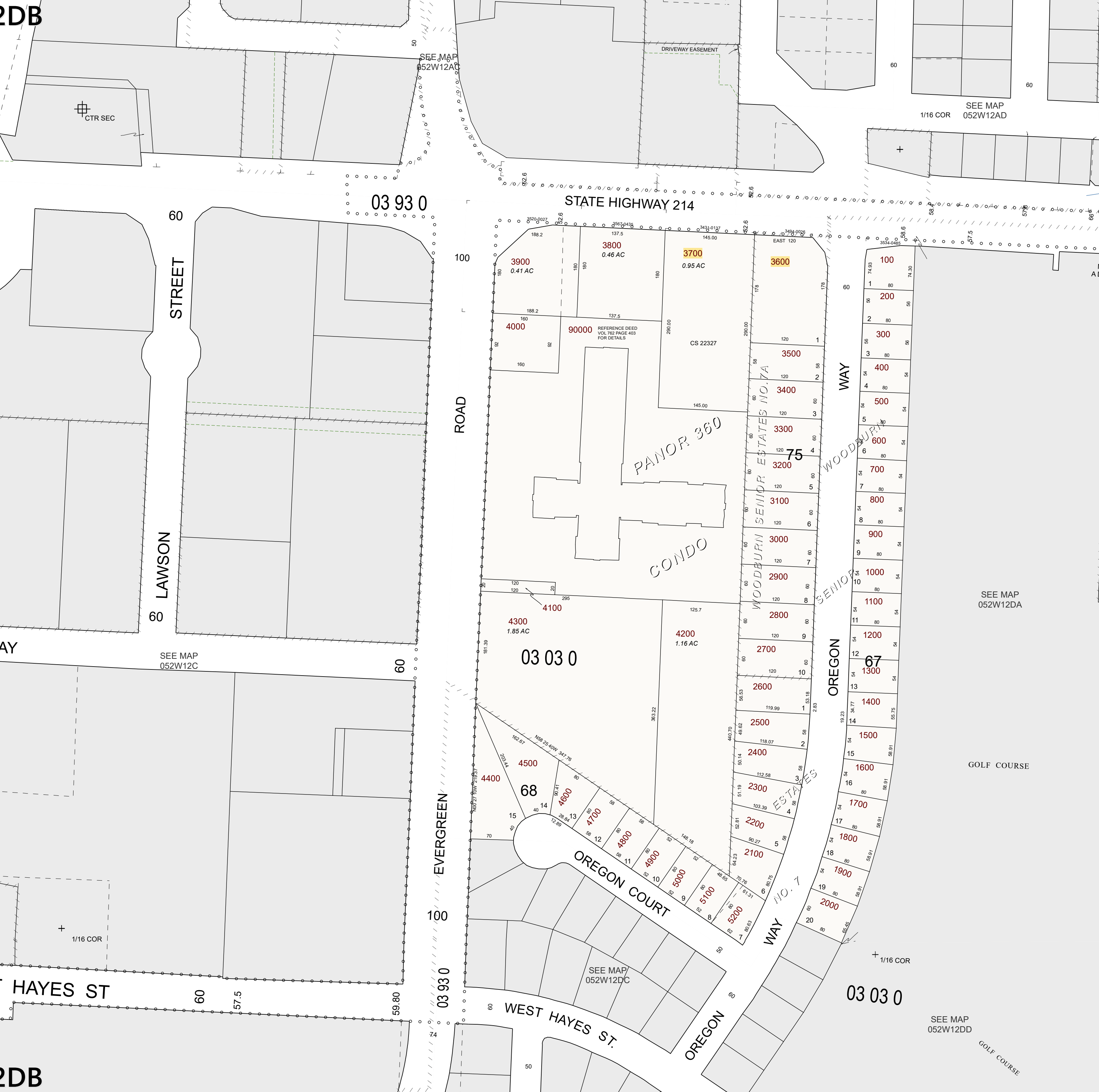
cc: Chris Kerr, Community Development Director [e-mail]  
Curtis Stultz, Public Works Director [e-mail]  
Dago Garcia, P.E., City Engineer [e-mail]  
Melissa Gitt, Building Official [e-mail]  
Jason Space, GIS Technician [e-mail]  
Ronald "Ron" Ped, President/Architect, Ronald James Ped Architect, PC, 1220 20th Street SE, Suite 125, Salem, OR 97302-1205 [applicant] [mail & e-mail]  
Lal Din Sidhu ("Don" Sidhu), Woodburn Petroleum LLC, 1311 Lancaster Dr NE, Salem, OR 97301-1907 [landowner] [mail & e-mail]  
Testifiers: Per the table above. [mail]  
Brion Scott, PE, Development Review Coordinator, Oregon Dept. of Transportation (ODOT) Region 2 [mail & e-mail]  
Marion County Assessor's Office <assessor@co.marion.or.us>  
Marion County Geographic Information System (GIS) <gis@co.marion.or.us>  
Marion County Planning Division <planning@co.marion.or.us>  
Marion County Land Development Engineering & Permits <mcldep@co.marion.or.us>  
Marion County Public Works Dept. <mcdpw@co.marion.or.us>

05 2W 12DB

SEE MAP 052W12B

ALLISON WAY

05 2W 12DB



05 2W 12DB  
WOODBURN



MARION COUNTY, OREGON  
NW1/4 SE1/4 SEC12 T5S R2W W.M.  
SCALE 1" = 100'

LEGEND

- LINE TYPES**
- Taxlot Boundary
  - Road Right-of-Way
  - Railroad Right-of-Way
  - Private Road ROW
  - Subdivision/Plat Bndry
  - Waterline - Taxlot Bndry
  - Historical Boundary
  - Easement
  - Railroad Centerline
  - Taxcode Line
  - Map Boundary
  - Waterline - Non Bndry

- CORNER TYPES**
- + 1/16TH Section Cor.
  - ⊙ DLC Corner
  - ⊕ 1/4 Section Cor.
  - ⊕ Section Corner
  - 16 15
  - 21 22

**NUMBERS**

Tax Code Number  
**00 00 0**

Acreage  
0.25 AC

All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

**NOTES**

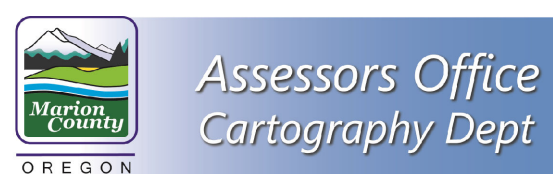
Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

**CANCELLED NUMBERS**

3900A1			
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**Attachment 101**

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT [www.co.marion.or.us](http://www.co.marion.or.us)

PLOT DATE: 1/25/2024

**WOODBURN**  
**05 2W 12DB**

## CU 24-02: Analyses & Findings

This attachment to the staff report analyzes the application materials and finds through statements how the application materials relate to and meet applicable provisions such as criteria, requirements, and standards. They confirm that a given standard is met or if not met, they call attention to it, suggest a remedy, and have a corresponding recommended condition of approval. Symbols aid locating and understanding categories of findings:

<i>Symbol</i>	<i>Category</i>	<i>Indication</i>
✓	Requirement (or guideline) met	No action needed
✗	Requirement (or guideline) not met	Correction needed
⊖	Requirement (or guideline) not applicable	No action needed
▲	<ul style="list-style-type: none"> <li>Requirement (or guideline) met, but might become unmet because of condition applied to meet separate and related requirement that is not met</li> <li>Plan sheets and/or narrative inconsistent</li> <li>Other special circumstance benefitting from attention</li> </ul>	Revision needed for clear and consistent records
■	Deviation: Planned Unit Development, Zoning Adjustment, and/or Variance	Request to modify, adjust, or vary from a requirement

Section references are to the [Woodburn Development Ordinance \(WDO\)](#).

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## Project Name & Case File Numbers

The applicant submitted the project name US Market. The land use application master/parent case file number is Conditional Use CU 24-02, and the children/corollary case file numbers are Design Review 24-02, Phasing Plan PP 24-01, & Adjustment to Street Improvement Requirements ("Street Adjustment") SA 24-01.

The subject property is composed of two lots, and the developer of the proposed strip commercial development proposes no Property Line Adjustment (PLA) or lot consolidation.

The gas station development is:

1. On Tax Lot 3600 (east, corner lot), a convenience store of 4,110 square feet (sq ft), 6 pump islands with 12 pumps, a commercial office tenant space of 1,863 sq ft attached to the south side of the convenience store, and;
2. On Tax Lot 3700 (west, interior lot), as Phase 2 a southwest commercial office building of 5,000 sq ft.

## Location

<i>Address(es)</i>	2540 & 2600 Newberg Hwy (SW corner of Oregon Hwy 214 / Newberg Hwy & Oregon Way)
<i>Tax Lot(s)</i>	052W12DB03700 (primary) & 3600; respectively 0.95 & 0.47 acres, totaling 1.42 acres
<i>Nearest intersection</i>	Oregon Hwy 214 / Newberg Hwy & Oregon Way

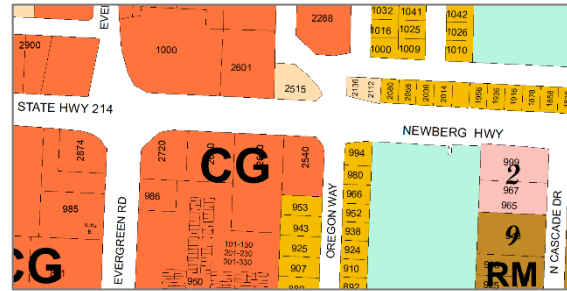
## Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Commercial
<i>Zoning District</i>	Commercial General (CG)
<i>Overlay District(s)</i>	none
<i>Existing Use(s)</i>	None following demolition of two vacant bank buildings no later than 2022

For context, the comprehensive plan land use map designations and zoning are illustrated below with excerpts from the City geographic information system (GIS) and the zoning is tabulated further below:



Comprehensive Plan land use map excerpt



Zoning map excerpt

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	Across OR Hwy 214: Commercial General (CG)
East	Across Oregon Way: Retirement Community Single Family Residential (R1S)
South	East to west: R1S (943 & 953 Oregon Way; houses) and CG (950 Evergreen Rd; Panor 360 condominiums)
West	CG (950 Evergreen Rd; Panor 360 condominiums; and 2620 Newberg Hwy; Dairy Queen)

## Statutory Dates

<i>Application Completeness</i>	July 3, 2024
<i>120-Day Final Decision Deadline</i>	October 31, 2024 per Oregon Revised Statutes (ORS) <a href="#">227.178</a> . (The nearest and prior regularly scheduled City Council date would be October 28, 2024.)



# Design Review Provisions

## DR Provisions

### Volume 1 Organization and Structure

#### 1.04 Nonconforming Uses and Development

The developer already obtained demolition permits from the Building Division, and the site is cleared. Because the proposal is full redevelopment, nonconformance of private, on-site improvements is not an applicable concept and the development will conform to the WDO and conditions of approval. Regarding nonconforming public street improvements, staff further addresses this nonconformance under the Adjustment to Street Improvement Requirements ("Street Adjustment") section of this document.

⊖ Not applicable.

### Volume 2 Land Use Zoning and Specified Use Standards

#### 2.03 Commercial Zones

#### 2.05 Overlay Districts

#### 2.06 Accessory Structures

#### 2.07 Special Uses

#### 2.08 Specific Conditional Uses

Uses Allowed in Commercial Zones Table 2.03A		
Use		Zone
Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)		CG
<b>B</b>	<b>Commercial Retail and Services</b>	
<b>2</b>	Automotive maintenance and gasoline stations, including repair services	CU <sup>3</sup>
<b>6</b>	Business services	P
<b>16</b>	Office and office services and supplies	P
<b>19</b>	Printing, publishing, copying, bonding, finance, insurance, medical, data processing, social assistance, legal services, management, and corporate offices	P
<b>20</b>	Professional services	P
<b>3. Allowed outright if not within 200 feet of residentially zoned properties</b>		

A proposed use is a gasoline station, hereafter referred to as gas station. Because it is within 200 ft of residentially zoned property – 943 & 953 Oregon Way to the southeast that is zoned R1S, for the subject property the use and its convenience store remain a conditional use. Commercial office is a permitted use.

<b>Commercial General (CG) - Site Development Standards</b>			
<b>Table 2.03C</b>			
<b>Lot Area, Minimum (square feet)</b>		<b>No minimum</b>	
<b>Lot Width, Minimum (feet)</b>		<b>No minimum</b>	
<b>Lot Depth, Minimum (feet)</b>		<b>No minimum</b>	
<b>Street Frontage, Minimum (feet)</b>		<b>No minimum</b>	
<b>Front Setback and Setback Abutting a Street, Minimum (feet)</b>		<b>5 <sup>1</sup></b>	
<b>Side or Rear Setback, Minimum (feet)</b>	<b>Abutting RS, R1S, or RM zone</b>	<b>10 <sup>4</sup></b>	
	<b>Abutting CO, CG, DDC, NNC, P/SP, IP, SWIR, or IL zone</b>	<b>0 or 5 <sup>4, 5</sup></b>	
<b>Setback to a Private Access Easement, Minimum (feet)</b>		<b>1</b>	
<b>Lot Coverage, Maximum</b>		<b>Not specified <sup>2</sup></b>	
<b>Building Height, Maximum (feet)</b>	<b>Primary or accessory structure</b>	<b>Outside Gateway subarea</b>	<b>70</b>
		<b>Western Gateway subarea</b>	<b>50</b>
		<b>Eastern Gateway subarea</b>	<b>40</b>
	<b>Features not used for habitation</b>		<b>100</b>
<ol style="list-style-type: none"> <li><b>1. Measured from the Street Widening Setback (Section 3.03.02), if any</b></li> <li><b>2. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements.</b></li> <li><b>3. Only allowed in the Gateway Overlay District</b></li> <li><b>4. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use.</b></li> <li><b>5. A building may be constructed at the property line, or shall be set back at least five feet.</b></li> </ol>			

The site plans and elevations show that the proposed development conforms with the basic development standards that Table 2.03C contains.

## 2.05 Overlay Districts

### 2.05.02 Interchange Management Area Overlay District

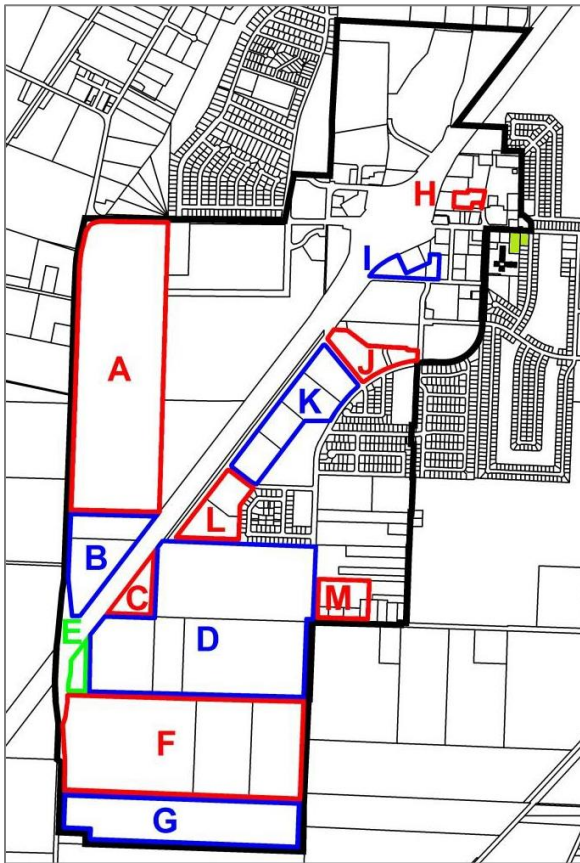


Figure 2.05B – Interchange Management Area Boundary and Subareas (with subject property at NE marked in green)

For those aware of the Interchange Management Area Overlay District (IMA), the above WDO figure marked to show the subject property confirms that the property lies just outside the IMA, that is, the property is *not* in the IMA. (Also, none of the other overlay districts are applicable.)

⊖ Not applicable.

## 2.06 Accessory Structures

### 2.06.02 Fences and Walls

Regarding the “Architectural Wall” as a buffer or screen wall per 3.06.05 to the standards of 3.06.06 and any fence or fencing the developer would build and install, a condition or conditions of approval would secure conformance, as well as a fence permit application type per 5.01.03 “Fence and Free Standing Wall”.

▲ In order to secure conformance to 2.06.02, staff applies a condition or conditions.

### **2.06.03 Structures**

Within the proposal, which is phased development, neither phase includes accessory structures such as sheds, making this WDO section not applicable; however, even if the fuel pump canopy were considered an accessory structure instead of a primary one, it remains proposed more than 5 ft away from a property line. (Other WDO sections address the proposed trash enclosure.)

– Not applicable.

### **2.07 Special Uses**

#### **2.07.08 Facilities During Construction**

This is not directly relevant to land use review. Contractor behavior is to conform during construction. No condition of approval is necessary to reiterate the requirement.

– Not applicable.

### **2.08 Specific Conditional Uses**

None relate to a gas station.

– Not applicable.

## **Volume 3 Development Guideline and Standards**

### **3.01 Streets**

Regarding public street improvements, staff further addresses this under the Adjustment to Street Improvement Requirements ("Street Adjustment") section of this document.

■ SA: Staff further addresses public street improvements further under the Street Adjustment Provisions section (under criterion 3, factor b).

### **3.02 Utilities and Easements**

#### **3.02.01 Public Utility Easements**

**A. The Director shall require dedication of specific easements for the construction and maintenance of municipal water, sewerage and storm drainage facilities located on private property.**

**B. Streetside:** A streetside public utility easement (PUE) shall be dedicated along each lot line abutting a public street at minimum width 5 feet. Partial exemption for townhouse corner lot: Where such lot is 18 to less than 20 feet wide, along the longer frontage, streetside PUE minimum width shall be 3 feet; or, where the lot is narrower than 18 feet, the longer side frontage is exempt from streetside PUE.

**C. Off-street:** The presumptive minimum width of an off-street PUE shall be 16 feet, and the Public Works Director in writing may establish a different width as a standard.

**E.** As a condition of approval for development, including property line adjustments, partitions, subdivisions, design reviews, Planned Unit Developments (PUDs), Street Adjustments, Zoning Adjustments, or Variances, the Director may require dedication of additional public easements, including off-street public utility easements and other easement types such as those that grant access termed any of bicycle/pedestrian access, cross access, ingress/egress, public access, or shared access, as well as those that identify, memorialize, and reserve future street corridors in place of ROW dedication.

**F. Streetside PUE maximum width:**

- 1. Purpose:** To prevent developers and franchise utilities from proposing wider than minimum streetside PUEs along tracts or small lots after land use final decision; to prevent particularly for a tract or lot abutting both a street and an alley; to encourage developers to communicate with franchise utilities and define streetside PUE widths during land use review and how to what is defined; to avoid overly constraining yards, and to avoid such PUEs precluding front roofed patios, porches, or stoops.
- 2. Standards:** Exempting any lot or tract subject to Figure 3.01B “Major Arterial”, the following standards are applicable to a lot or tract with:
  - a. No alley or shared rear lane:** 8 feet streetside.
  - b. Alley or shared rear lane:** Either 8 feet streetside and 5 feet along alley or shared rear lane, or, 5 feet streetside and 8 feet along alley or shared rear lane.

**Nothing in this section precludes a streetside PUE from variable width where necessary such as to expand around public fire hydrants.**

Regarding A, the Public Works Department handles this through its own conditions and processes. Additionally, one of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT).

Regarding B, because the site plan calls out a streetside PUE along Oregon Way but does not indicate its width, staff applies a condition or conditions. The highway is subject to a superseding standard requiring a 10-ft wide easement: Figure 3.01B “Major Arterial”, and the site plan calls out a streetside PUE and indicates a 10-foot width.

Regarding C, the Public Works Department implements this through its own permit processes, standards, and specifications, and Planning Division also staff apply a condition or conditions for WDO conformance and to deal with existing context of public utilities. Additionally, one of the two frontages is a state highway, which involves ODOT standards and permitting processes.

▲ In order to secure conformance with Figure 3.01B and 3.02.01B & F.2, staff applies a condition or conditions.

### **3.02.02 Creeks and Watercourse Maintenance Easements**

There are no creeks or watercourses.

⊖ Not applicable.

### **3.02.03 Street Lighting**

The Public Works Department handles this through its own permit processes, standards, and specifications. Additionally, one of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT).

▲ In order to secure conformance to 3.02.03, the Public Works Department might apply public works standards and specifications.

### **3.02.04 Underground Utilities**

**B. Street: All permanent utility service within ROW resulting from development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist as the electric utility documents and the developer submits such documentation.**

- 1. Developments along Boundary Streets shall remove existing electric power poles and lines and bury or underground lines where the following apply:**
  - a. A frontage with electric power poles and lines is or totals minimum 250 feet; and**
  - b. Burial or undergrounding would either decrease or not increase the number of electric power poles. The developer shall submit documentation from the electric utility.**

**Where the above are not applicable, a developer shall pay a fee in-lieu, excepting residential development that has 4 or fewer dwellings and involves no land division.**

- 2. Fees in-lieu: Per Section 4.02.12.**

Because the application materials fail to show that the development would conform along the highway where electric power poles and overhead electric power lines existing, staff applies a condition or conditions. (Absent direction by the applicant otherwise, staff will proceed as if the developer intends to conform by paying the fee in-lieu and will assess it through the building permit.)

▲ In order to secure conformance to 3.02.04, staff applies a condition or conditions.

### **3.03 Setbacks and Open Space**

#### **3.03.02 Special Setbacks**

This is a street widening setback. Because the development proposes and/or is conditioned to conform regarding ROW widths, the Special Setback is not applicable.

⊖ Not applicable.

#### **3.03.03 Projections into the Setback Abutting a Street**

#### **3.03.04 Projections into the Side Setback**

#### **3.03.05 Projections into the Rear Setback**

Because the development is strip commercial with conventional setbacks that meet or exceed zoning minimums, there are no projections. Were that to change later, the developer would still have to demonstrate conformance and the development conform.

⊖ Not applicable.

#### **3.03.06 Vision Clearance Area**

The application materials indicate that the applicant is aware of and intending to conform regarding driveways and the building closest to the site NE corner, which is the SW corner of the highway and Oregon Way, because the NE building (the convenience store and attached NE commercial office) is notched at the NE to keep out of the vision clearance area (VCA) or sight triangle. The building isn't near any driveway. (Were a site plan to fall out of conformance upon building permit application, staff would prompt the developer to correct during permit reviews.)

✓ The requirement is met.

### **3.04.01 Applicability and Permit**

#### **A. Street Access**

Every lot shall have:

- 1. Direct access to an abutting public street, or**
- 2. Access to a public street by means of a public access easement and private maintenance agreement to the satisfaction of the Director, revocable only with the concurrence of the Director, and that is recorded. The easement shall contain text that pursuant to Woodburn Development Ordinance (WDO) 3.04.03B.3, the public shared access (ingress and egress) right of this easement is revocable only with the written concurrence of the Community Development Director.**

This standard plus the highway being a state highway affects access management. A main reason the developer proposes the highway driveway as one-way inbound is because of an Oregon Department of Transportation (ODOT) "Conditional Approval of Grant of Access", file code 30-24 and "CHAMPS" No. 093457 dated January 23, 2024, of which the applicant submitted a copy to the City among the February 8, 2024 application materials. It states, "Traffic movements for the private approach at the subject location shall only allow right turns off Hillsboro-Silverton Highway."

In any case, there would be full physical access to and from the highway via the Oregon Way driveway and Oregon Way itself, which intersects the highway to the north of that driveway; however, because the subject property is two lots that the applicant proposes neither to adjust nor consolidate, and motorists would have to cross Tax Lot 3600 (2540 Newberg Hwy) to get from the fuel pump canopy on Tax Lot 3700 (2600 Newberg Hwy) onto Oregon Way as a means to get to the highway, the developer needs to grant what is termed any of cross access, ingress/egress, or shared access across the two lots revocable only with the written concurrence of the Community Development Director in order to conform with 3.04.01A.2.

▲ In order to secure conformance with 3.04.01A.2, staff applies a cross access condition to the two lots composing the subject property.

### **3.04.02 Drive-Throughs**

The strip commercial development includes none.

⊖ Not applicable.

### **3.04.03 Driveway Guidelines and Standards ...**

#### **B. Number of Driveways**

- 3. For nonresidential uses, the number of driveways should be minimized based on overall site design, including consideration of:**
  - a. The function classification of abutting streets;**
  - b. The on-site access pattern, including parking and circulation, joint access, turnarounds and building orientation;**
  - c. The access needs of the use in terms of volume, intensity and duration characteristics of trip generation.**
- 5. For all development and uses, the number of driveways shall be further limited through access management per subsections C & D below.**

#### **C. Joint Access**

- 1. Lots that access a Major Arterial, Minor Arterial, Service Collector, or Access Street should be accessed via a shared driveway or instead to an alley or shared rear lane.**



2. **A partition, subdivision, or PUD should be configured so that lots abutting a Major Arterial, Minor Arterial, Service Collector, or Access Street have access to a local street, alley, or shared rear lane. Access to lots with multiple street frontages should be from the street with the lowest functional class.**
3. **Every joint driveway or access between separate lots shall be per the same means as in Section 3.04.01A.2.**
4. **Standards: ...**

One of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT). The developer wants to narrow the highway driveway from 30 to 20 ft, which involves ODOT permitting and standards. That width is within WDO maximum for a one-way driveway (per Table 3.04A). The Oregon Way driveway width is 24 ft. Section 3.04.03 encourages and in part requires joint or shared driveways, and because of the analysis and findings for 3.04.01A related to street access, cross access causes the Oregon Way driveway to be required as a joint or shared one. Through the conditional use process staff applies conditions limiting driveway widths for both frontages.

▲ In order to secure conformance to conditional use criteria, staff applies a condition or conditions.

**D. Access management:**

2. **Commercial: Any development within a commercial zoning district that Section 2.03A lists shall grant shared access to adjacent lots and tracts partly or wholly within any of the same districts. An alley or shared rear lane may substitute for meeting this standard if the alley provides equivalent public access. Zoning Adjustment is permissible.**

<b>Access Requirements</b>		
<b>Table 3.04A</b>		
		<b>Commercial or Industrial Use</b>
<b>Paved Width of Driveway (feet)</b> <small>3, 4, 7, 8</small>	<b>1-way</b>	<b>10 minimum 20 maximum</b>
	<b>2-way</b>	<b>Commercial/Mixed-Use: 20 minimum 24 maximum* *(Add 12 ft maximum if a turn pocket is added)</b>
		<b>Industrial: 22 minimum 36 maximum* *(Add 8' if a turn pocket is added)</b>
<b>Throat Length (feet)</b> <sup>5</sup>	<b>Major Arterial, Minor Arterial, Service Collector</b>	<b>Commercial: 36 minimum; Industrial: 50 minimum</b>
	<b>Access or Local Street</b>	<b>18 minimum</b>

<b>Access Requirements</b> <b>Table 3.04A</b>	
1.	The separation should be maximized.
2.	Driveways on abutting lots need not be separated from each other, and may be combined into a single shared driveway.
3.	Driveways over 40 feet long and serving one dwelling unit may have a paved surface minimum 8 feet wide.
4.	Notwithstanding the widths listed in this table, the minimum clearance around a fire hydrant shall be provided (See Figure 3.04D).
5.	Throat length is measured from the closest off-street parking or loading space to the right-of-way. A throat applies only at entrances (See Figure 3.05B).
6.	Maximum of 4 individual lots can be served from single shared driveway (See Figure 3.04A) except where and as Section 3.04.03D.3 "Flag Lots" supersedes.
7.	It is permissible that the Oregon Fire Code (OFC) as administered by the independent Woodburn Fire District may cause driveway widths to exceed minimums and maximums. It is a developer's responsibility to comply with the OFC.
8.	Width measurement excludes throat side curbing, if any.
9.	Refer to OFC Appendix D, Figure D103.1.

The site plan shows proposed driveways that conform.

✓ The requirement is met.

### 3.04.05 Transportation Impact Analysis

**B. A transportation study known as a transportation impact analysis (TIA) is required for any of the following:**

1. **Comprehensive Plan Map Change or Zone Change or rezoning that is quasi-judicial, excepting upon annexation designation of zoning consistent with the Comprehensive Plan.**
2. **A development would increase vehicle trip generation by 50 peak hour trips or more or 500 average daily trips (ADT) or more.**
3. **A development would raise the volume-to-capacity (V/C) ratio of an intersection to 0.96 or more during the PM peak hour.**

4. **Operational or safety concerns documented by the City or an agency with jurisdiction, such as ODOT or the County, and submitted no earlier than a pre-application conference and no later than as written testimony entered into the record before the City makes a land use decision.**
5. **A development involves or affects streets and intersections documented by ODOT as having a high crash rate, having a high injury rate of persons walking or cycling, having any cyclist and pedestrian deaths, or that partly or wholly pass through school zones that ODOT recognizes.**
6. **Where ODOT has jurisdiction and ORS or OAR, including OAR 734-051, compels the agency to require.**

The applicant submitted a revised traffic impact analysis (TIA) dated June 23, 2023 on May 1, 2024 as well as a supplement dated and submitted July 23, 2024.

Page 36, "Findings and Recommendations" proposed no mitigation measures. Staff addresses the TIA further under the Conditional Use Provisions section of this document.

#### **3.04.03E. Interconnected Parking Facilities.**

1. **All uses on a lot shall have common or interconnected off-street parking and circulation facilities.**
2. **Similar or compatible uses on abutting lots shall have interconnected access and parking facilities.**

Because the proposal is a single, integrated site development for several primary uses – a gas station, composed of the fuel pump canopy and convenience store – plus NE attached commercial office and a (Phase 2) SW commercial office building, it would be like a commercial strip mall. The site plan shows continuous drive aisles and obvious shared parking across the two lots composing the subject property.

✓ The requirement is met.

#### **3.04.04 Improvement Standards**

The site plans illustrate pavement that conforms.

✓ The requirement is met.

### 3.05 Off-Street Parking and Loading

#### 3.05.02 General Provisions

Because the application materials fail to show that the development would conform fully to the requirements, staff applies a condition or conditions.

▲ In order to secure conformance with the above subsections of 3.05.02, staff applies a condition or conditions.

#### E. Setback

1. **In commercial and industrial zones, the parking, loading, and circulation areas shall be set back from a street a minimum of five feet.**
2. **Parking, loading, and circulation areas shall be set back from a property line a minimum of five feet, excepting any of (a) interior lot lines of lots in a development that have the same owner or that have outbuildings as part of a complex of buildings sited amid parking, such as in an office or industrial park or strip mall, (b) a shared access and use agreement between or among landowners per Section 3.04, and (c) shared access in the specific context of residential development of other than multiple-family dwellings.**

Subsection 2(a) is applicable and, because of conditioning for other WDO sections related to cross access and shared parking, 2(b) will be applicable.

✓ The requirement is met.

#### J. All uses required to provide 20 or more off-street parking spaces shall have directional markings or signs to control vehicle movement.

The phrase, “directional markings or signs to control vehicle movement” leaves room for interpretation about what kinds of markings or signs, number, size, placements, and symbols and text. A gas station involves a lot of queuing and conflicts among vehicles moving across the site. The site plan shows some detail, but in staff opinion not enough to direct gas station motorists to pump queues and distinguish queuing areas from drive aisles.

Also, because of how access management would work, motorists returning to I-5 would exit to Oregon Way to turn left/north to then turn left/west at OR 214.

With ODOT highway access management as describe earlier above for 3.04.01A, Planning Division staff intends that markings and signage direct motorists seeking I-5 to go to Oregon Way. Because of the room for interpretation, and that the applicant will later refine the site plan, it is during building permit review that administratively establishing details, specifications, and revisions to administer the WDO section would be timely and fruitful.

**3.05.03 Off-Street Parking**

**3.05.03 Off-Street Parking**

**A. Number of Required Off-Street Parking Spaces**

1. Off-street vehicle parking spaces shall be provided in amounts not less than those set forth in this Section (Table 3.05A).
2. Off-street vehicle parking spaces shall not exceed two times the amount required in this Section (Table 3.05A).

...

C. A maximum of 20 percent of the required vehicle parking spaces may be satisfied by compact vehicle parking spaces.

D. Off-street vehicle parking spaces and drive aisles shall not be smaller than specified in this Section (Table 3.05C).

**F. Garages ...**

2. For multi-family dwellings, one-half of the parking spaces required by this Section (Table 3.05A) shall be in a garage or garages, whether conventional or tandem, or, in a carport or carports.

**Table 3.05A**

<b>Off-Street Parking Ratio Standards</b> <b>Table 3.05A</b>	
<b>Use<sup>1</sup></b>	<b>Parking Ratio - spaces per activity unit or square feet of gross floor area</b>
<b>COMMERCIAL / PUBLIC</b>	
<b>6. Motor vehicle service</b>	<b>1/ 200 retail area + 3/ service bay + 1/ pump island</b>
<b>12. Offices (such as professional, scientific and technical services, finance and insurance, real estate, administrative and support services, social assistance, and public administration – but not including ambulatory health services)</b>	<b>1/ 350 square feet</b>
<b>1. The Director may authorize parking for any use not specifically listed in this table. The applicant shall submit an analysis that identifies the parking needs, and a description of how the proposed use is similar to other uses permitted in the zone. The Director may require additional information, as needed, to document the parking needs of the proposed use.</b>	

Minimum required off-street parking is:

<i>Land use</i>	<i>Ratio</i>	<i>Square Footage</i>	<i>Spaces</i>
Gas station	1 per 200 sq ft of retail area (4 per 1,000) + 1 per island	4,110	20.6
Commercial office	1 per 350 sq ft (2.86 per 1,000)	1,863 (NE)	5.3
		5,000 (SW)	14.3
All sitewide			40.2 → 40

Even without counting any space under the fuel pump canopy, the site plan proposes 50 spaces sitewide, exceeding the minimum requirement sitewide, but not so much it would exceed the maximum parking or parking cap per 3.05.03A.2 above. (Staff concurs with the applicant assumption that that the “1/ pump island” parking minimum has no practical effect on minimum parking, the area under any gas station fuel pump canopy being its own minimum parking.) There are 12 compact parking spaces. Because there are 10 excess parking spaces, a fraction of the compact parking could be considered part of minimum parking. Of 40, 20% is 8 compact spaces, and with 10 extra spaces sitewide, the site plan minimum parking of 40 can be interpreted to meet the compact parking maximum of 8.

However, while Tax Lot 3700 (2600 Newberg Hwy) would meet minimum parking for the fuel pumps and exceed that for the SW commercial office building, Tax Lot 3600 (2540 Newberg Hwy) would have 19 or 20 spaces, short of the minimum 26 parking stalls for the convenience store and attached NE commercial office space. This raises the issue of shared parking, which staff addresses further below under 3.05.05.

✓ The requirement is met.

**Table 3.05.05 Parking Space and Drive Aisle Dimensions**

The site plan appears to conform. The applicant opted for standard size stalls to be 19 ft long, 1 ft longer than the minimum length of 18 ft.

**Carpool/Vanpool Parking  
Table 3.05C**



Development or Use	Description	Stall Minimum Number or Percent
1. Non-residential development within commercial zoning districts	Zero to 19 total minimum required off-street parking spaces	n/a
	20 to 33 total	1 stall
	34 to 65 total	2 stalls
1. Standard applies even if the site is not zoned P/SP. 2. See Section 3.05.03H for carpool/vanpool (C/V) development standards.		

The site plan shows the minimum 2 C/V spaces at the east central front corner of the SW office building, as indicated by "CARPOOL". Because there is no additional information about specifications such as for signage and striping per 3.05.03H, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with Table 3.05.03H, staff applies a condition or conditions.

**3.05.05 Shared Parking ...**

**D. Shared parking may be allowed if the following standards are met:**

- 1. Future changes of use, such as expansion of a building or establishment of hours of operation which conflict with, or affect, a shared parking agreement, shall require review and authorization of a subsequent Design Review or Modification of Conditions.**
- 2. Legal documentation, to the satisfaction of the Director, shall be submitted verifying shared parking between the separate developments. Shared parking agreements may include provisions covering maintenance, liability, hours of use, and cross-access easements.**
- 3. The approved legal documentation shall be recorded by the applicant at the Marion County Recorder's Office and a copy of the recorded document shall be submitted to the Director, prior to issuance of a building or other land use permit.**

The subject property is two lots that the applicant proposes neither to adjust nor consolidate, with Tax Lot 3600 (2540 Newberg Hwy) having the convenience store and attached NE commercial office area and Tax Lot 3700 (2600 Newberg Hwy) having the fuel pump canopy and SW office building.




As mentioned earlier above regarding minimum parking, while Tax Lot 3700 (2600 Newberg Hwy) would meet minimum parking for the fuel pumps and exceed that for the SW commercial office building, Tax Lot 3600 (2540 Newberg Hwy) would have 19 or 20 spaces, short of the minimum 26 parking stalls for the convenience store and attached NE commercial office space.

For these reasons, shared parking is *de facto* proposed and a shared parking agreement becomes required.

The application materials lack a draft shared parking agreement. Staff applies a condition to secure conformance during building permit review.

▲ In order to secure conformance with 3.05.05D, staff applies a condition or conditions.

<b>Off-Street Bicycle Parking</b> <b>Table 3.05D</b>		
		
Development or Use	Description	Stall Minimum Number, Percent, or Ratio
<b>2. Non-residential development within commercial zoning districts</b>		<b>Whichever of the two rates is greater:</b> <b>(1) 2 stalls or 15% of total minimum required parking spaces, whichever is greater; or</b> <b>(2) 2 stalls or equal to 0.6/ 1,000 square feet GFA, whichever is greater.</b>
<b>3. The Director may authorize off-street bicycle parking for any use that the Development or Use column does not clearly include.</b>		
<b>4. See Section 3.05.06 for bicycle parking development standards.</b>		

Minimum bicycle parking is whichever of the two rates is greater:

- (1) 2 stalls or 15% of 25 parking spaces, whichever is greater; or
- (2) 2 stalls or equal to 0.6 x (4,394/1,000) square feet GFA of the convenience store, whichever is greater.

This is the same as:


- (1) 2 stalls or (40 x 0.15) → 6 stalls, whichever is greater; or
- (2) 2 stalls or equal to (0.6 x 6.863) = 4.1 stalls →, whichever is greater.

So, rate (2) is applicable, and of that, the second rate is applicable, yielding the minimum required bicycle parking of 6 stalls. The site plan shows 4 at the convenience store and 2 at the SW commercial office building.

Because the SW commercial office building of 5,000 sq ft per the site plan and elevations would have as many as 4-5 tenant spaces, staff believes more than 2 are necessary at that building and by conditional use requires a sitewide minimum of 8 with minimum 4 of these being at the SW office commercial building. For reasons why, see farther below under the Conditional Use Provisions section (Table CU-3, row CU2, third column).

The Table 3.05C minimum ratio is met, and conceptually the bicycle parking could conform with 3.05.06. Because there is no additional information about specifications, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with 3.05.06, staff applies a condition or conditions.

<b>Electric Vehicle Parking</b> <b>Table 3.05E</b>		
		
Development or Use	Description	Stall Minimum Number or Percent
<b>2. Non-residential development within commercial zoning districts</b>	<b>Zero to 19 total minimum required spaces</b>	<b>n/a</b>
	<b>20 to 39 total</b>	<b>2 stalls</b>
	<b>40 or more total</b>	<b>2 stalls or 5%, whichever is greater</b>
<b>2. The Director may authorize EV parking for any use that the Development or Use column does not clearly include.</b>		
<b>3. See Section 3.05.03I below for EV development standards.</b>		
<b>4. Administrative note: As of January 2022, electrical permitting remains through the County instead of the City by agreement between the City and County.</b>		

The site plan shows the minimum 2 EV spaces at the site northwest front of the SW commercial office building symbolized with “EV SPACE”, meeting Table 3.05E. (Regarding, “2 stalls or 5%, whichever is greater”, 5% of 40 minimum parking spaces equals 2.)

Because there is no additional information about specifications such as for charging level, signage, and striping per 3.05.03I, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with 3.05.03I, staff applies a condition or conditions.

### **3.05.04 Off-Street Loading & Unloading**

The proposal conforms.

✓ The requirement is met.

### **3.06 Landscaping**

#### **3.06.03 Landscaping Standards**

##### **A. Street Trees**

Staff addresses this further under both the Conditional Use Provisions and the Adjustment to Street Right of Way and Improvement Requirements (“Street Adjustment”) Provisions sections of this document.

■ *CU & SA:* Staff further addresses street trees further under both the Conditional Use Provisions section (under criterion 3, factor b) and the Adjustment to Street Right of Way and Improvement Requirements (“Street Adjustment”) Provisions section.

#### **3.06.05 Screening**

##### **A. Screening between zones and uses shall comply with Table 3.06D.**

The row “Property being Developed – must provide screening if no comparable screening exists on abutting protected property” and “CG or MUV zone” that intersects with the columns “Adjacent properties – zone or use that receives the benefit of screening” and both “RS, R1S, or RSN zone” and “Multiple-family dwelling” necessitates an “Architectural Wall” (AW) along the lot lines abutting the lots with the two houses at 943 & 953 Oregon Way and the Panor 360 condominiums at 950 Evergreen Road.

▲ In order to secure conformance with Table 3.06D, staff applies a condition or conditions.

**B. All parking areas, except those for single-family and duplex dwellings, abutting a street shall provide a 42-inch vertical visual screen from the abutting street grade. Acceptable design techniques to provide the screening include plant materials, berms, architectural walls, and depressed grade for the parking area. All screening shall comply with the clear vision standards of this ordinance (Section 3.03.06).**

Because the landscape plan symbolizes some shrubbery or hedges that don't quite fully line parking and vehicular circulation areas so as to screen them, staff applies a condition or conditions.

▲ In order to secure conformance with the screening requirement, staff applies a condition or conditions.

### **3.06.06 Architectural Walls**

Because the application materials fail to show that the development would conform to the requirement, staff applies a condition or conditions.

▲ In order to secure conformance with AW standards, staff applies a condition or conditions.

### **3.06.07 Significant Tree Preservation & Removal**

See the Conditional Use Provisions section under criterion 3, factor c5) "aesthetics", for analysis.

Through conditional use process, staff applies a fee to mitigate the loss of Significant Trees and to increase the City tree fund. For the explanation why, see the paragraph farther below under the Conditional Use Provisions section (under criterion 3, factor c5).

▲ In order to secure Significant Tree removal mitigation, staff applies a condition or conditions.

## **3.07 Architectural Design**

### **3.07.06 Standards for Non-Residential Structures in Residential, Commercial and Public/Semi Public Zones**

Per 3.07.01A, the architectural provisions are standards for land use review Type I and guidelines for higher types. The application types composing the consolidated package result in Type III.

The site plans and building elevations show largely what the guidelines describe; however, without conditions applied through the conditional use process, guidelines would remain just that – optional for the developer and subject to “value engineering”.

▲ In order to secure adequate architecture in the context of strip commercial development, staff applies a condition or conditions.

### **3.08 Partitions and Subdivisions**

None proposed.

– Not applicable.

### **3.10 Signs**

Land use application types generally are not the means for the City to review or approve signage. Signage, including wall and monument signs, remain subject to review and approval through a Type I sign permit through 5.01.10 “Sign Permit”.

– Not applicable.

### **3.11 Lighting**

The site plans through Sheet E1.1 “Lighting Plan” appears to conform with 3.11.02. Regarding color temperature / hue in particular per 3.11.02C, the application materials submitted May 1, 2024 included cut or spec sheets indicating that parking area pole lights would be the model of 4,000° Kelvin (K) color temperature, a conforming value. However, the color temperature is not specified for either the wall-mounted fixture model or the fuel pump canopy ceiling light fixture model nor, it is necessary to specify model purchase and installation of the 4,000° K and not the 5,000° K models. This may be through marked cut or spec sheets, plan sheet revisions, or both. Staff conditions accordingly.

▲ In order to secure conformance with 3.11.02C & F, staff applies a condition or conditions.

## Conditional Use Provisions

### CU Provisions

#### 5.03.01 Conditional Use

**A. Purpose:** A conditional use is an activity which is permitted in a zone but which, because of some characteristics, is not entirely compatible with other uses allowed in the zone, and cannot be permitted outright. A public hearing is held by the Planning Commission and conditions may be imposed to offset impacts and make the use as compatible as practical with surrounding uses. Conditions can also be imposed to make the use conform to the requirements of this Ordinance and with other applicable criteria and standards. Conditions that decrease the minimum standards of a development standard require variance approval.

**B. Criteria:**

1. The proposed use shall be permitted as a conditional use within the zoning district.
2. The proposed use shall comply with the development standards of the zoning district.
3. The proposed use shall be compatible with the surrounding properties.

Relevant factors to be considered in determining whether the proposed use is compatible include:

- a. The suitability of the size, shape, location and topography of the site for the proposed use;
- b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;
- c. The impact of the proposed use on the quality of the living environment:
  - 1) Noise;
  - 2) Illumination;
  - 3) Hours of operation;
  - 4) Air quality;
  - 5) Aesthetics; and
  - 6) Vehicular traffic.
- d. The conformance of the proposed use with applicable Comprehensive Plan policies; and
- e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.

#### *Scope of review*

The applicant duly consolidated the development applications per WDO 4.01.07 – master/parent case file number is Conditional Use CU 24-02, and the children/corollary case file numbers are Design Review 24-02, Phasing Plan PP 24-01, & Adjustment to Street Improvement Requirements ("Street Adjustment") SA 24-01. Under consolidated review, City policy is not to segment development review into discrete parts in a manner that could preclude comprehensive review of the entire development and "its cumulative impacts" (4.01.07). The proposed development includes a mix of uses, with the gas station being a conditional use

pursuant to the WDO and the convenience store being a permitted use. However, the mixed uses on the property are arguably tied together under a singular business model, each reliant on the other components and benefitting from their assembled presence on a singular site. It is reasonable to assume that individuals using the fueling islands will also use the convenience store, whether for paying for fuel, purchasing food and beverages, using the restroom, etc. The City is not required to identify a subarea of the property as the “gas station site” and consider impacts framed by a smaller area. The uses have a grouped impact that generally cannot be separated. In particular and as evident from the transportation impact analysis (TIA), the site development traffic effects result from the whole and all of the site uses. For that reason, it is reasonable for the City in evaluating the effects of the proposed gas station, convenience store, and office areas, to also assume and condition the reasonable convenience store impacts along with the other uses. Also, the City reviewed and considered the effects of the mixed uses on the development site on the surrounding properties to the full extent of the property lines as part of its evaluation.

#### *Criteria and factors*

Looking at each criterion and factor:

*1 “The proposed use shall be permitted as a conditional use within the zoning district.”*

The use of gas station is permitted as a conditional use as examined under the Design Review Provisions section of this document.

✓ The criterion is met.

*2 “The proposed use shall comply with the development standards of the zoning district.”*

It complies with some but not others as examined under other sections in this document, particularly the Design Review Provisions section.

▲ In order to secure full compliance, staff applies a condition or conditions.

*3 “The proposed use shall be compatible with the surrounding properties.*

Recommended conditions of approval make the proposed conditional use compatible with the surrounding properties.

*Relevant factors to be considered in determining whether the proposed use is compatible include:*

*a. The suitability of the size, shape, location and topography of the site for the proposed use;”*

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The site is composed of two lots totaling 1.42 acres, zoned Commercial General (CG), L-shaped, located at a street corner, and flat. Nothing about these are compelling factors against a gas station.

*“b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;”*

Regarding the capacity of public water, sewerage, and drainage facilities, the Public Works Department Engineering Division handles this through its own conditions and processes. Public Works comments (Attachment 102A, August 13, 2024) identify no objections to development. The proposed use for any given facility is either sufficient or will be after the developer upgrades per the Public Works Department Engineering Division, except where and as Oregon Dept. of Transportation (ODOT) is applicable. Typically, ODOT accommodates developers drawing and constructing street improvements to City standards even along Oregon Highways 99E, 211, 214, & 219.

Regarding street and pedestrian facilities, the Planning Division is taking the lead. The developer applied for an Adjustment to Street Improvement Requirements ("Street Adjustment"), SA 24-01, for both the highway and Oregon Way. Both frontages are nonconforming relative to Figures 3.01B "Major Arterial" and 3.01E "Access Street". They lack both landscape strips with street trees per 3.06.03A and sidewalk that is not curb-tight. Development requires ROW dedication per 3.01.01A & Fig. 3.01B and street improvements per WDO 3.01.01B & D, 3.01.02A & E, 3.01.03A & C.1, Fig. 3.01A, 3.01.04B, and Fig. 3.01B.

Allowing the existing context to remain with strip commercial development would make the walking and cycling environment along highly-trafficked streets (for those cyclists who feel and are safer riding on sidewalk) no less hostile. Additionally, an SA is a discretionary application type. Second, staff applies conditions that secure improvements though less than WDO standards, and that are reasonably proportional to the development. For reasons why, see Table CU-3 below, row CU4, third column.

*“c. The impact of the proposed use on the quality of the` living environment:*

*1) Noise;”*

See Table CU-3, row CU8, third column below.

*“2) Illumination;”*

See Table CU-3, row CU7, third column below.

*“3) Hours of operation;”*

See Table CU-3, row CU8, third column below.



*“4) Air quality;”*

Staff addresses climate change simply to say, it’s a gas station with all the greenhouse gas and volatile organic compound (VOC) emissions that it would enable.

Putting aside climate change, what else is “air quality?” A gas station comes with fumes, particularly easy to get a whiff of near the pumps. However, once a gas station is in place, a city government can do little to change that fact. If this factor is important to someone, the question would be a simple yes or no to a gas station.

Otherwise regarding air quality, staff applies conditions for additional trees in the east and north yards and a wider sidewalk along Oregon Way as a public bicycle pedestrian path, serving as transportation demand management (TDM) by inducing adjacent and nearby residents to drive less often, especially to and from the proposed development and nearby destinations in the commercial area around the intersections of the highway with Country Club Road and Evergreen Roads and with Lawson Avenue, and with fewer driving trips comes better air quality. Also, regarding on-site trees, see factor 5) below.

*5) Aesthetics; and*

Staff interprets this to include:

- a. The look and feel of street frontage for passers-by walking, cycling, and driving;
- b. The look and feel of yard landscaping along streets for passers-by walking, cycling, and driving as well as on-site employees and customers;
- c. Urban design: how close buildings are to sidewalk, how many and how large are windows, are their entrances visible from sidewalk and whether the public can see main entrances to buildings from sidewalk, and whether placements of entrances orient to those who walk or cycle no worse than to those who drive and park;
- d. How safely and comfortably pedestrians and cyclist can access and circulation among on-site buildings through walkways and visibly distinct crossings of drive aisles, including decorative pavement that would connect the Oregon Way sidewalk with the NE commercial office area main entrance;
- e. Having enough on-site trash receptacles near sidewalk to lessen the likelihood of litter of yards along streets and street frontage by convenience store customers on foot;
- f. Avoiding excessive exterior lighting;
- g. Having adequate architecture in the context of strip commercial development;
- h. Having the Architectural Wall look adequate;
- i. Getting highway electric power poles and overhead electric power lines buried or fees in-lieu paid to fund such elsewhere in town;
- j. Having a few evergreen trees among newly planted trees; and
- k. Increase street trees and on-site trees in yards along streets, and provide for fee in-lieu to fund tree plantings elsewhere in town;

- l. Administering Street Adjustment SA 24-01 to have the developer improve Oregon Way to be the best of the two frontages for pedestrians and cyclists to give the City some public benefit for leaving the highway frontage as is or largely as is; and
- m. Mitigation of the unpleasant aspects of neighboring and patronizing a gas station and convenience store.

Significant Tree removal: Also, regarding on-site trees, for a condition and Attachment 203 (fee table) regarding contribution to the City tree fund, having a fee is based on conditional use compatibility with surrounding properties (criterion 3) and impact of the proposed use on the quality of the living environment (factor 3c) including air quality and aesthetics (factors 3c4 & 3c5). The reason is that a demolition contractor, while demolishing the two vacant banks, removed from the subject property at least two but likely three Significant Trees (as 1.02 defines) in May 2021 without City authorization, particularly a Significant Tree Removal Permit per 5.01.11. Staff had seen and photographed on-site trees during at least two site visits, one each on November 9, 2018 and April 26, 2019. The removal prompted neighbor complaints to the City Council at the May 24, 2021 meeting, and there was code enforcement. The Council on August 9, 2021 adopted Ordinance No. 2592 “establishing an enhanced penalty” for violations of WDO tree preservation and removal provisions.

Through conditional use process, staff applies a fee to mitigate the loss and to increase the City tree fund.

Staff applies conditions towards these objectives.

#### *6) Vehicular traffic.*

The proposal is strip commercial development of a gas station with convenience store and two commercial office spaces, one at the northeast attached to the south side of the convenience store, and at the southwest an office building.

The applicant recycled the traffic impact analysis (TIA) dated August 13, 2021 from CU 21-02 as a CU 24-02 submittal February 8, 2024. The applicant revised the TIA June 23, 2023 and submitted it May 1, 2024. The applicant submitted a five-page supplement dated and submitted July 23, 2024 clarifying how the applicant’s consultant applied the Institute of Transportation Engineers (ITE) *Trip General Manual* rates of vehicle trips that would pass by the site, i.e., “pass-by” trip rates. Staff had the transportation consultant to the City review the revised TIA and draft a memo (February 26, 2024).

TIA page 36, “Findings and Recommendations” proposed no mitigation measures.

Page 14 of the revised TIA identifies high vehicle turning and angle crash rate at most intersections in Table 4, reproduced below, and p. 12 of the revised TIA references crash history. The crash history states:

“The table also provides a crash rate per million entering vehicles, which is often used to assess whether a geometric or traffic control deficiency is present when the crash rate is greater than 1.0 per million entering vehicles.”

**Table 4. Intersection Crash Summary (January 2015 to December 2019)**  
*(Note that 2020 crash data is available but is impacted by COVID trends)*

Intersection	# of Crashes	Severity			Crash Rate per MEV	ODOT 90 <sup>th</sup> % Rate
		Fatal	Injury	Non-Injury		
1: I-5 SB Ramps/ Newberg Hwy	48	0	35	13	0.93	3SG: 0.509 Urban
2: I-5 NB Ramps/ Newberg Hwy	48	0	27	21	0.90	3SG: 0.509 Urban
3: Evergreen Rd/ Newberg Hwy	67	0	39	28	1.36	4SG: 0.860 Urban
4: RI Access/ Newberg Hwy	1	0	0	1	0.05	Right-In/ Right-Out
5: Oregon Way/ Newberg Hwy	43	0	30	13	1.08	4SG: 0.860 Urban
6: Oregon Way/ Access	0	0	0	0	0.00	3ST: 0.293 Urban

3SG: Three-legged signalized, 4SG: Four-legged signalized, 3ST: Three-legged stop-controlled

From p. 14

**Table 9. Trip Generation Estimates (ITE 11<sup>th</sup> Edition)**

Land Use	ITE Code	Metric	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
<b>Existing Uses</b>									
Drive-in Bank	912	5,714 SF	573	57	33	24	120	60	60
Pass-by Trips			-201	-17	-10	-7	-42	-21	-21
<b>Net New Trips</b>			<b>372</b>	<b>40</b>	<b>23</b>	<b>17</b>	<b>78</b>	<b>39</b>	<b>39</b>
<b>Proposed Uses</b>									
Small Office Building	712	6,863 SF	99	11	9	2	15	5	10
Convenience Store/ Gas Station	945	4,110 SF 12 pos.	3,086	324	162	162	273	137	136
Pass-by Trips			-2,315	-246	-123	-123	-205	-103	-102
<b>Total Proposed Uses</b>			<b>3,185</b>	<b>335</b>	<b>171</b>	<b>164</b>	<b>288</b>	<b>142</b>	<b>146</b>
<b>Total Pass-by Trips</b>			<b>-2,315</b>	<b>-246</b>	<b>-123</b>	<b>-123</b>	<b>-205</b>	<b>-103</b>	<b>-102</b>
<b>Net New Trips</b>			<b>870</b>	<b>89</b>	<b>48</b>	<b>41</b>	<b>83</b>	<b>39</b>	<b>44</b>
<b>Total New Trips (Proposed Trips – Approved Bank Trips)</b>									
Total Trip Difference			+2,612	+278	+138	+140	+168	+82	+86
Pass-by Trip Difference			-2,114	-229	-113	-116	-163	-82	-81
<b>Net New Trip Difference</b>			<b>+498</b>	<b>+49</b>	<b>+25</b>	<b>+24</b>	<b>+5</b>	<b>+0</b>	<b>+5</b>

From p. 26

Modeling predicts that the proposed development would generate net 870 daily vehicle trips, more than the two banks, now demolished, did – a net 498 more per revised TIA Table 9 on p. 26, of which AM peak trips are total 89 or net 49 and PM peak trips are total 83 or net 5.

This would include greater numbers of left turns (from Oregon Way), suggesting that crash risk remains or rises. The p. 36, “Findings and Recommendations” section, third bullet, acknowledges, “The safety analysis identified high crash rates at the I-5 ramp intersections, Evergreen Road, and Oregon Way on OR 214.” The fourth bullet states:

“The Evergreen Road/OR 214 and Oregon Way/OR 214 intersections were included on the ODOT SPIS[\*] lists in 2019, 2020, and 2021 at a 95th percentile. The signal phasing was recently changed at these signals from protected-permissive to protected only left-turn phasing, which is not reflected in the crash data. As most crashes at these intersections were turning collisions on the highway, this is expected to reduce the number of crashes reported at these intersections and further monitoring is recommended.”

\*Safety Priority Index System.

However, it’s not known if crash risks are actually lower, and with Table 4 indicating that this intersection of those studied has the highest crash rate and that the intersection of the highway and Country Club Road / Oregon Way has the second highest, staff finds the revised TIA unconvincing about crash safety and errs on the side of caution.

#### *Country Club Road / Oregon Way*

For this second-highest crash rate intersection, staff applies Condition T-A1 as a mitigation measure to fund the Transportation System Plan (TSP) Project R11, a signal timing study from TSP p. 32, and to supplement with addition funding both to examine improving safety and to account for inflation after the City Council adopted the TSP in September 2019, using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) to adjust \$15,000 from then to July 2024, the latest month the calculator made available as of August 14, 2024. Staff applies Condition T-A1a.

#### *I-5 Interchange*

The City conditioned the approval of the DR 21-07 Amazon warehouse, formerly known as “Project Basie”, at 450 Butteville Road through Condition 10 to provide a proportionate share contribution of \$10,000 towards TSP Projects R8 & R9, signal/intersection studies estimated at \$15,000 each and totaling \$30,000, to address the elevated crash rate along the highway at the I-5 northbound on and off-ramps, the third-highest crash rate per TIA Table 4 above.

Page 22, Table 7 of the revised TIA lists developments including Amazon and cites its trip generation as 457 trips during the AM Peak hours and 176 during the PM peak hour; however the DR 21-7 revised TIA dated July 6, 2021 totals 599 AM peak hour trips per p. 33 Fig. 13 and 224 PM peak hour trips per p. 35 Fig. 14.

The subject CU 24-02 US Market as examined earlier above would generate 89 AM peak trips compared with 83 PM peak hour trips. Both Amazon and the gas station have higher trips during the AM peak than the PM one. The gas station 89 trips equals 14.9% of the 599 of Amazon. Because of Amazon having given \$10,000, 14.9% of that would be \$1,490 towards the total remaining \$20,000 needed for the estimated total cost of \$30,000 of both TSP Projects R8 & R9. Staff adjusts from September 2021, the date of the DR 21-07 Planning Commission staff report, to July 2024, the latest month the aforementioned calculator made available, and this yields \$1,709 rounded. Staff applies Condition T-A1b.

#### *Evergreen Road*

The City for DR 2019-05 Allison Way Apartments at 398 Stacy Allison Way through Condition T-A3 required a proportionate share contribution of \$15,000 toward a signal/intersection study related to TSP Project R10 to alleviate the crash condition for the 67 additional PM peak hour trips added to the intersection. (The Public Works Department has not reported that there has been study. For the gas station first attempt, CU 21-02, the dollar amount of this share would have been \$15,000.)

CU 24-02 US Market would add 61 trips to that intersection, almost that of the apartments, and as Table 4 above shows, the intersection has a high crash rate. The proportionate share calculation is 61 gas station trips compared to 67 apartment trips,  $61 / 67 = 91.0\%$ , which when applied to \$15,000 yields \$13,657. Because the base amount dates from May 2020, the date of the DR 2019-05 Planning Commission staff report, staff adjusts the \$13,657 for inflation to be in July 2024 dollars, the latest month the aforementioned calculator made available. This yields \$16,755 rounded. Staff applies Condition T-A1c.

#### *Bus transit*

To further transportation demand management (TDM) through bus transit, regarding the Woodburn Transportation System (WTS) Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because ROW and streetside PUE are too narrow relative to the street to accommodate installation staff applies a condition for fees in lieu of a bus shelter and bus stop bicycle parking. The cost is based on the City Transit Development Plan (TDP; Resolution No. 2213 on June 12, 2023). (The TDP follows the Transit Plan Update, also known as the Transit Update Plan, adopted via Resolution No. 1980 on November 8, 2010.) TDP Fig. 68 from p. 94, footnote 6, estimated \$15,000 for a bus stop improved with a shelter.

Staff adjusts from June 2023 to July 2024, the latest month the aforementioned calculator made available. Staff had determined the cost of bus stop bicycle parking was \$510.20 through ANX 2019-01 Woodburn Eastside Apartments (known Woodburn Place Apartments), and staff adjusts from October 2020 to July 2024. Staff applies Condition T-T.

*“d. The conformance of the proposed use with applicable Comprehensive Plan policies; and”*  
 Staff applies conditions in support of [Comprehensive Plan](#) Policies:

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
Residential Land Development and Housing:		
D-1.9	15	<p>“Industrial and commercial uses that locate adjacent to a residential area should buffer their use by screening, design, and sufficient setback that their location will not adversely affect the residential area.”</p> <p>The site is abouts two houses in Woodburn Senior Estates to the southeast and a three-story condominium building, Panor 360, to the southwest. East across Oregon Way are three more houses in the Estates.</p> <p>Conditions address the policy and thereby address CU criterion 3, factor d. The conditions also address factors among c1)-5) &amp; e, the ones addressing:</p> <ul style="list-style-type: none"> <li>• Front yard landscaping that has more trees and shrubs</li> <li>• Architectural Wall (AW) along the southeast and southwest property lines abutting the properties with the two houses and the condominium building</li> <li>• Lights on number and placements of exterior light fixtures</li> <li>• Gas station operations – including regarding noise; hours of operation of the convenience store and vacuums; trash; and fuel pump vehicle queuing</li> <li>• Lighting regarding electronic changing imagery within front yard signage.</li> </ul>
Commercial Land Development and Employment:		
F-1.2	24	<p>“Lands for high traffic generating uses (shopping centers, malls, restaurants, etc.) should be located on well improved arterials. The uses should provide the necessary traffic control devices needed to ameliorate their impact on the arterial streets.”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>A gas station is a high traffic generating use, and its proposed site is at the corner of a state highway and a street, the developer being conditioned to upgrade the street frontage. A T transportation condition secures transportation mitigation fees as examined under CU factor 6) about vehicular traffic and as different means of meeting the intent of the Comprehensive Plan policy than changing the traffic signal at the highway intersection with Oregon Way.</p>
F-1.3	24	<p>“Strip zoning should be discouraged as a most unproductive form of commercial land development. Strip zoning is characterized by the use of small parcels of less than one acre, with lot depths of less than 150 feet and parcels containing multiple driveway access points. Whenever possible, the City should encourage or require commercial developments which are designed to allow pedestrians to shop without relying on the private automobile to go from shop to shop. Therefore, acreage site lots should be encouraged to develop "mall type" developments that allow a one stop and shop opportunity. Commercial developments or commercial development patterns that require the use of the private automobile shall be discouraged.”</p> <p>The two lots total 1.42 acres with highway and Oregon Way frontages of 265 and 178 ft respectively.</p> <p>Conditions implement access management to not increase the number of driveways within the development and across successive developments along the major thoroughfares that are the spines of the CG zoning district.</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses.</p>
F-1.4	24	<p>“Architectural design of commercial areas should be attractive with a spacious feeling and enough landscaping to reduce the visual impact of large expanses of asphalt parking areas. Nodal and mixed use village commercial areas should be neighborhood and pedestrian oriented, with parking to the rear or side of commercial buildings, and with pedestrian connections to neighboring residential areas.”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>Conditions make a dent in large expanses of asphalt parking areas through more trees in yards along streets and hedge or shrubbery screening parking areas from streets. Conditions require minimum window area on street-facing walls for attractiveness, and wide walkways connecting sidewalks with all building main entrances on the site. An objective is to make a gas station development less ugly than it might otherwise be.</p>
F-1.6	25	<p>“Commercial office and other low traffic generating commercial retail uses can be located on collectors or in close proximity to residential areas if care in architecture and site planning is exercised. The City should ensure by proper regulations that any commercial uses located close to residential areas have the proper architectural and landscaping buffer zones.”</p> <p>The WDO and conditions secure care in architecture and site planning for the commercial development close to residential area to the southeast and southwest through a combination of wall, slatted fencing, vegetation, and height limits on light poles and wall-mounted lights.</p>
Transportation:		
H-1.1	33	<p>“Develop an expanded intracity bus transit system that provides added service and route coverage to improve the mobility and accessibility of the transportation disadvantaged and to attract traditional auto users to use the system.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p> <p>Conditions also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p>



<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
H-1.3	34	<p>“Develop a low stress network of bicycle lanes and routes that link major activity centers such as residential neighborhoods, schools, parks, commercial areas and employment centers. Identify off-street facilities in City greenway and park areas. Ensure all new or improved collector and arterial streets are constructed with bicycle lanes.”</p> <p>Conditions induce cycling by requiring rain canopies at building entrances, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, and wide sidewalk along Oregon Way, the less trafficked and noisy street. The wide sidewalk is minimum 8 ft, enough to serve as a bicycle/pedestrian path (or “multi-use path”) for most cyclists who feel safer riding outside a roadway when possible.</p>
H-1.4	34	<p>“Develop a comprehensive network of sidewalks and off-street pathways. Identify key connections to improve pedestrian mobility within neighborhoods and link residential areas to schools, parks, places of employment and commercial areas. Ensure all new collector and arterial streets are constructed with sidewalks.”</p> <p>Conditions induce walking and cycling by requiring rain canopies at building entrances, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The wide sidewalk is minimum 8 ft, enough to serve as a bicycle/pedestrian path (or “multi-use path”) for most cyclists who feel safer riding outside a roadway when possible.</p>
H-2.3	34	<p>“Encourage multi-modal transportation options, including park-and-ride facilities, carpooling, and use of transit services.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
H-2.5	34	<p>“Provide inter-parcel circulation through crossover easements, frontage or backage roads, or shared parking lots where feasible.”</p> <p>DR conditions secure access management based on WDO 3.04.03 and Table 3.04A.</p>
H-3.1	35	<p>“Continue coordination with ODOT to improve safety on state facilities within the City and citywide access management strategies.”</p> <p>CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p>
H-3.2	35	<p>“Implement strategies to address pedestrian and bicycle safety issues, specifically for travel to and from local schools, commercial areas, and major activity centers.”</p> <p>Conditions induce walking and cycling by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses.</p> <p>CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
H-4.1	35	<p>“Evaluate the feasibility of various funding mechanisms, including new and innovative sources.”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.
H-5.1	35	<p>“Implement, where appropriate, a range of potential Transportation Demand Management (TDM) strategies that can be used to improve the efficiency of the transportation system by shifting single-occupant vehicle trips to other models [<i>sic</i>] and reducing automobile reliance at times of peak traffic volumes.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p> <p>They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
Natural ... Resources:		
J-1.1	40	<p>“... Outside of designated floodplains and riparian corridors, developers should be required to leave standing trees in developments where feasible.”</p> <p>See the Conditional Use Provisions section under criterion 3, factor c5) “aesthetics”, for analysis relating to Significant Tree removal mitigation. A condition secures contribution to the City tree fund.</p>
Energy Conservation:		
M-1.2	49	<p>“The City shall increase its commitment to energy conservation, including alternative energy vehicles, increased recycling, and reduction in out-of-direction travel. ... .”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>CU conditions induce walking and cycling by requiring a wide landscape strip and wide sidewalk and trees in the yards abutting the highway and the street. A wider, shadier sidewalk along Oregon Way induces more walking and cycling trips and by reducing vehicle trips lowers risk of collisions.</p> <p>Conditions limit number of exterior light fixtures.</p>

*“e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.”*

The City Engineer through Attachment 102A did not identify any deficiencies of or threats to public infrastructure in regards to factor b. of the third CU criterion – subsection B.3b – and the proposal sketches street improvements, construction level details to be determined in conformance with the conditions of approval and in concert with the Oregon Dept. of Transportation (ODOT).

Staff applies conditions regarding chiefly a few main topics to ensure compatibility of the development:

- a. WDO conformance;
- b. Mitigation of the unpleasant aspects of neighboring and patronizing a gas station and convenience store, through CU conditions;
- c. Traffic mitigation through a transportation condition – a “T” condition; and
- d. Aesthetics as examined above for 3c5), both (1) on-site and (2) through Street Adjustment SA 24-01 regarding Oregon Way frontage, especially landscape strip and sidewalk.

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
CU1	3c, 3c5), 3e	<ul style="list-style-type: none"> <li>• To have the Oregon Way front yard, the yard closest to nearby houses, look more attractive from the street.</li> <li>• To delineate the route from Oregon Way to the northeast commercial office main entrance.</li> <li>• To have the northeast commercial office area south side lawn feel more park-like for tenants and customers.</li> </ul>

Table CU-3		
CU Condition	CU Criteria/Factors	Reasons
CU2	3b, 3c, 3c4), 3c6)	<ul style="list-style-type: none"> <li>• Because the SW commercial office building of 5,000 sq ft per the site plan and elevations would have as many as 4-5 tenant spaces, staff believes more than 2 are necessary at that building and by conditional use requires a sitewide minimum of 8 with minimum 4 of these being at the SW office commercial building.</li> <li>• One stall per tenant space seems more reasonable</li> <li>• If bicycle parking is adequate, tenants and customers are more likely to make use of it, contributing to traffic reduction and better air quality.</li> </ul>
CU3	3c, 3c5)	<ul style="list-style-type: none"> <li>• To ensure that landscape areas are just that and mostly green, not mostly bark dust.</li> <li>• To reduce the urban heat island effect.</li> <li>• To screen at-grade electrical transformers and other equipment.</li> <li>• To provide for variety of trees, specifically to have a few evergreens that can grow large for habitat and for visual wayfinding.</li> </ul>
CU4	3a, 3c, 3c5), 3e	<ul style="list-style-type: none"> <li>• The proposal is whole redevelopment of a demolished site.</li> <li>• There is room within the proposed site plan to omit the northernmost parking space for deeper highway front yard landscaping.</li> <li>• Regarding the highway frontage, invite the Oregon Dept. of Transportation (ODOT) and the City Public Works Dept. Engineering Division, one or both of which would have <i>de facto</i> jurisdiction over the streetside public utility easement (PUE) of 10-foot width per WDO Fig. 3.01B “Major Arterial”, to agree to the planting of trees within the streetside PUE, allowing the applicant to keep the depth of proposed south site perimeter landscaping as is.</li> <li>• Have trees in the Oregon Way front yard complementing the street trees, making the frontage more pedestrian-friendly.</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• To have the northeast commercial office area south side lawn feel more park-like for tenants and customers by providing along the lawn a tiny plaza in which a bench that is both proposed and required bench can be sited.</li> <li>• To provide ample, paved, and covered outdoor common area for the southwest commercial office building tenants in the rear south yard large enough to fit a table and chairs away from door swing.</li> </ul>
CU5	3c, 3c5)	<ul style="list-style-type: none"> <li>• To establish clear standards for the required Architectural Wall (AW).</li> <li>• To require that the AW be 9 ft, the maximum height per WDO 2.06.02 and what the Planning Commission ordered for CU 21-02, to provide a better buffer/screen from Panor 360, the three-story condominium building at 950 Evergreen Road.</li> <li>• Staff allows a portion of an AW to consist of cedar wood to allow the developer to shave some construction cost. This is in keeping with precedent established for the AW at 1750 Park Avenue and recently the Commission approval of CU 24-01 for the US Market gas station at 2115 Molalla Road. The use of cedar wood is not precluded by WDO 3.06.06B.</li> <li>• An AW is practical and makes the development compatible with the adjacent two houses and the Panor 360 condominium building, thereby meeting a part of the CU purpose statement in 5.03.01A.</li> </ul>
CU6	3c, 3c5)	<ul style="list-style-type: none"> <li>• To prevent “value engineering” or similar: the developer omitting improvements that neither the WDO requires nor are conditioned, but the City expected per the land use review site plan, including minimum percentage % window areas on building elevations and a single small window in the angled northeast elevation of the convenience store, as well as some masonry cladding at the base along much of the front and the sides of the convenience store, and sheltering from the elements at building main entrance and employee side doors.</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• To require some WDO 3.07.06B architectural provisions that are “should’s” for Type III land use reviews into “shall’s”.</li> <li>• Regarding the fuel pump canopy, acknowledging that federal highway clearances range from 14-16 feet, with the lower end more common along state highways, a canopy with 16 ft of clearance is practical and safe even for box trucks and recreation vehicles (RVs).</li> </ul>
CU7	3a, 3c, 3c2), 3c5), 3e	<ul style="list-style-type: none"> <li>• Same as the WDO 3.11.01A purpose statement.</li> <li>• At gas stations generally, fuel pumps come with fixed canopies with high ceilings and many ceiling lights, sometimes with neon-like exterior trim.</li> <li>• The development would be next to two houses and a three-story condominium building.</li> <li>• Whatever one’s feelings and perceptions of safety from crime, gas stations and convenience store fronts are brightly lit. Lighting by itself doesn’t prevent assault or theft.</li> <li>• To avoid lighting annoyances to neighbors as well as to passers-by on the sidewalks.</li> </ul>
CU8	3c, 3c1), 3c5), 3e	<ul style="list-style-type: none"> <li>• To preclude audible advertising from pump speakers – in other words, those loud obnoxious video ads that play while refueling at some gas stations – reaching apartment patios and balconies and through windows.</li> <li>• To prevent obnoxious intrusion of advertising, especially sudden and loud – into every aspect and moment of life.</li> <li>• To allow reasonable hours for use of vacuums and reasonable placement of tire pumps and vacuums away from residences. No particular Planning Division permit is required for such equipment, so a condition of approval is the only regulatory way to address their noise outside of the Ordinance No. 2312 (April 8, 2002). (Staff goes easy on any tire pump that might appear because motorists expect a gas station any time of day or night to have a pump available and working when their car tires suddenly need air.)</li> </ul>

CU Condition	CU Criteria/Factors	Reasons
		<ul style="list-style-type: none"> <li>• Because convenience stores can at times, especially at night, attract customers or would-be customers who are homeless, as well as wayward juveniles, and because the noise associated with interacting with such persons can reasonably be expected to cause nuisance to residential neighbors, it is reasonable to require closure of the convenience store for much of the night for hours similar to that of other convenience stores not open 24/7, for example, the US Market at 1030 Broadway NE, Salem, OR and the recently approved CU 24-01 US Market at 2115 Molalla Road conditioned with the same hours as CU 24-02, it being surrounded by residential development. The Woodburn gas stations that have stores open 24/, though clustered at the west side of town at I-5, are surrounded by commercial properties. The proposed convenience store might not have been open 24/7 anyway.</li> <li>• Limiting the convenience store hours is especially justified because the development would abut two houses and a three-story condominium building.</li> <li>• For customers of the convenience store not getting gas, especially those coming and going on foot or by bicycle, to provide a trash can to lessen temptation to litter at or in the right-of-way.</li> <li>• Regarding the part of a condition about vehicle queuing, to provide for orderly arrival of vehicles at the pump and to provide for organized queuing when needed to lessen motorist frustration and honking.</li> <li>• The conditioned hours of operation, trash receptacle, and prohibitions of audible audio visual advertising and electronic changing imagery other than fuel prices within signage are practical and make the development compatible with the adjacent residences, thereby meeting a part of the CU purpose statement in 5.03.01A.</li> </ul>
CU9	3c, 3c2), 3c5), 3e	<ul style="list-style-type: none"> <li>• To prevent obnoxious intrusion of advertising, especially sudden and loud – into every aspect and moment of life, including at the gas pumps.</li> </ul>



CU Condition	CU Criteria/Factors	Reasons
		<ul style="list-style-type: none"> <li>• The presence of front yard permanent signage that is permissible per WDO 3.10 that would brand the gas station and have fuel prices is enough to catch the attention of would-be customers, and electronic changing imagery within the sign face that is on 24/7 is unnecessary to identify the development or attract customers.</li> <li>• Electronic changing image advertising is of no need during convenience store closure.</li> <li>• Regarding lighting, the same as the WDO 3.11.01A purpose statement and the same intent as Ordinance No. 2338 (June 9, 2003), Sect. 5A (as amended by Ordinance No. 2522 September 22, 2014).</li> <li>• An unnecessary distraction to highway and Oregon Way motorists is precluded, particularly helpful during the evening and at night.</li> </ul>

▲ In order to secure the development meeting criteria 2 & 3, staff conditions.

## Adjustment to Street Improvement Requirements ("Street Adjustment") Provisions

### SA Provisions

#### 5.02.04 Adjustment to Street Improvement Requirements ("Street Adjustment")

**A. Purpose:** The purpose of a Type II Street Adjustment is to allow deviation from the street standards required by Section 3.01 for the functional classification of streets identified in the Woodburn Transportation System Plan. The Street Adjustment review process provides a mechanism by which the regulations in the WDO may be adjusted if the proposed development continues to meet the intended purposes of Section 3.01. Street Adjustment reviews provide discretionary flexibility for unusual situations. They also allow for alternative ways to meet the purposes of Section 3.01. They do not serve to except or exempt from or to lessen or lower minimum standards for ROW improvements, with exceptions of subsections B & H. A Street Adjustment is for providing customized public improvements that substitutes for what standards require, while a Variance is for excepting or exempting from, lessening, or lowering standards, with exceptions of subsections B & H. A Street Adjustment for a development reviewed as a Type I or II application shall be considered as a Type II application, while development reviewed as a Type III application shall be considered a Type III application.

**B. Applicability:** Per the Purpose subsection above about improvements, and regarding ROW Street Adjustment may be used to narrow minimum width. Regarding alleys or off-street bicycle/pedestrian corridor or facility standards, see instead Zoning Adjustment.

**C. Criteria:**

1. The estimated extent, on a quantitative basis, to which the rights-of-way and improvements will be used by persons served by the building or development, and whether the use is for safety or convenience;
2. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;
3. The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights-of-way and improvements will be a part;
4. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to mitigate the estimated impact on the public infrastructure system.
5. The application is not based primarily on convenience for a developer or reducing civil engineering or public improvements construction costs to a developer.
6. The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.
7. Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.

**8. A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such.**

**D. Minimum Standards:** To ensure a safe and functional street with capacity to meet current demands and to ensure safety for vehicles, bicyclists and pedestrians, as well as other forms of non-vehicular traffic, the minimum standards for rights-of-way and improvements for Boundary and Connecting Streets per Sections 3.01.03C & D continue to apply. Exempting from or lessening or lowering those standards shall require a Variance. Deviation from applicable public works construction code specifications would be separate from the WDO through process that the Public Works Department might establish.

**E. Factors:** Street Adjustment applications, where and if approved, shall have conditions that customize improvements and secure accommodations for persons walking and cycling, not only driving, that meet the purposes of Section 3.01. The City may through approval with conditions require wider additional ROW dedication along the part or the whole of an extent of the subject frontage to accommodate either adjusted improvements or improvements that vary from standards.

**F. Bicycle/pedestrian facility:** If and where a Street Adjustment application requests to substitute or omit one or more required bicycle facilities, such as bicycle lanes, and the City approves the application, then the following should apply: For each substitute or omitted facility, the developer would construct a minimum width 8 feet bicycle/pedestrian facility on the same side of street centerline as the substituted or omitted facility. The City may condition wider.

**G. Landscape strip:** If and where a Street Adjustment application requests to adjust one or more required landscape strips from between curb and sidewalk, and the City approves the application, then the list below should apply. This subsection is not applicable to bridge / culvert crossing.

- 1. Sidewalk:** Construction of sidewalk minimum width 8 feet on the same side of street centerline as the adjusted landscape strip. The City may condition wider.
- 2. Planting corridor:** For each landscape strip that is relocated, delineation and establishment of a street tree planting corridor along the back of sidewalk in such a way as to allow newly planted trees to not conflict with any required streetside PUE to the extent that the Public Works Department Engineering Division in writing defines what constitutes a conflict. To give enough room for root growth, the corridor minimum width would be either 6 feet where along open yard or 7 ft where it would be flush with a building foundation. This would include installation of root barriers between the trees and street centerline to public works construction code specification.
- 3. ROW:** Where necessary to meet the above standards, dedication of additional ROW even if the additional is more than the minimum additional dedication that Section 3.01 requires.
- 4. Planting in ROW required:** Street trees would not be planted in the yard outside ROW.

**H. If the applicable Boundary Street minimums are the lesser minimums for residential development of 4 or fewer dwellings and where no land division is applicable, as Section 3.01.03C.2 allows, then allowed adjustment is: ...**

**I. Plan review:** An applicant shall submit among other administratively required application materials scaled drawings, including plan and cross section views, of proposed street improvement widths, extents, and details as well as existing conditions and proposed development site plans that include

property and easement lines and physical features some distance beyond the boundaries of the subject property for fuller context.

What would have been the standard cross sections are below:

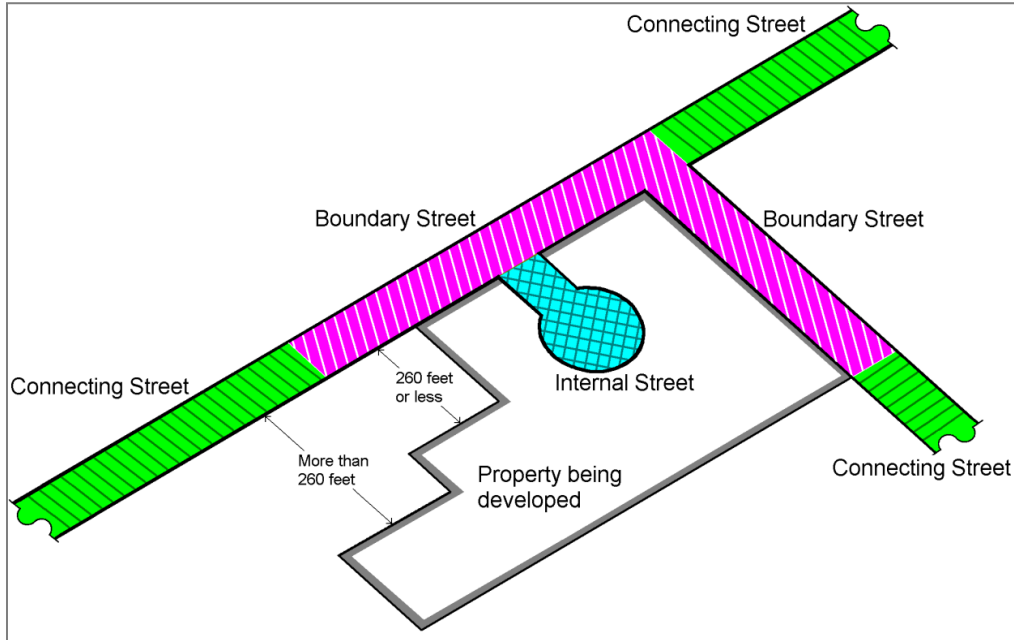


Figure 3.01A – Internal, Boundary, and Connecting Streets

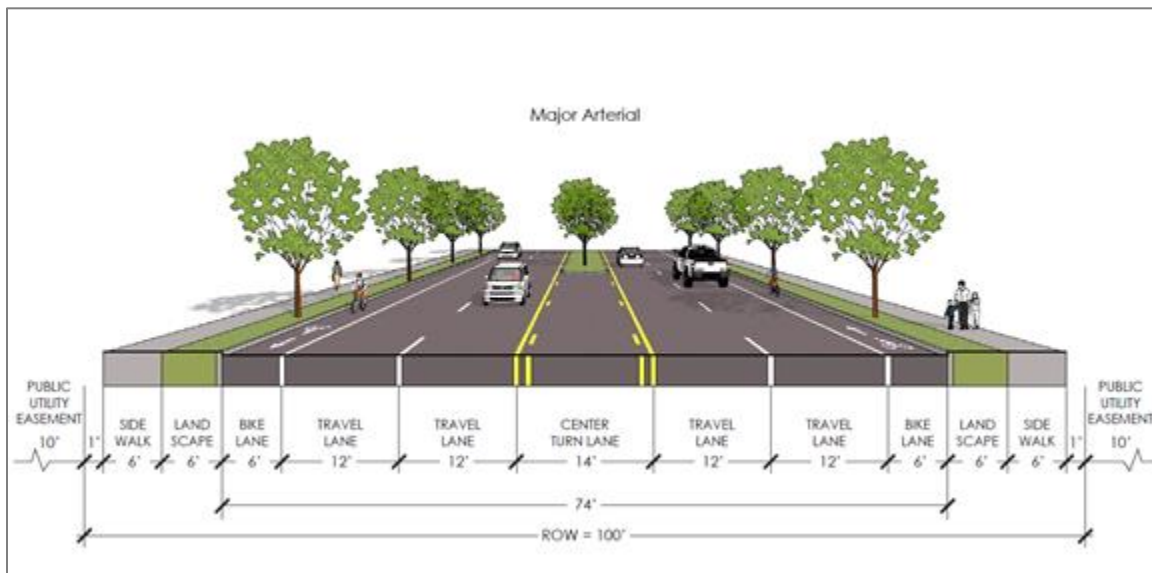


Figure 3.01B – Major Arterial (Oregon Hwy 214 / Newberg Hwy)

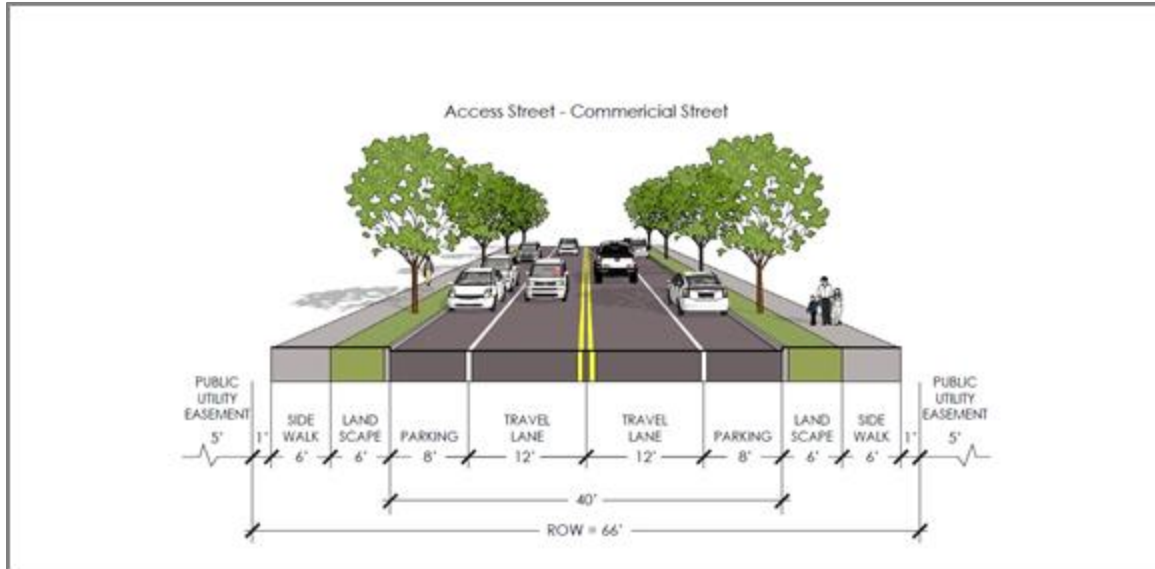


Figure 3.01E – Access Street (Oregon Way)

The application materials include a Street Adjustment narrative (“Exception to Street Right of Way Narrative”) dated February 5, 2024 and submitted February 8, 2024.

Regarding criterion 1, the applicant’s narrative (p. 2) states:

“The existing frontages on Hwy 214 and Oregon Way meet the WDO standards with the exception of the landscape strip and sidewalk being reversed. On Hwy 214 conforming strictly to the WDO standards would actually narrow the road by 6’ to add a landscape strip adjacent to the roadway, see A1.1. Changing this would not affect ‘the extent to which the right of way and improvements will be used by persons served by the building or development.’”

Though staff disagrees about the narrowing – of course a developer would dedicate right-of-way to fit in a landscape strip and sidewalk, not remove the right travel lane – staff otherwise concurs about no effect on the extent to which the right of way and improvements will be used by persons served by the development in the sense that there are at present and will remain the same number of vehicular lanes along both frontages, highway bicycle lane, and sidewalks. The proposed land uses of gas station and convenience store are for convenience and not safety.

*Paragraph 1*

Relative to Figure 3.01B, highway non-conformance is limited to lack of planter strip and street trees. Conventional traffic engineering does not address effects of development on walking and cycling as it does for vehicular trips, there is no widely recognized norm for how to address such, and the WDO provides no guidance on the topic. Second, the north frontage context is strip commercial along a heavily trafficked state highway, the kind of dangerous and noisy environment that repels pedestrian and cyclists. Those who do walk and cycle are likely those who are living nearby, the homeless, those without access to car, and those few who wish to brave existing conditions. The presence of a sidewalk is sufficient for sheer practicality for those who wish to walk along a highway or cycle outside of the bicycle lane because they don't feel safe in a highway bicycle lane. In this context, the number of pedestrians and off-street cyclists is moot. Pedestrians and cautious cyclists can and do use the wide sidewalk today, and the pedestrians and cautious cyclists the development might attract would use the same wide sidewalk.

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

*Paragraph 2*

Relative to Figure 3.01E, Oregon Way non-conformance is limited to lack of parking lane, planter strip, and street trees. Staff applies conditions that excepts only the parking lane but also requires fee in lieu of such parking. Additionally, the conditions require wider planter strip and wider sidewalk exceeding the minimums of Figure 3.01E. Like conventional development and zoning codes, the WDO requires off-street parking for almost all developments, including the subject development, so the absence of on-street parking is not of concern from this perspective. Second, pedestrians and cautious cyclists can and do use the narrow curb-tight sidewalk today, and the pedestrians and cautious cyclists the development might attract would use the new wider sidewalk. A wide sidewalk encourages walking and cycling, particularly for cyclists afraid to ride on-street. Third, Figure 3.01E does not account for the presence of a left turn lane at intersections, and such exists because of ODOT, and given that ODOT and the Public Works Department assume its continued existence, Public Works assumes that the developer would adapt required Oregon Way half-street improvements to fit along the turn lane, and that ODOT typically asks that there be no on-street parking within a certain distance of state highway intersections, usually 50 ft, it is reasonable in this case to allow for fee in lieu of what little on-street parking a civil engineer could fit.

Staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, the criterion 1 is met.

Regarding criterion 2, the applicant's narrative (p. 2) states:

"As stated above there is no change to the extent of use from existing conditions to WDO standards, thus no improvements are needed to meet the estimated use, beyond those shown on the submitted plans. According to our engineer of record;

I would estimate that the quantitative impact to remove and replaced existing infrastructure to the current standard would be on the order of \$150/lf over the approximately 425 feet of frontage is around \$65,000 not including engineering, permitting and survey work which may add another \$25,000 when dealing with ODOT. The addition of a parking lane on Oregon Way would require ROW dedication, additional paving, adjustment of utilities, etc... to potentially gain 1 or 2 parking spaces since we have a driveway on the south end and you can't park too close to the intersection. The additional cost for that might be \$50,000 or more."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 2 is met.

Regarding criterion 3, the applicant's narrative (p. 3) states:

"The extent to which the building or development will impact the public infrastructure would be unaffected by maintaining the existing conditions vs an increased impact the change to strict conformance to the WDO requirements would create."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 3 is met.

Regarding criterion 4, the applicant's narrative (p. 3) states:

"Changing to conform strictly to the WDO requirements, rather than letting the existing conditions that meet the intent of the code remain, is what would create an impact on the public infrastructure system that is unnecessary. According to our engineer of record;

I would estimate that the quantitative impact to remove and replaced existing infrastructure to the current standard would be on the order of \$150/lf over the approximately 425 feet of frontage is around \$65,000 not including engineering, permitting and survey work which may add another \$25,000 when dealing with ODOT. The addition of a parking lane on Oregon Way would require ROW dedication, additional paving, adjustment of utilities, etc... to potentially gain 1 or 2 parking spaces since we have a driveway on the south end and you can't park too close to the intersection. The additional cost for that might be \$50,000 or more.

The changes needed to meet the requirements of WDO would cost approximately \$140,000 and would create a discontinuity to the frontage along the affected areas. Furthermore the existing conditions provide both a sidewalk and landscape strip in of a size required by the code if not in the exact locations intended."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 4 is met.

The applicant's narrative fails to cite and address the remaining criteria, criteria 5-8:

"5. The application is not.

6. The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.

7. Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.

8. A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such."



Regarding criterion 5, the developer's comments cited earlier above clearly show intent to base the SA application based primarily on convenience for the developer or reducing civil engineering or public improvements construction costs to the developer. The criterion precludes this.

Regarding criterion 6, at least the developer did not assert that the application is based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages, which allows staff to find the criterion met.

Criterion 7 is not applicable because the developer did not propose to narrow any required right-of-way (ROW) dedication.

Criterion 8 is met with conditioning of fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and conditioning of fee in lieu of Oregon Way on-street parking.

About Street Adjustments in general, Planning staff adds that the Public Works Department is content with frontages along the corridor, and defers to ODOT for developments where ODOT has jurisdiction. By 2015, ODOT improved the I-5 interchange and as part of that project widened OR 214 east of the interchange to a little east of Oregon Way. As expected, the agency constructed to its own economized standards, which resulted in curb-tight sidewalk, though wide at about 8 ft, no street trees, and no burial of the south side overhead electric power lines. Also, until late 2017 and early 2018, staff approved any Street Exception (as the application type was then termed) that a developer requested, and Planning staff experience in these years was that the Public Works Department prefers curb-tight sidewalk and existing conditions anyway generally beyond curbs as long as there were minimum improvements to driving area between curbs and subsurface/underground potable water, sanitary sewer, and stormwater utilities. In more recent years, Planning staff took the lead in at least imposing conditions on Street Exception and Street Adjustment approvals to get a degree of improvements and/or fees in-lieu. Regarding the highway, Planning staff years ago recognized the *de facto* policy decision by other departments to leave the ODOT-improved segment as is and not have individual redevelopments upgrade their frontages to have landscape strips, new sidewalk that conforms, and buried power lines redevelopment by redevelopment.

The developer's chief justification for the SA, which for CU 21-02 originally (that which the City Council denied in 2022) had proposed no upgrades of nonconforming street frontages, was convenience, saving money, and be of no profit to the gas station or commercial office enterprises. For any development, if and where the City grants Street Adjustments, it implicitly assumes the taxpayer cost of upgrading frontages itself through capital improvement projects. This guided Planning staff applying the SA criteria and conditioning.

Through both conditional use and Street Adjustment, Planning staff applies conditions that grant SA approval for both frontages, but also to give the City some public benefit for leaving the highway as is or mostly as is and for Oregon way not having required on-street parking; require the developer to make the Oregon Way frontage the best for pedestrians through wide landscape strip with street trees, wide sidewalk, and setting maximums for Oregon Way driveway width; and securing fees in-lieu.

#### *Fees in-Lieu*

For Condition SA1 and Attachment 202 (fee table) regarding fee in lieu of upgrading highway sidewalk to conform with Fig. 3.01B, staff derived as follows:

- Poured concrete at \$33.00 per sq ft adjusted for inflation using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) from June 2022 (CU 21-02) to July 2024, the latest month the calculator made available as of August 14, 2024, which equals \$35.03;
- Sidewalk 6 ft wide per Fig. 3.01B;
- Frontage width of 265 ft per Tax Map 052W12DB as sidewalk extent; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A “Fees in-Lieu”.

This calculates as  $(\$35.03 \times 6 \times 265) \times 1.5 = \$83,547$ .

Regarding fee in lieu of highway landscape strip to conform with Fig. 3.01B and 3.01.04B, staff derived as follows:

- Grass at \$2.21 per sq ft;
- Landscape strip 5.5 ft wide, excluding curb width, per Fig. 3.01B;
- Frontage width of 265 ft per Tax Map 052W12DB as landscape strip extent; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A “Fees in-Lieu”.

This calculates as  $(\$2.21 \times 5.5 \times 265) \times 1.5 = \$4,832$ .

For Condition SA2 and Attachment 202 (fee table) regarding fee in lieu of Oregon Way on-street parallel parking, staff derived as follows:

- Asphalt at \$15.00 per sq ft adjusted for inflation using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) from June 2022 (CU 21-02) to July 2024, the latest month the calculator made available as of August 14, 2024, which equals \$15.92;
- Parking stall dimensions of 8 ft wide by 22 ft long;
- 3.5 parking stalls after taking the distance from in line with the south property line at Oregon Way north to the stop bar at the intersection with the highway (172 ft), then subtracting 50 ft (minimum parking distance from intersection), 30 ft (driveway and its curb flares), and 16 ft (two 8-ft long transition areas of curb at each end of parking aisle) resulting in  $(172 - [50+30+16]) / 22 = 3.5$ ; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A "Fees in-Lieu".

This calculates as  $(\$15.92 \times [8 \times 22] \times 3.5) \times 1.5 = \$14,713$ .

Through Condition G6c and Attachment 202 (fee table) regarding fee in lieu of electric powerline burial/undergrounding to conform with WDO 3.02.04B and 4.02.12A, because as of August 14, 2024 the City has not yet adopted a fees in-lieu schedule, staff establishes a default fee the would be applicable if by the time necessary to assess the fee in order to issue building permit, the City would have not yet established this among other fees in lieu. The default fee is based on a Pacific Gas and Electric Company, a subsidiary of PG&E Corp., estimate that in general burial costs \$3 million per mile (PG&E "Currents" newsletter, article "Facts About Undergrounding Electric Lines", October 31, 2017 <<https://www.pgecurrents.com/2017/10/31/facts-about-undergrounding-electric-lines/>>). This equates to  $\$3,000,000 / 5,280 \text{ ft} = \$568.18$  rounded to \$568 per foot.

- ▲ In order to secure the development meeting the conditional use criteria and justify Street Adjustment, staff applies conditions.



## Phasing Plan Provisions

### 5.03.05 Phasing Plan for a Subdivision, PUD, Manufactured Dwelling Park or any other Land Use Permit

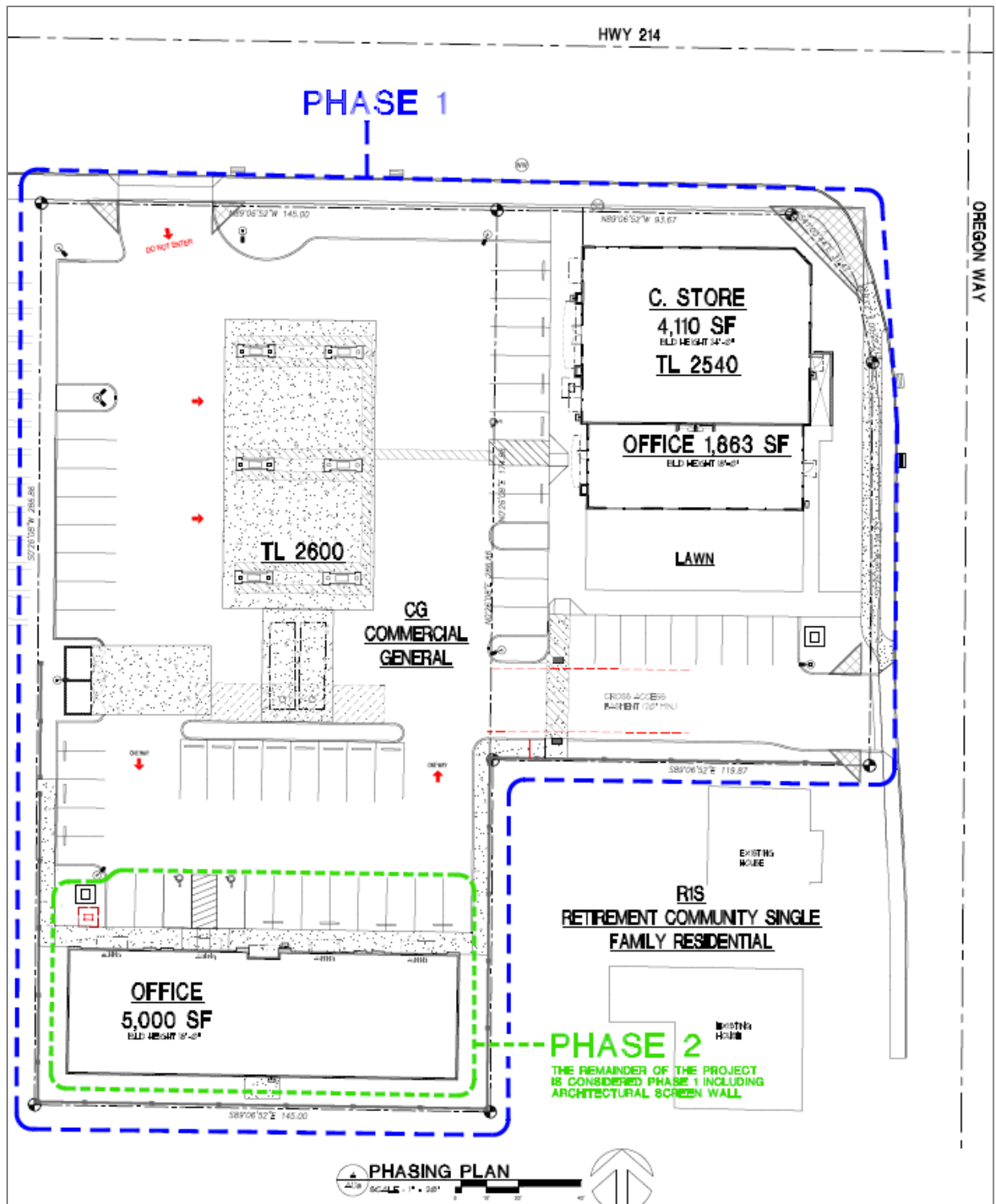
**A. Purpose:** The purpose of a Type III Phasing Permit is to allow phased construction of development while meeting the standards of this ordinance (Sections 2 and 3), while providing fully functional phases that develop in compliance with the tentative approval for the development.

**B. Criteria:** The proposed phasing of development shall:

1. Ensure that individual phases will be properly coordinated with each other and can be designed to meet City development standards; and
2. Ensure that the phases do not unreasonably impede future development of adjacent undeveloped properties;
3. Ensure that access, circulation, and public utilities are sized for future development of the remainder of the site and adjacent undeveloped sites.

The applicant's phasing plan narrative dated February 2, 2024 and submitted February 8, 2024 parrots the criteria with answers almost identical to the criteria text.

From the site plans, specifically Sheet A1.1a "Phasing Plan" dated February 5, 2024 and submitted February 8, 2024, staff was able to determine what the proposed phasing is: the southwest commercial office building and its immediate vicinity including north front parking constitute Phase 2. The plan notes, "The remainder of the project is considered Phase 1 including architectural screen wall", which staff makes sure is the case through a PP condition.



Phasing plan excerpt from Sheet A1.1a dated February 5, 2024 and submitted February 8, 2024

The phasing plan sheet makes apparent that the Phase 1 gas station – fuel pump canopy, convenience store, and northeast commercial office area – can be constructed and meet the criteria on its own.

Staff applies PP conditions and CU modification one in case Phase 2 were to lag in construction, never manifest, or become the subject of a developer’s request to construct something slightly or wholly different. These ensure criteria are met.

Also, as is routine for its land use review of developments, the Public Works Department through Attachment 102A has the usual kind of infrastructure text for the development in question and that is premised on the department approach to *de facto* approve any development, in turn premised on the idea that during its own department processes and reviews following the land use review stage, such as for civil engineering plan (CEP) plan review and right-of-way (ROW) permits, it will coordinate with ODOT to apply specific agency and City public works requirements and have the developer make so whatever is necessary to get ODOT and Public Works Department approvals that both respect conditions of approval that the Department sees as led and administered by the Planning Division while also meeting public works requirements for public infrastructure both on-site and in ROW and public utility easements (PUEs), the “public utilities” that criterion B.3 mentions. Essentially, the Public Works Department indicates that criterion B.3 is met or can be met through Attachment 102A and its later department processes and reviews following the land use review stage, such as for civil engineering plan (CEP) plan review and right-of-way (ROW) permits, so Planning Division staff defer and concur.

Lastly, City staff act on the premise that while a local government can and should deny an application that is inconsistent with applicable land use regulations, it can and should avoid denial if staff can impose reasonable conditions of approval. For virtually every land use review, staff can impose reasonable conditions of approval to avoid denial, and the review of the subject development is such a case.

The legislature gives implicit support for the concept in at least two statutes. The statutes are not applicable as regulations but are relevant regarding legislative intent. ORS 197.522 “Local government to approve subdivision, partition or construction; conditions” is about partition, subdivision, and needed housing, none of which are relevant to the subject development; however, its subsection (4) states, “A local government shall deny an application that is inconsistent with the comprehensive plan and applicable land use regulations and that cannot be made consistent through amendments to the application or the imposition of reasonable conditions of approval.” The second, OS 227.185 “Transmission tower; location; conditions” – no transmission tower being relevant to the subject development – states, “The governing body of a city or its designee may allow the establishment of a transmission tower over 200 feet in height in any zone subject to reasonable conditions imposed by the governing body or its designee”. These statutes indicate that the legislature expects local governments to apply land use conditions of approval in preference to denying. Also, neither statute defines the term

“reasonable”, and the term is elastic. Staff drafted the conditions to be reasonable and based on the characteristics of the subject development. Staff emphasizes that besides the Phasing Plan, the master or parent application type is Conditional Use, a term that says it all about the premise of conditioning.

Criterion B.3 is met.



## Remaining Provisions

These are applicable provisions not already addressed in the application type provisions sections above.

### 4.01.07 Consolidated Applications

**An applicant may request, in writing, to consolidate applications needed for a single development project. Under a consolidated review, all applications shall be processed following the procedures applicable for the highest type decision requested. It is the express policy of the City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.**

The proposal is consolidated.

In conclusion to the above analyses and findings, staff would recommend that the Planning Commission consider the staff report and its attachments and approve the consolidated applications package with conditions.



## Recommendation

Approval with conditions: Staff recommends that the Planning Commission consider the staff report and its attachments and approve the consolidated applications package with the conditions recommended by staff below:

### *General*

G1. As part of building permit application, the applicant shall submit revised site plans meeting the conditions of approval and obtain Planning Division approval through sign-off on permit issuance. The applicant shall submit a cover letter indicating what specific plans sheets or document page numbers demonstrate how the submittal meets each condition.

G2. The applicant or successors and assigns shall develop the property in substantial conformance with the final plans submitted and approved with these applications, except as modified by these conditions of approval. Were the applicant to revise plans other than to meet conditions of approval or meet building code, even if Planning Division staff does not notice and signs off on building permit issuance, Division staff retains the right to obtain restoration of improvements as shown on an earlier land use review plan set in service of substantial conformance.

G3. References: Attachment 201 serves as a dictionary or glossary defining certain abbreviations, acronyms, phrases, terms, and words in the context of the conditions of approval. The 200 series of attachments are as binding as the conditions of approval in the main body of the final decision.

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E and 4.02.12 unless if and where a condition of approval has more restrictive timing. By this condition, there is more restrictive timing: In any case, they are due no later than by Building Division issuance of first certificate of occupancy (C of O), regardless of deferral, if any, that Public Works (PW) might have approved through 3.01.02E. This condition is not deferring to C of O; it is saying that if there were to be PW deferral, then the department could not defer to later than C of O.
- b. ROW/easements: Correct recordation of required right-of-way (ROW) and public easements is due per WDO 2.01.05A – by building permit issuance. See Note A below.
- c. Where phasing is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located. Where an improvement spans phases and cannot be functionally divided by phase, it shall be due by the earliest phase.

- d. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an [Address Assignment Request](#). This is due prior to building permit application, and if property line adjustment or lot consolidation were to become relevant, then also after recordation with County. (See the Notes to the Applicant section following the conditions of approval, Note to the Applicant 17.)

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than 6 months prior to expiration of the land use approval as WDO 4.02.04B establishes, and shall complete recordations no later than 3 years past the land use “final decision” date. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage.

G6. Administration:

- a. Conformance: That a land use approval does not reiterate any and each particular detail, provision, requirement, rule, spec, or standard from any of the WDO, other ordinances, resolutions, public works construction code, or department policies does not exempt development from conformance with them.
- b. Copies: Per WDO 2.01.05B, the developer, including any succeeding contractor, shall provide copies of documentation that a City staff person requests regardless if the documentation source is another City staff person or department.
- c. Fees: The developer shall pay fees per Attachment 202.

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works (PW) and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the Planning Commission, contact PW to begin and finish dedication and granting sooner. The City Council meets most second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.



*Phasing Plan 24-01*

PP1. Phasing Plan:

a. Basic Description:

- (1) Phase 1: On Tax Lot 3600 (east, corner lot), a single northeast (NE) building of with convenience store of 4,110 sq ft and an attached commercial office tenant space of 1,863 sq ft. On Tax Lot 3700 (west, interior lot), a fuel pump canopy. Minimum off-street parking and other corollary improvements for these uses.
- (2) Phase 2: On Tax Lot 3700 (west, interior lot), a southwest (SW) commercial office building of 5,000 sq ft and its parking and other corollary improvements.

b. Phasing: The developer may choose to develop Phase 2, the SW office building and necessary corollary improvements, per land use review Sheet A1.1a later than the Phase 1 gas station complex of convenience store, NE commercial office, and fuel pump canopy and necessary corollary improvements.

c. Phase 2 expiration:

- (1) Phase 1 substantial construction would keep land use approval with conditions valid longer than the baseline 3 years per WDO 4.02.04B (or longer than baseline per subsection D if there will have been an appeal). However, in reference to condition part b. above, there must be building permit application for Phase 2 by 8 years past the date that the Planning Commission motioned to tentatively approve CU 24-02.
- (2) If Phase 1 fails to achieve substantial construction by 5 years past the date of the hearing at which the Planning Commission motioned tentative approval, WDO 4.02.04B.1 & 2 would not be met and – absent the City granting a time extension as subsection B.3 references – the land use approval with conditions would expire for both phases.

d. Phase 2 interim: If Phase 2 does develop later than Phase 1, then – regarding the area where the SW office building and its corollary improvements would be – until Phase 2 develops:

- (1) The landowner shall pour curb or affix a linear obstruction to motor vehicles from driving and parking beyond the boundary of Phase 1 improvements and maintain such obstruction. Exhibit PP1 is an aerial photo of the area in 2023.
- (2) The landowner shall maintain its grounds in conformance with [City Ordinance No. 2338](#) (June 9, 2003; amended regarding lighting by Ordinance No. 2522 September 22, 2014). Staff draws attention to Sections 5-9 about noxious vegetation, “attractive nuisances”, junked vehicle nuisances, open storage of junk, and scattering rubbish.

- (3) Vehicular circulation and parking within the undeveloped Phase 2 area is permissible only if the landowner upgrades as needed for conformance with WDO 3.05.02A, F, & K and 3.04.04. Together they prohibit gravel.



*Exhibit PP1*

- e. All conditions apply to any phasing, unless worded or under a header such that a condition applies more specifically. Where something is due by building permit application or issuance, it means the first of any phase, any building, unless a condition is more specific.

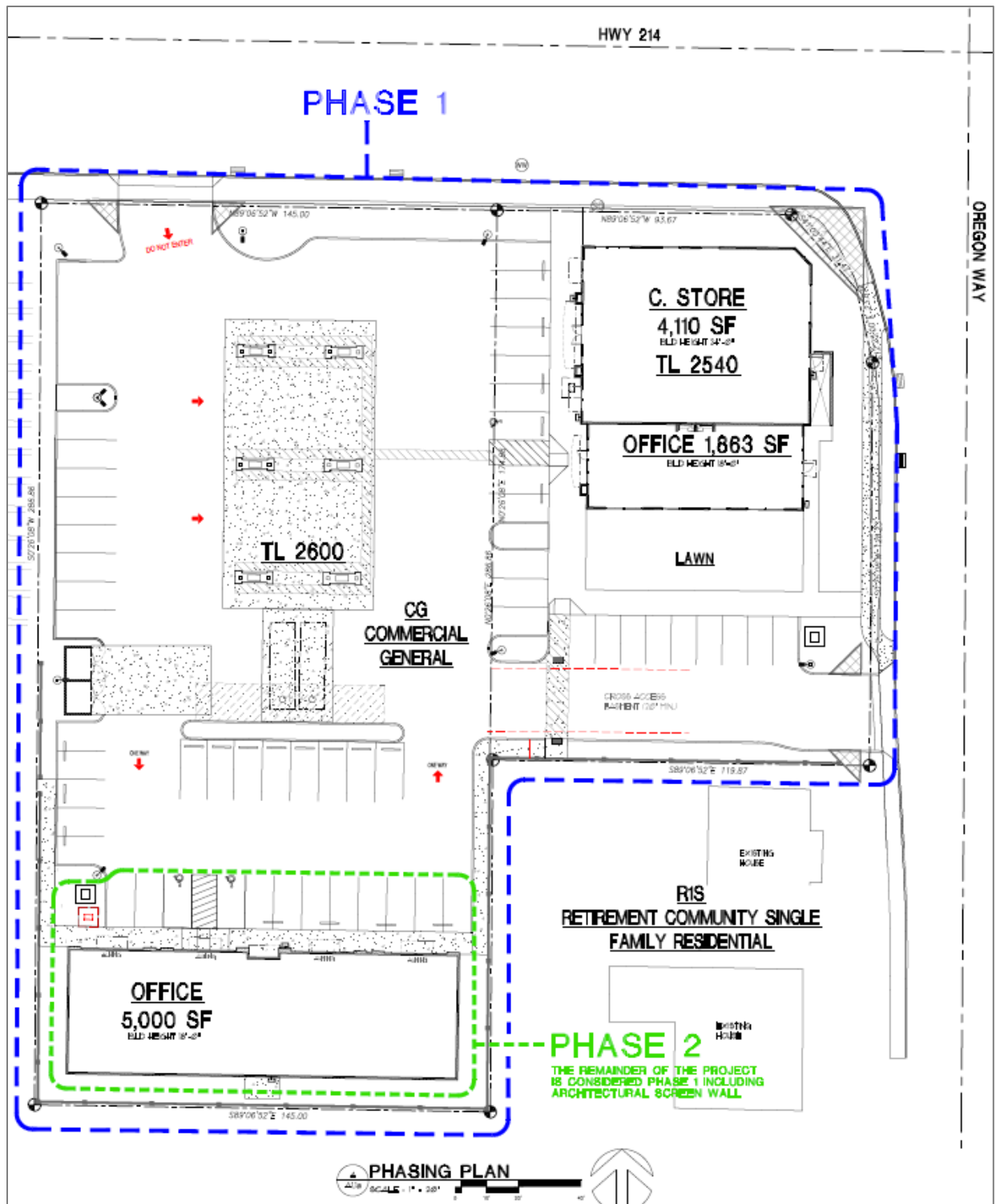


Exhibit PP1: Phasing plan excerpt from Sheet A1.1a dated February 5, 2024 and submitted February 8, 2024



*Design Review 24-02*

D1. ROW:

- a. Highway: To conform with WDO Figure 3.01B “Major Arterial”, as part of recordation the developer shall dedicate ROW if and as necessary to result in half-street ROW that is uniform min width of 50 ft measured from centerline. This is due by building permit application.
- b. Oregon Way: To conform with WDO Figure 3.01E “Access Street”, as part of recordation the developer shall dedicate variable width ROW resulting in half-street ROW that is uniform min width measured from centerline of 33 ft plus additional width along the northerly extent to accommodate the half-street width of the existing northbound left turn lane that the Figure 3.01E, which assumes a mid-block cross section, does not make explicit for telescoping width at intersections. The developer may take and report field measurement of the lane width or assume a lane width of 12 ft, yielding a total minimum width from centerline of  $33 + (12 / 2) = 39$  ft. “Northerly extent” shall extend minimum 140 ft south from a point in line with the highway ROW boundary; it is probable that the total half-street dedication along this extent would equal or approximate a min of  $3 + (12 / 2) = 9$  ft. Dedication is due by building permit application.

D2. PUE: If streetside public utility easements (PUEs) do not yet exist along any of the highway per the minimum of WDO Figure 3.01B and Oregon Way per the minimum and maximum of WDO 3.02.01B & F.2, then the developer shall grant the one or both PUEs.

D3. Driveways:

- a. Number & widths: To conform with WDO 3.04.03B.5 regarding access management, driveways shall be limited as follows:
  - (1) Highway: 1, max width per WDO Table 3.04A: 20 ft for one-way. If one-way inbound, there shall be min one *MUTCD*-compliant do-not-enter sign facing the site, one the east side of the driveway throat, and the pavement shall be striped to indicate no exit.
  - (2) Oregon Way: 1, max width 24 ft for two-way, except 26 ft for two-way if the developer through WDO Table 3.04A footnote 7 provides the same kind of documentation as condition part (1) above describes.
- b. Approach / apron / curb cut: Driveways shall conform to PW SS&Ds, Section [4150](#), unless documented as overridden by ODOT choosing to apply its standards.

D4. Access management: cross access: To conform with WDO 3.02.01E, 3.04.01A.2, 3.04.03B.3 & 5, 3.04.03C.1, 3, & 4, and 3.04.03D.2, the developer shall provide for what is termed any of cross access, ingress/egress, or shared access revocable only with the written concurrence of the Director and as follows:

a. Properties:

(1) Subject property: Grant cross access (A) across Tax Lot 3600 (2540 Newberg Hwy) to the benefit of 3700 (2600 Newberg Hwy) and (B) across Tax Lot 3700 to the benefit of 3600. (Instead of cross access for the subject property, which is comprised of both Tax Lots 3600 & 3700, the developer may opt to consolidate lots by applying and paying for as well as obtaining City approval of a Property Line Adjustment [PLA], which would be a land use review Type II per WDO 5.01.08 and so a staff decision, and record with the County the lot consolidation, all prior to building permit application.) This is due by building permit application per WDO 2.01.05A.

(2) Adjacent property: Grant cross access across Tax Lots 3600 & 3700 to the benefit of Tax Lot 052W12DB03800 (2620 Newberg Hwy; Dairy Queen). This is due by building permit application per WDO 2.01.05A.

b. Alignment: Applicable to both the subject property and the Tax Lot 3800, follow a drive aisle or aisles and connect each of the highway driveway, the common lot line between Tax Lots 3700 & 3800 somewhere within the segment 60 ft south of the north property line, the common lot line between Tax Lots 3600 & 3700, and the Oregon Way driveway.

c. Drive aisle stub: Extend a drive aisle stub conforming with WDO 3.04.03C.4b to Tax Lot 3800 (2620 Newberg Hwy; Dairy Queen) within the above-specified alignment.

d. Barriers: At the interface of a property line and a drive aisle stub, WDO 3.04.03C.4b prohibits curb and fixed barriers mounted to the drive aisle. (The developer may instead place signed barricades atop the pavement.) While fencing a property line remains permissible per WDO 2.06.02, were the developer or property manager to install fencing, then the segment over the drive aisle shall have vehicular gates.

e. Bicycle/pedestrian: The developer shall grant cross access not only for driving, but also walking and cycling, with alignment along each of the two wide walkways that WDO 3.04.06B requires and connecting with each of the highway and Oregon Way sidewalks.

f. Instrument: Regarding recordation of the cross access easement (CAE) or other types of legal instruments and how, the developer shall conform to the conditions in ways that satisfy the County. This is due by building permit application.

- g. Shared parking: Because Tax Lot 3600 (2540 Newberg Hwy) would lack minimum off-street parking ratio for all land uses on the lot per WDO Table 3.05A, then the developer shall either (1) revise site plans to conform with WDO 3.05.02 & Table 3.05A or (2) create a shared parking agreement, for which cross access is a pre-requisite, per WDO 3.05.05. (A shared parking agreement would be due per WDO 3.05.05D.3: by building permit issuance.) Minimum agreement attachments or exhibits shall be a County tax map, a revised site plan, and if such would exist, a recorded plat.
- h. ODOT factor:
  - (1) The developer shall apply to and obtain from ODOT the relevant approval(s) by building permit application to conform with the access management condition.
  - (2) If after City land use decision ODOT objects specifically to how the City administers or the developer conforms to other parts of the condition or to other conditions concerning vehicular access, then the developer may request and the Director may administratively approve in writing changes to administration or conformance to accommodate the ODOT factor while still having the development meet the WDO and conditions of approval to the max extent remaining. The Director may require developer application for any of Extension of a Development Decision per WDO 4.02.05 or Modification of Conditions per WDO 4.02.07.
  - (3) If after City land use decision ODOT directs access management in conflict with other parts of the condition or to other conditions concerning vehicular access, then the developer shall forward the written direction from ODOT to the attention of the Director; describe the conflict(s); describe the minimum deviation from conformance necessary to comply with ODOT direction while also conforming to the remainder of the condition to the maximum, including plan view illustrations where helpful; and request Director approval through a dated document that cites the land use case file and condition numbers. The Director may approve what the developer first requests or a modified request. The City intends that if the developer were to make use of this part (d) of the condition, he would do so once.

D5: Parking:

- a. Wheel stops: To conform with WDO 3.05.02H, the compact parking spaces along the northeast (NE) office south lawn shall have wheel stops, either 5 shared among the spaces or one per each of the nine spaces, to prevent any overhang of the wide walkway.
- b. Vehicular circulation directional markings/signage: To conform to WDO 3.05.02J, during building permit review the Director may administratively establish details, specifications, and revisions to administer the WDO section. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
- c. C/V: Carpool/vanpool (C/V) parking shall conform with Table 3.05C and 3.05.03H.
- d. EV: Electric vehicle (EV) parking shall conform with Table 3.05E and 3.05.03I.



D6. Electric power poles removal and lines burial: Development shall conform with WDO 3.02.04. The fee in-lieu shall be per Attachment 202. (Absent direction by the applicant otherwise, staff will proceed as if the developer intends to conform by paying the fee in-lieu and will assess it through the building permit.)

D7. Trash enclosure: Outdoor storage of trash and shall be enclosed in conformance with WDO 3.06.06B.5-7 and, regarding roofing, in conformance with Public Works Department Engineering Division administration of standards or directions regarding such, if any, in relation to keeping polluted water from entering drains.

## Conditional Use 24-02

CU1. Wide walkways: The wide walkways that WDO 3.04.06B requires shall have some width of some segments be decorative pavement, specifically, min width 6 ft and along the distance symbolized in green in Exhibit CU1 below. At the turn, the min width may narrow to avoid overlapping ADA ramp slopes. Decorative pavement means any of brick; concrete pavers; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.

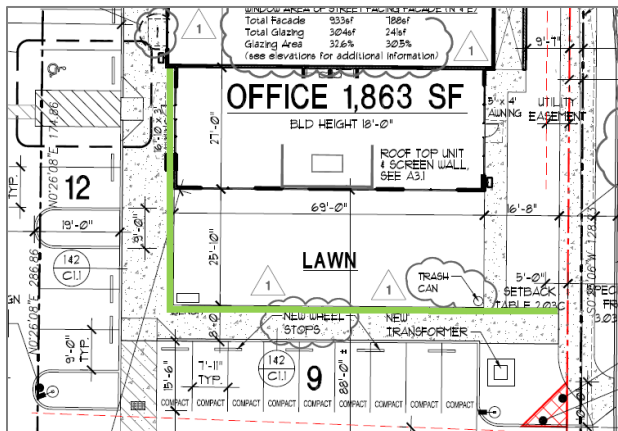


Exhibit CU1

CU2. Bicycle parking shall conform with 3.05.06 and be of min number:

- Convenience store: 2 (for example, 1 U-rack)
- NE commercial office: 2 (for example, 1 U-rack)
- SW commercial office: 4 (for example, 2 U-racks or a wave rack)

CU3. Landscaping generally:

- Bark dust: By the end of the time period per WDO 3.06.02C, 5.0% max of unpaved landscaped area may be non-living material such as bark dust, mulch, wood chips, cobbles, gravel, pebbles, or sand.
- Benches: Min 2.
  - One in the landscaped open space at or near the NE commercial office space, along a wide walkway or in a plaza, install either a bench min width 6 ft or a picnic bench. Set back from walkway and pave the setback, min either 1.5 ft for a bench or 2 ft for a picnic bench.
  - One bench min width 4 ft at or near the SW commercial office building and along a wide walkway.

- c. Buffering/screening: Evergreen hedge or shrubbery shall:
  - (3) Line Architectural Wall (AW) segments.
  - (4) Screen transformers and other at-grade electrical and mechanical equipment along min 2 sides.
  - (5) Serve as means of conformance with WDO 3.06.05B (parking screening).
- d. Coniferous/evergreen trees: Among newly planted trees, min 1 tree of the following coniferous or evergreen species:
 

Cedar, deodar	Madrone, Pacific
Cedar, incense	Oak, Oregon White
Cedar, Western Red	Pine, Lodgepole
Douglas-fir	Pine, Ponderosa
Fir, Grand	Pine, Western white; and
Hemlock, Western	Yew, Pacific
- e. Tree standards: The same as WDO Table 3.06A “Minimum Size” column – either 10 ft height or 2 inches caliper.

CU4. Front yard landscaping:

- a. Depth: The depth of landscaping from highway ROW south, in the yard west of the convenience store, shall be min 13 ft to vehicular circulation area back of curb to accommodate newly planted front yard trees outside of the streetside PUE. The min depth may instead be 6 ft if ODOT, such as through the Region 2 Development Review Coordinator, allows planting of trees within the PUE, the allowance is documented through building permit review and by building permit issuance with the applicant having submitted plans revised accordingly to both the agency and the City Community development Department, and the developer will have planted such trees by building permit inspection.
- b. Trees: Based on WDO 5.03.01B.3c5), the developer shall plant min:
  - (1) 7 trees in the yard along the highway max 20 ft from ROW; and
  - (2) 4 trees in the yard along Oregon Way max 20 ft from ROW, in a loose row with min 3 of them spaced offset from and complementing street trees.
- c. Hedge/shrubbery: In all areas not occupied by buildings and pavement, landscape per WDO 3.06.
  - (1) On Tax Lot 3700 in the yard along the highway, plant a hedge or row of continuous small or medium shrubbery extending between the driveway and east lot line. Plant min 5 ft from sidewalk and max 12 ft from ROW.
  - (2) On Tax Lot 3600 in the yard along the Oregon Way, line the convenience store rear east free-standing screen wall or wing wall with a hedge or row of continuous small or medium shrubbery, unless the developer declines to build the wing wall.

- d. Site interior:
  - (1) AW: Line each Architectural Wall (AW) segment with a hedge or row of continuous medium or large shrubbery.
  - (2) Lawn large tree: Within open space within 30 ft of the NE commercial office, plant min 2 trees, either both large or min 1 medium and 1 large. Min 1 of these west or south of the plaza – see below.
  - (3) Plaza: At or within 30 ft of the NE commercial office and adjacent to a wide walkway shall be a plaza min 56 sq ft, exc. walkway area, at 7.5 ft narrowest dimension, paved with brick; concrete pavers; field or flagstone; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.
  - (4) South yard: Within 100 ft of the Tax Lot 3700 south lot line, plant min 2 trees.
- e. Parking area:
  - (1) Front yards: To conform with WDO 3.06.05B, within the yards abutting streets the site perimeter landscaped area shall have a hedge or shrubbery as a screen of parking and vehicular circulation area min height 3.5 ft. Such shall be planted to be min 2 ft from sidewalks and wide walkways.
  - (2) NE office: Min 1 large tree in the southwesterly area of the south yard lawn.
  - (3) SW office: For common use by tenants, have a south rear door and a patio of brick, pavers, or poured concrete min 7 ft north-south by 11 ft east-west. Align patio flush with door outer swing. Plant a small tree near the patio west side.

CU5: Architectural Wall (AW) / Fences / Fencing:

- a. Exemption: Where chain-link fence with slats already exists along the north and west lot lines of Tax Lot 3500 (953 Oregon Way), the developer may exempt these two lines from AW if the homeowner in writing consents to exemption and the developer submits documentation by and as part of building permit application.
- b. Extent: Min height shall be along the:
  - (1) North and west lot lines of Tax Lot 3500 6 ft, 1.5 inches (if CMU, equal to 9 courses of blocks plus 1.5-inch smooth concrete cap).
  - (2) North and east lot lines of Tax Lot 90000 (950 Evergreen Road), 9 ft including a 1.5-inch smooth concrete cap between piers or pilasters.
  - (3) Where fencing may substitute per other conditions, for part (1) above it shall be 6 ft, and for part (2) above, 8 ft.

- c. Height at AW ends: Min height shall drop where subject to stair-stepped height limits in yards abutting streets per WDO 2.06.02, within VCA or sight triangles per 3.03.06, and AW shall remain outside streetside PUEs. AW may cross an off-street PUE, if any exist, with written authorization by the Public Works Director, and the PW Director may instead direct that instead of a segment of wall that there be coated chain-link fencing with slats across an off-street PUE. For crossing of private easements, the developer similarly may instead fence.
- d. Gaps or rectangular openings:
  - (1) There shall be one along the east lot line of Tax Lot 90000, min 4 ft wide and 6 ft, 8 inches high above grade, and with the south end of the gap aligned with the Tax Lot 90000 north east-west drive aisle, south curb, north face.



Exhibit CU5-1



Exhibit CU5-2

- (2) If AW exemption per part a. above is not applicable, then there may be a gap along the west lot line of Tax Lot 3500, aligned with where there exist west backyard chain-link gates, minimum width equal to the width of the gates.

- e. Color: Masonry, whether dyed or painted, regarding WDO 3.06.06B.5 & 6 shall be a color or colors other than black, charcoal, or dark gray. For any other fence / fencing or free-standing wall, including gates if any, the coating and slats that WDO 2.06.02D requires and any wall shall be a color or colors other than black, charcoal, or dark gray. On free-standing walls with two or more colors, darker color shall be towards the bottom and lighter color towards the top.
- f. Material: Masonry; however, AW segments, other than those along the north and east lot lines of Tax Lot 90000 (950 Evergreen Road), may be partly made of opaque cedar wood fencing if the wall appears mostly masonry. Specifically, masonry must constitute the bottom extent of wall segment from grade up to min of 4 ft (for example, 6 CMU courses) above grade plus the height of a smooth concrete cap between the masonry and the wood, and there shall be piers, pillars, or pilasters per subsection “Pillars” below. Exhibit CU5-3 below illustrates a similar example (that does not exactly meet the condition) and serves as concrete masonry unit (CMU) model:

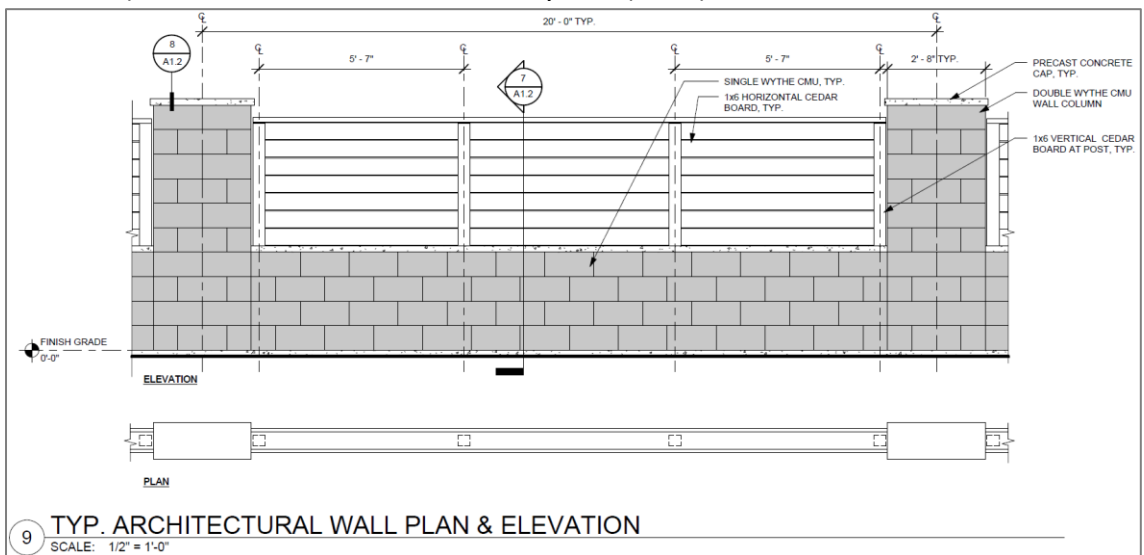


Exhibit CU5-3 (DR 2017-08)

- g. Texture: WDO 3.06.06B.7 is interpreted such that the standard for scoring, texture, or pattern on minimum 80.0% of the wall surface is applicable only to the WDO Table 3.06D minimum height of 6 ft – 80.0% being 7.2 of 9 CMU courses – not the conditioned minimum height of 9 ft, which equals 13.5 courses. In this context, the scored, textured, or split-face CMU courses shall start at or just beneath grade, and there shall be minimum 3 courses of ground or smooth-face CMU composing an upper band of the wall and minimum 1 course of ground or smooth-face CMU at approximately elbow height of an average height person standing at grade.

- h. Pillars: Whether the AW is solid masonry or incorporates wood fencing, each AW segment end shall have a pier, pillar, or pilaster min 16 inches wide relative to wall face and per WDO 3.06.06B.3 projecting min 3 inches each side of the wall.
  - (1) Number: Each segment shall have a min number of piers, pillars, or pilasters equal to a ratio of 1 per 40 ft of wall, and each segment end shall have a pier, pillar, or pilaster.
  - (2) Cap: Each pier or pilaster shall be capped with ornamental concrete in the form of any of a shallow-sloped pyramid or sphere or other finial atop such pyramid.
- i. This condition is due by the first building permit regardless of phase; that is, it is due regardless if Phase 2 is not developed at the same time as Phase 1.

CU6. Architecture:

- a. Canopies / fixed awnings:
  - (1) General: Min height clearance 9 ft.
  - (2) Fuel pump canopy: Max ceiling height 16 ft to either (a) ceiling or (b) ceiling-mounted lighting fixtures, whichever is lower.
  - (3) Convenience store and NE commercial office: The store and NE commercial office main entrances shall each have a canopy, fixed awning, building recess, or roof projection that shelters from precipitation, the former 4 ft narrowest dimension and 48 sq ft min area and the latter 4 ft and 32 sq ft. Each side or rear single staff door on the rest of the store and NE commercial office shall have the same, except 3 ft narrowest dimension and 18 sq ft min area, and for a set of double staff doors, 30 sq ft min area.
  - (4) SW commercial office: Each north entrance shall have a fixed awning, canopy, building wall projection, or secondary roof that shelters from the weather, min area 48 sq ft, min depth 4 ft. A fixed awning or canopy may be smaller if combined with a building recess and together they meet the min area. The south patio door elsewhere conditioned shall have the same, except min area 66 sq ft, min depth 6 ft.
- b. Cladding/materials: Convenience store and attached NE commercial office area:
  - (1) Base cladding min height 2 ft of brick, ceramic tile resembling stone, concrete masonry unit (CMU) block finished to resemble cut stone, or adhered stone. Otherwise, the desired materials provision of WDO 3.07.06B.2b(2) shall be a standard for all building elevations.
  - (2) The prohibited materials provision of WDO 3.07.06B.2b(3) shall be a standard.
  - (3) The proposed east CMU mandoor screen wall or wing wall, if not precluded by streetside PUE, shall be max height 4 ft, 2 inches, have the bottom 2 courses be split face and the upper 4 courses ground face and be capped with smooth concrete. The NE corner angled wall shall have a window min area 15 sq ft, min 2.5 ft wide, and wholly within 8.5 ft of grade.

- (4) Subsection (3) is void if the screen wall or wing wall would come to be in part or wholly within a streetside PUE because it would come closer to the building than the developer anticipates because of telescoping ROW width – see Conditions D1b & D2 – and if any of PW or ODOT directs and administers there not be a newly constructed free-standing wall within the Oregon Way streetside PUE, shortening or precluding the wall. Also, in this scenario, because PW has historically allowed chain-link fencing with streetside PUEs, the developer may in place of the intended wing wall install a chain-link fence that conforms with WDO 2.06.02D.1 & 2 and has slats of a color other than black, charcoal, or dark gray.
  - c. Scuppers: Any building rainwater scuppers shall not to dump onto the pavement of a wide walkway.
  - d. Setbacks:
    - (1) General: Site NE corner min setback shall equal streetside PUE.
    - (2) Convenience store / NE commercial office building: max 15 ft from highway ROW and max 20 ft from Oregon Way widened ROW (measured from straight line ROW, not the curved ROW near the intersection).
    - (3) SW commercial office: min 5 ft from Tax Lot 3700 east, south, and west lot lines.
  - e. Windows:
    - (1) General: All windows shall be square, round, or vertically proportioned. Operable windows shall have insect screens.
    - (2) Min areas, which shall be transparent:
      - (A) Convenience store:
        - 1. West façade 30.0%; north 30.0%; east 36 sq ft. For the angled, NE façade in particular, min 18 of the 36 sq ft.
        - 2. NE commercial office: West and south façades 30.0%; east 132 sq ft.
      - (B) SW commercial office: North façade 30.0%; east 15.0%; south 20.0%; and west 20.0%.
- CU7. Lighting: Besides conformance with WDO 3.11, including 3.11.02C color temperature:
- a. Buffer: Parking area or other pole-mounted fixtures are prohibited between the north lot line of 953 Oregon Way (Tax Lot 3500) and the east-west drive aisle.
  - b. Fuel pump canopy:



- (1) Max 14 ceiling fixtures. Any ceiling fixture shall be no closer to ceiling outer edge than 4 ft. Neon lighting, or a lighting technology that mimics the appearance of neon lighting, is prohibited on the fuel pump canopy and on the southernmost primary building on Tax Lot 3700. The developer shall make so either of the following: (1) ceiling light fixtures shall not drop below the ceiling plane, or (2) for ceiling-mounted fixtures, the canopy roof edge perimeter shall as a shield drop or extend down to the same plane as the underside of the lowest fixture. In either case, fixtures that drop or extend down from the ceiling shall each have opaque housing on all sides.
- (2) Based on the hours in Ordinance No. 2338, Section 5A Light Trespass, fuel pump canopy lights shall be off during the same hours as when the fuel pumps are closed.
- c. Max:
  - (1) Convenience store: 1 wall fixture on the east rear and none on the north side.
  - (2) NE commercial office: 1 wall fixture each on the east and west and none on the south side.
  - (3) South commercial office: 1 wall fixture at the south rear and none at the east and west sides.

CU8. Gas station operations:

- a. Noise:
  - (1) Gas station and convenience store: The gas station and convenience store shall be open to customer use no earlier and later than Monday through Saturday 6:00 a.m. to midnight and Sunday 6:00 a.m. to 11:00 p.m.
  - (2) Fuel pumps: Audible audiovisual advertising, if any, is prohibited from sounding from fuel pump electronic display speakers. Such advertising shall be limited to sight only.
  - (3) Tire/vacuum: Addition of any vehicle interior vacuum facility outdoors, tire pump facility outdoors, or other similar mechanical facility outdoors for gas station customers that makes noise shall be located min 100 ft north of the south lot line of Tax Lot 3700. Any vacuum shall be open to customer use no earlier and later than Monday through Saturday 7:00 a.m. to 9:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m.
- b. Trash: There shall be at least one trash receptacle along each of the walkways, at min 0.5 ft from walkway edge or outside wide walkway minimum width (8 ft), to and from the highway and Oregon Way sidewalks, within 25 ft of ROW, for intended use by convenience store customers, and remaining privately maintained and serviced.
- c. Vehicular circulation: The Director may administratively establish locations, details, specifications, and revisions to administer this condition part during building permit review. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
  - (1) Fuel pump queueing:

- (A) General: The developer shall stripe directional arrows and lines to direct motorists into fuel pump queues and distinguish the queues from driving routes around the fuel pump canopy.
- (B) Stacking: Of six queues, min 3 shall each fit stacking of min one car west of the fuel pump island behind cars parked at the pumps. Queueing may be obtusely angled relative to the pump islands.
- (C) Queuing shall not back up past face of curb in the highway right lane, and property management shall dispatch one or more employees to direct motorists as needed to prevent or correct such queuing.
- (2) Pump directional signage: There shall be directional signage that accomplishes directing on-site motorists where and how to queue, including pumps that are self-service and those served by an attendant.
- (3) I-5 directional signage: There shall be outside of ROW and streetside PUEs directional signage that accomplishes directing on-site motorists bound for I-5:
  - On Tax Lot 3700 (west lot), min 2 signs, each min area 18 by 24 inches, mounted min 2 ft and max 7 ft above grade, text min 6 inches high, and including the standard Interstate 5 logo. Detail drawings of these specifications are due by building permit application.
  - On Tax Lot 3600 (east lot), min 2 signs, the same dimensions and mounting as per part (A) above. One sign shall indicate trucks to turn left only, and the other sign shall indicate that left is to I-5 by using a left arrow and the standard Interstate 5 logo. The two signs may be mounted together on the same support. Sign detail drawings – in color – are due by building permit application.
- d. Median: A median barrier is required to be constructed at Oregon Way to mitigate against right turns by trucks exiting the site; refer to Attachment 102A, Public Works comments, item 6.


CU9. Signage: Electronic changing image: In addition to WDO 3.10.12, based on the hours in Ordinance No. 2338, Section 5A Light Trespass, any sign electronic changing image, if and where WDO 3.10 allows such, other than fuel price displays, shall be off during the same hours as when the convenience store is closed.

CU10. Modification: Because the WDO, including 5.03.01, does not specify how changes to an approved conditional use (CU) and related site improvements might trigger another CU or modification of a CU approval, for Director determination the following serve as criteria and – where noted – as factors:

- a. Significant expansion of the use(s), factors being an increase in any of: total GFA by 25.0% or more or by an absolute value of 1,000 sq ft or more, and, the number of buildings by 1 or more;
- b. Increase in off-street parking by 6 or more stalls, even if the existing supply were in excess of the minimum required ratio(s);
- c. Net increase in impervious surface totaling at least 1,000 sq ft;
- d. Adding the land uses of automotive maintenance and repair, whether or not including through service bay structures.
- e. Development as defined in WDO 1.02 within twenty (20) feet of a property boundary and not already conditioned through the subject approval;
- f. Any proposal necessitating a request for Adjustment to Street Right-of-Way and Improvement Requirements (“Street Adjustment”);
- g. Any proposal necessitating a request to vary from the WDO, that is, a variance;
- h. Any proposal necessitating a Type III or IV land use application type;
- i. City adoption of a unified development ordinance replacing the WDO were to have intervened;
- j. A request for major modification, as the Director determines, of the phasing plan; and
- k. Conversion of any NE or SW commercial office GFA to fast-food restaurant or limited-service eating place, for which WDO Table 3.05A row 11 has a minimum parking ratio higher than for general retail or food and drinking places. Exemptions from this condition are the creation of (1) a food or drinking place that is a permitted use within the CG zoning district, max 400 sq ft GFA, and accessory to the primary use of commercial office, and (2) fast-food restaurant or limited-service eating place that is a permitted use within the CG zoning district, has no drive-through, and is any of max 400 sq ft GFA within the NE commercial office and max 1,200 sq ft GFA within the SW commercial office building. Exemptions do not exempt permitted uses from some or all of the off-street parking minimum ratios per WDO Table 3.05A.
- l. Shared parking change: Future changes of use, such as expansion of a building or establishment of hours of operation which conflict with, or affect, the shared parking agreement, shall require review and authorization not only through any of, “a subsequent Design Review or Modification of Conditions” per WDO 3.05.05D.1, but also with the option of being through a Conditional Use (CU).

Modification of a specific condition of approval remains pursuant to WDO 4.02.07. Were the City to have amended the WDO to establish modification provisions for conditional uses, the Director may decide that the provisions supersede this condition of approval.

CU11. Discontinuance/revocation: Because the WDO does not specify if and when a conditional use approval would expire were a use to cease, based on WDO 4.02.04B the approval shall expire if the WDO Table 2.03A, B.2 use of "gasoline station" ceases and 3 years pass without the use recommencing. This CU approval excludes the uses "automotive maintenance" and "repair services" from the group of uses as the WDO terms. Violation of one or more conditions of approval may serve as a basis for City revocation.



*Conditional Use 24-02: Transportation*

T-A1:

1. OR 214 & Oregon Way: The developer shall pay a fee per Attachment 202 to fund a transportation study, specifically to investigate in coordination with ODOT (1) corridor signal timing and coordination adjustments and (2) improving safety by reducing vehicle turning or angle crashes. This is due by building permit issuance. [TSP R11 & revised TIA p. 14]
2. I-5 interchange with OR 214: To reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R8 & R9 & revised TIA p. 14]
3. OR 214 & Evergreen Rd: To mitigate effect on the intersection and reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R10 & revised TIA p. 14]

T-T. Bus transit: Bus stop improvements: To further TDM through bus transit, regarding the WTS Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because ROW and streetside PUE are too narrow relative to the street to accommodate installation, the developer shall pay a fee in-lieu as well as a fee in lieu of a bus stop bicycle rack per Attachment 202.



*Street Adjustment 24-01*

SA1. Frontage/street improvements: Highway: No min surface improvements are required other than either elsewhere conditioned or necessary to conform to Public Works (PW) direction or comply with ODOT engineering guidance. The developer may let existing improvements lie, excepting conforming upgrade of the driveway apron as the WDO and other conditions require, but also shall pay fees in lieu of highway improvements per Attachment 202.

SA2. Frontage/street improvements: Oregon Way: These shall be as follows:

- a. Parking: No on-street parallel parking lane 8-feet wide is required, this being an adjustment from what WDO Figure 3.01E would have required. The developer shall pay a fee in-lieu per Attachment 202.
- b. Landscape strip: Min width 6.5 ft wide inc. curb width and with min street trees per WDO 3.06.03A.1 (1:30), equaling 6 trees. For max 4 of the trees, the developer may pay a fee in-lieu per Attachment 202. Landscaping of area remaining after tree planting and irrigation shall be per the WDO 3.01.04B last paragraph.
- c. Sidewalk: Min width 8 ft.

Overlap: Wider sidewalk shall not narrow the landscape strip. The extra width of planter strip and sidewalk shall either (1) be within additional ROW that accommodates them, or (2) overlap outside ROW into streetside PUE, the PUE or other recorded legal instrument granting public access to the overlap. If (2), then the developer shall submit a draft of the legal instrument for Planning and PW review by either civil engineering plan (CEP) review application to PW or, if PW performs CEP review through building permit review, then by building permit application. Per WDO 2.01.05A, the developer shall submit copies of correctly recorded documents to the Planning Division.

SA3. ROW & PUE: There is no street adjustment to narrow below the minimum requirements; instead, see Conditions D1 & D2.

## Applicant Identity

<i>Applicant</i>	Ronald “Ron” James Ped, Ronald James Ped Architect, PC
<i>Applicant’s Representative</i>	n/a
<i>Landowner(s)</i>	Lal Din Sidhu (“Don” Sidhu), Woodburn Petroleum LLC

## Notes to the Applicant

The following are not planning / land use / zoning conditions of approval, but are notes for the applicant to be aware of and follow:

1. Records: Staff recommends that the applicant retain a copy of the subject approval.
2. Fences, fencing, & free-standing walls: The approval excludes any fences, fencing, & free-standing walls, which are subject to WDO 2.06 and the permit process of 5.01.03.
3. Signage: The approval excludes any private signage, which is subject to WDO 3.10 and the permit process of 5.01.10.
4. PLA Time Limit: WDO 4.02.04B. specifies that, “A final decision on any application shall expire within three years of the date of the final decision unless: 1. a building permit to exercise the right granted by the decision has been issued; 2. the activity approved in the decision has commenced; or 3. a time extension, Section 4.02.05, has been approved. Because unrecorded re-plats lingering indefinitely have burdened staff, a condition sets sooner time limits for subsection 2. to begin and finish recordation.
5. Mylar signature: The Community Development Director is the authority that signs plat Mylars and not any of the mayor, City Administrator, Public Works Director, or City Engineer. Only one City signature title block is necessary.
6. PLA Plat Tracker: Marion County maintains a plat tracking tool at <http://apps.co.marion.or.us/plattracker/>. Use it to check on the status of a recordation request to the County. City staff does not track County plat recordation.
7. Technical standards:
  - a. Context: A reader shall not construe a land use condition of approval that reiterates a City technical standard, such as a PW standard, to exclude remaining standards or to assert that conditions of approval should have reiterated every standard the City has in order for those standards to be met.
  - b. Utilities: A condition involving altered or additional sidewalk or other frontage/street improvement that would in the field result in displacement or relocation of any of utility

boxes, cabinets, vaults, or vault covers does not exempt the developer from having to move or pay to move any of these as directed by the City Engineer and with guidance from franchise utilities.

8. Other Agencies: The applicant, not the City, is responsible for obtaining permits from any county, state and/or federal agencies, which may require approval or permit, and must obtain all applicable City and County permits for work prior to the start of work and that the work meets the satisfaction of the permit-issuing jurisdiction. The Oregon Department of Transportation (ODOT) might require highway access, storm drainage, and other right-of-way (ROW) permits. All work within the public ROW or easements within City jurisdiction must conform to plans approved by the Public Works Department and must comply with a Public Works Right-of-Way permit issued by said department. Marion County plumbing permits must be issued for all waterline, sanitary sewer, and storm sewer work installed beyond the Public Right-of-Way, on private property.
9. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. Contact Planning Division staff at least 3 City business days prior to a desired date of planning and zoning inspection of site improvements. This is required and separate from and in addition to the usual building code and fire and life safety inspections. Note that Planning staff are not primarily inspectors, do not have the nearly immediate availability of building inspectors, and are not bound by any building inspector's schedule or general contractor convenience.
10. Stormwater management: The storm sewer system and any required on-site detention for the development must comply with the City Storm Water Management Plan, Public Works storm water practices and the Storm Drainage Master Plan.
11. Public Works Review: Regarding public infrastructure, consult the Public Works Department Engineering Division about when, where, and how to apply and implement [Public Works construction specifications, Standard Drawings, Standard Details](#), and general conditions of a permit type issued by the Public Works Department. Where the Oregon Dept. of Transportation (ODOT) has jurisdiction over a roadway, consult Public Works about role and process clarification. The [Engineering Division](#) can be reached at (503) 982-5240.
12. ROW:
  - a. Dedication: The Public Works Department Engineering Division has document templates for ROW and easement dedications that applicants are to use.  
  
ROW – and public utility easement (PUE) – dedications are due prior to building permit issuance per Public Works policy.
  - b. Work: All work within the public ROWs or easements within City jurisdiction must require plan approval and permit issuance from the Public Works Department. All public



improvements construction work must be performed in accordance with the plans stamped “approved” by the City, and comply with the City’s Standard Specifications and Standard drawings.

Where the Oregon Dept. of Transportation (ODOT) has jurisdiction over a roadway, consult Public Works about role and process clarification. The [Engineering Division](#) can be reached at (503) 982-5240.

13. Franchises: The applicant provides for the installation of all franchised utilities in any required easements.
14. Water: All water mains and appurtenances must comply with Public Works, Building Division, and Woodburn Fire District requirements. Existing water services lines that are not going to be use with this new development must be abandoned at the main line. The City performs required abandonment of existing water facilities at the water main with payment by the property owner. All taps to existing water mains must be done by a “Hot Tap” method and by approved City of Woodburn Contractors. The applicant shall install the proper type of backflow preventer for all domestic, lawn irrigation and fire sprinkler services. The backflow devices and meters shall be located near the city water main within an easement, unless approved otherwise by Public Works. Contact Byron Brooks, City of Woodburn Water Superintendent, for proper type and installation requirements of the backflow device at (503) 982-5380.
15. Grease Interceptor/Trap: If applicable, a grease trap would need to be installed on the sanitary service, either as a central unit or in a communal kitchen/food preparation area. Contact Marion County Plumbing Department for permit and installation requirements, (503) 588-5147.
16. Fire: Fire protection requirements must comply with Woodburn Fire District standards and requirements, including how the District interprets and applies Oregon Fire Code (OFC). Place fire hydrants within the public ROW or public utility easement and construct them in accordance with Public Works Department requirements, specifications, standards, and permit requirements. Fire protection access, fire hydrant locations and fire protection issues must comply with current fire codes and Woodburn Fire District standards. See City of Woodburn Standard Detail No. 5070-2 Fire Vault. The fire vault must be placed within the public right-of-way or public utility easement.

17. Street address assignment: The CU 24-02 redevelopment necessitates changes to [street address assignment](#). Assume and request the following with the request form:

<i>Lot</i>	<i>Existing Address</i>	<i>Requested Address</i>
Tax Lot 3600	2540 Newberg Hwy	Convenience store: 2540 Newberg Hwy, Ste 1 NE attached commercial office area: 2540 Newberg Hwy, Ste 2
Tax Lot 3700	2600 Newberg Hwy	SW commercial office building: 2600 Newberg Hwy, with one suite number per tenant space for all tenant spaces west to east, e.g. Stes 1, 2, 3, etc.

18. [Planning Division fee schedule](#): Additional fees are or might become applicable per the schedule:

- Page 2, row “Bond or performance guarantee release or status letter”, Applicable to such held by the Planning Division, not any by the Public Works Department Engineering Division. (This usually means bonding through the Planning Division is limited to street trees and/or on-site landscaping.)
- Page 2, “Civil engineering plan(s) (CEP) review, Planning Division review of Public Works Department permit application materials”. Where CEP is done through building permit review instead of a separate process prior to building permit application, Planning Division assess the fee on the building permit, avoiding separate invoicing and allowing the applicant to pay the fee along with the other permit fees.
- Page 2, row “Exception to when all public improvements are due / delay or deferral of frontage/street improvements”, applicable if a developer obtains Public Works Department approval of exception (delay/deferral) through WDO 3.01.02E(1) & (2). The fee serves as an exception disincentive. If Planning Division staff see no evidence of improvements under construction or constructed based on the building permit application materials, staff will assume deferral and assess the fee on the building permit, avoiding separate invoicing and allowing the applicant to pay the fee along with the other permit fees.

19. SDCs: The developer pays system development charges prior to building permit issuance. Engineering Division staff will determine the water, sewer, storm, traffic, and parks SDCs after the developer provides a complete Public Works Commercial/Industrial Development information sheet. The [Engineering Division](#) can be reached at (503) 982-5240.



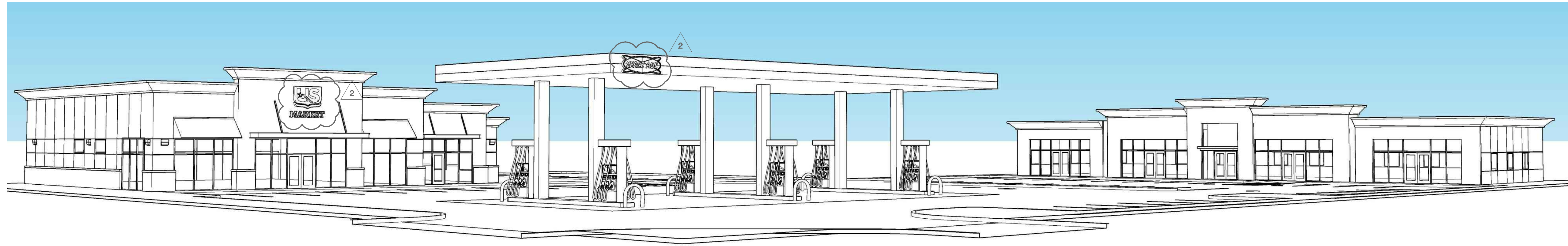
**US MARKET/GAS STATION  
2540 & 2600 Newberg Highway  
CU 24-02  
Public Works Comments**

**October 28, 2024**

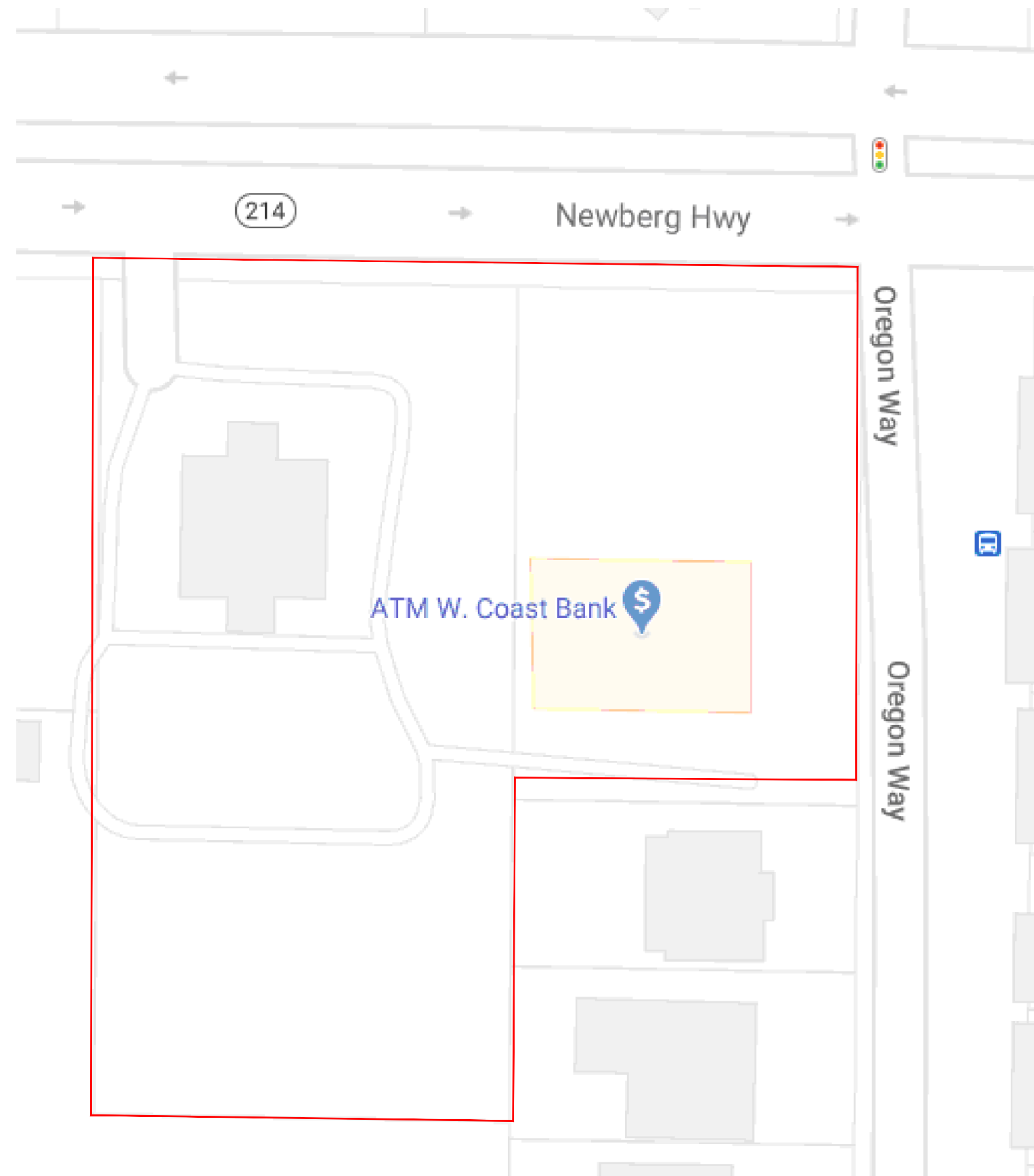
**GENERAL NOTES:**

1. The Applicant/owner, not the City, is responsible for obtaining permits from City, State, County and/or Federal agencies that may require such permit or approval.
2. Applicant to provide a storm drainage report prior to Civil Plans approval if applicable. The storm drainage report shall comply with the City of Woodburn storm master plan and ODOT's approval for discharging the private storm system into ODOT's system along Hwy 214 (Newberg Highway).
3. All City-maintained facilities located on private property shall require a minimum of 16-foot-wide utility easement conveyed to the City by the property owner. Provide and record the required right-of-way dedication, public utility easements, and waterline easements prior to building permit issuance if required. All water meters shall be within the right-of-way or public utility easements.
4. The Applicant shall obtain the required 1200C Erosion Control Permit from the Department of Environmental Quality prior to City issuance of permit(s), if applicable.
5. A final review of the Civil Plans will be done during the building permit application. Public infrastructure will be constructed in accordance with plans approved by public works, ODOT, and other agencies that may require the applicant to obtain permits.
6. All sanitary sewer laterals serving the proposed developments are private up to the main line. All existing sewer laterals shall be abandoned at the main if they are not going to be utilized.
7. Fire hydrant locations and fire protection requirements shall be as per the Woodburn Fire District and City of Woodburn requirements.

8. System Development Charges shall be paid prior to building permit issuance.
9. All work within ODOT's jurisdiction shall comply with ODOT's permits and requirements.
10. All onsite private storm systems and sewer lateral lines shall comply with Marion County plumbing permit and requirements.
11. Storm systems for both gasoline/petroleum products spill or parking areas are not allowed to connect/discharge into the public sanitary sewer system. The private storm system on the proposed pumps area shall comply with Federal, State, and City's regulations for containment of spills and storm discharges.



# US MARKET



**VICINITY MAP**  
SCALE: NTS

## CODE SUMMARY

CODE: 2019 O69C  
 OCCUPANCY: M  
 CONSTRUCTION: V-B

### ALLOWABLE BUILDING AREAS-TABLE 503

OCCUPANCY	CONSTRUCTION TYPE	TABULAR BUILDING AREA	ACTUAL AREA
M	V-B	9,000 SF	9,973 SF

## SITE PLAN SUMMARY

ZONED: CG - GENERAL COMMERCIAL

PROPERTY SIZE = 62,120.42 S.F. (1.43 AC)  
 REQ'D LANDSCAPE P.U. = 484 P.U.  
 PROPOSED LANDSCAPE P.U. = 732 P.U.

### PARKING REQ.

**TOTAL PARKING:**  
 GEN. RETAIL: 4110 SQ.FT. / 200 = 20.55, 21 REQ. (item 6 table 3.05A)  
 OFFICE: 6,863 SQ.FT. / 350 = 19.6, 20 REQ. (item 12 table 3.05A)  
 GAS STATION: 1 PER PUMP ISLAND = 6 REQ. (item 6 table 3.05A)  
**TOTAL REQUIRED SPACES: 47 REQ.**  
**PARKING SPACES: 50 PROVIDED** (3 van accessible spaces)  
 (38 full size spaces & 12 compact spaces)  
 \* 47 req. spaces x .2 = 9.4, 9 compact spaces max,  
 plus 3 additional compact spaces beyond req. number of spaces

Number of compact spaces is based on the required parking amount not what is provided  
 WDO 3.05.03C: A maximum of 20 percent of the **required** vehicle parking spaces may be satisfied by compact vehicle parking spaces.

### STREET TREES REQ.

ONE TREE EVERY 30'-0" REQ.  
 8 TREES PROPOSED

### BIKE PARKING REQ.

**3.05.03 Off-Street Parking**  
 E. All uses that are required to provide 10 or more off-street parking spaces and residential structures with four or more dwelling or living units shall provide a bicycle rack within 50 feet of the main building entrance. The number of required rack spaces shall be one space per ten vehicle parking spaces, with a maximum of 20 rack spaces.

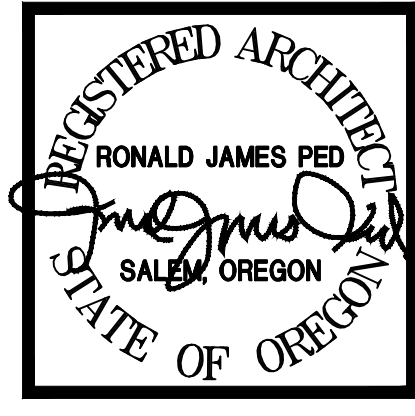
49/10 = 5 REQUIRED  
 6 BIKE PARKING SPACES PROVIDED  
 2 BIKE RACKS (4 BIKE SPACES) PROVIDED AT CONVENIENCE STORE  
 1 BIKE RACK (2 BIKE SPACES) PROVIDED AT SW OFFICE BUILDING  
 (2 BIKE PER RACK)

## DRAWING INDEX

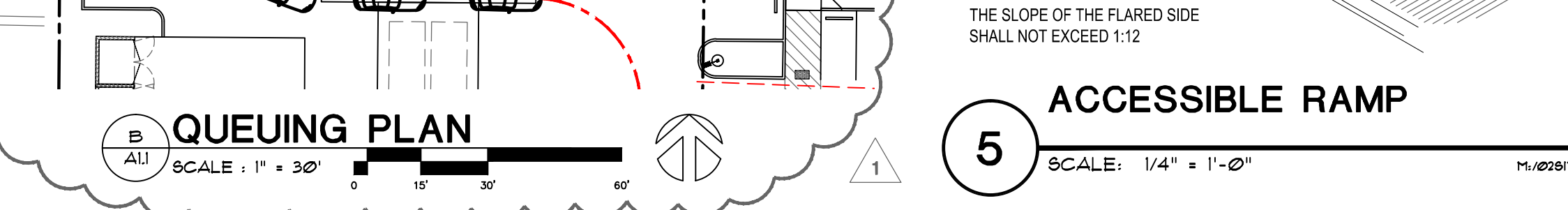
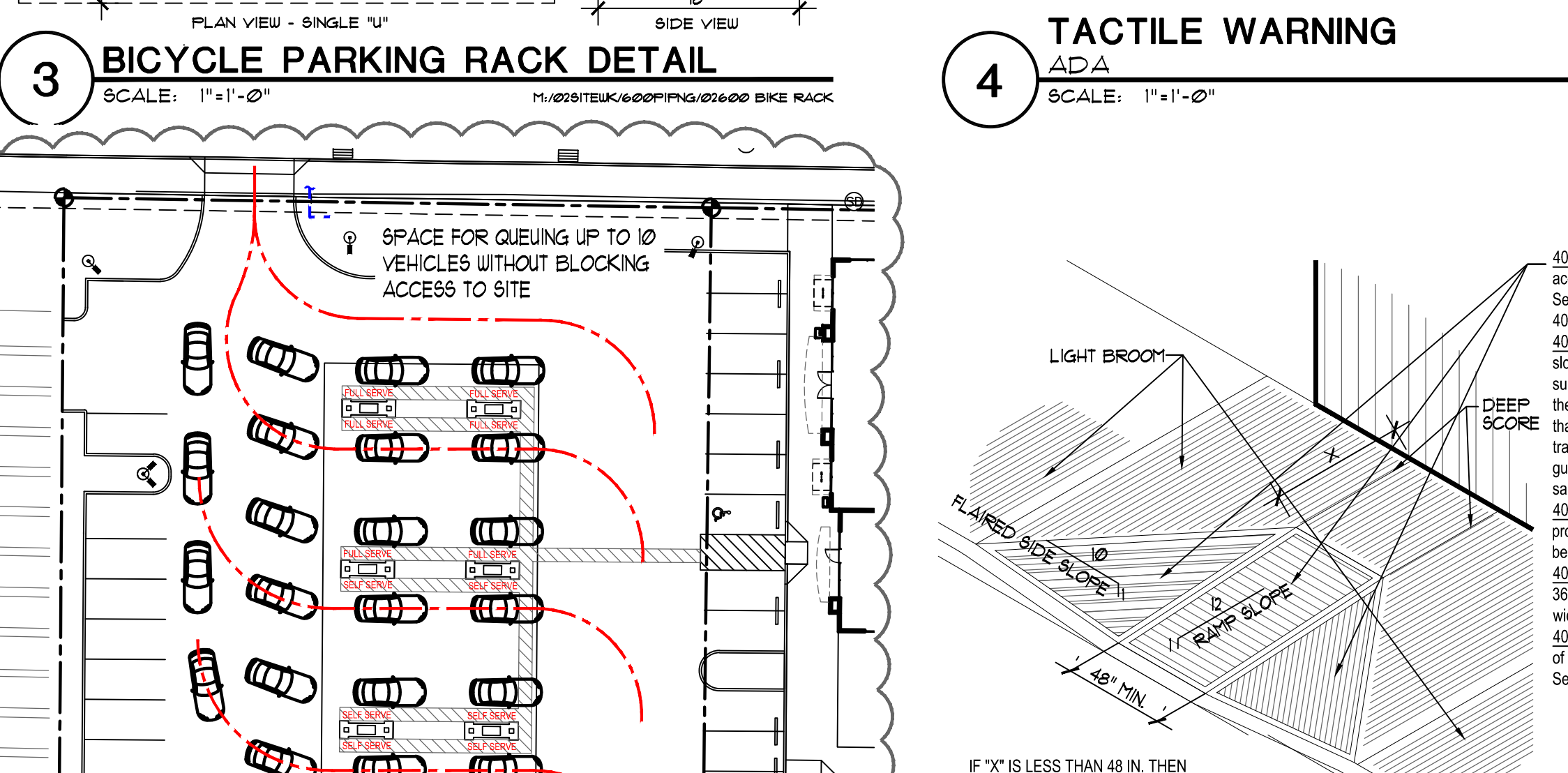
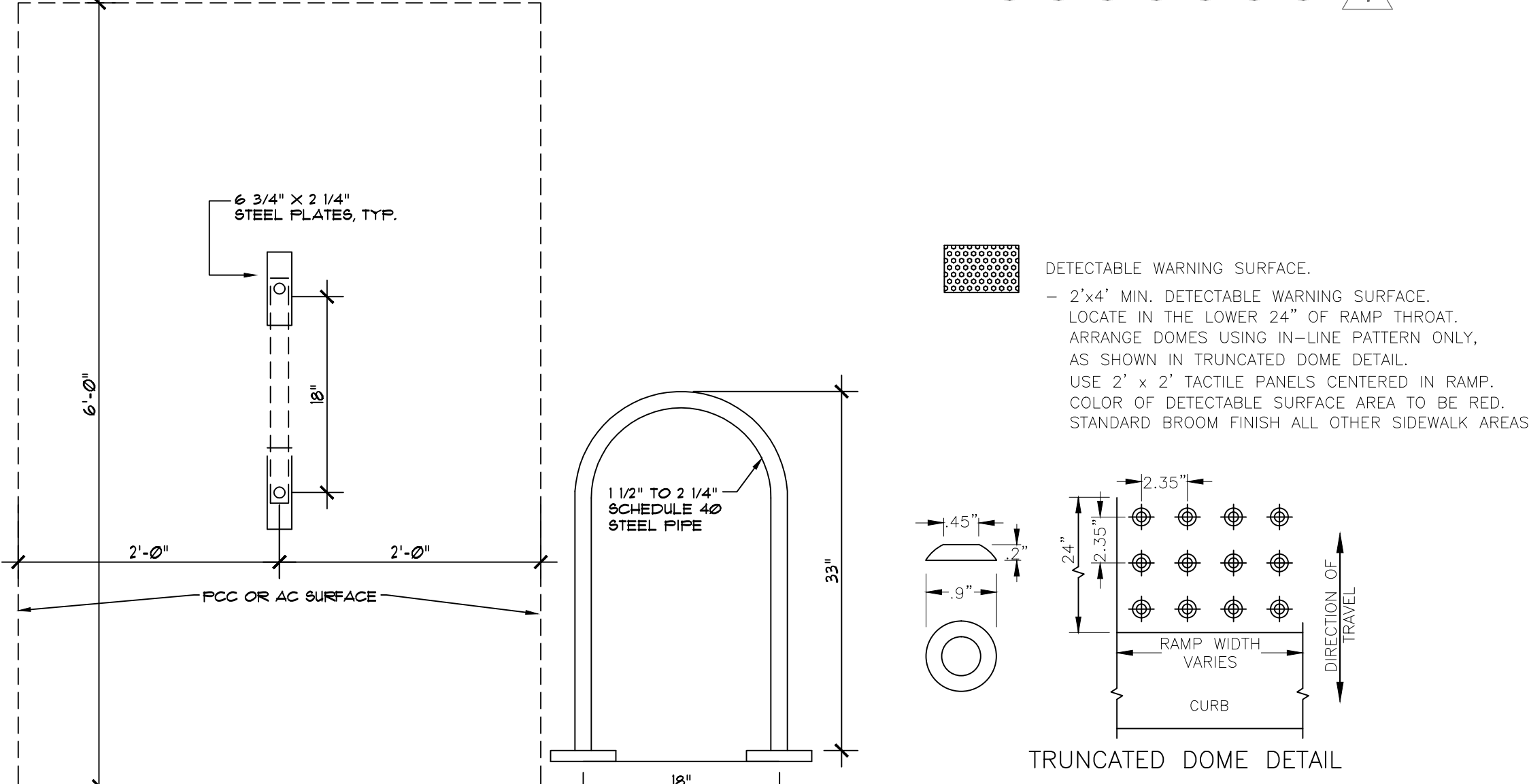
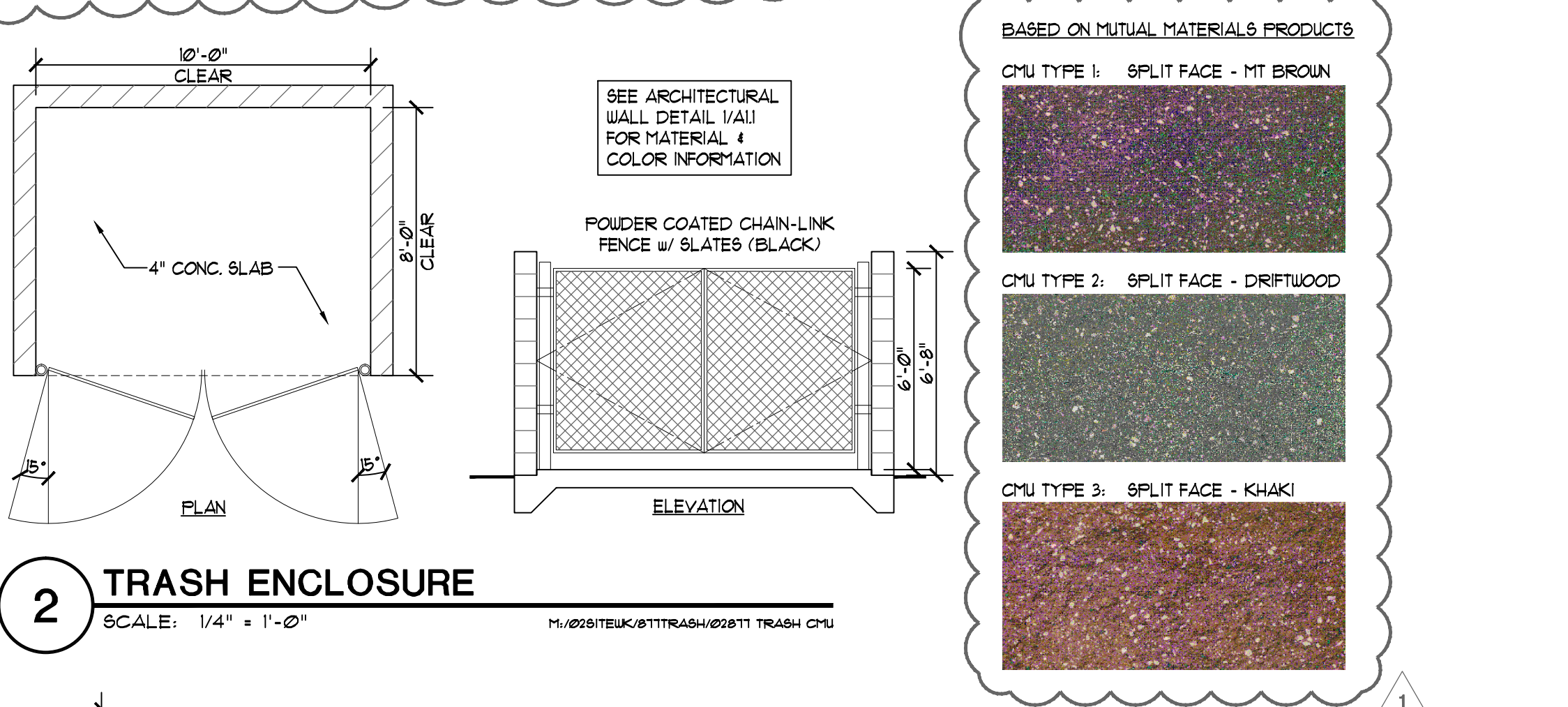
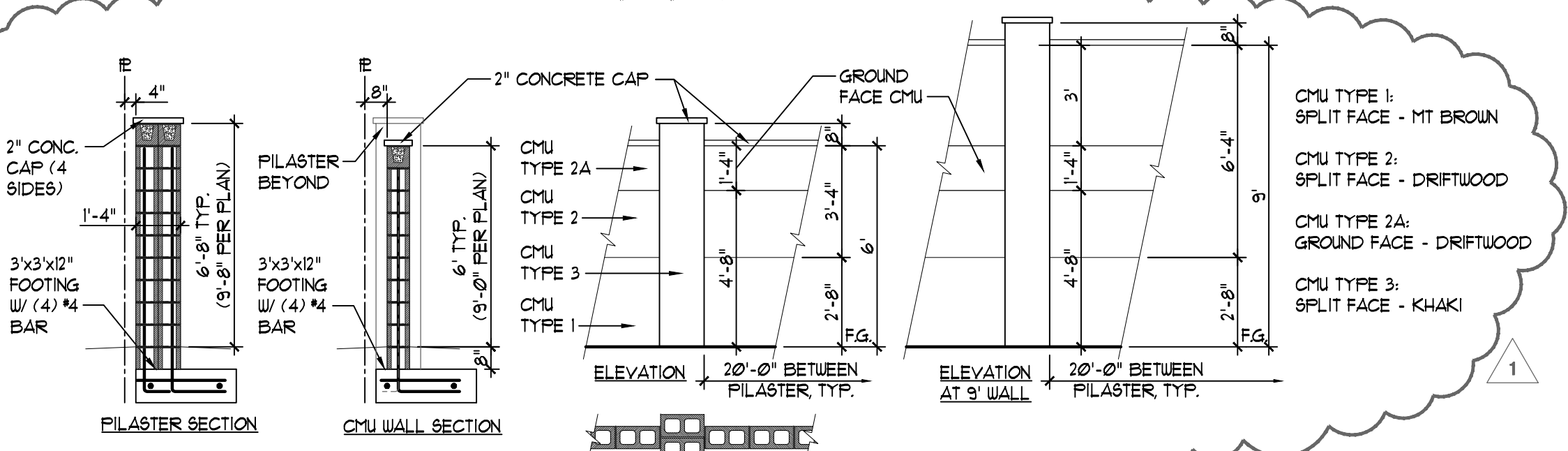
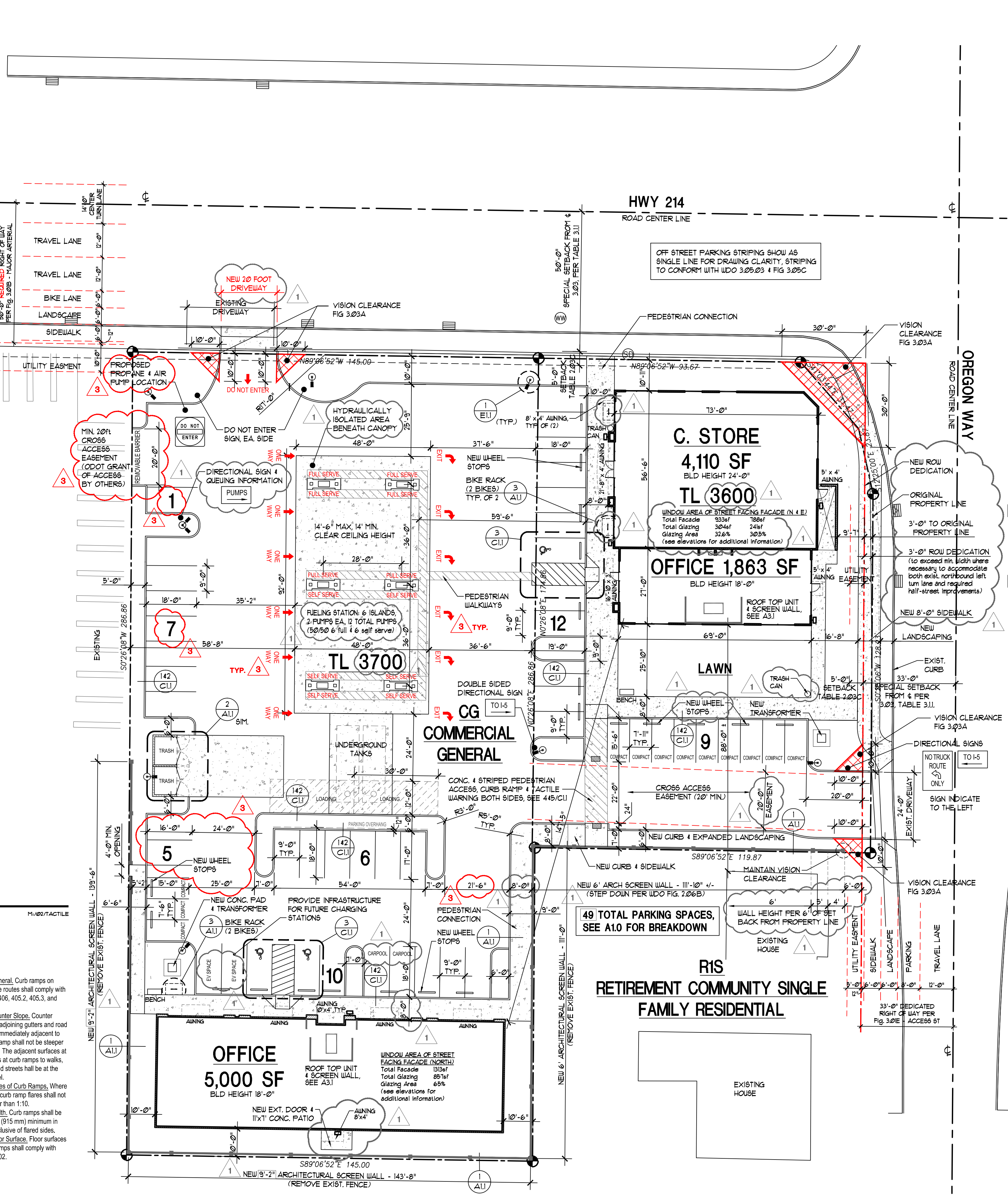
- A1.0 COVER PAGE
- A1.1 SITE PLAN
- A1.2 EXISTING SITE & DEMO PLAN
- A1.3 FIRE ACCESS PLAN
- C1.1 GRADING PLAN
- C1.2 UTILITY PLAN
- E1.1 LIGHTING PLAN
- L1.1 LANDSCAPE PLAN
- L1.2 IRRIGATION PLAN
- A3.1 BLDG ELEVATIONS & RENDERINGS



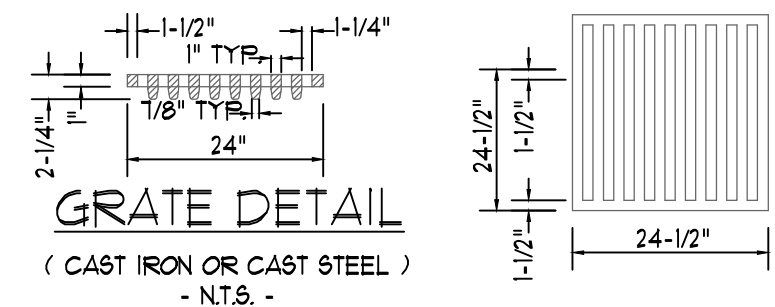
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- 2 DESIGN REVIEW COMMENTS 5/14/24 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6/12/24 - REVISION 3



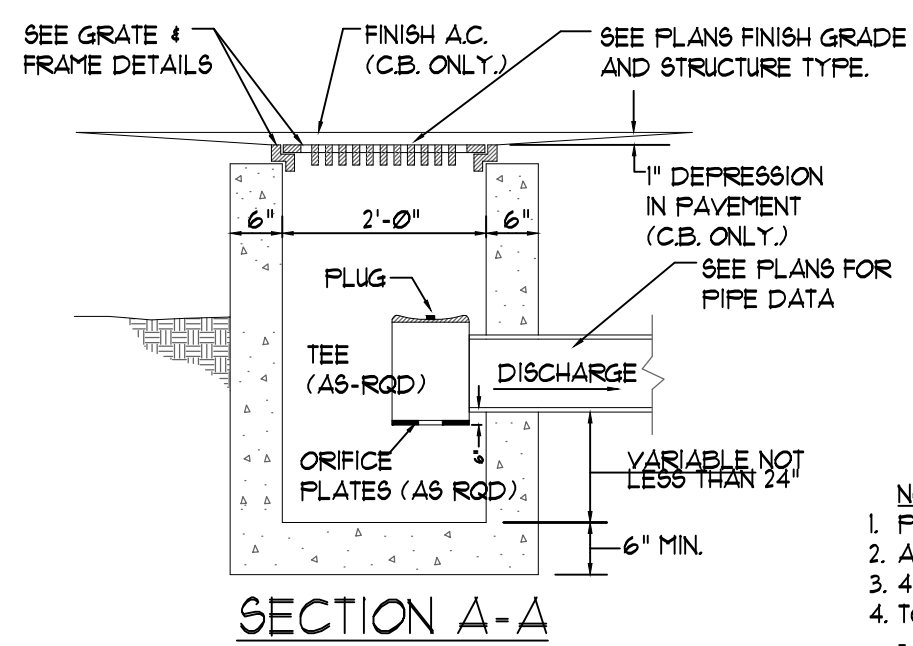
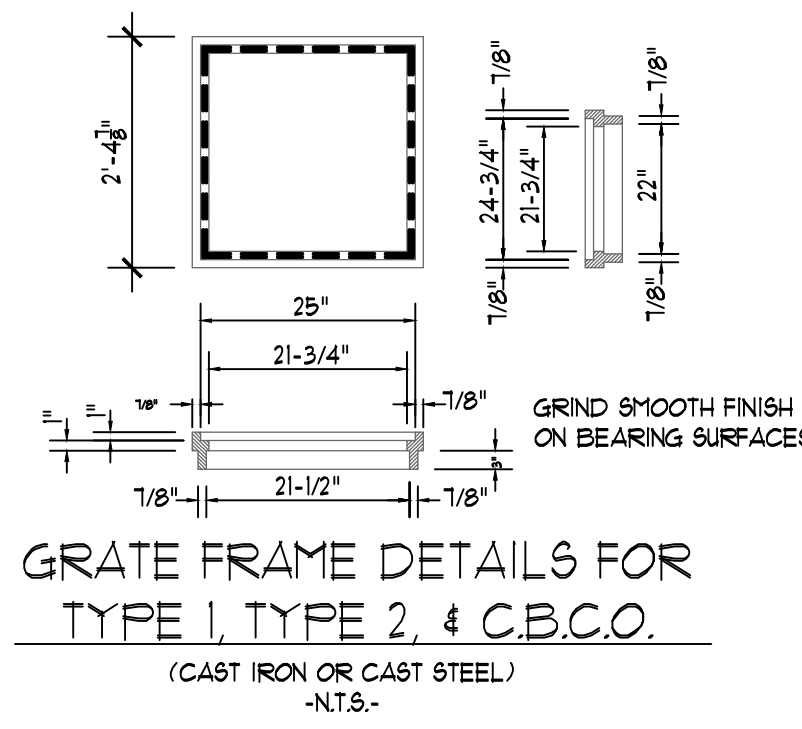
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 3 DESIGN REVIEW COMMENTS 6.124 - REVISION 3



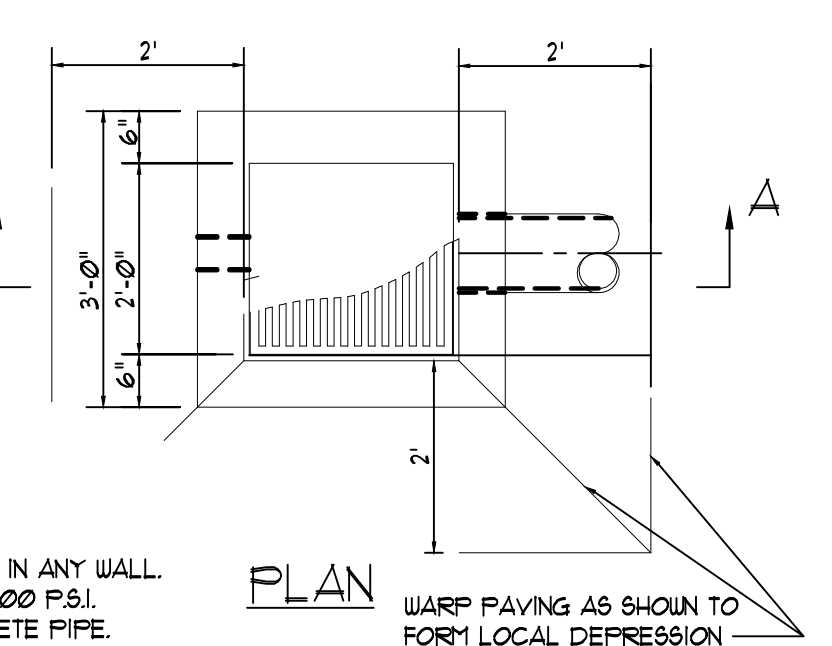
- NOTES:
- ALL CASTINGS SHALL CONFORM TO ASTM A 48 (AASHTO M 105) FOR GRAY IRON CASTINGS, CLASS 30, OR (AASHTO M 183 CLASS 10) FOR CAST STEEL.
  - ROUNDS, FILLETS, TAPERS AND OTHER MINOR MODIFICATIONS TO THE DIMENSIONS SHOWN FOR CASTINGS MAY BE MADE TO CONFORM TO COMMON SHOP PRACTICES.
  - GRATES AND FRAMES MAY BE OF CAST OR WELDED CONSTRUCTION, AT THE CONTRACTOR'S OPTION.
  - STEEL FOR WELDED GRATE 4 FRAME SHALL BE ASTM A-1 OR ASTM A-313.



CATCH BASIN HAS GRATE (SEE DTL.)  
CATCH BASIN CLEANOUT HAS SOLID COVER (SEE NOTE NO. 4 BELOW).



- NOTES:
- PIPE(S) CAN BE PLACED IN ANY WALL.
  - ALL CONCRETE TO BE 3300 P.S.I.
  - 4" DRAINS TO BE CONCRETE PIPE.
  - TO CONSTRUCT CATCHBASIN CLEANOUT - REPLACE GRATE WITH 1'-3 1/2" x 1'-1 1/2" STEEL PLATE 3/4" THICK, DRILL 1" DIA. LIFT HOLE NEAR ONE END OF PLATE.



**1 STANDARD CATCHBASIN AND CATCH BASIN CLEANOUT**  
SCALE: 1/2" = 1'-0"

**Submittal Sheet**

Approvals and Listings maintained by:  
Campus Industries Ltd.  
Canada: 1-800-461-5300 USA: 1-888-461-5307

Part Description: **3" Gray Endura 50 Gallons Per Minute (GPM) 100lbs Grease Interceptor**

Part Number: **3950A03**

Part #	Part UPC	Size (Inches)	Ctn Qty	Ctn Bar Code	Ctn. Wt (Kgs)	Ctn. Wt (Lbs)	Skid Cubic (m)	Skid Cubic (ft)	Ctns/Skid
3950A03	662671390110	3X3	1	10662671390117 29.41	64.70	1.63	97.50	4	

TOP VIEW

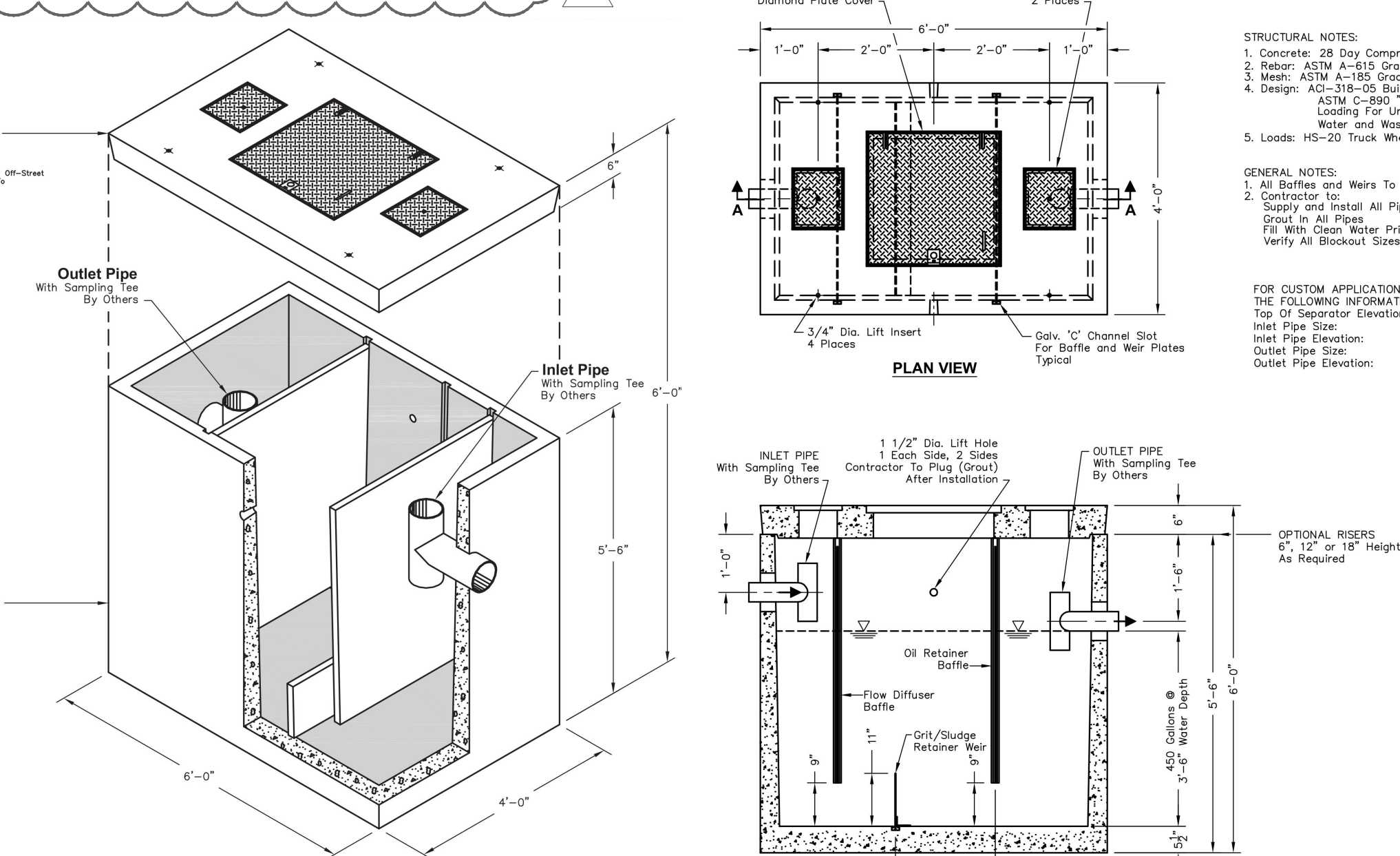
FRONT VIEW

SIDE VIEW

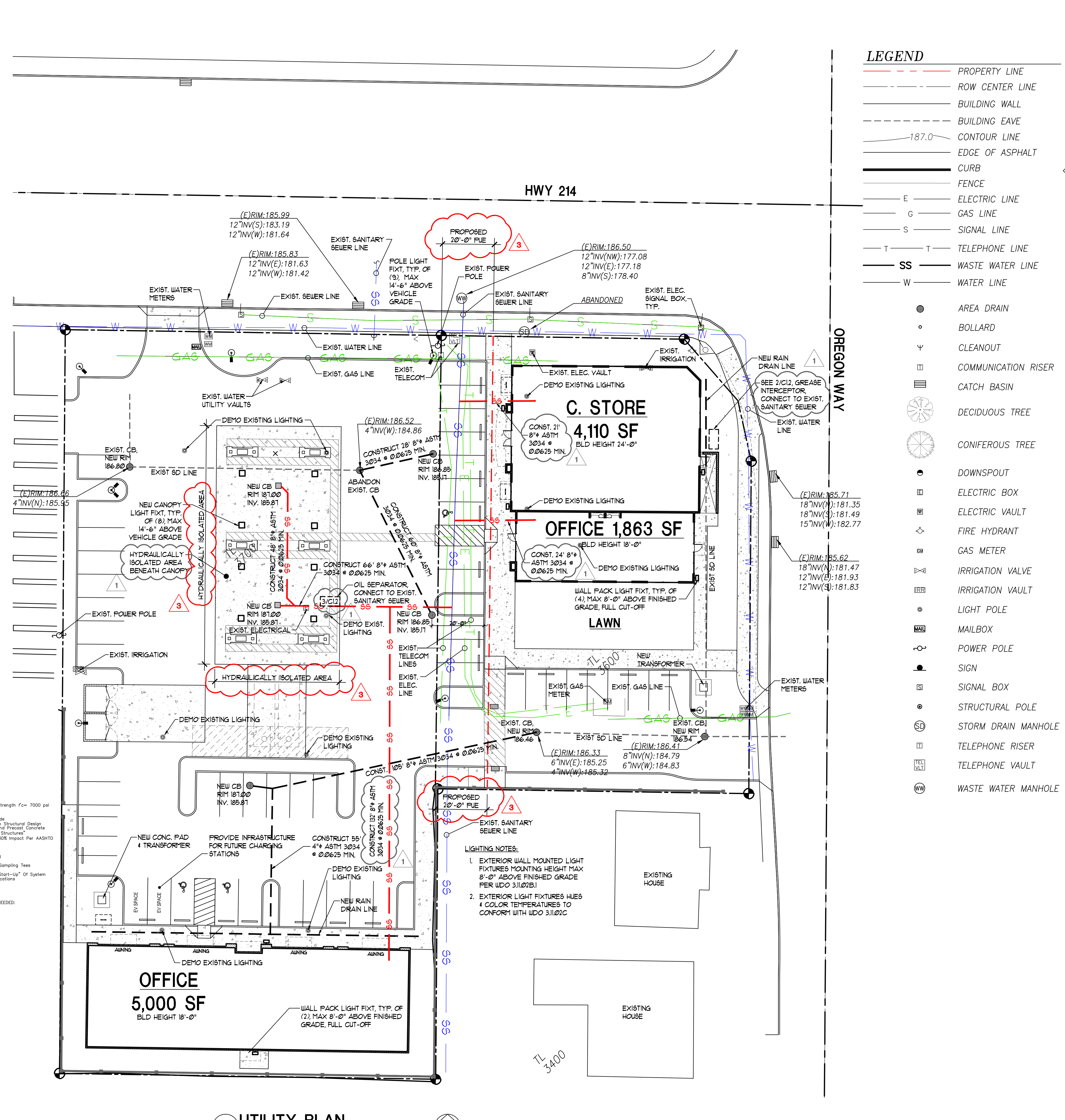
GREASE INTERCEPTOR LOAD			
FIXTURE	#	EA.	TOTAL
SINK	2	2	4
KITCHEN SINK	2	3	6
MOP SINK	1	3	3
TOTAL FIXTURE UNITS: 13			

50 GPM ADEQUATE FOR 20 DFU PER TABLE 1014.21

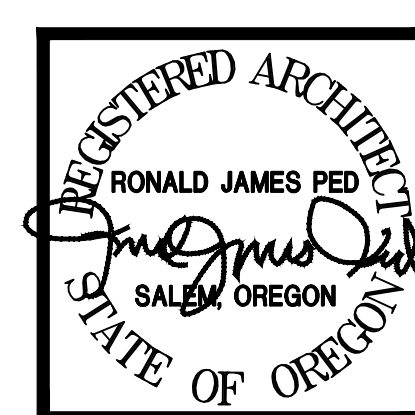
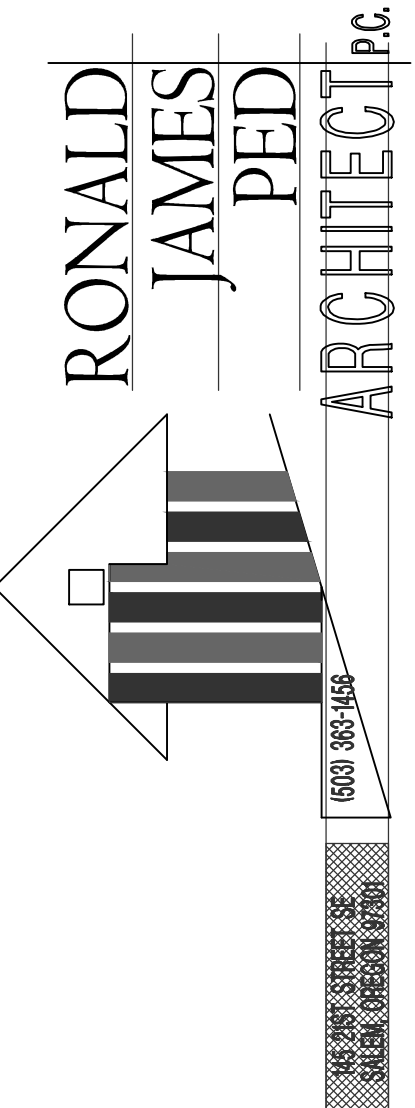
**2 GREASE INTERCEPTOR**  
SCALE: NOT TO SCALE



**3 OIL WATER SEPARATOR**  
SCALE: NOT TO SCALE



- LEGEND**
- PROPERTY LINE
  - ROW CENTER LINE
  - BUILDING WALL
  - BUILDING EAVE
  - CONTOUR LINE
  - EDGE OF ASPHALT
  - CURB
  - FENCE
  - E ELECTRIC LINE
  - G GAS LINE
  - S SIGNAL LINE
  - T TELEPHONE LINE
  - SS WASTE WATER LINE
  - W WATER LINE
- AREA DRAIN
  - BOLLARD
  - CLEANOUT
  - COMMUNICATION RISER
  - CATCH BASIN
  - DECIDUOUS TREE
  - CONIFEROUS TREE
  - DOWNSPOUT
  - ELECTRIC BOX
  - ELECTRIC VAULT
  - FIRE HYDRANT
  - GAS METER
  - IRRIGATION VALVE
  - IRRIGATION VAULT
  - LIGHT POLE
  - MAILBOX
  - POWER POLE
  - SIGN
  - SIGNAL BOX
  - STRUCTURAL POLE
  - STORM DRAIN MANHOLE
  - TELEPHONE RISER
  - TELEPHONE VAULT
  - WASTE WATER MANHOLE

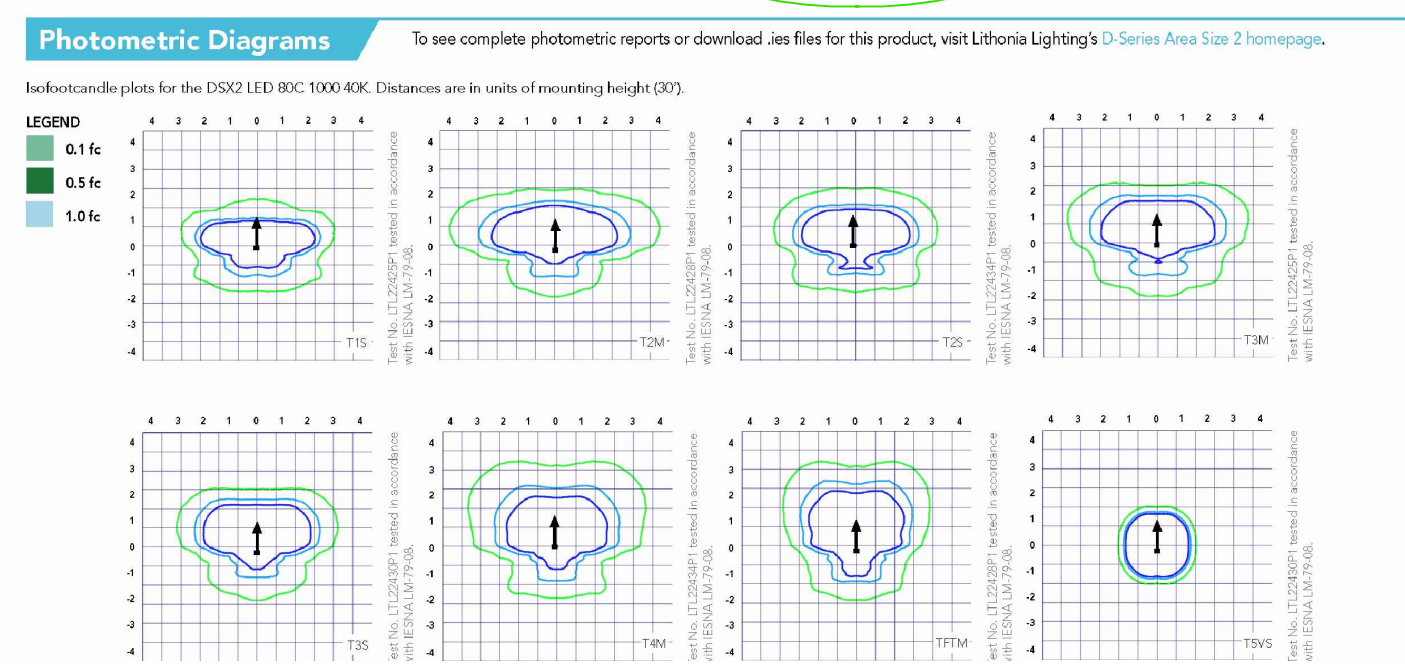
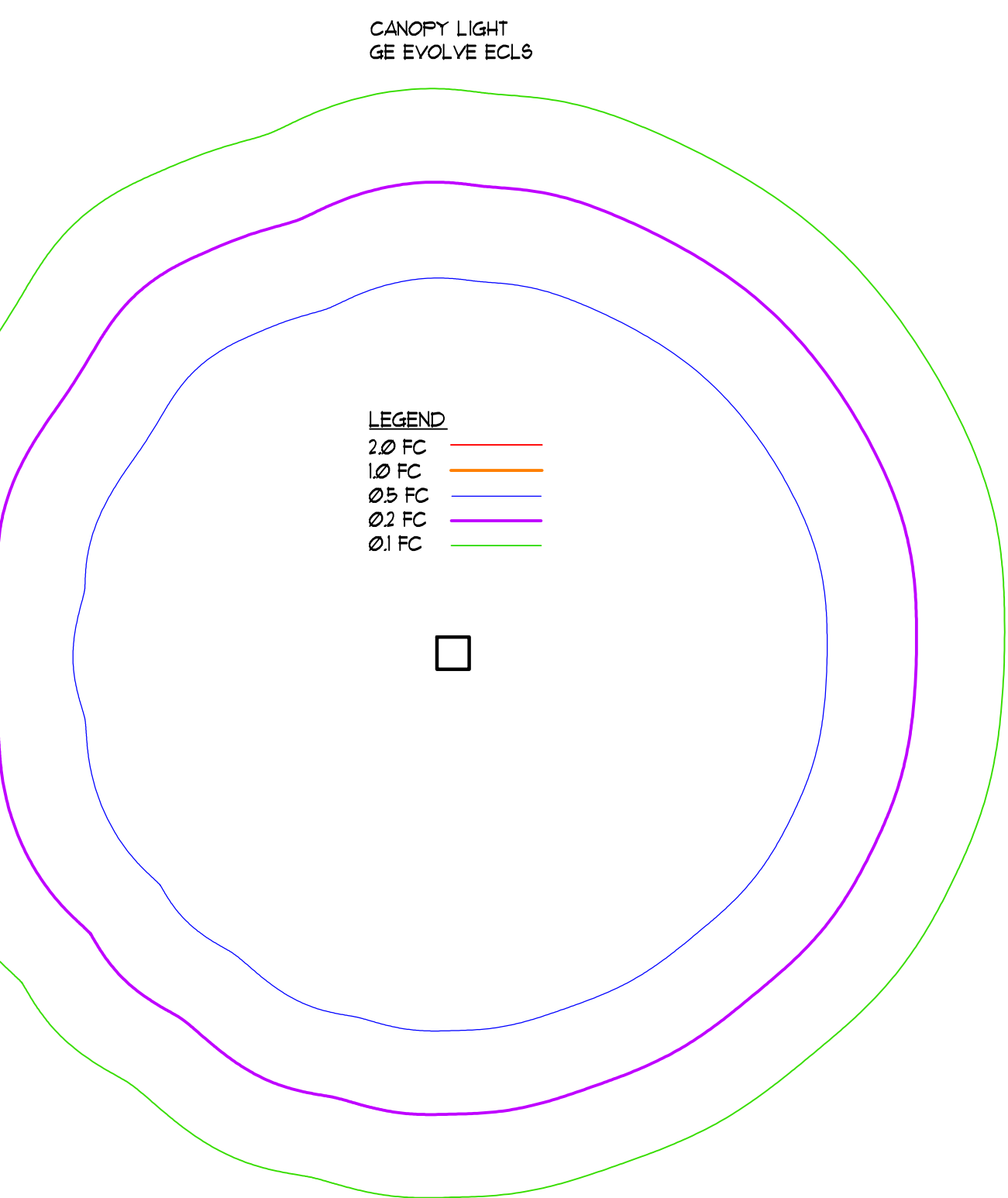
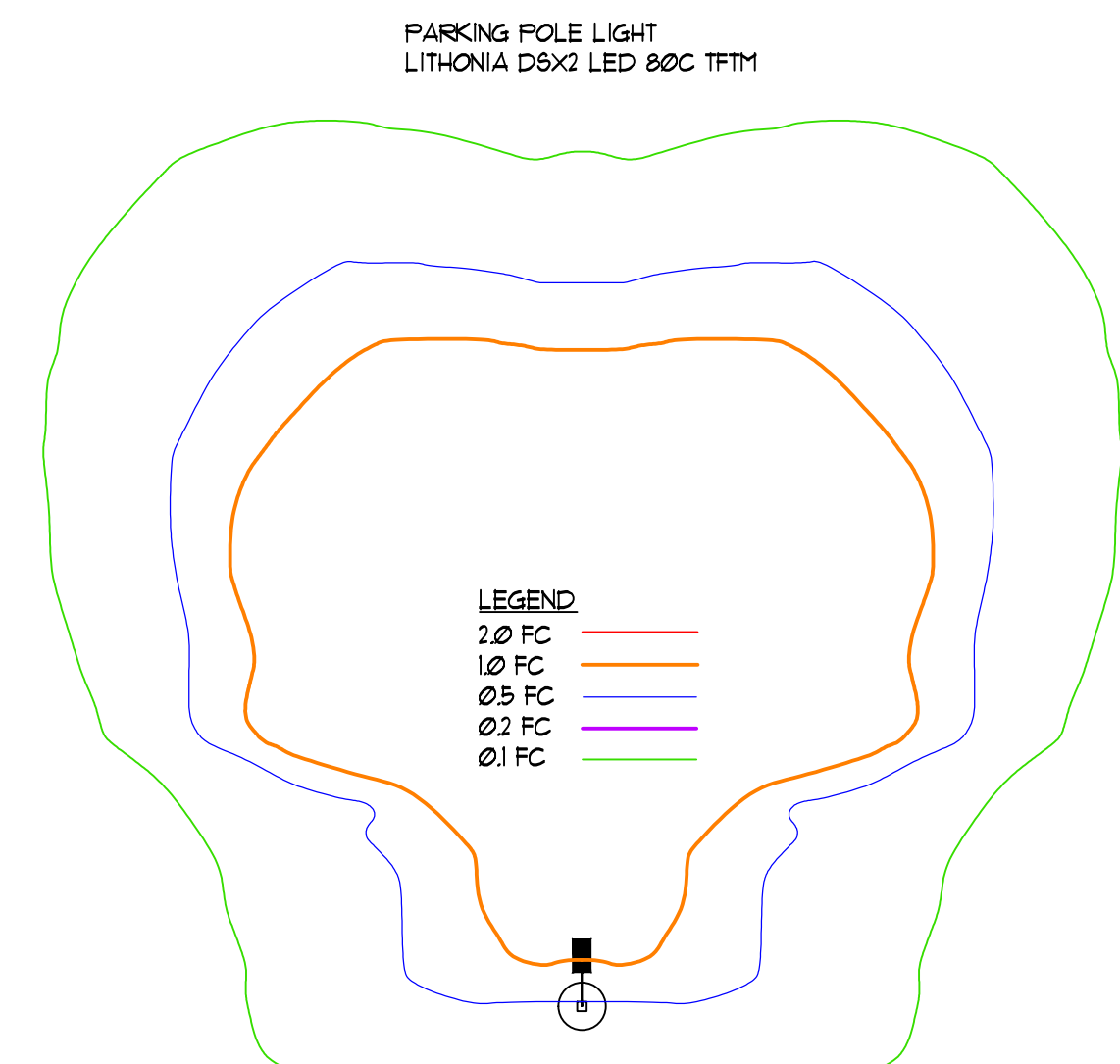
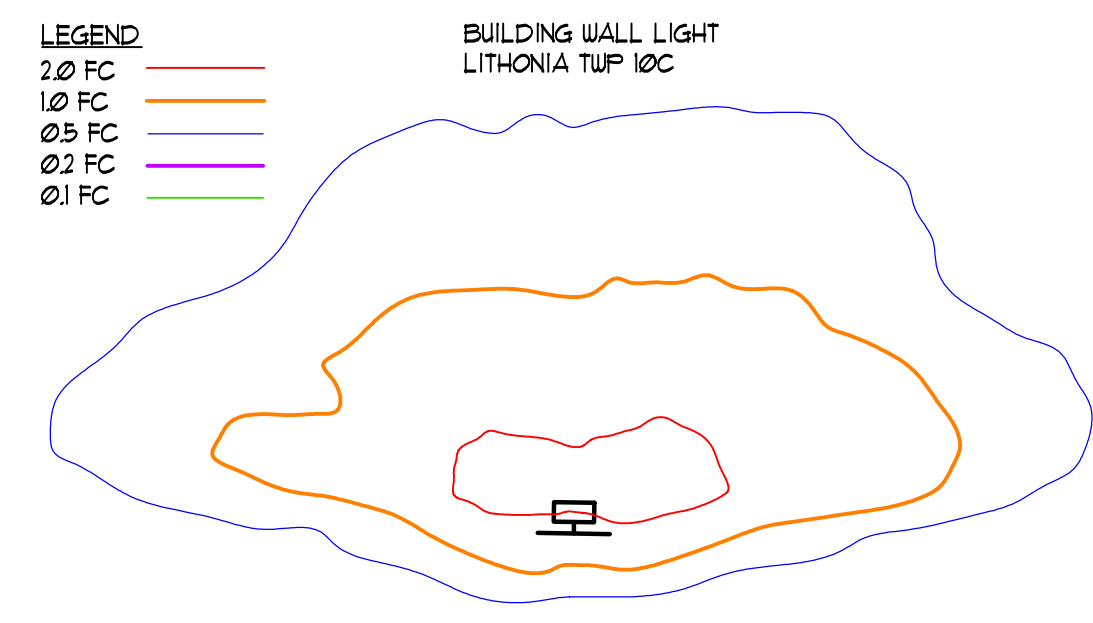
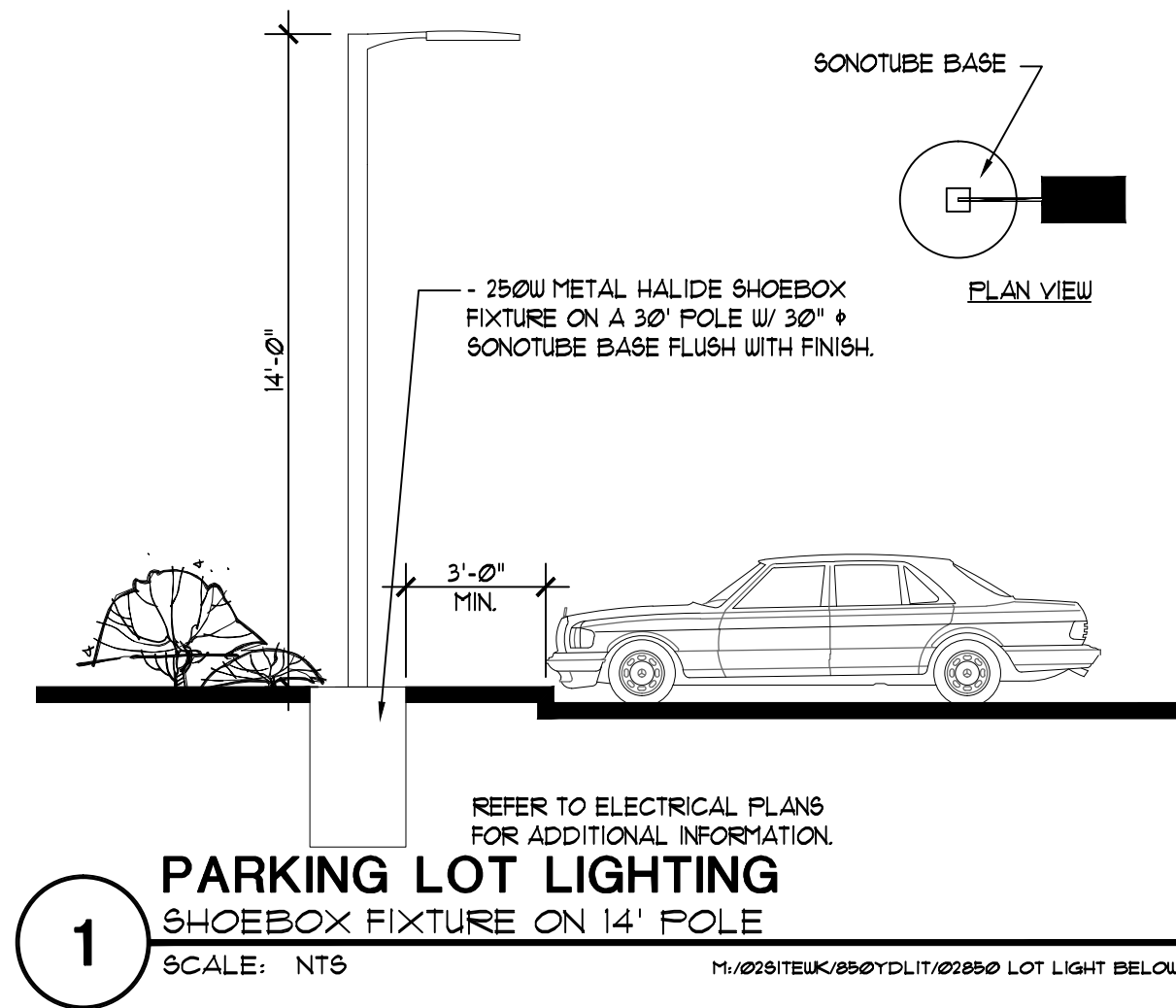


- 1 DESIGN REVIEW COMMENTS 4.12.4 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5.14.24 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6.12.4 - REVISION 3

NEW OFFICE, RETAIL AND GAS STATION  
**US MARKET**  
 2600 NEWBERG HIGHWAY WOODBURN OREGON

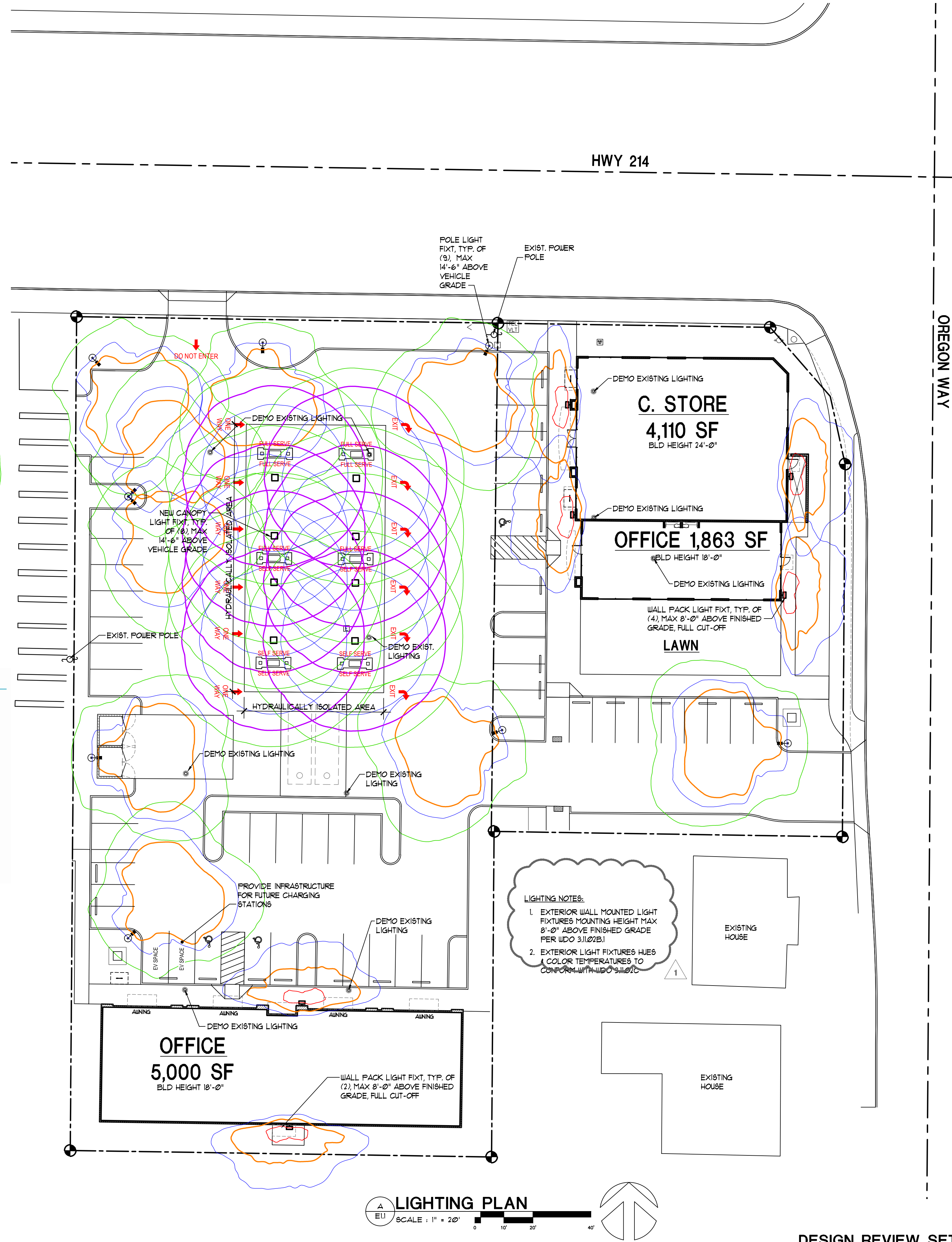
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 DRAWN: AK / KDS  
 JOB NO.: 19064  
**C1.2**  
 REVISION SHEET NUMBER

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 LOCATION: C:\Users\kevin\AppData\Local\Temp\AcTemp\AcPublish\_916d4A1.1 Updated Site 2.1.24.dwg  
 C1.2  
 PRINTED BY: kevin



**LIGHTING SCHEDULE**

	PARKING POLE LIGHT LITHONIA DSX2 LED 80C TFM1
	CANOPY LIGHT LITHONIA CAY LED P0
	BUILDING WALL LIGHT EATON Lumark WF WAL-PACK w/ FULL CUTOFF
	EXISTING PARKING POLE LIGHT



- 1 DESIGN REVIEW COMMENTS 4/1/24 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5/14/24 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6/12/24 - REVISION 3



# SITE SUMMARY

PROPERTY SIZE	= 62,120 SF. (1.43 AC)
TOTAL BUILDING AREA	= 10,913 SF.
TOTAL PAVED AREA	= 40,601 SF.
TOTAL LANDSCAPE AREA	= 10,540 SF. (26%)

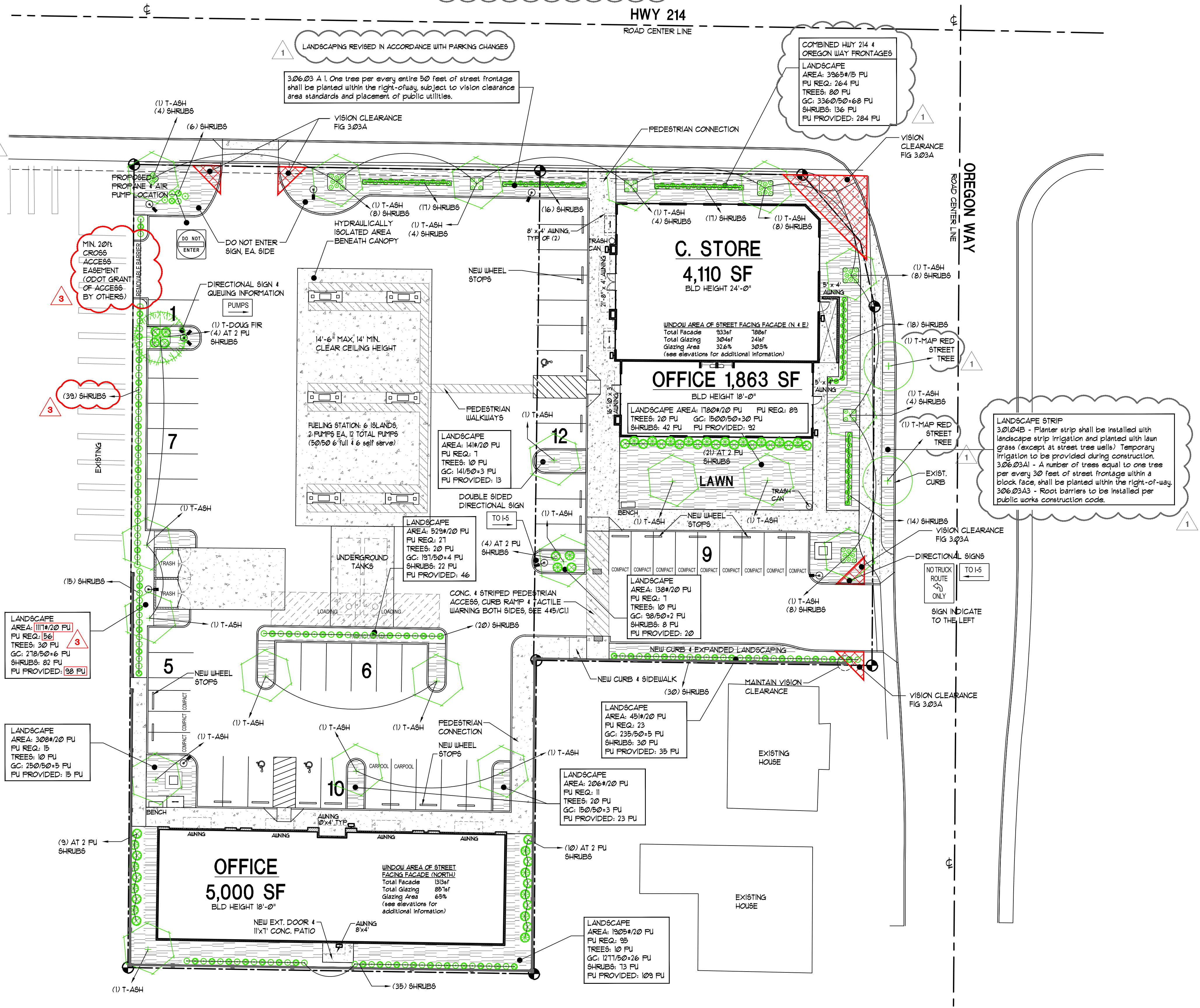
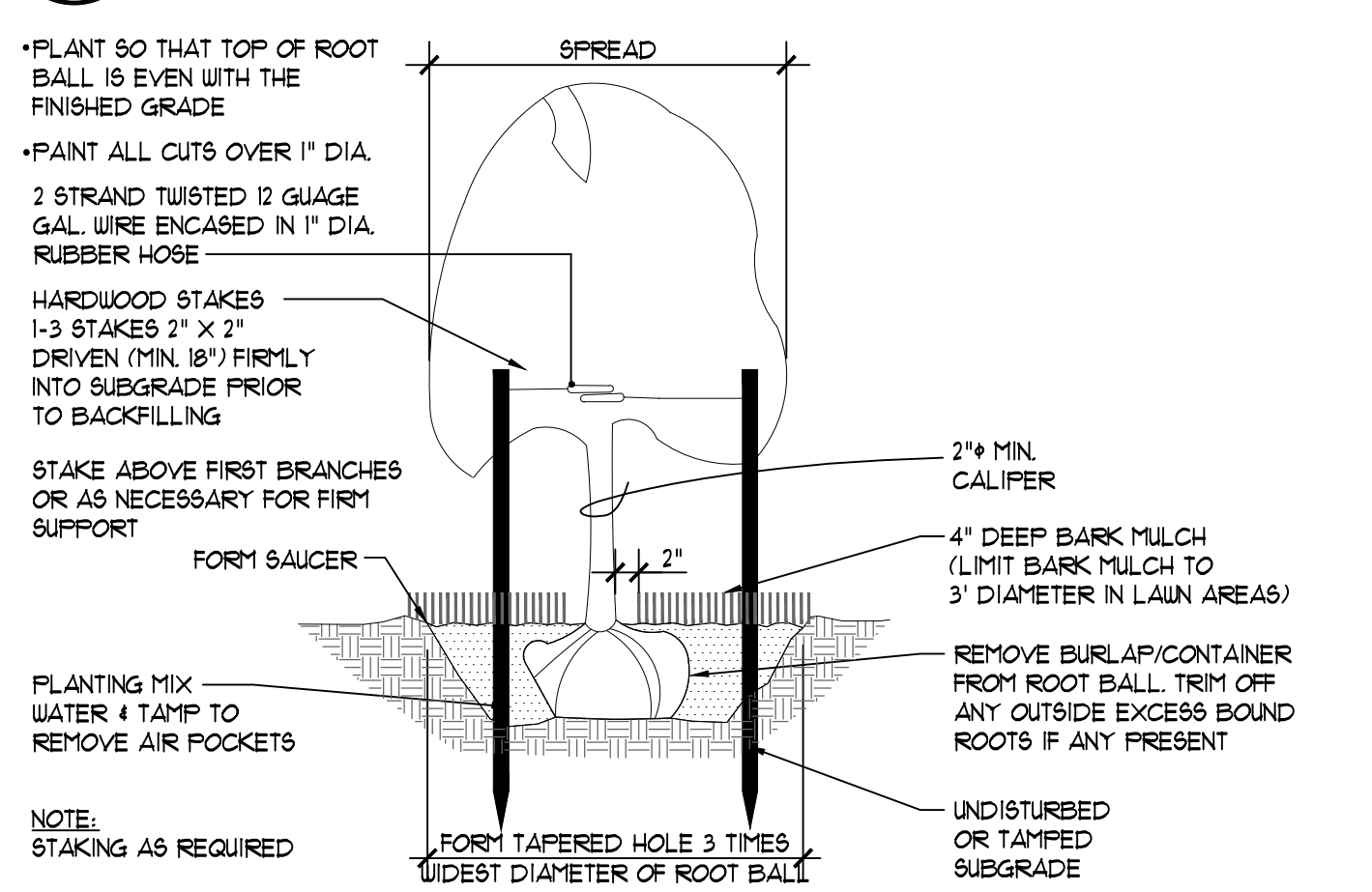
PLANT LIST				
STREET TREES	COMMON NAME/BOTANICAL NAME	SIZE	COMMENTS	MATURE SIZE
T-ASH	ASH, RAYWOOD FRAXINUS OXYCARPA 'RAYWOOD'	7'-8"	2" CALIPER 10 FU	AVG. 30'-40' MAX. 80'
T-LIN	LINDEN TILIA CORDATA 'HALA'	7'-8"	2" CALIPER 10 FU	60'-10'
T-MAP ARM	ARMSTRONGS MAPLE ACER RUBRUM 'ARMSTRONG'	7'-8"	2" CALIPER 10 FU	40'-60'
T-MAP RED	ACER rubrum/RED MAPLE October Glory	7'-8"	2" CALIPER 10 FU	40'-60'
T-DOUG FIR	DOUGLAS FIR / Pseudotsuga menziesii	LARGE	2" CALIPER 10 FU	AVG. 30'-80' MAX. 300'
ORNAMENTAL TREES				
T-JAPO	CRYPTOMERIA JAPONICA 'ELEGANS'	7'-8"	2" MIN CALIPER 5 FU	
T-TAMA	CRYPTOMERIA JAPONICA /TAISHO TAMA (TAISHO TAMA JAPANESE CEDAR)	4'-6"	2" MIN CALIPER 5 FU	
T-BLA	CRYPTOMERIA JAPONICA /BLACK DRAGON	4'-6"	2" MIN CALIPER 5 FU	
T-MAP VINE	VINE MAPLE/ACER circinatum	7'-8"	2" MIN CALIPER 2 FU	
T-CRAB	CRABAPPLE/MALUS 'AMERICAN BEAUTY'	7'-8"	2" MIN CALIPER 2 FU	
T-CRY	CRYPTOMERIA JAPONICA /SEKKEN-SUGI	6'	2" MIN CALIPER 5 FU	
T-CUP	CUPRESSUS SEMPERVIRENS ITALIAN CYPRESS 'STRICTA'	6'	2" MIN CALIPER 5 FU	
T-CHA	CHAMAECYPARIS OBUSA HINOKI FALSE CYPRESS 'GRACILIS'	6'	2" MIN CALIPER 5 FU	

SIZE	SHRUBS	COMMON NAME/BOTANICAL NAME	COMMENTS
1 gal. 3 gal.	S-HYB	HYDRANGEA/Hydrangea Syriacus ROSE OF SHARON 'MINERVA' 'AZURRI SATIN'	1 FU 1 gal / 2 FU 3 gal
	S-STRA	DEUTZIA x hybridis 'STRAWBERRY FIELDS'	1 FU 1 gal / 2 FU 3 gal
	S-ABE	ABELIA grandiflora 'EDWARD GOUCHER' (EVERGREEN)	1 FU 1 gal / 2 FU 3 gal
	S-VIBD	VIBURNUM Japonicum (EVERGREEN)	1 FU 1 gal / 2 FU 3 gal
	S-PIE	PIERIS japonicum LILLY-OF-THE-VALLEY (EVERGREEN/SHADE)	1 FU 1 gal / 2 FU 3 gal
	S-AUC	AUCUBA JAPONICA JAPANESE AUCUBA (EVERGREEN/SHADE)	1 FU 1 gal / 2 FU 3 gal
	S-VIB	VIBURNUM ELLIPTICUM COMMON VIBURNUM	1 FU 1 gal / 2 FU 3 gal
	S-CURR	RED-FLOWERING CURRANT/Ribes sanguinum	1 FU 1 gal / 2 FU 3 gal

GROUND COVER BOTANICAL NAME/COMMON NAME			
G-PHL	PHLOX SUBLATA CREEPING PHLOX	1 gal.	24" SPACING 1 FU
G-VIN	VINCA MAJOR PERIWINKLE	1 gal.	24" SPACING 1 FU

## 1 PLANT LIST

SCALE: N/A



RONALD JAMES PED ARCHITECT P.C.

REGISTERED ARCHITECT  
RONALD JAMES PED  
SALEM, OREGON  
STATE OF OREGON

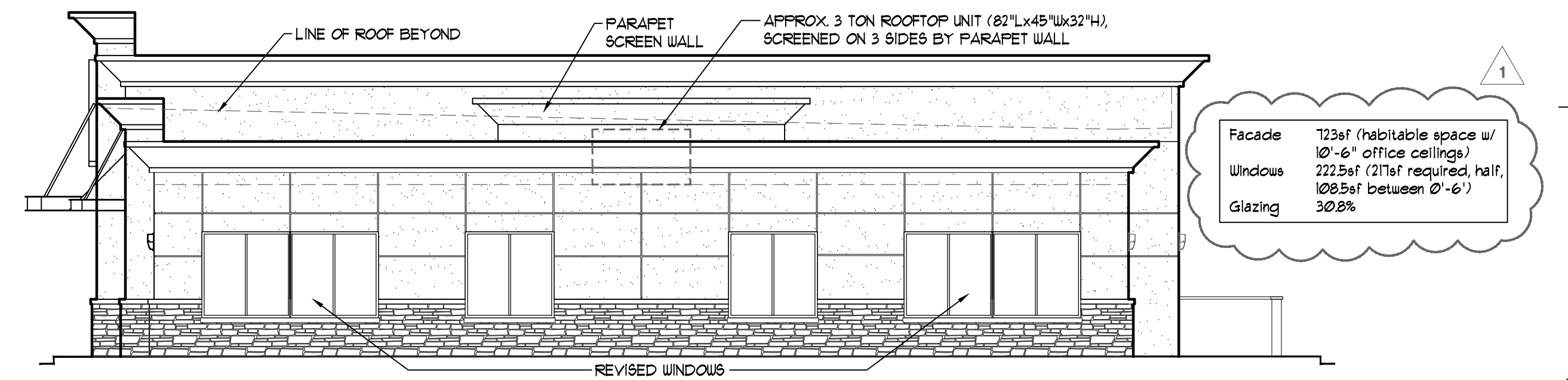
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2 DESIGN REVIEW COMMENTS 5.14.24 - REVISION 2  
3 DESIGN REVIEW COMMENTS 6.12.24 - REVISION 3

NEW OFFICE, RETAIL AND GAS STATION  
US MARKET  
2600 NEWBERG HIGHWAY WOODBURN OREGON

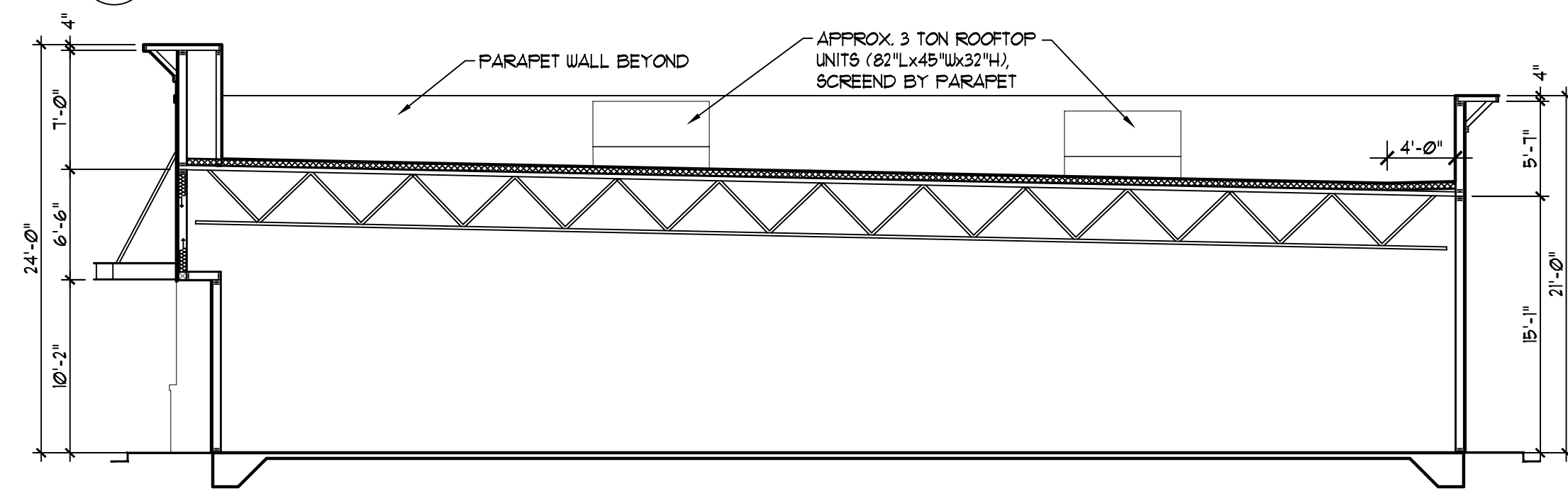
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JOB NO.: 1984

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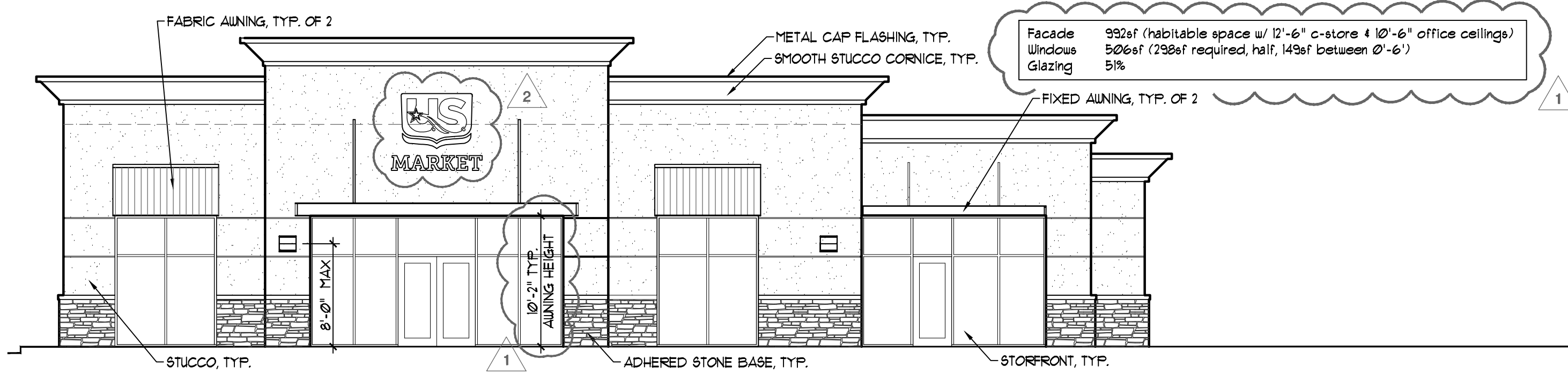
# CONVENIENCE STORE



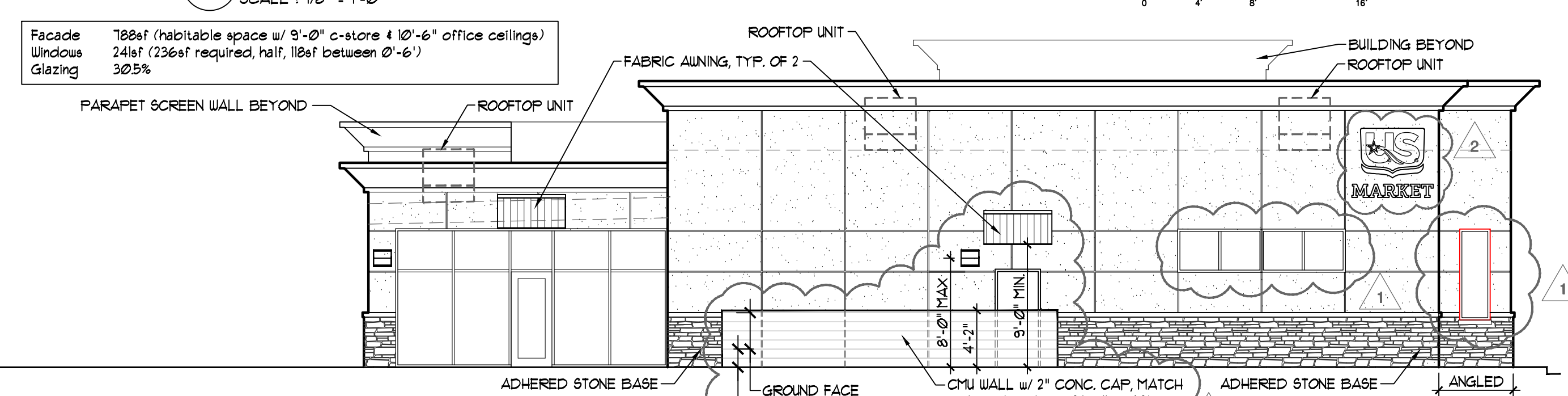
**CONVENIENCE STORE - SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"



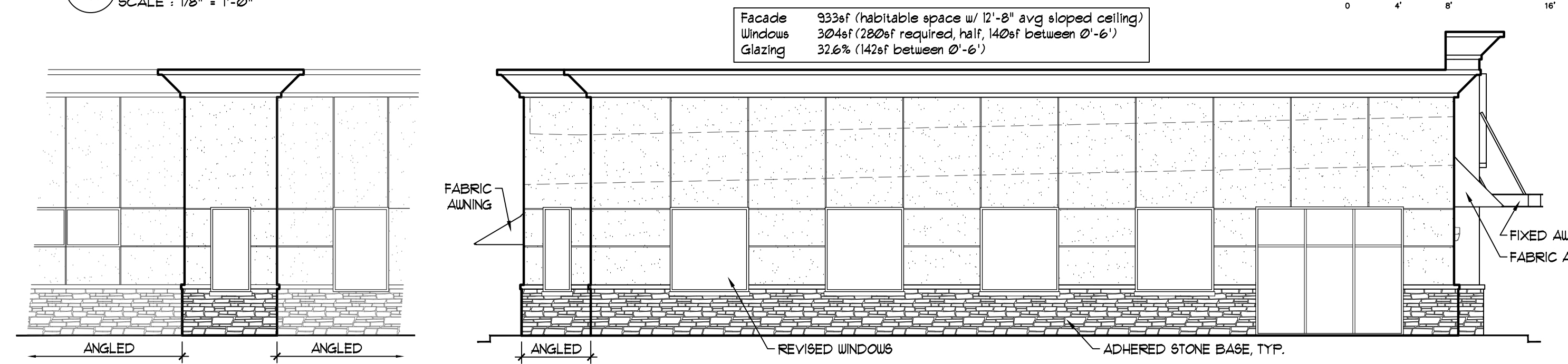
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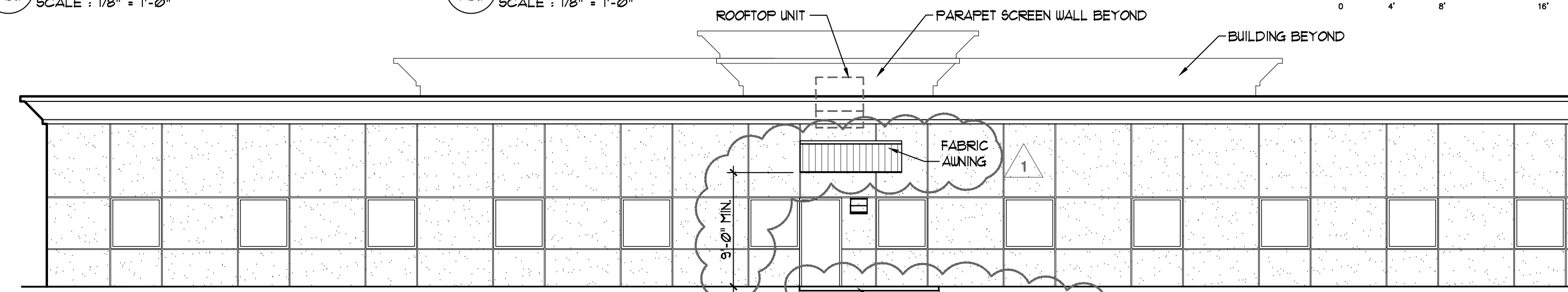
**CONVENIENCE STORE - WEST ELEVATION**  
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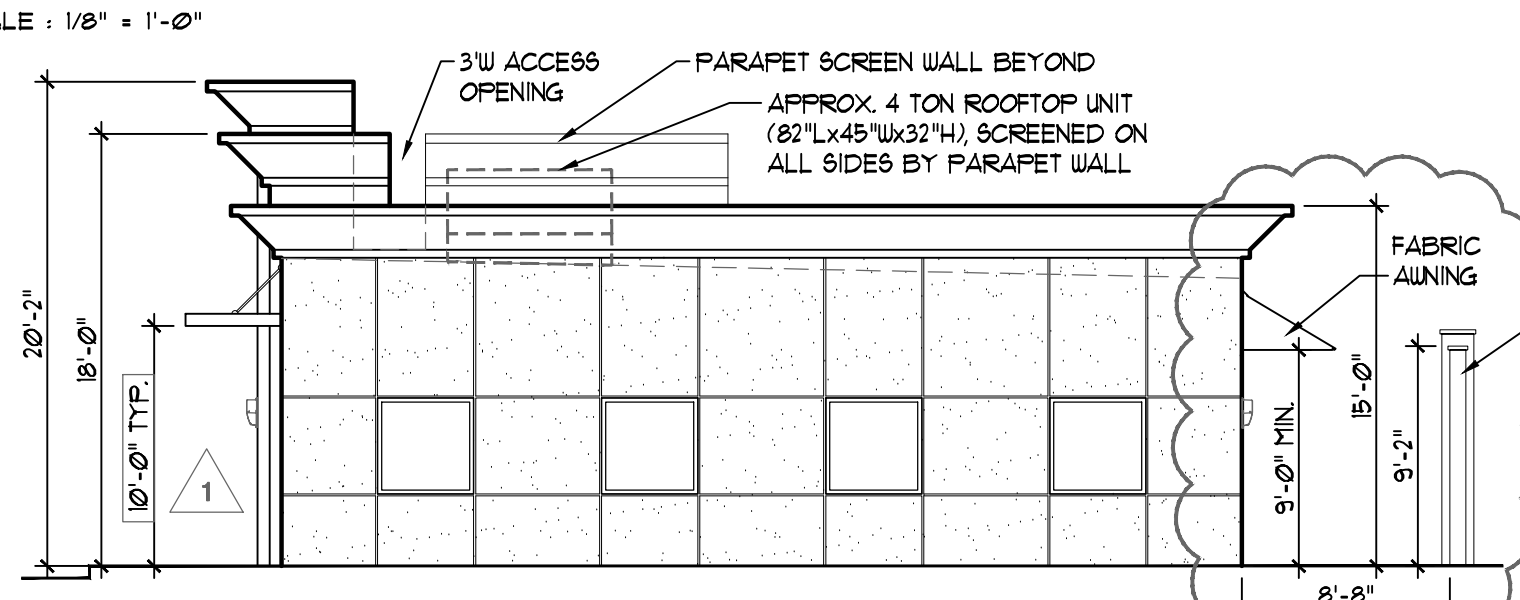
**CONVENIENCE STORE - EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



**CONVENIENCE STORE - NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"

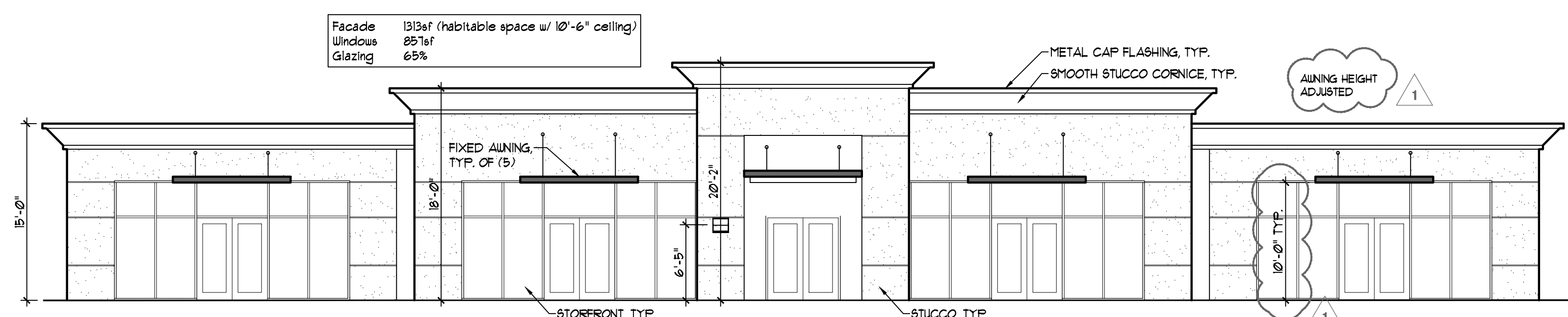


**OFFICE BUILDING - SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"

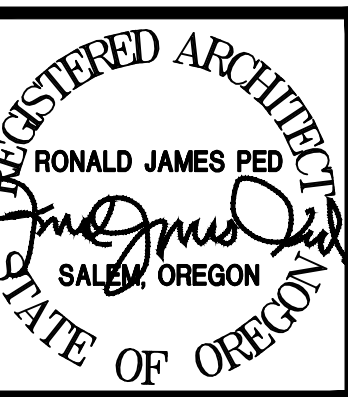


**OFFICE BLDG - WEST ELEV.**  
SCALE: 1/8" = 1'-0"

# OFFICE BUILDING



**OFFICE BUILDING - NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



- 1 DESIGN REVIEW COMMENTS 4.124 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5.1424 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6.124 - REVISION 3

NEW OFFICE, RETAIL AND GAS STATION  
**US MARKET**  
2600 NEWBERG HIGHWAY WOODBURN OREGON

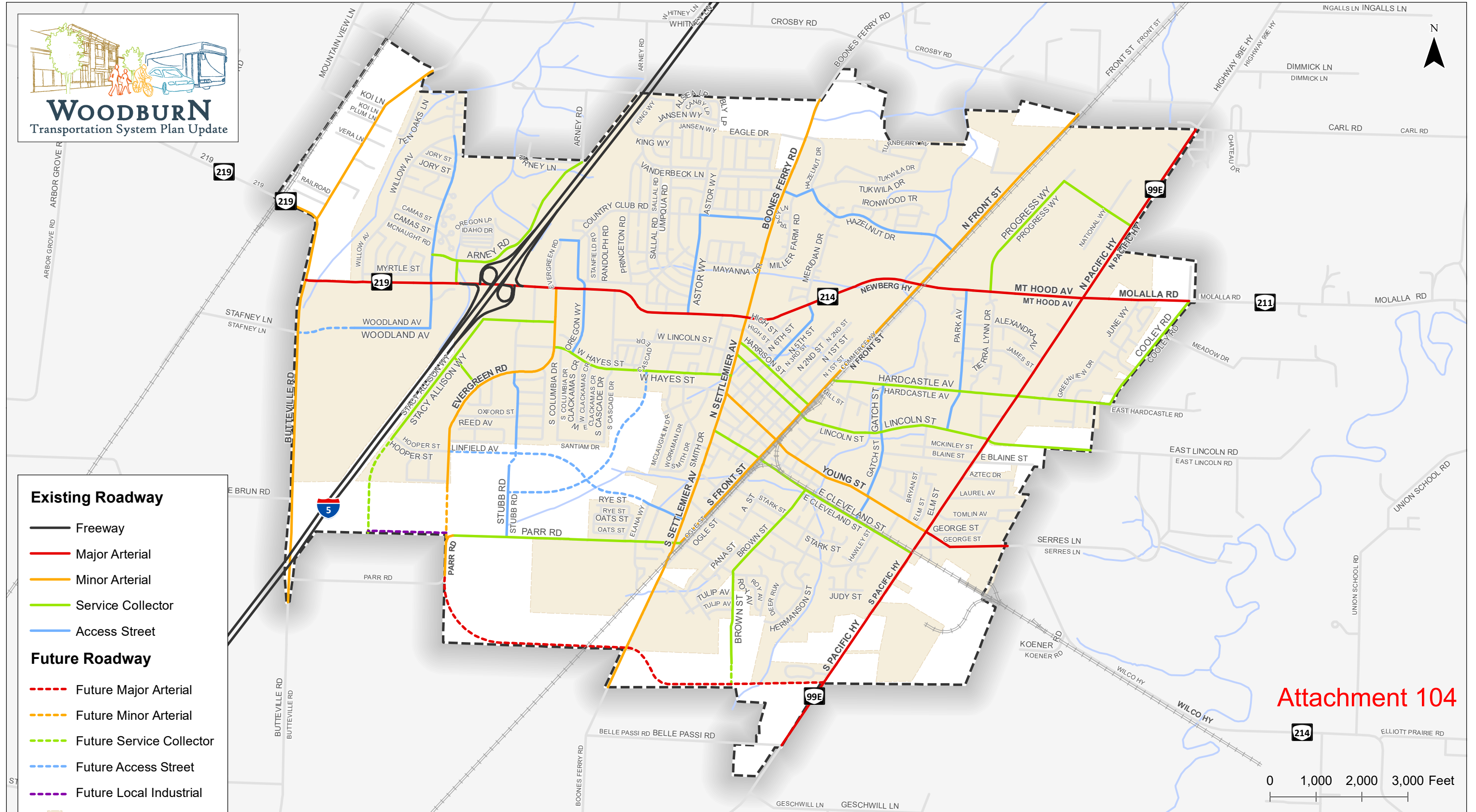
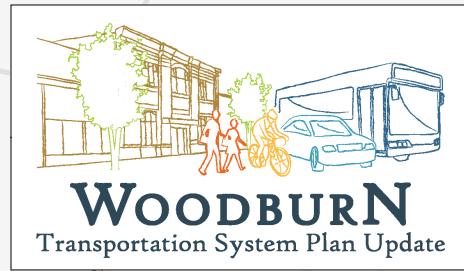
**Attachment 103**  
**Sheet 6 of 6**

DATE: DEC. 1, 2020  
DRAWN: AK / KDB  
JOB NO.: 1864

A3.1

DESIGN REVIEW SET 02.05.24

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**Existing Roadway**

- Freeway
- Major Arterial
- Minor Arterial
- Service Collector
- Access Street

**Future Roadway**

- - - Future Major Arterial
- - - Future Minor Arterial
- - - Future Service Collector
- - - Future Access Street
- - - Future Local Industrial

- City Boundary
- Urban Growth Boundary

Attachment 104

**Functional Roadway Classification  
Woodburn, Oregon** Figure 2

Note: Future roadway alignments are approximate and subject to further refinement.

Coordinate System: NAD 1983 HARN StatePlane Oregon North FIPS 3601 Feet Intl  
Data Source: City of Woodburn, Oregon Department of Transportation

## CU 24-02 US Market Gas Station 2540 & 2600 Newberg Highway:

### Attachment 201: Dictionary & Glossary

This document defines and explains abbreviations, acronyms, phrases, and words particularly in the context of conditions of approval.

- “ADA” refers to the federal Americans with Disabilities Act of 1990.
- “AW” refers to Architectural Wall.
- “CAE” refers to cross access easement.
- “CDD” refers to the Community Development Department.
- “CEP” refers to civil engineering plan review, which is a review process independent of land use review led by the Community Development Department Planning Division and that is led by the Public Works Department Engineering Division through any application forms, fees, and review criteria as the Division might establish. A staff expectation is that CEP follows land use review and approval, that is, a final decision, and as PW decides either (1) precedes either building permit application or issuance, or (2) is the same as the building permit review process.
- “County” refers to Marion County.
- “C/V” refers to carpool/vanpool.
- “Director” refers to the Community Development Director.
- “EV” refers to electric vehicle.
- “exc.” means excluding.
- “FOC” refers to face of curb.
- “GFA” refers to gross floor area.
- “ft” refers to feet.
- “highway” refers to Oregon Highway 214 / Newberg Highway.
- “max” means maximum.
- “min” means minimum.
- “Modal share” means the percentage of travelers using a particular type of transportation or number of trips using a type, as examples walking, cycling, riding transit, and driving.
- “Modal shift” means a change in modal share.
- “MUTCD” refers to *Manual on Uniform Traffic Control Devices* of the U.S. Department of Transportation (U.S. DOT) Federal Highway Administration (FHWA).
- “NE” means northeast.
- “NW” means northwest.
- “OAR” refers to Oregon Administrative Rules.
- “o.c.” refers to on-center spacing, such as of trees or shrubs.
- “ODOT” refers to the Oregon Department of Transportation.

- “OR 211” refers to Oregon Highway 211, which is Molalla Road.
- “OR 214” refers to Oregon Highway 214, which is Newberg Highway.
- “OR 99E” refers to Oregon Highway 99E, which is Pacific Highway.
- “ORS” refers to Oregon Revised Statutes.
- “PU” refers to plant unit as WDO Table 3.06B describes.
- “PUE” refers to public utility easement, whether along and abutting public ROW (“streetside” PUE as WDO 3.02.01B describes) or extending into or across the interior of private property (“off-street” PUE as WDO 3.02.01C describes). In the context of property line adjustment (including lot consolidation), partition, or subdivision, the developer records through or with the plat. Absent this context, recordation is separate from land use review pursuant to a document template or templates established by PW. PW is the project manager for receiving, reviewing, accepting, obtaining City Council approval for, and recording legal instrument materials that a developer submits; at the same time, the developer is responsible for such instruments conforming with the WDO and land use conditions of approval.
- “PW” refers to Public Works (the department) or on rare occasion public works (civil infrastructure) depending on context.
- “Root barrier” refers to that illustrated by PW SS&Ds, [Drawing No. 1 “Street Tree Planting New Construction”](#).
- “ROW” refers to right-of-way.
- “RPZ” refers to root protection zone, which WDO 1.02 defines.
- “SE” means southeast.
- “SDA” refers to site development area, the entire territory that is the subject of the land use application package.
- “Shared rear lane” refers to what resembles and functions like an alley, but isn’t public ROW.
- “sq ft” refers to square feet.
- “SS&Ds” refers to PW [standard specifications and drawings](#).
- “Street trees” refer to trees that conform to the WDO, including 3.06.03A and Tables 3.06B & C, and that have root barriers where applicable per PW [Drawing No. 1 “Street Tree Planting New Construction”](#).
- “Substantial construction” is what WDO 1.02 defines.
- “SW” means southwest.
- “Tax Lot 3400” means 052W12DB03400, which is 943 Oregon Way.
- “Tax Lot 3600” means 052W12DB03600, which is 2600 Newberg Hwy.
- “Tax Lot 3700” means 052W12DB03700, which is 2540 Newberg Hwy.
- “Tax Lot 3700” means 052W12DB03700, which is 2540 Newberg Hwy.
- “Tax Lot 3500” means 052W12DB03500, which is 953 Oregon Way.
- “Tax Lot 90000” means 052W12DB90000, which is 950 Evergreen Rd.
- “TCE” refers to temporary construction easement.

CU 24-02 US Market Gas Station 2540 & 2600 Newberg Hwy etc. Staff Report / Final Decision

Attachment 201

Page 2 of 3

- “TDM” refers to transportation demand management, which means according to the TSP (p. 82), “a policy tool as well as a general term used to describe any action that removes single occupant vehicle trips from the roadway during peak travel demand periods”, and according to Wikipedia as of October 13, 2020, “the application of strategies and policies to reduce travel demand, or to redistribute this demand in space or in time.”
- “TDP” means the [Transit Development Plan](#) dated June 2023 adopted by Resolution No. 2213 June 12, 2023.
- “Tot.” means total.
- “TPU” means the Transit Plan Update Approved Final Report dated November 8, 2010 and adopted by Resolution No. 1980.
- “TSP” means the [Woodburn Transportation System Plan \(TSP\)](#).
- “UGB” refers to the urban growth boundary.
- “WDO” refers to the [Woodburn Development Ordinance](#).
- “WFD” refers to the independent Woodburn Fire District.
- “WTS” refers to the Woodburn Transit Service or Woodburn Transit System.
- “w/i” means within.
- “w/o” means without.
- “VCA” refers to vision clearance area as WDO 1.02 and 3.03.06 establish or as a specific condition establishes.

## CU 24-02 US Market Gas Station 2540 & 2600 Newberg Highway:

### Attachment 202: Conditioned Fees

All of the following conditioned fees are due as applicable, whether or not mentioned directly by a condition of approval.

Refer to Condition G3 for a dictionary/glossary, including acronyms and shorthand text.

#### **Part A. Fee Provisions**

1. Any and all conditioned fees are in addition to, and not in place or as discounts of, any existing charge or fee however termed ordinarily assessed based on any existing ordinance, resolution, or administrative policy, inc. adopted fee schedules. If and when the City amends any ordinance, resolution, or administrative policy, inc. a fee schedule, to increase a charge or fee that is both (1) the same kind of charge or fee that is conditioned, (2) the amended charge or fee amount would exceed the amount conditioned, and (3) the increase takes effect before the conditioned fee is due, then the developer shall pay the greater amount.
2. Payments of conditioned fees due outside the context of assessment and payment through building permit shall reference a final decision case file number and the condition of approval letter/number designation, be it in a check memo field or through a cover or transmittal letter.
3. For fees due by building permit issuance, a developer may request the Director to allocate payments the same as allowed for fees in-lieu by WDO 4.02.12A.2, specifically, to pay across issuance of two or more structural building permits for the subject development.

For all administrative and logistical questions about payment of land use conditioned fees outside the context of assessment and payment through building permit, the developer is to contact the Administrative Assistant at (503) 982-5246 and refer to this attachment within the CU 24-01 US Market gas station 2115 Molalla Road final decision.

For payment method citywide policy details, the developer is to contact the Finance Department at (503) 982-5222, option 1, for payment method policy details or view its [webpage](#).

**Part B. Fee Table**

<i>Table 202. Conditioned Fees</i>						
<i>Condition Reference</i>	<i>Fee Type</i>		<i>Amount</i>	<i>Context</i>	<i>Timing</i>	<i>Staff Tracking:</i>
T-A1	a. OR 214 & Country Club Rd / Oregon Way: Transportation signal timing and crash safety study fee in-lieu		By year of assessment: 2024 or 2025: \$18,376 2026: \$19,495 2027 or later: \$20,080	Fee in lieu of investigation in coordination with ODOT of corridor signal timing and coordination adjustments. (TSP R11 adjusted for inflation from Sept. 2019 to July 2024 as 2024 amount.)	Building permit issuance	
	b. I-5 interchange with OR 214:		\$1,709	To mitigate and to reduce vehicle crashes. (Related to TSP R8 & R9.)	Building permit issuance	
	c. OR 214 & Evergreen Rd:		By year of assessment: 2024 or 2025: \$16,755 2026: \$17,775 2027 or later: \$18,308	To reduce vehicle crashes. (Related to TSP R10.)	Building permit issuance	
T-T	Bus shelter fee in-lieu		By year of assessment: 2024 or 2025: \$15,464 2026: \$16,406 2027 or later: \$16,898	Oregon Way northbound stop (TDP Fig. 68 adjusted for inflation from June 2023 to July 2024 as 2024 amount.)	Building permit issuance	
	Bus stop bicycle parking fee in-lieu		\$617			
EX1 & EX2	Street tree fee in-lieu	For highway:	\$950 per tree. For EX1, assessed at minimum 9 trees.	Street Adjustment SA 24-01 from standard frontage improvements, which includes existing curb-tight sidewalk. A fee in lieu of the 9 trees that WDO 3.06.03A would have	Building permit issuance	



Condition Reference	Fee Type	Amount	Context	Timing	Staff Tracking:
			required for 265 ft of frontage.		
	For Oregon Way:	\$950 per tree assessed at max 4 trees.	Applies to omitted street trees, or, ones missing from required number upon inspection	Either building permit issuance or prior to passing final inspection / obtaining certificate of occupancy	
EX1	Fee in lieu of highway landscape strip	\$4,832	A fee for sidewalk that SA 24-01 adjusts from conformance/upgrade	Building permit issuance	
	Fee in lieu of upgrading highway sidewalk to conform	\$83,547	A fee for sidewalk that SA 24-01 adjusts from conformance/upgrade	Building permit issuance	
EX2	Fee in lieu of upgrading street to have on-street parallel parking per Fig. 3.01E	\$14,713	A fee for on-street parking that SA 24-01 adjusts from conformance/upgrade	Building permit issuance	
G6c through this Attachment 202	City tree fund	\$2,850	Existing City tree fund (for new trees in City ROWs and in parks and on other City properties)	Building permit issuance	
G6c & D6	Fees in lieu per WDO 3.02.04B through WDO 4.02.12.	Per Part A Fee Provisions above, City ordinance, resolution, or policy. *	WDO 4.02.12 *If by the time necessary to assess in order to issue building permit, the City would have not yet established the fee in lieu of electric power line burial/ undergrounding, then the fee would default to \$568 per lineal ft of line assessed at minimum 265 ft.	Per WDO 4.02.12A: Building permit issuance	

Refer to [Planning Division fee schedule](#) for fees relating to civil engineering plan (CEP) review; inspections; bond / bonding / performance guarantee deferring street improvements beyond building permit issuance; and bond release letter.

[General ledger (GL) account 363-000 3678 "Developer Contributions".]



# Staff Report

**To:** Planning Commission

**Through:** Chris Kerr, AICP, Community Development Director *CK*

**From:** Colin Cortes, AICP, CNU-A, Senior Planner

**Meeting Date:** August 22, 2024 (Prepared August 15, 2024)

**Item:** 2540 & 2600 Newberg Hwy (Oregon Hwy 214), “US Market gas station” (CU 24-02)

**Tax Lot(s):** 052W12DB03700 (primary) & 3600

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**RECOMMENDATION ..... 6**

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**ACTIONS ..... 28**

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### Issue before the Planning Commission

Conditional Use 24-02 (Type III) and related applications for a gas station with convenience store, known as US Market, in the Commercial General (CG) zoning district at the southwest corner of Newberg Highway & Oregon Way: Commission decision.

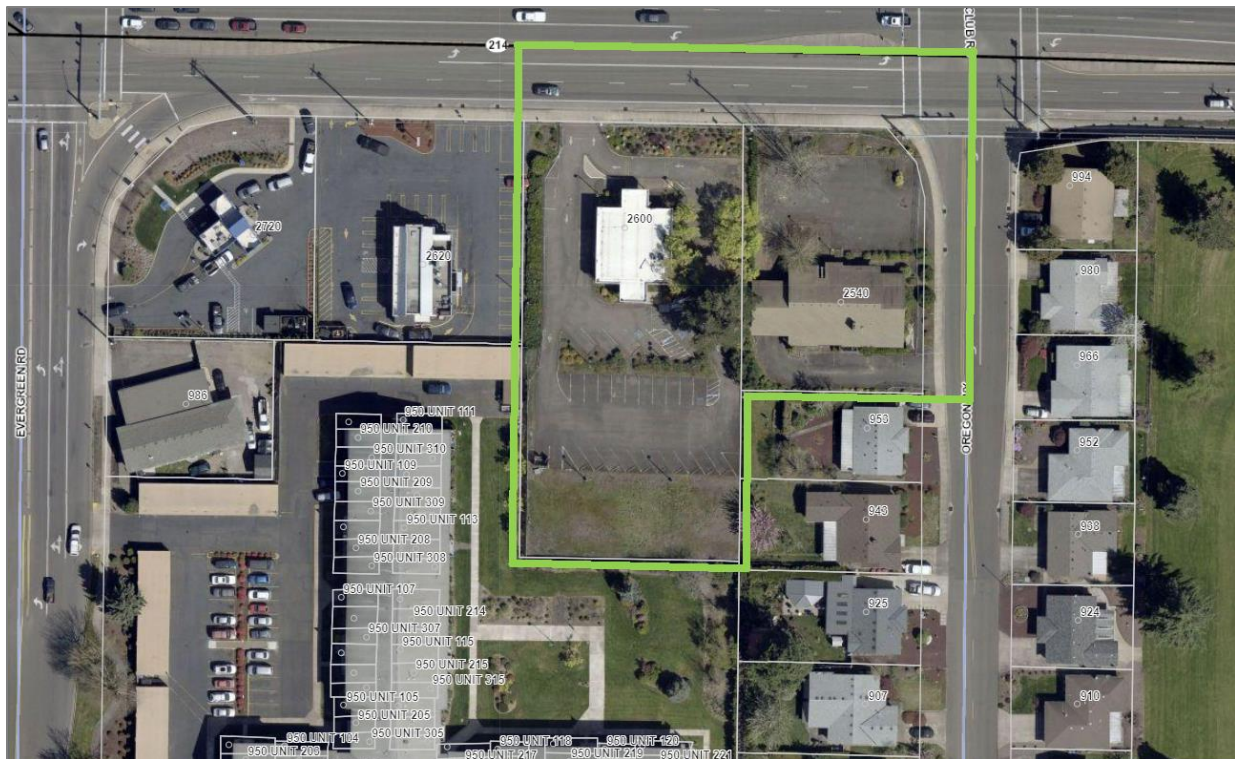
## Executive Summary

### *Location*

The proposal is to redevelop two lots totaling 1.42 acres at 2540 & 2600 Newberg Highway (Oregon Highway 214). The subject property is located at the southwest corner of the intersection of the highway and Oregon Way. To the southeast, it abuts two houses in Woodburn Senior Estates and to the southwest, Panor 360, which is a three-story condominium building.

### *Existing Context*

The subject property is zoned Commercial General (CG) and was occupied by two vacant bank buildings, now demolished.



*County aerial 2021; Subject property outlined in green*



County aerial 2023; Subject property outlined in green

### *Design Review*

The applicant proposes redevelopment into the US Market gas station, a conventional gas station with a convenience store of 4,110 square feet (sq ft), six gas pump islands with 12 pumps total, a commercial office tenant space of 1,863 sq ft attached to the south side of the convenience store, and as Phase 2 a southwest commercial office building of 5,000 sq ft.

### *Conditional Use*

The applicant/developer applied for a conditional use (CU) for the gas station because it is within 200 feet of residentially zoned property.

A “conditional” use is called such because (1) it’s conditional upon discrete approval by the City, and (2) the City can condition physical or operation aspects of a proposal, including on issues particular to the case at hand and above and beyond what Woodburn Development Ordinance (WDO) provisions directly address.

### *The Proposal*

Staff and the developer have worked to produce a good site development by focusing on:

- a. The look and feel of street frontage for passers-by walking, cycling, and driving;
- b. The look and feel of yard landscaping along streets for passers-by walking, cycling, and driving as well as on-site employees and customers;
- c. Urban design: how close buildings are to sidewalk, how many and how large are windows, are their entrances visible from sidewalk and whether the public can see main entrances to buildings from sidewalk, and whether placements of entrances orient to those who walk or cycle no worse than to those who drive and park;
- d. How safely and comfortably pedestrians and cyclist can access and circulation among on-site buildings through walkways and visibly distinct crossings of drive aisles, including decorative pavement that would connect the Oregon Way sidewalk with the NE commercial office area main entrance;
- e. Having enough on-site trash receptacles near sidewalk to lessen the likelihood of litter of yards along streets and street frontage by convenience store customers on foot;
- f. Avoiding excessive exterior lighting;
- g. Having adequate architecture in the context of strip commercial development;
- h. Having the Architectural Wall look adequate;
- i. Getting highway electric power poles and overhead electric power lines buried or fees in-lieu paid to fund such elsewhere in town;
- j. Having a few evergreen trees among newly planted trees; and
- k. Increase street trees and on-site trees in yards along streets, and provide for fee in-lieu to fund tree plantings elsewhere in town;
- l. Administering Street Adjustment SA 24-01 to have the developer improve Oregon Way to be the best of the two frontages for pedestrians and cyclists to give the City some public benefit for leaving the highway frontage as is or largely as is; and
- m. Mitigation of the unpleasant aspects of neighboring and patronizing a gas station and convenience store.

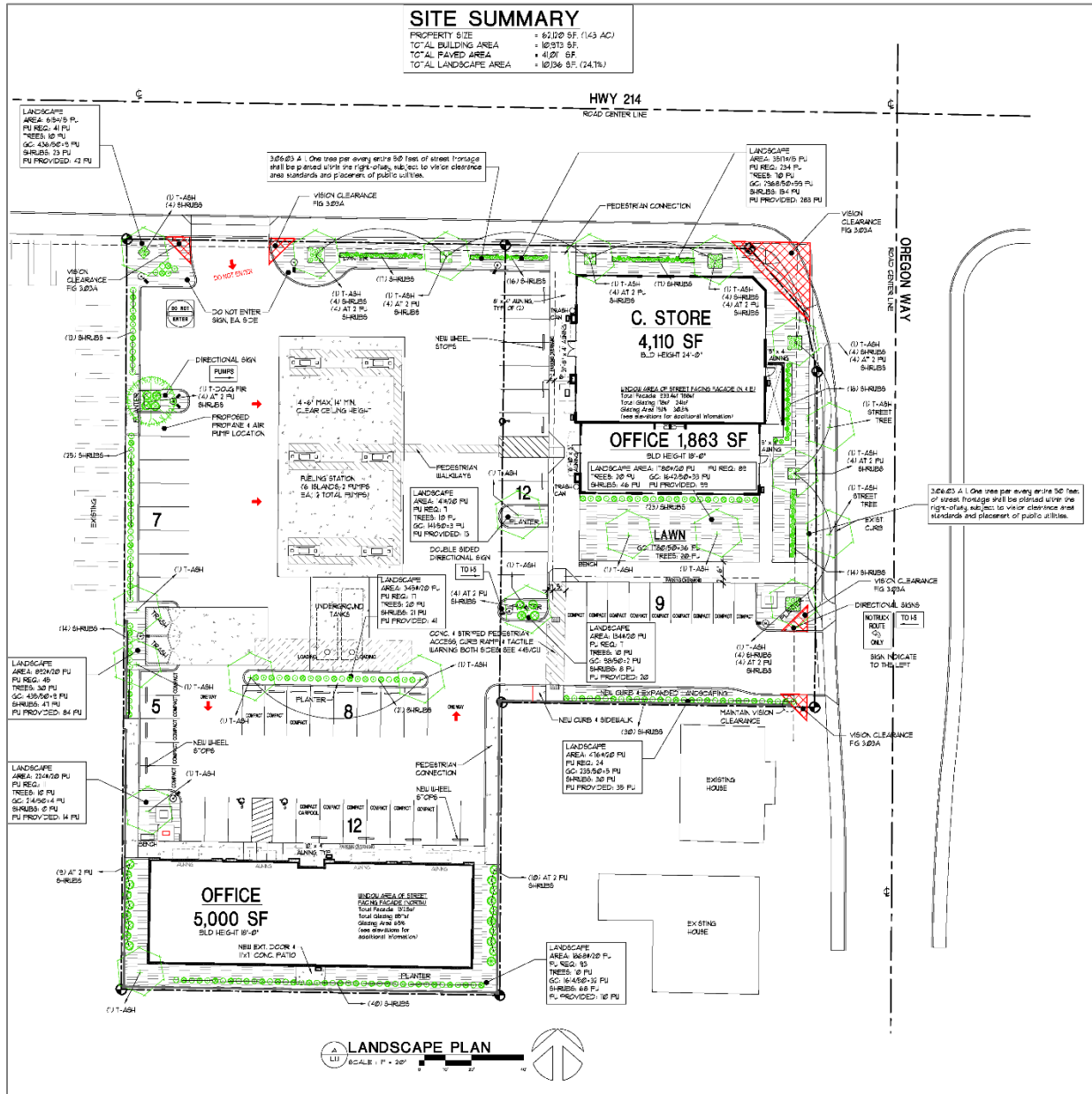
The staff analyses and findings (Attachment 102), especially the Conditional Use Provisions section, provides much more detail, and the recommended conditions of approval secure the above things.

### *Site Plan*

The development is phased into Phases 1 & 2, the second being the southwest commercial office building.

Site plan excerpts follow on the next page(s), and a larger version is among the attached site plans (Attachment 103).

Staff finds that the proposal meets applicable Woodburn Development Ordinance (WDO) provisions per the analyses and findings (Attachment 102).



Landscape Plan Excerpt Prior to Revision per Conditions of Approval

## Recommendation

Approval: Staff recommends that the Planning Commission consider the staff report and attachments and approve the consolidated applications package with the conditions that staff recommends.

## Conditions of Approval

The conditions are copied from towards the end of the analyses and findings (Attachment 102):

### *General*

G1. As part of building permit application, the applicant shall submit revised site plans meeting the conditions of approval and obtain Planning Division approval through sign-off on permit issuance. The applicant shall submit a cover letter indicating what specific plans sheets or document page numbers demonstrate how the submittal meets each condition.

G2. The applicant or successors and assigns shall develop the property in substantial conformance with the final plans submitted and approved with these applications, except as modified by these conditions of approval. Were the applicant to revise plans other than to meet conditions of approval or meet building code, even if Planning Division staff does not notice and signs off on building permit issuance, Division staff retains the right to obtain restoration of improvements as shown on an earlier land use review plan set in service of substantial conformance.

G3. References: Attachment 201 serves as a dictionary or glossary defining certain abbreviations, acronyms, phrases, terms, and words in the context of the conditions of approval. The 200 series of attachments are as binding as the conditions of approval in the main body of the final decision.

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E and 4.02.12 unless if and where a condition of approval has more restrictive timing. By this condition, there is more restrictive timing: In any case, they are due no later than by Building Division issuance of first certificate of occupancy (C of O), regardless of deferral, if any, that Public Works (PW) might have approved through 3.01.02E. This condition is not deferring to C of O; it is saying that if there were to be PW deferral, then the department could not defer to later than C of O.
- b. ROW/easements: Correct recordation of required right-of-way (ROW) and public easements is due per WDO 2.01.05A – by building permit issuance. See Note A below.
- c. Where phasing is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located. Where an improvement spans phases and cannot be functionally divided by phase, it shall be due by the earliest phase.

- d. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an Address Assignment Request. This is due prior to building permit application, and if property line adjustment or lot consolidation were to become relevant, then also after recordation with County. (See the Notes to the Applicant section following the conditions of approval, Note to the Applicant 17.)

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than 6 months prior to expiration of the land use approval as WDO 4.02.04B establishes, and shall complete recordations no later than 3 years past the land use “final decision” date. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage.

G6. Administration:

- a. Conformance: That a land use approval does not reiterate any and each particular detail, provision, requirement, rule, spec, or standard from any of the WDO, other ordinances, resolutions, public works construction code, or department policies does not exempt development from conformance with them.
- b. Copies: Per WDO 2.01.05B, the developer, including any succeeding contractor, shall provide copies of documentation that a City staff person requests regardless if the documentation source is another City staff person or department.
- c. Fees: The developer shall pay fees per Attachment 202.

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works (PW) and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the Planning Commission, contact PW to begin and finish dedication and granting sooner. The City Council meets most second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.





*Phasing Plan 24-01*

PP1. Phasing Plan:

a. Basic Description:

- (1) Phase 1: On Tax Lot 3600 (east, corner lot), a single northeast (NE) building of with convenience store of 4,110 sq ft and an attached commercial office tenant space of 1,863 sq ft. On Tax Lot 3700 (west, interior lot), a fuel pump canopy. Minimum off-street parking and other corollary improvements for these uses.
- (2) Phase 2: On Tax Lot 3700 (west, interior lot), a southwest (SW) commercial office building of 5,000 sq ft and its parking and other corollary improvements.

b. Phasing: The developer may choose to develop Phase 2, the SW office building and necessary corollary improvements, per land use review Sheet A1.1a later than the Phase 1 gas station complex of convenience store, NE commercial office, and fuel pump canopy and necessary corollary improvements.

c. Phase 2 expiration:

- (1) Phase 1 substantial construction would keep land use approval with conditions valid longer than the baseline 3 years per WDO 4.02.04B (or longer than baseline per subsection D if there will have been an appeal). However, in reference to condition part b. above, there must be building permit application for Phase 2 by 8 years past the date that the Planning Commission motioned to tentatively approve CU 24-02.
- (2) If Phase 1 fails to achieve substantial construction by 5 years past the date of the hearing at which the Planning Commission motioned tentative approval, WDO 4.02.04B.1 & 2 would not be met and – absent the City granting a time extension as subsection B.3 references – the land use approval with conditions would expire for both phases.

d. Phase 2 interim: If Phase 2 does develop later than Phase 1, then – regarding the area where the SW office building and its corollary improvements would be – until Phase 2 develops:

- (1) The landowner shall pour curb or affix a linear obstruction to motor vehicles from driving and parking beyond the boundary of Phase 1 improvements and maintain such obstruction. Exhibit PP1 is an aerial photo of the area in 2023.
- (2) The landowner shall maintain its grounds in conformance with City Ordinance No. 2338 (June 9, 2003; amended regarding lighting by Ordinance No. 2522 September 22, 2014). Staff draws attention to Sections 5-9 about noxious vegetation, “attractive nuisances”, junked vehicle nuisances, open storage of junk, and scattering rubbish.
- (3) Vehicular circulation and parking within the undeveloped Phase 2 area is permissible only if the landowner upgrades as needed for conformance with WDO 3.05.02A, F, & K and 3.04.04. Together they prohibit gravel.



*Exhibit PP1*

- e. All conditions apply to any phasing, unless worded or under a header such that a condition applies more specifically. Where something is due by building permit application or issuance, it means the first of any phase, any building, unless a condition is more specific.

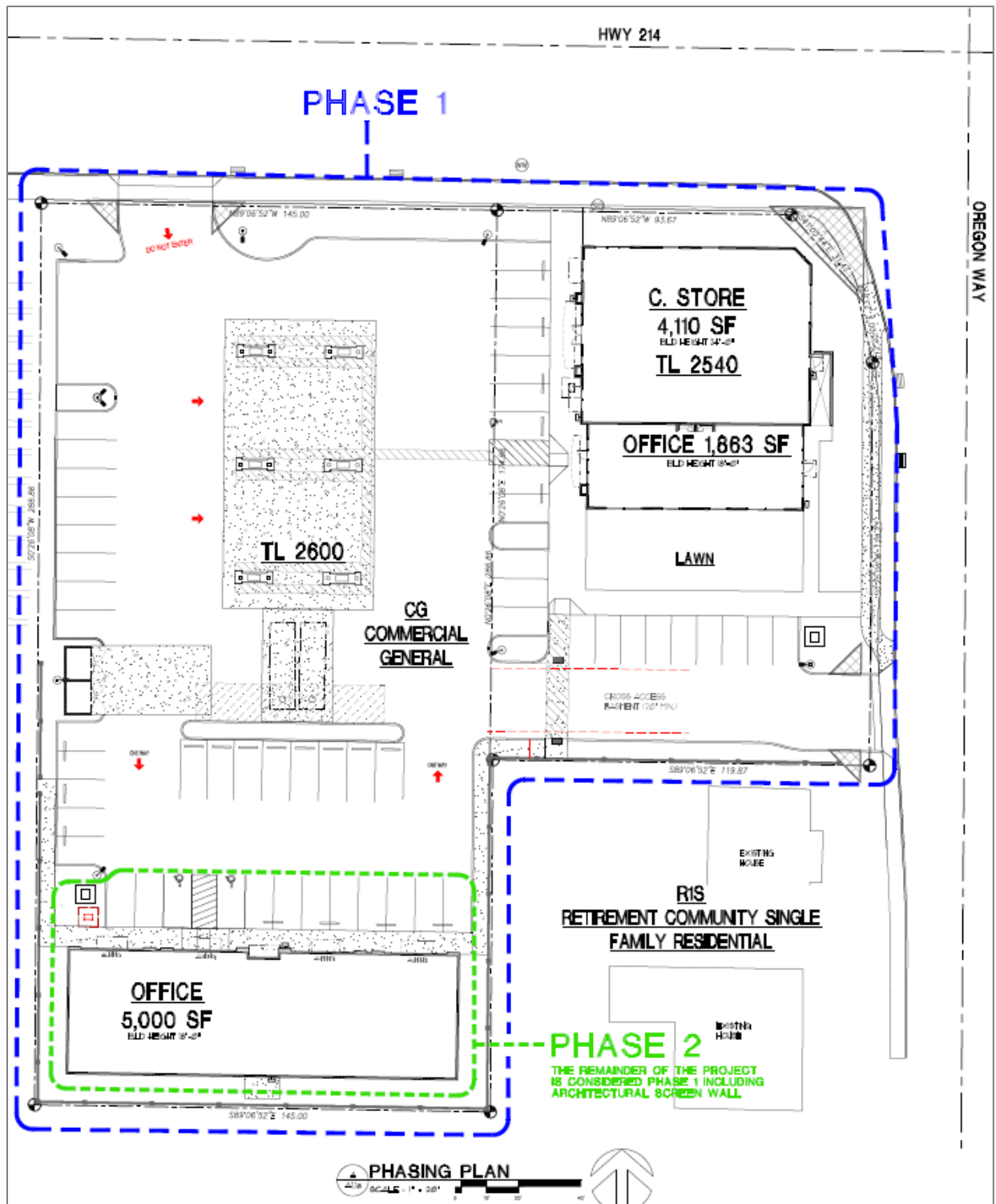


Exhibit PP1: Phasing plan excerpt from Sheet A1.1a dated February 5, 2024 and submitted February 8, 2024



*Design Review 24-02*

D1. ROW:

- a. Highway: To conform with WDO Figure 3.01B “Major Arterial”, as part of recordation the developer shall dedicate ROW if and as necessary to result in half-street ROW that is uniform min width of 50 ft measured from centerline. This is due by building permit application.
- b. Oregon Way: To conform with WDO Figure 3.01E “Access Street”, as part of recordation the developer shall dedicate variable width ROW resulting in half-street ROW that is uniform min width measured from centerline of 33 ft plus additional width along the northerly extent to accommodate the half-street width of the existing northbound left turn lane that the Figure 3.01E, which assumes a mid-block cross section, does not make explicit for telescoping width at intersections. The developer may take and report field measurement of the lane width or assume a lane width of 12 ft, yielding a total minimum width from centerline of  $33 + (12 / 2) = 39$  ft. “Northerly extent” shall extend minimum 140 ft south from a point in line with the highway ROW boundary; it is probable that the total half-street dedication along this extent would equal or approximate a min of  $3 + (12 / 2) = 9$  ft. Dedication is due by building permit application.

D2. PUE: If streetside public utility easements (PUEs) do not yet exist along any of the highway per the minimum of WDO Figure 3.01B and Oregon Way per the minimum and maximum of WDO 3.02.01B & F.2, then the developer shall grant the one or both PUEs.

D3. Driveways:

- a. Number & widths: To conform with WDO 3.04.03B.5 regarding access management, driveways shall be limited as follows:
  - (1) Highway: 1, max width per WDO Table 3.04A: 20 ft for one-way. If one-way inbound, there shall be min one *MUTCD*-compliant do-not-enter sign facing the site, one the east side of the driveway throat, and the pavement shall be striped to indicate no exit.
  - (2) Oregon Way: 1, max width 24 ft for two-way, except 26 ft for two-way if the developer through WDO Table 3.04A footnote 7 provides the same kind of documentation as condition part (1) above describes.
- b. Approach / apron / curb cut: Driveways shall conform to PW SS&Ds, Section 4150, unless documented as overridden by ODOT choosing to apply its standards.

D4. Access management: cross access: To conform with WDO 3.02.01E, 3.04.01A.2, 3.04.03B.3 & 5, 3.04.03C.1, 3, & 4, and 3.04.03D.2, the developer shall provide for what is termed any of cross access, ingress/egress, or shared access revocable only with the written concurrence of the Director and as follows:

a. Properties:

(1) Subject property: Grant cross access (A) across Tax Lot 3600 (2540 Newberg Hwy) to the benefit of 3700 (2600 Newberg Hwy) and (B) across Tax Lot 3700 to the benefit of 3600. (Instead of cross access for the subject property, which is comprised of both Tax Lots 3600 & 3700, the developer may opt to consolidate lots by applying and paying for as well as obtaining City approval of a Property Line Adjustment [PLA], which would be a land use review Type II per WDO 5.01.08 and so a staff decision, and record with the County the lot consolidation, all prior to building permit application.) This is due by building permit application per WDO 2.01.05A.

(2) Adjacent property: Grant cross access across Tax Lots 3600 & 3700 to the benefit of Tax Lot 052W12DB03800 (2620 Newberg Hwy; Dairy Queen). This is due by building permit application per WDO 2.01.05A.

b. Alignment: Applicable to both the subject property and the Tax Lot 3800, follow a drive aisle or aisles and connect each of the highway driveway, the common lot line between Tax Lots 3700 & 3800 somewhere within the segment 60 ft south of the north property line, the common lot line between Tax Lots 3600 & 3700, and the Oregon Way driveway.

c. Drive aisle stub: Extend a drive aisle stub conforming with WDO 3.04.03C.4b to Tax Lot 3800 (2620 Newberg Hwy; Dairy Queen) within the above-specified alignment.

d. Barriers: At the interface of a property line and a drive aisle stub, WDO 3.04.03C.4b prohibits curb and fixed barriers mounted to the drive aisle. (The developer may instead place signed barricades atop the pavement.) While fencing a property line remains permissible per WDO 2.06.02, were the developer or property manager to install fencing, then the segment over the drive aisle shall have vehicular gates.

e. Bicycle/pedestrian: The developer shall grant cross access not only for driving, but also walking and cycling, with alignment along each of the two wide walkways that WDO 3.04.06B requires and connecting with each of the highway and Oregon Way sidewalks.

f. Instrument: Regarding recordation of the cross access easement (CAE) or other types of legal instruments and how, the developer shall conform to the conditions in ways that satisfy the County. This is due by building permit application.

- g. Shared parking: Because Tax Lot 3600 (2540 Newberg Hwy) would lack minimum off-street parking ratio for all land uses on the lot per WDO Table 3.05A, then the developer shall either (1) revise site plans to conform with WDO 3.05.02 & Table 3.05A or (2) create a shared parking agreement, for which cross access is a pre-requisite, per WDO 3.05.05. (A shared parking agreement would be due per WDO 3.05.05D.3: by building permit issuance.) Minimum agreement attachments or exhibits shall be a County tax map, a revised site plan, and if such would exist, a recorded plat.
- h. ODOT factor:
  - (1) The developer shall apply to and obtain from ODOT the relevant approval(s) by building permit application to conform with the access management condition.
  - (2) If after City land use decision ODOT objects specifically to how the City administers or the developer conforms to other parts of the condition or to other conditions concerning vehicular access, then the developer may request and the Director may administratively approve in writing changes to administration or conformance to accommodate the ODOT factor while still having the development meet the WDO and conditions of approval to the max extent remaining. The Director may require developer application for any of Extension of a Development Decision per WDO 4.02.05 or Modification of Conditions per WDO 4.02.07.
  - (3) If after City land use decision ODOT directs access management in conflict with other parts of the condition or to other conditions concerning vehicular access, then the developer shall forward the written direction from ODOT to the attention of the Director; describe the conflict(s); describe the minimum deviation from conformance necessary to comply with ODOT direction while also conforming to the remainder of the condition to the maximum, including plan view illustrations where helpful; and request Director approval through a dated document that cites the land use case file and condition numbers. The Director may approve what the developer first requests or a modified request. The City intends that if the developer were to make use of this part (d) of the condition, he would do so once.

D5: Parking:

- a. Wheel stops: To conform with WDO 3.05.02H, the compact parking spaces along the northeast (NE) office south lawn shall have wheel stops, either 5 shared among the spaces or one per each of the nine spaces, to prevent any overhang of the wide walkway.
- b. Vehicular circulation directional markings/signage: To conform to WDO 3.05.02J, during building permit review the Director may administratively establish details, specifications, and revisions to administer the WDO section. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
- c. C/V: Carpool/vanpool (C/V) parking shall conform with Table 3.05C and 3.05.03H.
- d. EV: Electric vehicle (EV) parking shall conform with Table 3.05E and 3.05.03I.

D6. Electric power poles removal and lines burial: Development shall conform with WDO 3.02.04. The fee in-lieu shall be per Attachment 202. (Absent direction by the applicant otherwise, staff will proceed as if the developer intends to conform by paying the fee in-lieu and will assess it through the building permit.)

D7. Trash enclosure: Outdoor storage of trash and shall be enclosed in conformance with WDO 3.06.06B.5-7 and, regarding roofing, in conformance with Public Works Department Engineering Division administration of standards or directions regarding such, if any, in relation to keeping polluted water from entering drains.

## Conditional Use 24-02

CU1. Wide walkways: The wide walkways that WDO 3.04.06B requires shall have some width of some segments be decorative pavement, specifically, min width 6 ft and along the distance symbolized in green in Exhibit CU1 below. At the turn, the min width may narrow to avoid overlapping ADA ramp slopes. Decorative pavement means any of brick; concrete pavers; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.

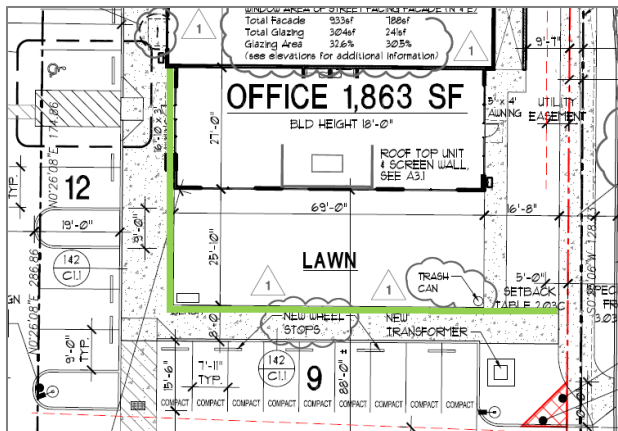


Exhibit CU1

CU2. Bicycle parking shall conform with 3.05.06 and be of min number:

- Convenience store: 2 (for example, 1 U-rack)
- NE commercial office: 2 (for example, 1 U-rack)
- SW commercial office: 4 (for example, 2 U-racks or a wave rack)

CU3. Landscaping generally:

- Bark dust: By the end of the time period per WDO 3.06.02C, 5.0% max of unpaved landscaped area may be non-living material such as bark dust, mulch, wood chips, cobbles, gravel, pebbles, or sand.
- Benches: Min 2.
  - One in the landscaped open space at or near the NE commercial office space, along a wide walkway or in a plaza, install either a bench min width 6 ft or a picnic bench. Set back from walkway and pave the setback, min either 1.5 ft for a bench or 2 ft for a picnic bench.
  - One bench min width 4 ft at or near the SW commercial office building and along a wide walkway.



- c. Buffering/screening: Evergreen hedge or shrubbery shall:
  - (1) Line Architectural Wall (AW) segments.
  - (2) Screen transformers and other at-grade electrical and mechanical equipment along min 2 sides.
  - (3) Serve as means of conformance with WDO 3.06.05B (parking screening).
- d. Coniferous/evergreen trees: Among newly planted trees, min 1 tree of the following coniferous or evergreen species:

Cedar, deodar	Madrone, Pacific
Cedar, incense	Oak, Oregon White
Cedar, Western Red	Pine, Lodgepole
Douglas-fir	Pine, Ponderosa
Fir, Grand	Pine, Western white; and
Hemlock, Western	Yew, Pacific

- e. Tree standards: The same as WDO Table 3.06A “Minimum Size” column – either 10 ft height or 2 inches caliper.

CU4. Front yard landscaping:

- a. Depth: The depth of landscaping from highway ROW south, in the yard west of the convenience store, shall be min 13 ft to vehicular circulation area back of curb to accommodate newly planted front yard trees outside of the streetside PUE. The min depth may instead be 6 ft if ODOT, such as through the Region 2 Development Review Coordinator, allows planting of trees within the PUE, the allowance is documented through building permit review and by building permit issuance with the applicant having submitted plans revised accordingly to both the agency and the City Community development Department, and the developer will have planted such trees by building permit inspection.
- b. Trees: Based on WDO 5.03.01B.3c5), the developer shall plant min:
  - (1) 7 trees in the yard along the highway max 20 ft from ROW; and
  - (2) 4 trees in the yard along Oregon Way max 20 ft from ROW, in a loose row with min 3 of them spaced offset from and complementing street trees.
- c. Hedge/shrubbery: In all areas not occupied by buildings and pavement, landscape per WDO 3.06.
  - (1) On Tax Lot 3700 in the yard along the highway, plant a hedge or row of continuous small or medium shrubbery extending between the driveway and east lot line. Plant min 5 ft from sidewalk and max 12 ft from ROW.
  - (2) On Tax Lot 3600 in the yard along the Oregon Way, line the convenience store rear east free-standing screen wall or wing wall with a hedge or row of continuous small or medium shrubbery, unless the developer declines to build the wing wall.

- d. Site interior:
  - (1) AW: Line each Architectural Wall (AW) segment with a hedge or row of continuous medium or large shrubbery.
  - (2) Lawn large tree: Within open space within 30 ft of the NE commercial office, plant min 2 trees, either both large or min 1 medium and 1 large. Min 1 of these west or south of the plaza – see below.
  - (3) Plaza: At or within 30 ft of the NE commercial office and adjacent to a wide walkway shall be a plaza min 56 sq ft, exc. walkway area, at 7.5 ft narrowest dimension, paved with brick; concrete pavers; field or flagstone; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.
  - (4) South yard: Within 100 ft of the Tax Lot 3700 south lot line, plant min 2 trees.
- e. Parking area:
  - (1) Front yards: To conform with WDO 3.06.05B, within the yards abutting streets the site perimeter landscaped area shall have a hedge or shrubbery as a screen of parking and vehicular circulation area min height 3.5 ft. Such shall be planted to be min 2 ft from sidewalks and wide walkways.
  - (2) NE office: Min 1 large tree in the southwesterly area of the south yard lawn.
  - (3) SW office: For common use by tenants, have a south rear door and a patio of brick, pavers, or poured concrete min 7 ft north-south by 11 ft east-west. Align patio flush with door outer swing. Plant a small tree near the patio west side.

CU5: Architectural Wall (AW) / Fences / Fencing:

- a. Exemption: Where chain-link fence with slats already exists along the north and west lot lines of Tax Lot 3500 (953 Oregon Way), the developer may exempt these two lines from AW if the homeowner in writing consents to exemption and the developer submits documentation by and as part of building permit application.
- b. Extent: Min height shall be along the:
  - (1) North and west lot lines of Tax Lot 3500 6 ft, 1.5 inches (if CMU, equal to 9 courses of blocks plus 1.5-inch smooth concrete cap).
  - (2) North and east lot lines of Tax Lot 90000 (950 Evergreen Road), 9 ft including a 1.5-inch smooth concrete cap between piers or pilasters.
  - (3) Where fencing may substitute per other conditions, for part (1) above it shall be 6 ft, and for part (2) above, 8 ft.

- c. Height at AW ends: Min height shall drop where subject to stair-stepped height limits in yards abutting streets per WDO 2.06.02, within VCA or sight triangles per 3.03.06, and AW shall remain outside streetside PUEs. AW may cross an off-street PUE, if any exist, with written authorization by the Public Works Director, and the PW Director may instead direct that instead of a segment of wall that there be coated chain-link fencing with slats across an off-street PUE. For crossing of private easements, the developer similarly may instead fence.
- d. Gaps or rectangular openings:
  - (1) There shall be one along the east lot line of Tax Lot 90000, min 4 ft wide and 6 ft, 8 inches high above grade, and with the south end of the gap aligned with the Tax Lot 90000 north east-west drive aisle, south curb, north face.



Exhibit CU5-1



Exhibit CU5-2

- (2) If AW exemption per part a. above is not applicable, then there may be a gap along the west lot line of Tax Lot 3500, aligned with where there exist west backyard chain-link gates, minimum width equal to the width of the gates.

- e. Color: Masonry, whether dyed or painted, regarding WDO 3.06.06B.5 & 6 shall be a color or colors other than black, charcoal, or dark gray. For any other fence / fencing or free-standing wall, including gates if any, the coating and slats that WDO 2.06.02D requires and any wall shall be a color or colors other than black, charcoal, or dark gray. On free-standing walls with two or more colors, darker color shall be towards the bottom and lighter color towards the top.
- f. Material: Masonry; however, AW segments, other than those along the north and east lot lines of Tax Lot 90000 (950 Evergreen Road), may be partly made of opaque cedar wood fencing if the wall appears mostly masonry. Specifically, masonry must constitute the bottom extent of wall segment from grade up to min of 4 ft (for example, 6 CMU courses) above grade plus the height of a smooth concrete cap between the masonry and the wood, and there shall be piers, pillars, or pilasters per subsection “Pillars” below. Exhibit CU5-3 below illustrates a similar example (that does not exactly meet the condition) and serves as concrete masonry unit (CMU) model:

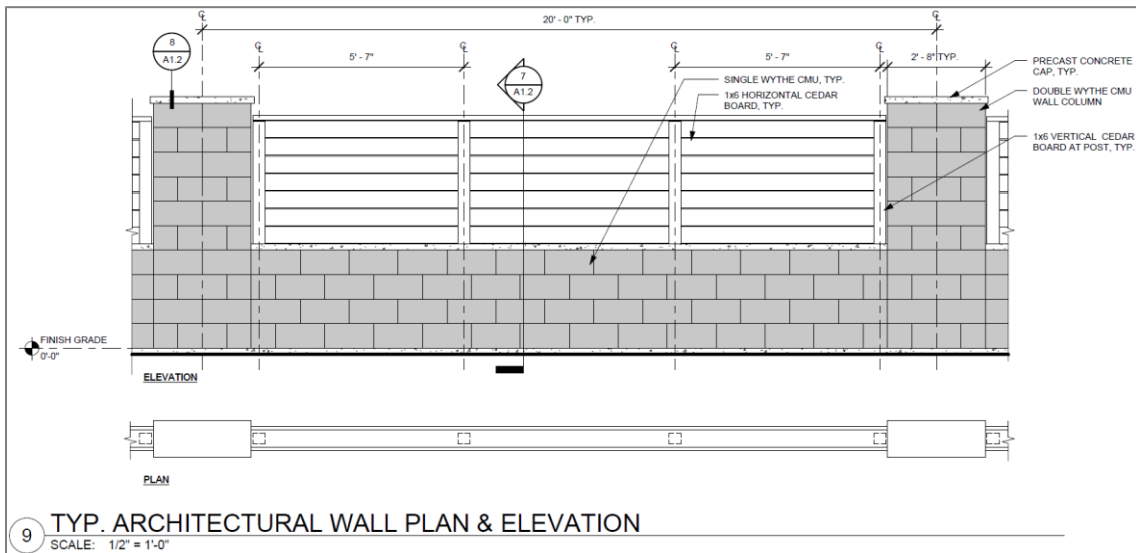


Exhibit CU5-3 (DR 2017-08)

- g. Texture: WDO 3.06.06B.7 is interpreted such that the standard for scoring, texture, or pattern on minimum 80.0% of the wall surface is applicable only to the WDO Table 3.06D minimum height of 6 ft – 80.0% being 7.2 of 9 CMU courses – not the conditioned minimum height of 9 ft, which equals 13.5 courses. In this context, the scored, textured, or split-face CMU courses shall start at or just beneath grade, and there shall be minimum 3 courses of ground or smooth-face CMU composing an upper band of the wall and minimum 1 course of ground or smooth-face CMU at approximately elbow height of an average height person standing at grade.

- h. Pillars: Whether the AW is solid masonry or incorporates wood fencing, each AW segment end shall have a pier, pillar, or pilaster min 16 inches wide relative to wall face and per WDO 3.06.06B.3 projecting min 3 inches each side of the wall.
  - (1) Number: Each segment shall have a min number of piers, pillars, or pilasters equal to a ratio of 1 per 40 ft of wall, and each segment end shall have a pier, pillar, or pilaster.
  - (2) Cap: Each pier or pilaster shall be capped with ornamental concrete in the form of any of a shallow-sloped pyramid or sphere or other finial atop such pyramid.
- i. This condition is due by the first building permit regardless of phase; that is, it is due regardless if Phase 2 is not developed at the same time as Phase 1.

CU6. Architecture:

- a. Canopies / fixed awnings:
  - (1) General: Min height clearance 9 ft.
  - (2) Fuel pump canopy: Max ceiling height 16 ft to either (a) ceiling or (b) ceiling-mounted lighting fixtures, whichever is lower.
  - (3) Convenience store and NE commercial office: The store and NE commercial office main entrances shall each have a canopy, fixed awning, building recess, or roof projection that shelters from precipitation, the former 4 ft narrowest dimension and 48 sq ft min area and the latter 4 ft and 32 sq ft. Each side or rear single staff door on the rest of the store and NE commercial office shall have the same, except 3 ft narrowest dimension and 18 sq ft min area, and for a set of double staff doors, 30 sq ft min area.
  - (4) SW commercial office: Each north entrance shall have a fixed awning, canopy, building wall projection, or secondary roof that shelters from the weather, min area 48 sq ft, min depth 4 ft. A fixed awning or canopy may be smaller if combined with a building recess and together they meet the min area. The south patio door elsewhere conditioned shall have the same, except min area 66 sq ft, min depth 6 ft.
- b. Cladding/materials: Convenience store and attached NE commercial office area:
  - (1) Base cladding min height 2 ft of brick, ceramic tile resembling stone, concrete masonry unit (CMU) block finished to resemble cut stone, or adhered stone. Otherwise, the desired materials provision of WDO 3.07.06B.2b(2) shall be a standard for all building elevations.
  - (2) The prohibited materials provision of WDO 3.07.06B.2b(3) shall be a standard.
  - (3) The proposed east CMU masonry screen wall or wing wall, if not precluded by streetside PUE, shall be max height 4 ft, 2 inches, have the bottom 2 courses be split face and the upper 4 courses ground face and be capped with smooth concrete. The NE corner angled wall shall have a window min area 15 sq ft, min 2.5 ft wide, and wholly within 8.5 ft of grade.

- (4) Subsection (3) is void if the screen wall or wing wall would come to be in part or wholly within a streetside PUE because it would come closer to the building than the developer anticipates because of telescoping ROW width – see Conditions D1b & D2 – and if any of PW or ODOT directs and administers there not be a newly constructed free-standing wall within the Oregon Way streetside PUE, shortening or precluding the wall. Also, in this scenario, because PW has historically allowed chain-link fencing with streetside PUEs, the developer may in place of the intended wing wall install a chain-link fence that conforms with WDO 2.06.02D.1 & 2 and has slats of a color other than black, charcoal, or dark gray.
  - c. Scuppers: Any building rainwater scuppers shall not to dump onto the pavement of a wide walkway.
  - d. Setbacks:
    - (1) General: Site NE corner min setback shall equal streetside PUE.
    - (2) Convenience store / NE commercial office building: max 15 ft from highway ROW and max 20 ft from Oregon Way widened ROW (measured from straight line ROW, not the curved ROW near the intersection).
    - (3) SW commercial office: min 5 ft from Tax Lot 3700 east, south, and west lot lines.
  - e. Windows:
    - (1) General: All windows shall be square, round, or vertically proportioned. Operable windows shall have insect screens.
    - (2) Min areas, which shall be transparent:
      - (A) Convenience store:
        - 1. West façade 30.0%; north 30.0%; east 36 sq ft. For the angled, NE façade in particular, min 18 of the 36 sq ft.
        - 2. NE commercial office: West and south façades 30.0%; east 132 sq ft.
      - (B) SW commercial office: North façade 30.0%; east 15.0%; south 20.0%; and west 20.0%.
- CU7. Lighting: Besides conformance with WDO 3.11, including 3.11.02C color temperature:
- a. Buffer: Parking area or other pole-mounted fixtures are prohibited between the north lot line of 953 Oregon Way (Tax Lot 3500) and the east-west drive aisle.
  - b. Fuel pump canopy:

- (1) Max 14 ceiling fixtures. Any ceiling fixture shall be no closer to ceiling outer edge than 4 ft. Neon lighting, or a lighting technology that mimics the appearance of neon lighting, is prohibited on the fuel pump canopy and on the southernmost primary building on Tax Lot 3700. The developer shall make so either of the following: (1) ceiling light fixtures shall not drop below the ceiling plane, or (2) for ceiling-mounted fixtures, the canopy roof edge perimeter shall as a shield drop or extend down to the same plane as the underside of the lowest fixture. In either case, fixtures that drop or extend down from the ceiling shall each have opaque housing on all sides.
- (2) Based on the hours in Ordinance No. 2338, Section 5A Light Trespass, fuel pump canopy lights shall be off during the same hours as when the fuel pumps are closed.
- c. Max:
  - (1) Convenience store: 1 wall fixture on the east rear and none on the north side.
  - (2) NE commercial office: 1 wall fixture each on the east and west and none on the south side.
  - (3) South commercial office: 1 wall fixture at the south rear and none at the east and west sides.

CU8. Gas station operations:

- a. Noise:
  - (1) Gas station and convenience store: The gas station and convenience store shall be open to customer use no earlier and later than Monday through Saturday 6:00 a.m. to midnight and Sunday 6:00 a.m. to 11:00 p.m.
  - (2) Fuel pumps: Audible audiovisual advertising, if any, is prohibited from sounding from fuel pump electronic display speakers. Such advertising shall be limited to sight only.
  - (3) Tire/vacuum: Addition of any vehicle interior vacuum facility outdoors, tire pump facility outdoors, or other similar mechanical facility outdoors for gas station customers that makes noise shall be located min 100 ft north of the south lot line of Tax Lot 3700. Any vacuum shall be open to customer use no earlier and later than Monday through Saturday 7:00 a.m. to 9:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m.
- b. Trash: There shall be at least one trash receptacle along each of the walkways, at min 0.5 ft from walkway edge or outside wide walkway minimum width (8 ft), to and from the highway and Oregon Way sidewalks, within 25 ft of ROW, for intended use by convenience store customers, and remaining privately maintained and serviced.
- c. Vehicular circulation: The Director may administratively establish locations, details, specifications, and revisions to administer this condition part during building permit review. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
  - (1) Fuel pump queueing:

- (A) General: The developer shall stripe directional arrows and lines to direct motorists into fuel pump queues and distinguish the queues from driving routes around the fuel pump canopy.
- (B) Stacking: Of six queues, min 3 shall each fit stacking of min one car west of the fuel pump island behind cars parked at the pumps. Queueing may be obtusely angled relative to the pump islands.
- (C) Queueing shall not back up past face of curb in the highway right lane, and property management shall dispatch one or more employees to direct motorists as needed to prevent or correct such queueing.
- (2) Pump directional signage: There shall be directional signage that accomplishes directing on-site motorists where and how to queue, including pumps that are self-service and those served by an attendant.
- (3) I-5 directional signage: There shall be outside of ROW and streetside PUEs directional signage that accomplishes directing on-site motorists bound for I-5:
  - (A) On Tax Lot 3700 (west lot), min 2 signs, each min area 18 by 24 inches, mounted min 2 ft and max 7 ft above grade, text min 6 inches high, and including the standard Interstate 5 logo. Detail drawings of these specifications are due by building permit application.
  - (B) On Tax Lot 3600 (east lot), min 2 signs, the same dimensions and mounting as per part (A) above. One sign shall indicate trucks to turn left only, and the other sign shall indicate that left is to I-5 by using a left arrow and the standard Interstate 5 logo. The two signs may be mounted together on the same support. Sign detail drawings – in color – are due by building permit application.
- d. Median: A median barrier is required to be constructed at Oregon Way to mitigate against right turns by trucks exiting the site; refer to Attachment 102A, Public Works comments, item 6.

CU9. Signage: Electronic changing image: In addition to WDO 3.10.12, based on the hours in Ordinance No. 2338, Section 5A Light Trespass, any sign electronic changing image, if and where WDO 3.10 allows such, other than fuel price displays, shall be off during the same hours as when the convenience store is closed.




CU10. Modification: Because the WDO, including 5.03.01, does not specify how changes to an approved conditional use (CU) and related site improvements might trigger another CU or modification of a CU approval, for Director determination the following serve as criteria and – where noted – as factors:

- a. Significant expansion of the use(s), factors being an increase in any of: total GFA by 25.0% or more or by an absolute value of 1,000 sq ft or more, and, the number of buildings by 1 or more;
- b. Increase in off-street parking by 6 or more stalls, even if the existing supply were in excess of the minimum required ratio(s);
- c. Net increase in impervious surface totaling at least 1,000 sq ft;
- d. Adding the land uses of automotive maintenance and repair, whether or not including through service bay structures.
- e. Development as defined in WDO 1.02 within twenty (20) feet of a property boundary and not already conditioned through the subject approval;
- f. Any proposal necessitating a request for Adjustment to Street Right-of-Way and Improvement Requirements (“Street Adjustment”);
- g. Any proposal necessitating a request to vary from the WDO, that is, a variance;
- h. Any proposal necessitating a Type III or IV land use application type;
- i. City adoption of a unified development ordinance replacing the WDO were to have intervened;
- j. A request for major modification, as the Director determines, of the phasing plan; and
- k. Conversion of any NE or SW commercial office GFA to fast-food restaurant or limited-service eating place, for which WDO Table 3.05A row 11 has a minimum parking ratio higher than for general retail or food and drinking places. Exemptions from this condition are the creation of (1) a food or drinking place that is a permitted use within the CG zoning district, max 400 sq ft GFA, and accessory to the primary use of commercial office, and (2) fast-food restaurant or limited-service eating place that is a permitted use within the CG zoning district, has no drive-through, and is any of max 400 sq ft GFA within the NE commercial office and max 1,200 sq ft GFA within the SW commercial office building. Exemptions do not exempt permitted uses from some or all of the off-street parking minimum ratios per WDO Table 3.05A.
- l. Shared parking change: Future changes of use, such as expansion of a building or establishment of hours of operation which conflict with, or affect, the shared parking agreement, shall require review and authorization not only through any of, “a subsequent Design Review or Modification of Conditions” per WDO 3.05.05D.1, but also with the option of being through a Conditional Use (CU).

Modification of a specific condition of approval remains pursuant to WDO 4.02.07. Were the City to have amended the WDO to establish modification provisions for conditional uses, the Director may decide that the provisions supersede this condition of approval.

CU11. Discontinuance/revocation: Because the WDO does not specify if and when a conditional use approval would expire were a use to cease, based on WDO 4.02.04B the approval shall expire if the WDO Table 2.03A, B.2 use of "gasoline station" ceases and 3 years pass without the use recommencing. This CU approval excludes the uses "automotive maintenance" and "repair services" from the group of uses as the WDO terms. Violation of one or more conditions of approval may serve as a basis for City revocation.



*Conditional Use 24-02: Transportation*

T-A1:

- a. OR 214 & Oregon Way: The developer shall pay a fee per Attachment 202 to fund a transportation study, specifically to investigate in coordination with ODOT (1) corridor signal timing and coordination adjustments and (2) improving safety by reducing vehicle turning or angle crashes. This is due by building permit issuance. [TSP R11 & revised TIA p. 14]
- b. I-5 interchange with OR 214: To reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R8 & R9 & revised TIA p. 14]
- c. OR 214 & Evergreen Rd: To mitigate effect on the intersection and reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R10 & revised TIA p. 14]

T-T. Bus transit: Bus stop improvements: To further TDM through bus transit, regarding the WTS Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because ROW and streetside PUE are too narrow relative to the street to accommodate installation, the developer shall pay a fee in-lieu as well as a fee in lieu of a bus stop bicycle rack per Attachment 202.



*Street Adjustment 24-01*

SA1. Frontage/street improvements: Highway: No min surface improvements are required other than either elsewhere conditioned or necessary to conform to Public Works (PW) direction or comply with ODOT engineering guidance. The developer may let existing improvements lie, excepting conforming upgrade of the driveway apron as the WDO and other conditions require, but also shall pay fees in lieu of highway improvements per Attachment 202.

SA2. Frontage/street improvements: Oregon Way: These shall be as follows:

- a. Parking: No on-street parallel parking lane 8-feet wide is required, this being an adjustment from what WDO Figure 3.01E would have required. The developer shall pay a fee in-lieu per Attachment 202.
- b. Landscape strip: Min width 6.5 ft wide inc. curb width and with min street trees per WDO 3.06.03A.1 (1:30), equaling 6 trees. For max 4 of the trees, the developer may pay a fee in-lieu per Attachment 202. Landscaping of area remaining after tree planting and irrigation shall be per the WDO 3.01.04B last paragraph.
- c. Sidewalk: Min width 8 ft.

Overlap: Wider sidewalk shall not narrow the landscape strip. The extra width of planter strip and sidewalk shall either (1) be within additional ROW that accommodates them, or (2) overlap outside ROW into streetside PUE, the PUE or other recorded legal instrument granting public access to the overlap. If (2), then the developer shall submit a draft of the legal instrument for Planning and PW review by either civil engineering plan (CEP) review application to PW or, if PW performs CEP review through building permit review, then by building permit application. Per WDO 2.01.05A, the developer shall submit copies of correctly recorded documents to the Planning Division.

SA3. ROW & PUE: There is no street adjustment to narrow below the minimum requirements; instead, see Conditions D1 & D2.

## **Actions**

The Planning Commission may instead act on the land use application to:

1. Approve with modified conditions, or
2. Deny, based on WDO criteria or other City provisions.

If the Planning Commission were to act upon the recommendation, staff would prepare a “final decision” document for signature by the Commission chair in the days following the hearing.

## **Attachment List**

101. Marked Tax Map
102. Analyses & Findings
- 102A. Public Works comments (August 13, 2024; 2 pages)
103. Application materials / site plans / elevations (June 10, 2024; 6 sheets)
104. Transportation System Plan (TSP) Fig. 2 “Functional Roadway Classification”
- 201.\* CU 24-02 US Market Gas Station: Dictionary & Glossary
202. CU 24-02 US Market Gas Station: Conditioned Fees

\*The 200 series of attachments are details for the conditions of approval.

## CU 24-02: Analyses & Findings

This attachment to the staff report analyzes the application materials and finds through statements how the application materials relate to and meet applicable provisions such as criteria, requirements, and standards. They confirm that a given standard is met or if not met, they call attention to it, suggest a remedy, and have a corresponding recommended condition of approval. Symbols aid locating and understanding categories of findings:

<i>Symbol</i>	<i>Category</i>	<i>Indication</i>
✓	Requirement (or guideline) met	No action needed
✗	Requirement (or guideline) not met	Correction needed
⊖	Requirement (or guideline) not applicable	No action needed
▲	<ul style="list-style-type: none"> <li>Requirement (or guideline) met, but might become unmet because of condition applied to meet separate and related requirement that is not met</li> <li>Plan sheets and/or narrative inconsistent</li> <li>Other special circumstance benefitting from attention</li> </ul>	Revision needed for clear and consistent records
■	Deviation: Planned Unit Development, Zoning Adjustment, and/or Variance	Request to modify, adjust, or vary from a requirement

Section references are to the [Woodburn Development Ordinance \(WDO\)](#).

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## Project Name & Case File Numbers

The applicant submitted the project name US Market. The land use application master/parent case file number is Conditional Use CU 24-02, and the children/corollary case file numbers are Design Review 24-02, Phasing Plan PP 24-01, & Adjustment to Street Improvement Requirements ("Street Adjustment") SA 24-01.

The subject property is composed of two lots, and the developer of the proposed strip commercial development proposes no Property Line Adjustment (PLA) or lot consolidation.

The gas station development is:

1. On Tax Lot 3600 (east, corner lot), a convenience store of 4,110 square feet (sq ft), 6 pump islands with 12 pumps, a commercial office tenant space of 1,863 sq ft attached to the south side of the convenience store, and;
2. On Tax Lot 3700 (west, interior lot), as Phase 2 a southwest commercial office building of 5,000 sq ft.

## Location

<i>Address(es)</i>	2540 & 2600 Newberg Hwy (SW corner of Oregon Hwy 214 / Newberg Hwy & Oregon Way)
<i>Tax Lot(s)</i>	052W12DB03700 (primary) & 3600; respectively 0.95 & 0.47 acres, totaling 1.42 acres
<i>Nearest intersection</i>	Oregon Hwy 214 / Newberg Hwy & Oregon Way

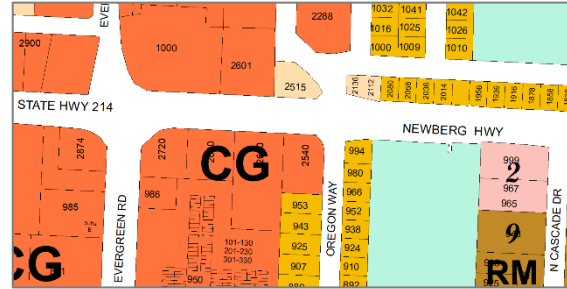
## Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Commercial
<i>Zoning District</i>	Commercial General (CG)
<i>Overlay District(s)</i>	none
<i>Existing Use(s)</i>	None following demolition of two vacant bank buildings no later than 2022

For context, the comprehensive plan land use map designations and zoning are illustrated below with excerpts from the City geographic information system (GIS) and the zoning is tabulated further below:



Comprehensive Plan land use map excerpt



Zoning map excerpt

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	Across OR Hwy 214: Commercial General (CG)
East	Across Oregon Way: Retirement Community Single Family Residential (R1S)
South	East to west: R1S (943 & 953 Oregon Way; houses) and CG (950 Evergreen Rd; Panor 360 condominiums)
West	CG (950 Evergreen Rd; Panor 360 condominiums; and 2620 Newberg Hwy; Dairy Queen)

## Statutory Dates

<i>Application Completeness</i>	July 3, 2024
<i>120-Day Final Decision Deadline</i>	October 31, 2024 per Oregon Revised Statutes (ORS) <a href="#">227.178</a> . (The nearest and prior regularly scheduled City Council date would be October 28, 2024.



# Design Review Provisions

## DR Provisions

### Volume 1 Organization and Structure

#### 1.04 Nonconforming Uses and Development

The developer already obtained demolition permits from the Building Division, and the site is cleared. Because the proposal is full redevelopment, nonconformance of private, on-site improvements is not an applicable concept and the development will conform to the WDO and conditions of approval. Regarding nonconforming public street improvements, staff further addresses this nonconformance under the Adjustment to Street Improvement Requirements ("Street Adjustment") section of this document.

⊖ Not applicable.

### Volume 2 Land Use Zoning and Specified Use Standards

#### 2.03 Commercial Zones

#### 2.05 Overlay Districts

#### 2.06 Accessory Structures

#### 2.07 Special Uses

#### 2.08 Specific Conditional Uses

Uses Allowed in Commercial Zones Table 2.03A		
Use		Zone
Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)		CG
<b>B</b>	<b>Commercial Retail and Services</b>	
<b>2</b>	Automotive maintenance and gasoline stations, including repair services	CU <sup>3</sup>
<b>6</b>	Business services	P
<b>16</b>	Office and office services and supplies	P
<b>19</b>	Printing, publishing, copying, bonding, finance, insurance, medical, data processing, social assistance, legal services, management, and corporate offices	P
<b>20</b>	Professional services	P
<b>3. Allowed outright if not within 200 feet of residentially zoned properties</b>		

A proposed use is a gasoline station, hereafter referred to as gas station. Because it is within 200 ft of residentially zoned property – 943 & 953 Oregon Way to the southeast that is zoned R1S, for the subject property the use and its convenience store remain a conditional use. Commercial office is a permitted use.

<b>Commercial General (CG) - Site Development Standards</b>			
<b>Table 2.03C</b>			
<b>Lot Area, Minimum (square feet)</b>		<b>No minimum</b>	
<b>Lot Width, Minimum (feet)</b>		<b>No minimum</b>	
<b>Lot Depth, Minimum (feet)</b>		<b>No minimum</b>	
<b>Street Frontage, Minimum (feet)</b>		<b>No minimum</b>	
<b>Front Setback and Setback Abutting a Street, Minimum (feet)</b>		<b>5 <sup>1</sup></b>	
<b>Side or Rear Setback, Minimum (feet)</b>	<b>Abutting RS, R1S, or RM zone</b>	<b>10 <sup>4</sup></b>	
	<b>Abutting CO, CG, DDC, NNC, P/SP, IP, SWIR, or IL zone</b>	<b>0 or 5 <sup>4, 5</sup></b>	
<b>Setback to a Private Access Easement, Minimum (feet)</b>		<b>1</b>	
<b>Lot Coverage, Maximum</b>		<b>Not specified <sup>2</sup></b>	
<b>Building Height, Maximum (feet)</b>	<b>Primary or accessory structure</b>	<b>Outside Gateway subarea</b>	<b>70</b>
		<b>Western Gateway subarea</b>	<b>50</b>
		<b>Eastern Gateway subarea</b>	<b>40</b>
	<b>Features not used for habitation</b>		<b>100</b>
<ol style="list-style-type: none"> <li><b>1. Measured from the Street Widening Setback (Section 3.03.02), if any</b></li> <li><b>2. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements.</b></li> <li><b>3. Only allowed in the Gateway Overlay District</b></li> <li><b>4. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use.</b></li> <li><b>5. A building may be constructed at the property line, or shall be set back at least five feet.</b></li> </ol>			

The site plans and elevations show that the proposed development conforms with the basic development standards that Table 2.03C contains.

## 2.05 Overlay Districts

### 2.05.02 Interchange Management Area Overlay District

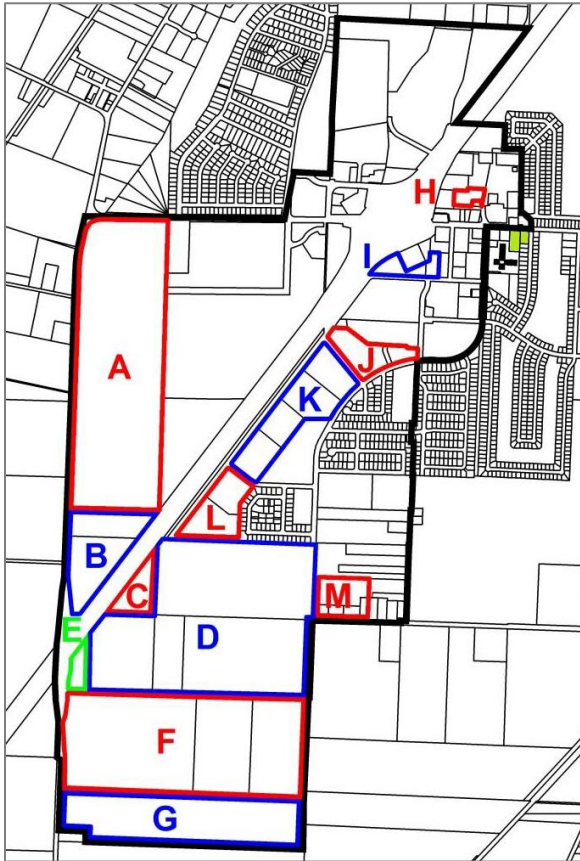


Figure 2.05B – Interchange Management Area Boundary and Subareas (with subject property at NE marked in green)

For those aware of the Interchange Management Area Overlay District (IMA), the above WDO figure marked to show the subject property confirms that the property lies just outside the IMA, that is, the property is *not* in the IMA. (Also, none of the other overlay districts are applicable.)

⊖ Not applicable.

## 2.06 Accessory Structures

### 2.06.02 Fences and Walls

Regarding the “Architectural Wall” as a buffer or screen wall per 3.06.05 to the standards of 3.06.06 and any fence or fencing the developer would build and install, a condition or conditions of approval would secure conformance, as well as a fence permit application type per 5.01.03 “Fence and Free Standing Wall”.

▲ In order to secure conformance to 2.06.02, staff applies a condition or conditions.

### **2.06.03 Structures**

Within the proposal, which is phased development, neither phase includes accessory structures such as sheds, making this WDO section not applicable; however, even if the fuel pump canopy were considered an accessory structure instead of a primary one, it remains proposed more than 5 ft away from a property line. (Other WDO sections address the proposed trash enclosure.)

– Not applicable.

### **2.07 Special Uses**

#### **2.07.08 Facilities During Construction**

This is not directly relevant to land use review. Contractor behavior is to conform during construction. No condition of approval is necessary to reiterate the requirement.

– Not applicable.

### **2.08 Specific Conditional Uses**

None relate to a gas station.

– Not applicable.

## **Volume 3 Development Guideline and Standards**

### **3.01 Streets**

Regarding public street improvements, staff further addresses this under the Adjustment to Street Improvement Requirements ("Street Adjustment") section of this document.

■ SA: Staff further addresses public street improvements further under the Street Adjustment Provisions section (under criterion 3, factor b).

### **3.02 Utilities and Easements**

#### **3.02.01 Public Utility Easements**

**A. The Director shall require dedication of specific easements for the construction and maintenance of municipal water, sewerage and storm drainage facilities located on private property.**

**B. Streetside:** A streetside public utility easement (PUE) shall be dedicated along each lot line abutting a public street at minimum width 5 feet. Partial exemption for townhouse corner lot: Where such lot is 18 to less than 20 feet wide, along the longer frontage, streetside PUE minimum width shall be 3 feet; or, where the lot is narrower than 18 feet, the longer side frontage is exempt from streetside PUE.

**C. Off-street:** The presumptive minimum width of an off-street PUE shall be 16 feet, and the Public Works Director in writing may establish a different width as a standard.

**E.** As a condition of approval for development, including property line adjustments, partitions, subdivisions, design reviews, Planned Unit Developments (PUDs), Street Adjustments, Zoning Adjustments, or Variances, the Director may require dedication of additional public easements, including off-street public utility easements and other easement types such as those that grant access termed any of bicycle/pedestrian access, cross access, ingress/egress, public access, or shared access, as well as those that identify, memorialize, and reserve future street corridors in place of ROW dedication.

**F. Streetside PUE maximum width:**

- 1. Purpose:** To prevent developers and franchise utilities from proposing wider than minimum streetside PUEs along tracts or small lots after land use final decision; to prevent particularly for a tract or lot abutting both a street and an alley; to encourage developers to communicate with franchise utilities and define streetside PUE widths during land use review and how to what is defined; to avoid overly constraining yards, and to avoid such PUEs precluding front roofed patios, porches, or stoops.
- 2. Standards:** Exempting any lot or tract subject to Figure 3.01B “Major Arterial”, the following standards are applicable to a lot or tract with:
  - a. No alley or shared rear lane:** 8 feet streetside.
  - b. Alley or shared rear lane:** Either 8 feet streetside and 5 feet along alley or shared rear lane, or, 5 feet streetside and 8 feet along alley or shared rear lane.

**Nothing in this section precludes a streetside PUE from variable width where necessary such as to expand around public fire hydrants.**

Regarding A, the Public Works Department handles this through its own conditions and processes. Additionally, one of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT).

Regarding B, because the site plan calls out a streetside PUE along Oregon Way but does not indicate its width, staff applies a condition or conditions. The highway is subject to a superseding standard requiring a 10-ft wide easement: Figure 3.01B “Major Arterial”, and the site plan calls out a streetside PUE and indicates a 10-foot width.

Regarding C, the Public Works Department implements this through its own permit processes, standards, and specifications, and Planning Division also staff apply a condition or conditions for WDO conformance and to deal with existing context of public utilities. Additionally, one of the two frontages is a state highway, which involves ODOT standards and permitting processes.

▲ In order to secure conformance with Figure 3.01B and 3.02.01B & F.2, staff applies a condition or conditions.

### **3.02.02 Creeks and Watercourse Maintenance Easements**

There are no creeks or watercourses.

⊖ Not applicable.

### **3.02.03 Street Lighting**

The Public Works Department handles this through its own permit processes, standards, and specifications. Additionally, one of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT).

▲ In order to secure conformance to 3.02.03, the Public Works Department might apply public works standards and specifications.

### **3.02.04 Underground Utilities**

**B. Street: All permanent utility service within ROW resulting from development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist as the electric utility documents and the developer submits such documentation.**

- 1. Developments along Boundary Streets shall remove existing electric power poles and lines and bury or underground lines where the following apply:**
  - a. A frontage with electric power poles and lines is or totals minimum 250 feet; and**
  - b. Burial or undergrounding would either decrease or not increase the number of electric power poles. The developer shall submit documentation from the electric utility.**

**Where the above are not applicable, a developer shall pay a fee in-lieu, excepting residential development that has 4 or fewer dwellings and involves no land division.**

- 2. Fees in-lieu: Per Section 4.02.12.**

Because the application materials fail to show that the development would conform along the highway where electric power poles and overhead electric power lines existing, staff applies a condition or conditions. (Absent direction by the applicant otherwise, staff will proceed as if the developer intends to conform by paying the fee in-lieu and will assess it through the building permit.)

▲ In order to secure conformance to 3.02.04, staff applies a condition or conditions.

### **3.03 Setbacks and Open Space**

#### **3.03.02 Special Setbacks**

This is a street widening setback. Because the development proposes and/or is conditioned to conform regarding ROW widths, the Special Setback is not applicable.

⊖ Not applicable.

#### **3.03.03 Projections into the Setback Abutting a Street**

#### **3.03.04 Projections into the Side Setback**

#### **3.03.05 Projections into the Rear Setback**

Because the development is strip commercial with conventional setbacks that meet or exceed zoning minimums, there are no projections. Were that to change later, the developer would still have to demonstrate conformance and the development conform.

⊖ Not applicable.

#### **3.03.06 Vision Clearance Area**

The application materials indicate that the applicant is aware of and intending to conform regarding driveways and the building closest to the site NE corner, which is the SW corner of the highway and Oregon Way, because the NE building (the convenience store and attached NE commercial office) is notched at the NE to keep out of the vision clearance area (VCA) or sight triangle. The building isn't near any driveway. (Were a site plan to fall out of conformance upon building permit application, staff would prompt the developer to correct during permit reviews.)

✓ The requirement is met.

### **3.04.01 Applicability and Permit**

#### **A. Street Access**

Every lot shall have:

- 1. Direct access to an abutting public street, or**
- 2. Access to a public street by means of a public access easement and private maintenance agreement to the satisfaction of the Director, revocable only with the concurrence of the Director, and that is recorded. The easement shall contain text that pursuant to Woodburn Development Ordinance (WDO) 3.04.03B.3, the public shared access (ingress and egress) right of this easement is revocable only with the written concurrence of the Community Development Director.**

This standard plus the highway being a state highway affects access management. A main reason the developer proposes the highway driveway as one-way inbound is because of an Oregon Department of Transportation (ODOT) "Conditional Approval of Grant of Access", file code 30-24 and "CHAMPS" No. 093457 dated January 23, 2024, of which the applicant submitted a copy to the City among the February 8, 2024 application materials. It states, "Traffic movements for the private approach at the subject location shall only allow right turns off Hillsboro-Silverton Highway."

In any case, there would be full physical access to and from the highway via the Oregon Way driveway and Oregon Way itself, which intersects the highway to the north of that driveway; however, because the subject property is two lots that the applicant proposes neither to adjust nor consolidate, and motorists would have to cross Tax Lot 3600 (2540 Newberg Hwy) to get from the fuel pump canopy on Tax Lot 3700 (2600 Newberg Hwy) onto Oregon Way as a means to get to the highway, the developer needs to grant what is termed any of cross access, ingress/egress, or shared access across the two lots revocable only with the written concurrence of the Community Development Director in order to conform with 3.04.01A.2.

▲ In order to secure conformance with 3.04.01A.2, staff applies a cross access condition to the two lots composing the subject property.

### **3.04.02 Drive-Throughs**

The strip commercial development includes none.

⊖ Not applicable.

### **3.04.03 Driveway Guidelines and Standards ...**

#### **B. Number of Driveways**

- 3. For nonresidential uses, the number of driveways should be minimized based on overall site design, including consideration of:**
  - a. The function classification of abutting streets;**
  - b. The on-site access pattern, including parking and circulation, joint access, turnarounds and building orientation;**
  - c. The access needs of the use in terms of volume, intensity and duration characteristics of trip generation.**
- 5. For all development and uses, the number of driveways shall be further limited through access management per subsections C & D below.**

#### **C. Joint Access**

- 1. Lots that access a Major Arterial, Minor Arterial, Service Collector, or Access Street should be accessed via a shared driveway or instead to an alley or shared rear lane.**



2. **A partition, subdivision, or PUD should be configured so that lots abutting a Major Arterial, Minor Arterial, Service Collector, or Access Street have access to a local street, alley, or shared rear lane. Access to lots with multiple street frontages should be from the street with the lowest functional class.**
3. **Every joint driveway or access between separate lots shall be per the same means as in Section 3.04.01A.2.**
4. **Standards: ...**

One of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT). The developer wants to narrow the highway driveway from 30 to 20 ft, which involves ODOT permitting and standards. That width is within WDO maximum for a one-way driveway (per Table 3.04A). The Oregon Way driveway width is 24 ft. Section 3.04.03 encourages and in part requires joint or shared driveways, and because of the analysis and findings for 3.04.01A related to street access, cross access causes the Oregon Way driveway to be required as a joint or shared one. Through the conditional use process staff applies conditions limiting driveway widths for both frontages.

▲ In order to secure conformance to conditional use criteria, staff applies a condition or conditions.

**D. Access management:**

2. **Commercial: Any development within a commercial zoning district that Section 2.03A lists shall grant shared access to adjacent lots and tracts partly or wholly within any of the same districts. An alley or shared rear lane may substitute for meeting this standard if the alley provides equivalent public access. Zoning Adjustment is permissible.**

Access Requirements Table 3.04A		
		<b>Commercial or Industrial Use</b>
<b>Paved Width of Driveway (feet)</b> <small>3, 4, 7, 8</small>	<b>1-way</b>	<b>10 minimum 20 maximum</b>
	<b>2-way</b>	<b>Commercial/Mixed-Use: 20 minimum 24 maximum* *(Add 12 ft maximum if a turn pocket is added)</b>
		<b>Industrial: 22 minimum 36 maximum* *(Add 8' if a turn pocket is added)</b>
<b>Throat Length (feet)</b> <sup>5</sup>	<b>Major Arterial, Minor Arterial, Service Collector</b>	<b>Commercial: 36 minimum; Industrial: 50 minimum</b>
	<b>Access or Local Street</b>	<b>18 minimum</b>

<b>Access Requirements</b> <b>Table 3.04A</b>	
1.	The separation should be maximized.
2.	Driveways on abutting lots need not be separated from each other, and may be combined into a single shared driveway.
3.	Driveways over 40 feet long and serving one dwelling unit may have a paved surface minimum 8 feet wide.
4.	Notwithstanding the widths listed in this table, the minimum clearance around a fire hydrant shall be provided (See Figure 3.04D).
5.	Throat length is measured from the closest off-street parking or loading space to the right-of-way. A throat applies only at entrances (See Figure 3.05B).
6.	Maximum of 4 individual lots can be served from single shared driveway (See Figure 3.04A) except where and as Section 3.04.03D.3 "Flag Lots" supersedes.
7.	It is permissible that the Oregon Fire Code (OFC) as administered by the independent Woodburn Fire District may cause driveway widths to exceed minimums and maximums. It is a developer's responsibility to comply with the OFC.
8.	Width measurement excludes throat side curbing, if any.
9.	Refer to OFC Appendix D, Figure D103.1.

The site plan shows proposed driveways that conform.

✓ The requirement is met.

### 3.04.05 Transportation Impact Analysis

**B. A transportation study known as a transportation impact analysis (TIA) is required for any of the following:**

1. **Comprehensive Plan Map Change or Zone Change or rezoning that is quasi-judicial, excepting upon annexation designation of zoning consistent with the Comprehensive Plan.**
2. **A development would increase vehicle trip generation by 50 peak hour trips or more or 500 average daily trips (ADT) or more.**
3. **A development would raise the volume-to-capacity (V/C) ratio of an intersection to 0.96 or more during the PM peak hour.**

4. **Operational or safety concerns documented by the City or an agency with jurisdiction, such as ODOT or the County, and submitted no earlier than a pre-application conference and no later than as written testimony entered into the record before the City makes a land use decision.**
5. **A development involves or affects streets and intersections documented by ODOT as having a high crash rate, having a high injury rate of persons walking or cycling, having any cyclist and pedestrian deaths, or that partly or wholly pass through school zones that ODOT recognizes.**
6. **Where ODOT has jurisdiction and ORS or OAR, including OAR 734-051, compels the agency to require.**

The applicant submitted a revised traffic impact analysis (TIA) dated June 23, 2023 on May 1, 2024 as well as a supplement dated and submitted July 23, 2024.

Page 36, “Findings and Recommendations” proposed no mitigation measures. Staff addresses the TIA further under the Conditional Use Provisions section of this document.

#### **3.04.03E. Interconnected Parking Facilities.**

1. **All uses on a lot shall have common or interconnected off-street parking and circulation facilities.**
2. **Similar or compatible uses on abutting lots shall have interconnected access and parking facilities.**

Because the proposal is a single, integrated site development for several primary uses – a gas station, composed of the fuel pump canopy and convenience store – plus NE attached commercial office and a (Phase 2) SW commercial office building, it would be like a commercial strip mall. The site plan shows continuous drive aisles and obvious shared parking across the two lots composing the subject property.

✓ The requirement is met.

#### **3.04.04 Improvement Standards**

The site plans illustrate pavement that conforms.

✓ The requirement is met.

### 3.05 Off-Street Parking and Loading

#### 3.05.02 General Provisions

Because the application materials fail to show that the development would conform fully to the requirements, staff applies a condition or conditions.

▲ In order to secure conformance with the above subsections of 3.05.02, staff applies a condition or conditions.

#### E. Setback

1. In commercial and industrial zones, the parking, loading, and circulation areas shall be set back from a street a minimum of five feet.
2. Parking, loading, and circulation areas shall be set back from a property line a minimum of five feet, excepting any of (a) interior lot lines of lots in a development that have the same owner or that have outbuildings as part of a complex of buildings sited amid parking, such as in an office or industrial park or strip mall, (b) a shared access and use agreement between or among landowners per Section 3.04, and (c) shared access in the specific context of residential development of other than multiple-family dwellings.

Subsection 2(a) is applicable and, because of conditioning for other WDO sections related to cross access and shared parking, 2(b) will be applicable.

✓ The requirement is met.

#### J. All uses required to provide 20 or more off-street parking spaces shall have directional markings or signs to control vehicle movement.

The phrase, “directional markings or signs to control vehicle movement” leaves room for interpretation about what kinds of markings or signs, number, size, placements, and symbols and text. A gas station involves a lot of queuing and conflicts among vehicles moving across the site. The site plan shows some detail, but in staff opinion not enough to direct gas station motorists to pump queues and distinguish queuing areas from drive aisles.

Also, because of how access management would work, motorists returning to I-5 would exit to Oregon Way to turn left/north to then turn left/west at OR 214.

With ODOT highway access management as describe earlier above for 3.04.01A, Planning Division staff intends that markings and signage direct motorists seeking I-5 to go to Oregon Way. Because of the room for interpretation, and that the applicant will later refine the site plan, it is during building permit review that administratively establishing details, specifications, and revisions to administer the WDO section would be timely and fruitful.

**3.05.03 Off-Street Parking**

**3.05.03 Off-Street Parking**

**A. Number of Required Off-Street Parking Spaces**

1. Off-street vehicle parking spaces shall be provided in amounts not less than those set forth in this Section (Table 3.05A).
2. Off-street vehicle parking spaces shall not exceed two times the amount required in this Section (Table 3.05A).

...

C. A maximum of 20 percent of the required vehicle parking spaces may be satisfied by compact vehicle parking spaces.

D. Off-street vehicle parking spaces and drive aisles shall not be smaller than specified in this Section (Table 3.05C).

**F. Garages ...**

2. For multi-family dwellings, one-half of the parking spaces required by this Section (Table 3.05A) shall be in a garage or garages, whether conventional or tandem, or, in a carport or carports.

**Table 3.05A**

<b>Off-Street Parking Ratio Standards</b> <b>Table 3.05A</b>	
<b>Use<sup>1</sup></b>	<b>Parking Ratio - spaces per activity unit or square feet of gross floor area</b>
<b>COMMERCIAL / PUBLIC</b>	
<b>6. Motor vehicle service</b>	<b>1/ 200 retail area + 3/ service bay + 1/ pump island</b>
<b>12. Offices (such as professional, scientific and technical services, finance and insurance, real estate, administrative and support services, social assistance, and public administration – but not including ambulatory health services)</b>	<b>1/ 350 square feet</b>
<b>1. The Director may authorize parking for any use not specifically listed in this table. The applicant shall submit an analysis that identifies the parking needs, and a description of how the proposed use is similar to other uses permitted in the zone. The Director may require additional information, as needed, to document the parking needs of the proposed use.</b>	

Minimum required off-street parking is:

<i>Land use</i>	<i>Ratio</i>	<i>Square Footage</i>	<i>Spaces</i>
Gas station	1 per 200 sq ft of retail area (4 per 1,000) + 1 per island	4,110	20.6
Commercial office	1 per 350 sq ft (2.86 per 1,000)	1,863 (NE)	5.3
		5,000 (SW)	14.3
All sitewide			40.2 → 40

Even without counting any space under the fuel pump canopy, the site plan proposes 50 spaces sitewide, exceeding the minimum requirement sitewide, but not so much it would exceed the maximum parking or parking cap per 3.05.03A.2 above. (Staff concurs with the applicant assumption that that the “1/ pump island” parking minimum has no practical effect on minimum parking, the area under any gas station fuel pump canopy being its own minimum parking.) There are 12 compact parking spaces. Because there are 10 excess parking spaces, a fraction of the compact parking could be considered part of minimum parking. Of 40, 20% is 8 compact spaces, and with 10 extra spaces sitewide, the site plan minimum parking of 40 can be interpreted to meet the compact parking maximum of 8.

However, while Tax Lot 3700 (2600 Newberg Hwy) would meet minimum parking for the fuel pumps and exceed that for the SW commercial office building, Tax Lot 3600 (2540 Newberg Hwy) would have 19 or 20 spaces, short of the minimum 26 parking stalls for the convenience store and attached NE commercial office space. This raises the issue of shared parking, which staff addresses further below under 3.05.05.

✓ The requirement is met.

**Table 3.05.05 Parking Space and Drive Aisle Dimensions**

The site plan appears to conform. The applicant opted for standard size stalls to be 19 ft long, 1 ft longer than the minimum length of 18 ft.

**Carpool/Vanpool Parking  
Table 3.05C**



Development or Use	Description	Stall Minimum Number or Percent
1. Non-residential development within commercial zoning districts	Zero to 19 total minimum required off-street parking spaces	n/a
	20 to 33 total	1 stall
	34 to 65 total	2 stalls
1. Standard applies even if the site is not zoned P/SP. 2. See Section 3.05.03H for carpool/vanpool (C/V) development standards.		

The site plan shows the minimum 2 C/V spaces at the east central front corner of the SW office building, as indicated by “CARPOOL”. Because there is no additional information about specifications such as for signage and striping per 3.05.03H, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with Table 3.05.03H, staff applies a condition or conditions.

**3.05.05 Shared Parking ...**

**D. Shared parking may be allowed if the following standards are met:**

- 1. Future changes of use, such as expansion of a building or establishment of hours of operation which conflict with, or affect, a shared parking agreement, shall require review and authorization of a subsequent Design Review or Modification of Conditions.**
- 2. Legal documentation, to the satisfaction of the Director, shall be submitted verifying shared parking between the separate developments. Shared parking agreements may include provisions covering maintenance, liability, hours of use, and cross-access easements.**
- 3. The approved legal documentation shall be recorded by the applicant at the Marion County Recorder’s Office and a copy of the recorded document shall be submitted to the Director, prior to issuance of a building or other land use permit.**

The subject property is two lots that the applicant proposes neither to adjust nor consolidate, with Tax Lot 3600 (2540 Newberg Hwy) having the convenience store and attached NE commercial office area and Tax Lot 3700 (2600 Newberg Hwy) having the fuel pump canopy and SW office building.




As mentioned earlier above regarding minimum parking, while Tax Lot 3700 (2600 Newberg Hwy) would meet minimum parking for the fuel pumps and exceed that for the SW commercial office building, Tax Lot 3600 (2540 Newberg Hwy) would have 19 or 20 spaces, short of the minimum 26 parking stalls for the convenience store and attached NE commercial office space.

For these reasons, shared parking is *de facto* proposed and a shared parking agreement becomes required.

The application materials lack a draft shared parking agreement. Staff applies a condition to secure conformance during building permit review.

▲ In order to secure conformance with 3.05.05D, staff applies a condition or conditions.

<b>Off-Street Bicycle Parking</b> <b>Table 3.05D</b>		
		
Development or Use	Description	Stall Minimum Number, Percent, or Ratio
<b>2. Non-residential development within commercial zoning districts</b>		<b>Whichever of the two rates is greater:</b> <b>(1) 2 stalls or 15% of total minimum required parking spaces, whichever is greater; or</b> <b>(2) 2 stalls or equal to 0.6/ 1,000 square feet GFA, whichever is greater.</b>
<b>3. The Director may authorize off-street bicycle parking for any use that the Development or Use column does not clearly include.</b>		
<b>4. See Section 3.05.06 for bicycle parking development standards.</b>		

Minimum bicycle parking is whichever of the two rates is greater:

- (1) 2 stalls or 15% of 25 parking spaces, whichever is greater; or
- (2) 2 stalls or equal to 0.6 x (4,394/1,000) square feet GFA of the convenience store, whichever is greater.

This is the same as:


- (1) 2 stalls or (40 x 0.15) → 6 stalls, whichever is greater; or
- (2) 2 stalls or equal to (0.6 x 6.863) = 4.1 stalls →, whichever is greater.

So, rate (2) is applicable, and of that, the second rate is applicable, yielding the minimum required bicycle parking of 6 stalls. The site plan shows 4 at the convenience store and 2 at the SW commercial office building.

Because the SW commercial office building of 5,000 sq ft per the site plan and elevations would have as many as 4-5 tenant spaces, staff believes more than 2 are necessary at that building and by conditional use requires a sitewide minimum of 8 with minimum 4 of these being at the SW office commercial building. For reasons why, see farther below under the Conditional Use Provisions section (Table CU-3, row CU2, third column).

The Table 3.05C minimum ratio is met, and conceptually the bicycle parking could conform with 3.05.06. Because there is no additional information about specifications, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with 3.05.06, staff applies a condition or conditions.

<b>Electric Vehicle Parking</b> <b>Table 3.05E</b> 		
Development or Use	Description	Stall Minimum Number or Percent
<b>2. Non-residential development within commercial zoning districts</b>	<b>Zero to 19 total minimum required spaces</b>	<b>n/a</b>
	<b>20 to 39 total</b>	<b>2 stalls</b>
	<b>40 or more total</b>	<b>2 stalls or 5%, whichever is greater</b>
<b>2. The Director may authorize EV parking for any use that the Development or Use column does not clearly include.</b> <b>3. See Section 3.05.03I below for EV development standards.</b> <b>4. Administrative note: As of January 2022, electrical permitting remains through the County instead of the City by agreement between the City and County.</b>		

The site plan shows the minimum 2 EV spaces at the site northwest front of the SW commercial office building symbolized with “EV SPACE”, meeting Table 3.05E. (Regarding, “2 stalls or 5%, whichever is greater”, 5% of 40 minimum parking spaces equals 2.)

Because there is no additional information about specifications such as for charging level, signage, and striping per 3.05.03I, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with 3.05.03I, staff applies a condition or conditions.

### **3.05.04 Off-Street Loading & Unloading**

The proposal conforms.

✓ The requirement is met.

### **3.06 Landscaping**

#### **3.06.03 Landscaping Standards**

##### **A. Street Trees**

Staff addresses this further under both the Conditional Use Provisions and the Adjustment to Street Right of Way and Improvement Requirements (“Street Adjustment”) Provisions sections of this document.

■ *CU & SA:* Staff further addresses street trees further under both the Conditional Use Provisions section (under criterion 3, factor b) and the Adjustment to Street Right of Way and Improvement Requirements (“Street Adjustment”) Provisions section.

#### **3.06.05 Screening**

##### **A. Screening between zones and uses shall comply with Table 3.06D.**

The row “Property being Developed – must provide screening if no comparable screening exists on abutting protected property” and “CG or MUV zone” that intersects with the columns “Adjacent properties – zone or use that receives the benefit of screening” and both “RS, R1S, or RSN zone” and “Multiple-family dwelling” necessitates an “Architectural Wall” (AW) along the lot lines abutting the lots with the two houses at 943 & 953 Oregon Way and the Panor 360 condominiums at 950 Evergreen Road.

▲ In order to secure conformance with Table 3.06D, staff applies a condition or conditions.

**B. All parking areas, except those for single-family and duplex dwellings, abutting a street shall provide a 42-inch vertical visual screen from the abutting street grade. Acceptable design techniques to provide the screening include plant materials, berms, architectural walls, and depressed grade for the parking area. All screening shall comply with the clear vision standards of this ordinance (Section 3.03.06).**

Because the landscape plan symbolizes some shrubbery or hedges that don't quite fully line parking and vehicular circulation areas so as to screen them, staff applies a condition or conditions.

▲ In order to secure conformance with the screening requirement, staff applies a condition or conditions.

### **3.06.06 Architectural Walls**

Because the application materials fail to show that the development would conform to the requirement, staff applies a condition or conditions.

▲ In order to secure conformance with AW standards, staff applies a condition or conditions.

### **3.06.07 Significant Tree Preservation & Removal**

See the Conditional Use Provisions section under criterion 3, factor c5) "aesthetics", for analysis.

Through conditional use process, staff applies a fee to mitigate the loss of Significant Trees and to increase the City tree fund. For the explanation why, see the paragraph farther below under the Conditional Use Provisions section (under criterion 3, factor c5).

▲ In order to secure Significant Tree removal mitigation, staff applies a condition or conditions.

## **3.07 Architectural Design**

### **3.07.06 Standards for Non-Residential Structures in Residential, Commercial and Public/Semi Public Zones**

Per 3.07.01A, the architectural provisions are standards for land use review Type I and guidelines for higher types. The application types composing the consolidated package result in Type III.

The site plans and building elevations show largely what the guidelines describe; however, without conditions applied through the conditional use process, guidelines would remain just that – optional for the developer and subject to “value engineering”.

▲ In order to secure adequate architecture in the context of strip commercial development, staff applies a condition or conditions.

### **3.08 Partitions and Subdivisions**

None proposed.

– Not applicable.

### **3.10 Signs**

Land use application types generally are not the means for the City to review or approve signage. Signage, including wall and monument signs, remain subject to review and approval through a Type I sign permit through 5.01.10 “Sign Permit”.

– Not applicable.

### **3.11 Lighting**

The site plans through Sheet E1.1 “Lighting Plan” appears to conform with 3.11.02. Regarding color temperature / hue in particular per 3.11.02C, the application materials submitted May 1, 2024 included cut or spec sheets indicating that parking area pole lights would be the model of 4,000° Kelvin (K) color temperature, a conforming value. However, the color temperature is not specified for either the wall-mounted fixture model or the fuel pump canopy ceiling light fixture model nor, it is necessary to specify model purchase and installation of the 4,000° K and not the 5,000° K models. This may be through marked cut or spec sheets, plan sheet revisions, or both. Staff conditions accordingly.

▲ In order to secure conformance with 3.11.02C & F, staff applies a condition or conditions.

## Conditional Use Provisions

### CU Provisions

#### 5.03.01 Conditional Use

**A. Purpose:** A conditional use is an activity which is permitted in a zone but which, because of some characteristics, is not entirely compatible with other uses allowed in the zone, and cannot be permitted outright. A public hearing is held by the Planning Commission and conditions may be imposed to offset impacts and make the use as compatible as practical with surrounding uses. Conditions can also be imposed to make the use conform to the requirements of this Ordinance and with other applicable criteria and standards. Conditions that decrease the minimum standards of a development standard require variance approval.

**B. Criteria:**

1. The proposed use shall be permitted as a conditional use within the zoning district.
2. The proposed use shall comply with the development standards of the zoning district.
3. The proposed use shall be compatible with the surrounding properties.

Relevant factors to be considered in determining whether the proposed use is compatible include:

- a. The suitability of the size, shape, location and topography of the site for the proposed use;
- b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;
- c. The impact of the proposed use on the quality of the living environment:
  - 1) Noise;
  - 2) Illumination;
  - 3) Hours of operation;
  - 4) Air quality;
  - 5) Aesthetics; and
  - 6) Vehicular traffic.
- d. The conformance of the proposed use with applicable Comprehensive Plan policies; and
- e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.

#### *Scope of review*

The applicant duly consolidated the development applications per WDO 4.01.07 – master/parent case file number is Conditional Use CU 24-02, and the children/corollary case file numbers are Design Review 24-02, Phasing Plan PP 24-01, & Adjustment to Street Improvement Requirements ("Street Adjustment") SA 24-01. Under consolidated review, City policy is not to segment development review into discrete parts in a manner that could preclude comprehensive review of the entire development and “its cumulative impacts” (4.01.07). The proposed development includes a mix of uses, with the gas station being a conditional use

pursuant to the WDO and the convenience store being a permitted use. However, the mixed uses on the property are arguably tied together under a singular business model, each reliant on the other components and benefitting from their assembled presence on a singular site. It is reasonable to assume that individuals using the fueling islands will also use the convenience store, whether for paying for fuel, purchasing food and beverages, using the restroom, etc. The City is not required to identify a subarea of the property as the “gas station site” and consider impacts framed by a smaller area. The uses have a grouped impact that generally cannot be separated. In particular and as evident from the transportation impact analysis (TIA), the site development traffic effects result from the whole and all of the site uses. For that reason, it is reasonable for the City in evaluating the effects of the proposed gas station, convenience store, and office areas, to also assume and condition the reasonable convenience store impacts along with the other uses. Also, the City reviewed and considered the effects of the mixed uses on the development site on the surrounding properties to the full extent of the property lines as part of its evaluation.

#### *Criteria and factors*

Looking at each criterion and factor:

*1 “The proposed use shall be permitted as a conditional use within the zoning district.”*

The use of gas station is permitted as a conditional use as examined under the Design Review Provisions section of this document.

✓ The criterion is met.

*2 “The proposed use shall comply with the development standards of the zoning district.”*

It complies with some but not others as examined under other sections in this document, particularly the Design Review Provisions section.

▲ In order to secure full compliance, staff applies a condition or conditions.

*3 “The proposed use shall be compatible with the surrounding properties.*

Recommended conditions of approval make the proposed conditional use compatible with the surrounding properties.

*Relevant factors to be considered in determining whether the proposed use is compatible include:*

*a. The suitability of the size, shape, location and topography of the site for the proposed use;”*

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The site is composed of two lots totaling 1.42 acres, zoned Commercial General (CG), L-shaped, located at a street corner, and flat. Nothing about these are compelling factors against a gas station.

*“b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;”*

Regarding the capacity of public water, sewerage, and drainage facilities, the Public Works Department Engineering Division handles this through its own conditions and processes. Public Works comments (Attachment 102A, August 13, 2024) identify no objections to development. The proposed use for any given facility is either sufficient or will be after the developer upgrades per the Public Works Department Engineering Division, except where and as Oregon Dept. of Transportation (ODOT) is applicable. Typically, ODOT accommodates developers drawing and constructing street improvements to City standards even along Oregon Highways 99E, 211, 214, & 219.

Regarding street and pedestrian facilities, the Planning Division is taking the lead. The developer applied for an Adjustment to Street Improvement Requirements ("Street Adjustment"), SA 24-01, for both the highway and Oregon Way. Both frontages are nonconforming relative to Figures 3.01B "Major Arterial" and 3.01E "Access Street". They lack both landscape strips with street trees per 3.06.03A and sidewalk that is not curb-tight. Development requires ROW dedication per 3.01.01A & Fig. 3.01B and street improvements per WDO 3.01.01B & D, 3.01.02A & E, 3.01.03A & C.1, Fig. 3.01A, 3.01.04B, and Fig. 3.01B.

Allowing the existing context to remain with strip commercial development would make the walking and cycling environment along highly-trafficked streets (for those cyclists who feel and are safer riding on sidewalk) no less hostile. Additionally, an SA is a discretionary application type. Second, staff applies conditions that secure improvements though less than WDO standards, and that are reasonably proportional to the development. For reasons why, see Table CU-3 below, row CU4, third column.

*“c. The impact of the proposed use on the quality of the` living environment:*

*1) Noise;”*

See Table CU-3, row CU8, third column below.

*“2) Illumination;”*

See Table CU-3, row CU7, third column below.

*“3) Hours of operation;”*

See Table CU-3, row CU8, third column below.



*“4) Air quality;”*

Staff addresses climate change simply to say, it’s a gas station with all the greenhouse gas and volatile organic compound (VOC) emissions that it would enable.

Putting aside climate change, what else is “air quality?” A gas station comes with fumes, particularly easy to get a whiff of near the pumps. However, once a gas station is in place, a city government can do little to change that fact. If this factor is important to someone, the question would be a simple yes or no to a gas station.

Otherwise regarding air quality, staff applies conditions for additional trees in the east and north yards and a wider sidewalk along Oregon Way as a public bicycle pedestrian path, serving as transportation demand management (TDM) by inducing adjacent and nearby residents to drive less often, especially to and from the proposed development and nearby destinations in the commercial area around the intersections of the highway with Country Club Road and Evergreen Roads and with Lawson Avenue, and with fewer driving trips comes better air quality. Also, regarding on-site trees, see factor 5) below.

*5) Aesthetics; and*

Staff interprets this to include:

- a. The look and feel of street frontage for passers-by walking, cycling, and driving;
- b. The look and feel of yard landscaping along streets for passers-by walking, cycling, and driving as well as on-site employees and customers;
- c. Urban design: how close buildings are to sidewalk, how many and how large are windows, are their entrances visible from sidewalk and whether the public can see main entrances to buildings from sidewalk, and whether placements of entrances orient to those who walk or cycle no worse than to those who drive and park;
- d. How safely and comfortably pedestrians and cyclist can access and circulation among on-site buildings through walkways and visibly distinct crossings of drive aisles, including decorative pavement that would connect the Oregon Way sidewalk with the NE commercial office area main entrance;
- e. Having enough on-site trash receptacles near sidewalk to lessen the likelihood of litter of yards along streets and street frontage by convenience store customers on foot;
- f. Avoiding excessive exterior lighting;
- g. Having adequate architecture in the context of strip commercial development;
- h. Having the Architectural Wall look adequate;
- i. Getting highway electric power poles and overhead electric power lines buried or fees in-lieu paid to fund such elsewhere in town;
- j. Having a few evergreen trees among newly planted trees; and
- k. Increase street trees and on-site trees in yards along streets, and provide for fee in-lieu to fund tree plantings elsewhere in town;

- l. Administering Street Adjustment SA 24-01 to have the developer improve Oregon Way to be the best of the two frontages for pedestrians and cyclists to give the City some public benefit for leaving the highway frontage as is or largely as is; and
- m. Mitigation of the unpleasant aspects of neighboring and patronizing a gas station and convenience store.

Significant Tree removal: Also, regarding on-site trees, for a condition and Attachment 203 (fee table) regarding contribution to the City tree fund, having a fee is based on conditional use compatibility with surrounding properties (criterion 3) and impact of the proposed use on the quality of the living environment (factor 3c) including air quality and aesthetics (factors 3c4 & 3c5). The reason is that a demolition contractor, while demolishing the two vacant banks, removed from the subject property at least two but likely three Significant Trees (as 1.02 defines) in May 2021 without City authorization, particularly a Significant Tree Removal Permit per 5.01.11. Staff had seen and photographed on-site trees during at least two site visits, one each on November 9, 2018 and April 26, 2019. The removal prompted neighbor complaints to the City Council at the May 24, 2021 meeting, and there was code enforcement. The Council on August 9, 2021 adopted Ordinance No. 2592 “establishing an enhanced penalty” for violations of WDO tree preservation and removal provisions.

Through conditional use process, staff applies a fee to mitigate the loss and to increase the City tree fund.

Staff applies conditions towards these objectives.

#### *6) Vehicular traffic.*

The proposal is strip commercial development of a gas station with convenience store and two commercial office spaces, one at the northeast attached to the south side of the convenience store, and at the southwest an office building.

The applicant recycled the traffic impact analysis (TIA) dated August 13, 2021 from CU 21-02 as a CU 24-02 submittal February 8, 2024. The applicant revised the TIA June 23, 2023 and submitted it May 1, 2024. The applicant submitted a five-page supplement dated and submitted July 23, 2024 clarifying how the applicant’s consultant applied the Institute of Transportation Engineers (ITE) *Trip General Manual* rates of vehicle trips that would pass by the site, i.e., “pass-by” trip rates. Staff had the transportation consultant to the City review the revised TIA and draft a memo (February 26, 2024).

TIA page 36, “Findings and Recommendations” proposed no mitigation measures.

Page 14 of the revised TIA identifies high vehicle turning and angle crash rate at most intersections in Table 4, reproduced below, and p. 12 of the revised TIA references crash history. The crash history states:

“The table also provides a crash rate per million entering vehicles, which is often used to assess whether a geometric or traffic control deficiency is present when the crash rate is greater than 1.0 per million entering vehicles.”

**Table 4. Intersection Crash Summary (January 2015 to December 2019)**  
*(Note that 2020 crash data is available but is impacted by COVID trends)*

Intersection	# of Crashes	Severity			Crash Rate per MEV	ODOT 90 <sup>th</sup> % Rate
		Fatal	Injury	Non-Injury		
1: I-5 SB Ramps/ Newberg Hwy	48	0	35	13	0.93	3SG: 0.509 Urban
2: I-5 NB Ramps/ Newberg Hwy	48	0	27	21	0.90	3SG: 0.509 Urban
3: Evergreen Rd/ Newberg Hwy	67	0	39	28	1.36	4SG: 0.860 Urban
4: RI Access/ Newberg Hwy	1	0	0	1	0.05	Right-In/ Right-Out
5: Oregon Way/ Newberg Hwy	43	0	30	13	1.08	4SG: 0.860 Urban
6: Oregon Way/ Access	0	0	0	0	0.00	3ST: 0.293 Urban

3SG: Three-legged signalized, 4SG: Four-legged signalized, 3ST: Three-legged stop-controlled

From p. 14

**Table 9. Trip Generation Estimates (ITE 11<sup>th</sup> Edition)**

Land Use	ITE Code	Metric	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
<b>Existing Uses</b>									
Drive-in Bank	912	5,714 SF	573	57	33	24	120	60	60
Pass-by Trips			-201	-17	-10	-7	-42	-21	-21
<b>Net New Trips</b>			<b>372</b>	<b>40</b>	<b>23</b>	<b>17</b>	<b>78</b>	<b>39</b>	<b>39</b>
<b>Proposed Uses</b>									
Small Office Building	712	6,863 SF	99	11	9	2	15	5	10
Convenience Store/ Gas Station	945	4,110 SF 12 pos.	3,086	324	162	162	273	137	136
Pass-by Trips			-2,315	-246	-123	-123	-205	-103	-102
<b>Total Proposed Uses</b>			<b>3,185</b>	<b>335</b>	<b>171</b>	<b>164</b>	<b>288</b>	<b>142</b>	<b>146</b>
<b>Total Pass-by Trips</b>			<b>-2,315</b>	<b>-246</b>	<b>-123</b>	<b>-123</b>	<b>-205</b>	<b>-103</b>	<b>-102</b>
<b>Net New Trips</b>			<b>870</b>	<b>89</b>	<b>48</b>	<b>41</b>	<b>83</b>	<b>39</b>	<b>44</b>
<b>Total New Trips (Proposed Trips – Approved Bank Trips)</b>									
Total Trip Difference			+2,612	+278	+138	+140	+168	+82	+86
Pass-by Trip Difference			-2,114	-229	-113	-116	-163	-82	-81
<b>Net New Trip Difference</b>			<b>+498</b>	<b>+49</b>	<b>+25</b>	<b>+24</b>	<b>+5</b>	<b>+0</b>	<b>+5</b>

From p. 26

Modeling predicts that the proposed development would generate net 870 daily vehicle trips, more than the two banks, now demolished, did – a net 498 more per revised TIA Table 9 on p. 26, of which AM peak trips are total 89 or net 49 and PM peak trips are total 83 or net 5.

This would include greater numbers of left turns (from Oregon Way), suggesting that crash risk remains or rises. The p. 36, “Findings and Recommendations” section, third bullet, acknowledges, “The safety analysis identified high crash rates at the I-5 ramp intersections, Evergreen Road, and Oregon Way on OR 214.” The fourth bullet states:

“The Evergreen Road/OR 214 and Oregon Way/OR 214 intersections were included on the ODOT SPIS[\*] lists in 2019, 2020, and 2021 at a 95th percentile. The signal phasing was recently changed at these signals from protected-permissive to protected only left-turn phasing, which is not reflected in the crash data. As most crashes at these intersections were turning collisions on the highway, this is expected to reduce the number of crashes reported at these intersections and further monitoring is recommended.”

\*Safety Priority Index System.

However, it’s not known if crash risks are actually lower, and with Table 4 indicating that this intersection of those studied has the highest crash rate and that the intersection of the highway and Country Club Road / Oregon Way has the second highest, staff finds the revised TIA unconvincing about crash safety and errs on the side of caution.

#### *Country Club Road / Oregon Way*

For this second-highest crash rate intersection, staff applies Condition T-A1 as a mitigation measure to fund the Transportation System Plan (TSP) Project R11, a signal timing study from TSP p. 32, and to supplement with addition funding both to examine improving safety and to account for inflation after the City Council adopted the TSP in September 2019, using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) to adjust \$15,000 from then to July 2024, the latest month the calculator made available as of August 14, 2024. Staff applies Condition T-A1a.

#### *I-5 Interchange*

The City conditioned the approval of the DR 21-07 Amazon warehouse, formerly known as “Project Basie”, at 450 Butteville Road through Condition 10 to provide a proportionate share contribution of \$10,000 towards TSP Projects R8 & R9, signal/intersection studies estimated at \$15,000 each and totaling \$30,000, to address the elevated crash rate along the highway at the I-5 northbound on and off-ramps, the third-highest crash rate per TIA Table 4 above.

Page 22, Table 7 of the revised TIA lists developments including Amazon and cites its trip generation as 457 trips during the AM Peak hours and 176 during the PM peak hour; however the DR 21-7 revised TIA dated July 6, 2021 totals 599 AM peak hour trips per p. 33 Fig. 13 and 224 PM peak hour trips per p. 35 Fig. 14.

The subject CU 24-02 US Market as examined earlier above would generate 89 AM peak trips compared with 83 PM peak hour trips. Both Amazon and the gas station have higher trips during the AM peak than the PM one. The gas station 89 trips equals 14.9% of the 599 of Amazon. Because of Amazon having given \$10,000, 14.9% of that would be \$1,490 towards the total remaining \$20,000 needed for the estimated total cost of \$30,000 of both TSP Projects R8 & R9. Staff adjusts from September 2021, the date of the DR 21-07 Planning Commission staff report, to July 2024, the latest month the aforementioned calculator made available, and this yields \$1,709 rounded. Staff applies Condition T-A1b.

#### *Evergreen Road*

The City for DR 2019-05 Allison Way Apartments at 398 Stacy Allison Way through Condition T-A3 required a proportionate share contribution of \$15,000 toward a signal/intersection study related to TSP Project R10 to alleviate the crash condition for the 67 additional PM peak hour trips added to the intersection. (The Public Works Department has not reported that there has been study. For the gas station first attempt, CU 21-02, the dollar amount of this share would have been \$15,000.)

CU 24-02 US Market would add 61 trips to that intersection, almost that of the apartments, and as Table 4 above shows, the intersection has a high crash rate. The proportionate share calculation is 61 gas station trips compared to 67 apartment trips,  $61 / 67 = 91.0\%$ , which when applied to \$15,000 yields \$13,657. Because the base amount dates from May 2020, the date of the DR 2019-05 Planning Commission staff report, staff adjusts the \$13,657 for inflation to be in July 2024 dollars, the latest month the aforementioned calculator made available. This yields \$16,755 rounded. Staff applies Condition T-A1c.

#### *Bus transit*

To further transportation demand management (TDM) through bus transit, regarding the Woodburn Transportation System (WTS) Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because ROW and streetside PUE are too narrow relative to the street to accommodate installation staff applies a condition for fees in lieu of a bus shelter and bus stop bicycle parking. The cost is based on the City Transit Development Plan (TDP; Resolution No. 2213 on June 12, 2023). (The TDP follows the Transit Plan Update, also known as the Transit Update Plan, adopted via Resolution No. 1980 on November 8, 2010.) TDP Fig. 68 from p. 94, footnote 6, estimated \$15,000 for a bus stop improved with a shelter.

Staff adjusts from June 2023 to July 2024, the latest month the aforementioned calculator made available. Staff had determined the cost of bus stop bicycle parking was \$510.20 through ANX 2019-01 Woodburn Eastside Apartments (known Woodburn Place Apartments), and staff adjusts from October 2020 to July 2024. Staff applies Condition T-T.

*“d. The conformance of the proposed use with applicable Comprehensive Plan policies; and”*  
 Staff applies conditions in support of [Comprehensive Plan](#) Policies:

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
Residential Land Development and Housing:		
D-1.9	15	<p>“Industrial and commercial uses that locate adjacent to a residential area should buffer their use by screening, design, and sufficient setback that their location will not adversely affect the residential area.”</p> <p>The site is abouts two houses in Woodburn Senior Estates to the southeast and a three-story condominium building, Panor 360, to the southwest. East across Oregon Way are three more houses in the Estates.</p> <p>Conditions address the policy and thereby address CU criterion 3, factor d. The conditions also address factors among c1)-5) &amp; e, the ones addressing:</p> <ul style="list-style-type: none"> <li>• Front yard landscaping that has more trees and shrubs</li> <li>• Architectural Wall (AW) along the southeast and southwest property lines abutting the properties with the two houses and the condominium building</li> <li>• Lights on number and placements of exterior light fixtures</li> <li>• Gas station operations – including regarding noise; hours of operation of the convenience store and vacuums; trash; and fuel pump vehicle queuing</li> <li>• Lighting regarding electronic changing imagery within front yard signage.</li> </ul>
Commercial Land Development and Employment:		
F-1.2	24	<p>“Lands for high traffic generating uses (shopping centers, malls, restaurants, etc.) should be located on well improved arterials. The uses should provide the necessary traffic control devices needed to ameliorate their impact on the arterial streets.”</p>

Policy	Page	Policy & Analysis
		<p>A gas station is a high traffic generating use, and its proposed site is at the corner of a state highway and a street, the developer being conditioned to upgrade the street frontage. A T transportation condition secures transportation mitigation fees as examined under CU factor 6) about vehicular traffic and as different means of meeting the intent of the Comprehensive Plan policy than changing the traffic signal at the highway intersection with Oregon Way.</p>
F-1.3	24	<p>“Strip zoning should be discouraged as a most unproductive form of commercial land development. Strip zoning is characterized by the use of small parcels of less than one acre, with lot depths of less than 150 feet and parcels containing multiple driveway access points. Whenever possible, the City should encourage or require commercial developments which are designed to allow pedestrians to shop without relying on the private automobile to go from shop to shop. Therefore, acreage site lots should be encouraged to develop "mall type" developments that allow a one stop and shop opportunity. Commercial developments or commercial development patterns that require the use of the private automobile shall be discouraged.”</p> <p>The two lots total 1.42 acres with highway and Oregon Way frontages of 265 and 178 ft respectively.</p> <p>Conditions implement access management to not increase the number of driveways within the development and across successive developments along the major thoroughfares that are the spines of the CG zoning district.</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses.</p>
F-1.4	24	<p>“Architectural design of commercial areas should be attractive with a spacious feeling and enough landscaping to reduce the visual impact of large expanses of asphalt parking areas. Nodal and mixed use village commercial areas should be neighborhood and pedestrian oriented, with parking to the rear or side of commercial buildings, and with pedestrian connections to neighboring residential areas.”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>Conditions make a dent in large expanses of asphalt parking areas through more trees in yards along streets and hedge or shrubbery screening parking areas from streets. Conditions require minimum window area on street-facing walls for attractiveness, and wide walkways connecting sidewalks with all building main entrances on the site. An objective is to make a gas station development less ugly than it might otherwise be.</p>
F-1.6	25	<p>“Commercial office and other low traffic generating commercial retail uses can be located on collectors or in close proximity to residential areas if care in architecture and site planning is exercised. The City should ensure by proper regulations that any commercial uses located close to residential areas have the proper architectural and landscaping buffer zones.”</p> <p>The WDO and conditions secure care in architecture and site planning for the commercial development close to residential area to the southeast and southwest through a combination of wall, slatted fencing, vegetation, and height limits on light poles and wall-mounted lights.</p>
Transportation:		
H-1.1	33	<p>“Develop an expanded intracity bus transit system that provides added service and route coverage to improve the mobility and accessibility of the transportation disadvantaged and to attract traditional auto users to use the system.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p> <p>Conditions also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p>



<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
H-1.3	34	<p>“Develop a low stress network of bicycle lanes and routes that link major activity centers such as residential neighborhoods, schools, parks, commercial areas and employment centers. Identify off-street facilities in City greenway and park areas. Ensure all new or improved collector and arterial streets are constructed with bicycle lanes.”</p> <p>Conditions induce cycling by requiring rain canopies at building entrances, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, and wide sidewalk along Oregon Way, the less trafficked and noisy street. The wide sidewalk is minimum 8 ft, enough to serve as a bicycle/pedestrian path (or “multi-use path”) for most cyclists who feel safer riding outside a roadway when possible.</p>
H-1.4	34	<p>“Develop a comprehensive network of sidewalks and off-street pathways. Identify key connections to improve pedestrian mobility within neighborhoods and link residential areas to schools, parks, places of employment and commercial areas. Ensure all new collector and arterial streets are constructed with sidewalks.”</p> <p>Conditions induce walking and cycling by requiring rain canopies at building entrances, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The wide sidewalk is minimum 8 ft, enough to serve as a bicycle/pedestrian path (or “multi-use path”) for most cyclists who feel safer riding outside a roadway when possible.</p>
H-2.3	34	<p>“Encourage multi-modal transportation options, including park-and-ride facilities, carpooling, and use of transit services.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
H-2.5	34	<p>“Provide inter-parcel circulation through crossover easements, frontage or backage roads, or shared parking lots where feasible.”</p> <p>DR conditions secure access management based on WDO 3.04.03 and Table 3.04A.</p>
H-3.1	35	<p>“Continue coordination with ODOT to improve safety on state facilities within the City and citywide access management strategies.”</p> <p>CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p>
H-3.2	35	<p>“Implement strategies to address pedestrian and bicycle safety issues, specifically for travel to and from local schools, commercial areas, and major activity centers.”</p> <p>Conditions induce walking and cycling by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses.</p> <p>CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
H-4.1	35	<p>“Evaluate the feasibility of various funding mechanisms, including new and innovative sources.”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.
H-5.1	35	<p>“Implement, where appropriate, a range of potential Transportation Demand Management (TDM) strategies that can be used to improve the efficiency of the transportation system by shifting single-occupant vehicle trips to other models [<i>sic</i>] and reducing automobile reliance at times of peak traffic volumes.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p> <p>They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
Natural ... Resources:		
J-1.1	40	<p>“... Outside of designated floodplains and riparian corridors, developers should be required to leave standing trees in developments where feasible.”</p> <p>See the Conditional Use Provisions section under criterion 3, factor c5) “aesthetics”, for analysis relating to Significant Tree removal mitigation. A condition secures contribution to the City tree fund.</p>
Energy Conservation:		
M-1.2	49	<p>“The City shall increase its commitment to energy conservation, including alternative energy vehicles, increased recycling, and reduction in out-of-direction travel. ... .”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>CU conditions induce walking and cycling by requiring a wide landscape strip and wide sidewalk and trees in the yards abutting the highway and the street. A wider, shadier sidewalk along Oregon Way induces more walking and cycling trips and by reducing vehicle trips lowers risk of collisions.</p> <p>Conditions limit number of exterior light fixtures.</p>

*“e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.”*

The City Engineer through Attachment 102A did not identify any deficiencies of or threats to public infrastructure in regards to factor b. of the third CU criterion – subsection B.3b – and the proposal sketches street improvements, construction level details to be determined in conformance with the conditions of approval and in concert with the Oregon Dept. of Transportation (ODOT).

Staff applies conditions regarding chiefly a few main topics to ensure compatibility of the development:

- a. WDO conformance;
- b. Mitigation of the unpleasant aspects of neighboring and patronizing a gas station and convenience store, through CU conditions;
- c. Traffic mitigation through a transportation condition – a “T” condition; and
- d. Aesthetics as examined above for 3c5), both (1) on-site and (2) through Street Adjustment SA 24-01 regarding Oregon Way frontage, especially landscape strip and sidewalk.

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
CU1	3c, 3c5), 3e	<ul style="list-style-type: none"> <li>• To have the Oregon Way front yard, the yard closest to nearby houses, look more attractive from the street.</li> <li>• To delineate the route from Oregon Way to the northeast commercial office main entrance.</li> <li>• To have the northeast commercial office area south side lawn feel more park-like for tenants and customers.</li> </ul>

Table CU-3		
CU Condition	CU Criteria/Factors	Reasons
CU2	3b, 3c, 3c4), 3c6)	<ul style="list-style-type: none"> <li>• Because the SW commercial office building of 5,000 sq ft per the site plan and elevations would have as many as 4-5 tenant spaces, staff believes more than 2 are necessary at that building and by conditional use requires a sitewide minimum of 8 with minimum 4 of these being at the SW office commercial building.</li> <li>• One stall per tenant space seems more reasonable</li> <li>• If bicycle parking is adequate, tenants and customers are more likely to make use of it, contributing to traffic reduction and better air quality.</li> </ul>
CU3	3c, 3c5)	<ul style="list-style-type: none"> <li>• To ensure that landscape areas are just that and mostly green, not mostly bark dust.</li> <li>• To reduce the urban heat island effect.</li> <li>• To screen at-grade electrical transformers and other equipment.</li> <li>• To provide for variety of trees, specifically to have a few evergreens that can grow large for habitat and for visual wayfinding.</li> </ul>
CU4	3a, 3c, 3c5), 3e	<ul style="list-style-type: none"> <li>• The proposal is whole redevelopment of a demolished site.</li> <li>• There is room within the proposed site plan to omit the northernmost parking space for deeper highway front yard landscaping.</li> <li>• Regarding the highway frontage, invite the Oregon Dept. of Transportation (ODOT) and the City Public Works Dept. Engineering Division, one or both of which would have <i>de facto</i> jurisdiction over the streetside public utility easement (PUE) of 10-foot width per WDO Fig. 3.01B "Major Arterial", to agree to the planting of trees within the streetside PUE, allowing the applicant to keep the depth of proposed south site perimeter landscaping as is.</li> <li>• Have trees in the Oregon Way front yard complementing the street trees, making the frontage more pedestrian-friendly.</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• To have the northeast commercial office area south side lawn feel more park-like for tenants and customers by providing along the lawn a tiny plaza in which a bench that is both proposed and required bench can be sited.</li> <li>• To provide ample, paved, and covered outdoor common area for the southwest commercial office building tenants in the rear south yard large enough to fit a table and chairs away from door swing.</li> </ul>
CU5	3c, 3c5)	<ul style="list-style-type: none"> <li>• To establish clear standards for the required Architectural Wall (AW).</li> <li>• To require that the AW be 9 ft, the maximum height per WDO 2.06.02 and what the Planning Commission ordered for CU 21-02, to provide a better buffer/screen from Panor 360, the three-story condominium building at 950 Evergreen Road.</li> <li>• Staff allows a portion of an AW to consist of cedar wood to allow the developer to shave some construction cost. This is in keeping with precedent established for the AW at 1750 Park Avenue and recently the Commission approval of CU 24-01 for the US Market gas station at 2115 Molalla Road. The use of cedar wood is not precluded by WDO 3.06.06B.</li> <li>• An AW is practical and makes the development compatible with the adjacent two houses and the Panor 360 condominium building, thereby meeting a part of the CU purpose statement in 5.03.01A.</li> </ul>
CU6	3c, 3c5)	<ul style="list-style-type: none"> <li>• To prevent “value engineering” or similar: the developer omitting improvements that neither the WDO requires nor are conditioned, but the City expected per the land use review site plan, including minimum percentage % window areas on building elevations and a single small window in the angled northeast elevation of the convenience store, as well as some masonry cladding at the base along much of the front and the sides of the convenience store, and sheltering from the elements at building main entrance and employee side doors.</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• To require some WDO 3.07.06B architectural provisions that are “should’s” for Type III land use reviews into “shall’s”.</li> <li>• Regarding the fuel pump canopy, acknowledging that federal highway clearances range from 14-16 feet, with the lower end more common along state highways, a canopy with 16 ft of clearance is practical and safe even for box trucks and recreation vehicles (RVs).</li> </ul>
CU7	3a, 3c, 3c2), 3c5), 3e	<ul style="list-style-type: none"> <li>• Same as the WDO 3.11.01A purpose statement.</li> <li>• At gas stations generally, fuel pumps come with fixed canopies with high ceilings and many ceiling lights, sometimes with neon-like exterior trim.</li> <li>• The development would be next to two houses and a three-story condominium building.</li> <li>• Whatever one’s feelings and perceptions of safety from crime, gas stations and convenience store fronts are brightly lit. Lighting by itself doesn’t prevent assault or theft.</li> <li>• To avoid lighting annoyances to neighbors as well as to passers-by on the sidewalks.</li> </ul>
CU8	3c, 3c1), 3c5), 3e	<ul style="list-style-type: none"> <li>• To preclude audible advertising from pump speakers – in other words, those loud obnoxious video ads that play while refueling at some gas stations – reaching apartment patios and balconies and through windows.</li> <li>• To prevent obnoxious intrusion of advertising, especially sudden and loud – into every aspect and moment of life.</li> <li>• To allow reasonable hours for use of vacuums and reasonable placement of tire pumps and vacuums away from residences. No particular Planning Division permit is required for such equipment, so a condition of approval is the only regulatory way to address their noise outside of the Ordinance No. 2312 (April 8, 2002). (Staff goes easy on any tire pump that might appear because motorists expect a gas station any time of day or night to have a pump available and working when their car tires suddenly need air.)</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• Because convenience stores can at times, especially at night, attract customers or would-be customers who are homeless, as well as wayward juveniles, and because the noise associated with interacting with such persons can reasonably be expected to cause nuisance to residential neighbors, it is reasonable to require closure of the convenience store for much of the night for hours similar to that of other convenience stores not open 24/7, for example, the US Market at 1030 Broadway NE, Salem, OR and the recently approved CU 24-01 US Market at 2115 Molalla Road conditioned with the same hours as CU 24-02, it being surrounded by residential development. The Woodburn gas stations that have stores open 24/, though clustered at the west side of town at I-5, are surrounded by commercial properties. The proposed convenience store might not have been open 24/7 anyway.</li> <li>• Limiting the convenience store hours is especially justified because the development would abut two houses and a three-story condominium building.</li> <li>• For customers of the convenience store not getting gas, especially those coming and going on foot or by bicycle, to provide a trash can to lessen temptation to litter at or in the right-of-way.</li> <li>• Regarding the part of a condition about vehicle queuing, to provide for orderly arrival of vehicles at the pump and to provide for organized queuing when needed to lessen motorist frustration and honking.</li> <li>• The conditioned hours of operation, trash receptacle, and prohibitions of audible audio visual advertising and electronic changing imagery other than fuel prices within signage are practical and make the development compatible with the adjacent residences, thereby meeting a part of the CU purpose statement in 5.03.01A.</li> </ul>
CU9	3c, 3c2), 3c5), 3e	<ul style="list-style-type: none"> <li>• To prevent obnoxious intrusion of advertising, especially sudden and loud – into every aspect and moment of life, including at the gas pumps.</li> </ul>



CU Condition	CU Criteria/Factors	Reasons
		<ul style="list-style-type: none"> <li>• The presence of front yard permanent signage that is permissible per WDO 3.10 that would brand the gas station and have fuel prices is enough to catch the attention of would-be customers, and electronic changing imagery within the sign face that is on 24/7 is unnecessary to identify the development or attract customers.</li> <li>• Electronic changing image advertising is of no need during convenience store closure.</li> <li>• Regarding lighting, the same as the WDO 3.11.01A purpose statement and the same intent as Ordinance No. 2338 (June 9, 2003), Sect. 5A (as amended by Ordinance No. 2522 September 22, 2014).</li> <li>• An unnecessary distraction to highway and Oregon Way motorists is precluded, particularly helpful during the evening and at night.</li> </ul>

▲ In order to secure the development meeting criteria 2 & 3, staff conditions.

## Adjustment to Street Improvement Requirements ("Street Adjustment") Provisions

### SA Provisions

#### 5.02.04 Adjustment to Street Improvement Requirements ("Street Adjustment")

**A. Purpose:** The purpose of a Type II Street Adjustment is to allow deviation from the street standards required by Section 3.01 for the functional classification of streets identified in the Woodburn Transportation System Plan. The Street Adjustment review process provides a mechanism by which the regulations in the WDO may be adjusted if the proposed development continues to meet the intended purposes of Section 3.01. Street Adjustment reviews provide discretionary flexibility for unusual situations. They also allow for alternative ways to meet the purposes of Section 3.01. They do not serve to except or exempt from or to lessen or lower minimum standards for ROW improvements, with exceptions of subsections B & H. A Street Adjustment is for providing customized public improvements that substitutes for what standards require, while a Variance is for excepting or exempting from, lessening, or lowering standards, with exceptions of subsections B & H. A Street Adjustment for a development reviewed as a Type I or II application shall be considered as a Type II application, while development reviewed as a Type III application shall be considered a Type III application.

**B. Applicability:** Per the Purpose subsection above about improvements, and regarding ROW Street Adjustment may be used to narrow minimum width. Regarding alleys or off-street bicycle/pedestrian corridor or facility standards, see instead Zoning Adjustment.

**C. Criteria:**

1. The estimated extent, on a quantitative basis, to which the rights-of-way and improvements will be used by persons served by the building or development, and whether the use is for safety or convenience;
2. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;
3. The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights-of-way and improvements will be a part;
4. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to mitigate the estimated impact on the public infrastructure system.
5. The application is not based primarily on convenience for a developer or reducing civil engineering or public improvements construction costs to a developer.
6. The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.
7. Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.

**8. A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such.**

**D. Minimum Standards:** To ensure a safe and functional street with capacity to meet current demands and to ensure safety for vehicles, bicyclists and pedestrians, as well as other forms of non-vehicular traffic, the minimum standards for rights-of-way and improvements for Boundary and Connecting Streets per Sections 3.01.03C & D continue to apply. Exempting from or lessening or lowering those standards shall require a Variance. Deviation from applicable public works construction code specifications would be separate from the WDO through process that the Public Works Department might establish.

**E. Factors:** Street Adjustment applications, where and if approved, shall have conditions that customize improvements and secure accommodations for persons walking and cycling, not only driving, that meet the purposes of Section 3.01. The City may through approval with conditions require wider additional ROW dedication along the part or the whole of an extent of the subject frontage to accommodate either adjusted improvements or improvements that vary from standards.

**F. Bicycle/pedestrian facility:** If and where a Street Adjustment application requests to substitute or omit one or more required bicycle facilities, such as bicycle lanes, and the City approves the application, then the following should apply: For each substitute or omitted facility, the developer would construct a minimum width 8 feet bicycle/pedestrian facility on the same side of street centerline as the substituted or omitted facility. The City may condition wider.

**G. Landscape strip:** If and where a Street Adjustment application requests to adjust one or more required landscape strips from between curb and sidewalk, and the City approves the application, then the list below should apply. This subsection is not applicable to bridge / culvert crossing.

- 1. Sidewalk:** Construction of sidewalk minimum width 8 feet on the same side of street centerline as the adjusted landscape strip. The City may condition wider.
- 2. Planting corridor:** For each landscape strip that is relocated, delineation and establishment of a street tree planting corridor along the back of sidewalk in such a way as to allow newly planted trees to not conflict with any required streetside PUE to the extent that the Public Works Department Engineering Division in writing defines what constitutes a conflict. To give enough room for root growth, the corridor minimum width would be either 6 feet where along open yard or 7 ft where it would be flush with a building foundation. This would include installation of root barriers between the trees and street centerline to public works construction code specification.
- 3. ROW:** Where necessary to meet the above standards, dedication of additional ROW even if the additional is more than the minimum additional dedication that Section 3.01 requires.
- 4. Planting in ROW required:** Street trees would not be planted in the yard outside ROW.

**H. If the applicable Boundary Street minimums are the lesser minimums for residential development of 4 or fewer dwellings and where no land division is applicable, as Section 3.01.03C.2 allows, then allowed adjustment is: ...**

**I. Plan review:** An applicant shall submit among other administratively required application materials scaled drawings, including plan and cross section views, of proposed street improvement widths, extents, and details as well as existing conditions and proposed development site plans that include

property and easement lines and physical features some distance beyond the boundaries of the subject property for fuller context.

What would have been the standard cross sections are below:

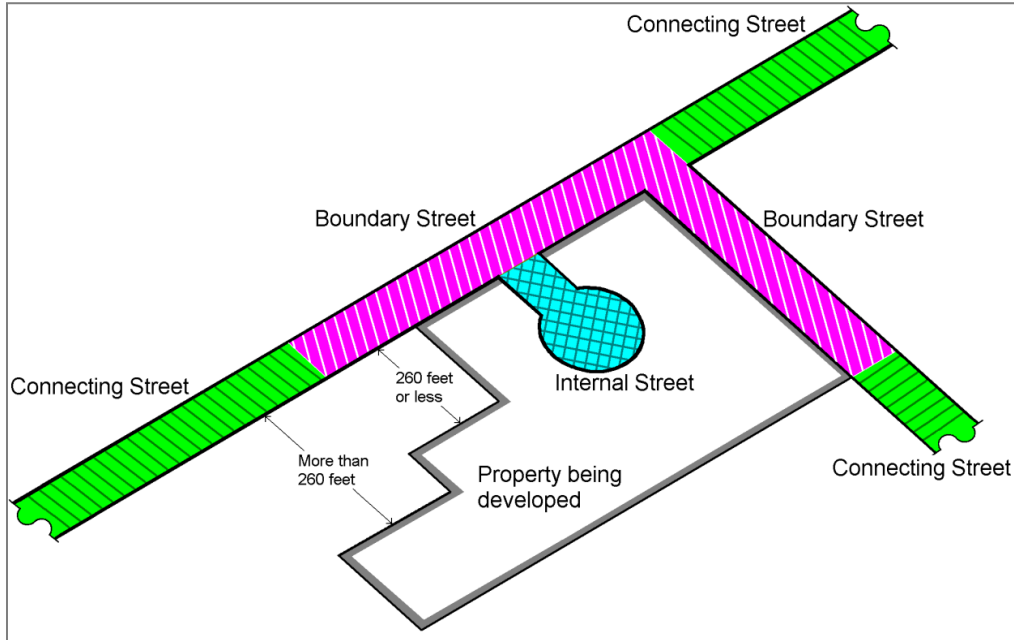


Figure 3.01A – Internal, Boundary, and Connecting Streets

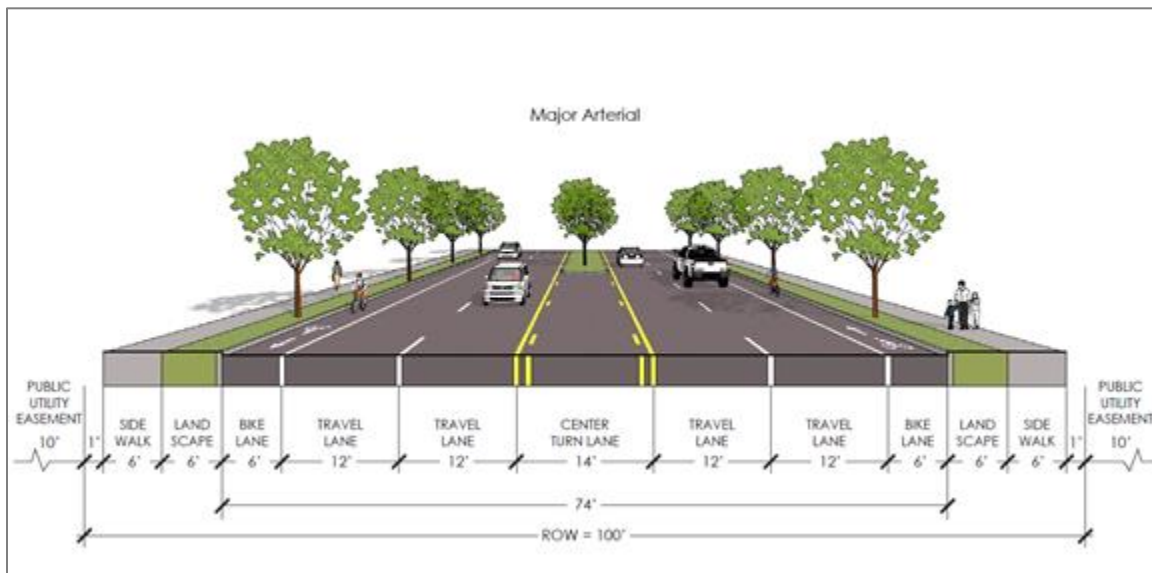


Figure 3.01B – Major Arterial (Oregon Hwy 214 / Newberg Hwy)

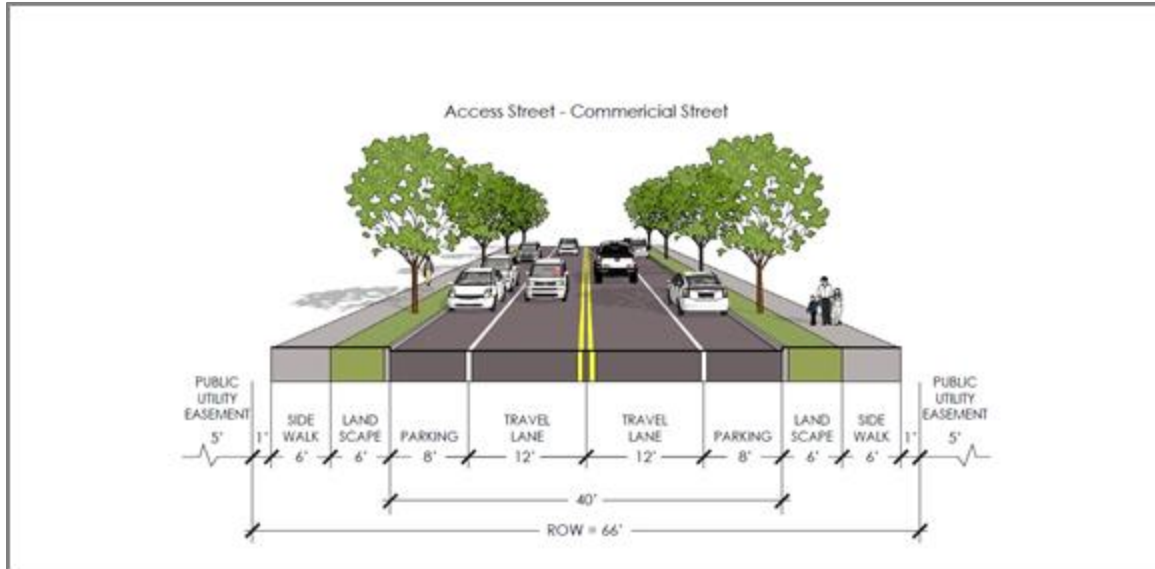


Figure 3.01E – Access Street (Oregon Way)

The application materials include a Street Adjustment narrative (“Exception to Street Right of Way Narrative”) dated February 5, 2024 and submitted February 8, 2024.

Regarding criterion 1, the applicant’s narrative (p. 2) states:

“The existing frontages on Hwy 214 and Oregon Way meet the WDO standards with the exception of the landscape strip and sidewalk being reversed. On Hwy 214 conforming strictly to the WDO standards would actually narrow the road by 6’ to add a landscape strip adjacent to the roadway, see A1.1. Changing this would not affect ‘the extent to which the right of way and improvements will be used by persons served by the building or development.’”

Though staff disagrees about the narrowing – of course a developer would dedicate right-of-way to fit in a landscape strip and sidewalk, not remove the right travel lane – staff otherwise concurs about no effect on the extent to which the right of way and improvements will be used by persons served by the development in the sense that there are at present and will remain the same number of vehicular lanes along both frontages, highway bicycle lane, and sidewalks. The proposed land uses of gas station and convenience store are for convenience and not safety.

*Paragraph 1*

Relative to Figure 3.01B, highway non-conformance is limited to lack of planter strip and street trees. Conventional traffic engineering does not address effects of development on walking and cycling as it does for vehicular trips, there is no widely recognized norm for how to address such, and the WDO provides no guidance on the topic. Second, the north frontage context is strip commercial along a heavily trafficked state highway, the kind of dangerous and noisy environment that repels pedestrian and cyclists. Those who do walk and cycle are likely those who are living nearby, the homeless, those without access to car, and those few who wish to brave existing conditions. The presence of a sidewalk is sufficient for sheer practicality for those who wish to walk along a highway or cycle outside of the bicycle lane because they don't feel safe in a highway bicycle lane. In this context, the number of pedestrians and off-street cyclists is moot. Pedestrians and cautious cyclists can and do use the wide sidewalk today, and the pedestrians and cautious cyclists the development might attract would use the same wide sidewalk.

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

*Paragraph 2*

Relative to Figure 3.01E, Oregon Way non-conformance is limited to lack of parking lane, planter strip, and street trees. Staff applies conditions that excepts only the parking lane but also requires fee in lieu of such parking. Additionally, the conditions require wider planter strip and wider sidewalk exceeding the minimums of Figure 3.01E. Like conventional development and zoning codes, the WDO requires off-street parking for almost all developments, including the subject development, so the absence of on-street parking is not of concern from this perspective. Second, pedestrians and cautious cyclists can and do use the narrow curb-tight sidewalk today, and the pedestrians and cautious cyclists the development might attract would use the new wider sidewalk. A wide sidewalk encourages walking and cycling, particularly for cyclists afraid to ride on-street. Third, Figure 3.01E does not account for the presence of a left turn lane at intersections, and such exists because of ODOT, and given that ODOT and the Public Works Department assume its continued existence, Public Works assumes that the developer would adapt required Oregon Way half-street improvements to fit along the turn lane, and that ODOT typically asks that there be no on-street parking within a certain distance of state highway intersections, usually 50 ft, it is reasonable in this case to allow for fee in lieu of what little on-street parking a civil engineer could fit.

Staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, the criterion 1 is met.

Regarding criterion 2, the applicant's narrative (p. 2) states:

"As stated above there is no change to the extent of use from existing conditions to WDO standards, thus no improvements are needed to meet the estimated use, beyond those shown on the submitted plans. According to our engineer of record;

I would estimate that the quantitative impact to remove and replaced existing infrastructure to the current standard would be on the order of \$150/lf over the approximately 425 feet of frontage is around \$65,000 not including engineering, permitting and survey work which may add another \$25,000 when dealing with ODOT. The addition of a parking lane on Oregon Way would require ROW dedication, additional paving, adjustment of utilities, etc... to potentially gain 1 or 2 parking spaces since we have a driveway on the south end and you can't park too close to the intersection. The additional cost for that might be \$50,000 or more."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 2 is met.

Regarding criterion 3, the applicant's narrative (p. 3) states:

"The extent to which the building or development will impact the public infrastructure would be unaffected by maintaining the existing conditions vs an increased impact the change to strict conformance to the WDO requirements would create."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 3 is met.

Regarding criterion 4, the applicant's narrative (p. 3) states:

"Changing to conform strictly to the WDO requirements, rather than letting the existing conditions that meet the intent of the code remain, is what would create an impact on the public infrastructure system that is unnecessary. According to our engineer of record;

I would estimate that the quantitative impact to remove and replaced existing infrastructure to the current standard would be on the order of \$150/lf over the approximately 425 feet of frontage is around \$65,000 not including engineering, permitting and survey work which may add another \$25,000 when dealing with ODOT. The addition of a parking lane on Oregon Way would require ROW dedication, additional paving, adjustment of utilities, etc... to potentially gain 1 or 2 parking spaces since we have a driveway on the south end and you can't park too close to the intersection. The additional cost for that might be \$50,000 or more.

The changes needed to meet the requirements of WDO would cost approximately \$140,000 and would create a discontinuity to the frontage along the affected areas. Furthermore the existing conditions provide both a sidewalk and landscape strip in of a size required by the code if not in the exact locations intended."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 4 is met.

The applicant's narrative fails to cite and address the remaining criteria, criteria 5-8:

"5. The application is not.

6. The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.

7. Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.

8. A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such."



Regarding criterion 5, the developer's comments cited earlier above clearly show intent to base the SA application based primarily on convenience for the developer or reducing civil engineering or public improvements construction costs to the developer. The criterion precludes this.

Regarding criterion 6, at least the developer did not assert that the application is based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages, which allows staff to find the criterion met.

Criterion 7 is not applicable because the developer did not propose to narrow any required right-of-way (ROW) dedication.

Criterion 8 is met with conditioning of fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and conditioning of fee in lieu of Oregon Way on-street parking.

About Street Adjustments in general, Planning staff adds that the Public Works Department is content with frontages along the corridor, and defers to ODOT for developments where ODOT has jurisdiction. By 2015, ODOT improved the I-5 interchange and as part of that project widened OR 214 east of the interchange to a little east of Oregon Way. As expected, the agency constructed to its own economized standards, which resulted in curb-tight sidewalk, though wide at about 8 ft, no street trees, and no burial of the south side overhead electric power lines. Also, until late 2017 and early 2018, staff approved any Street Exception (as the application type was then termed) that a developer requested, and Planning staff experience in these years was that the Public Works Department prefers curb-tight sidewalk and existing conditions anyway generally beyond curbs as long as there were minimum improvements to driving area between curbs and subsurface/underground potable water, sanitary sewer, and stormwater utilities. In more recent years, Planning staff took the lead in at least imposing conditions on Street Exception and Street Adjustment approvals to get a degree of improvements and/or fees in-lieu. Regarding the highway, Planning staff years ago recognized the *de facto* policy decision by other departments to leave the ODOT-improved segment as is and not have individual redevelopments upgrade their frontages to have landscape strips, new sidewalk that conforms, and buried power lines redevelopment by redevelopment.

The developer's chief justification for the SA, which for CU 21-02 originally (that which the City Council denied in 2022) had proposed no upgrades of nonconforming street frontages, was convenience, saving money, and be of no profit to the gas station or commercial office enterprises. For any development, if and where the City grants Street Adjustments, it implicitly assumes the taxpayer cost of upgrading frontages itself through capital improvement projects. This guided Planning staff applying the SA criteria and conditioning.

Through both conditional use and Street Adjustment, Planning staff applies conditions that grant SA approval for both frontages, but also to give the City some public benefit for leaving the highway as is or mostly as is and for Oregon way not having required on-street parking; require the developer to make the Oregon Way frontage the best for pedestrians through wide landscape strip with street trees, wide sidewalk, and setting maximums for Oregon Way driveway width; and securing fees in-lieu.

#### *Fees in-Lieu*

For Condition SA1 and Attachment 202 (fee table) regarding fee in lieu of upgrading highway sidewalk to conform with Fig. 3.01B, staff derived as follows:

- Poured concrete at \$33.00 per sq ft adjusted for inflation using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) from June 2022 (CU 21-02) to July 2024, the latest month the calculator made available as of August 14, 2024, which equals \$35.03;
- Sidewalk 6 ft wide per Fig. 3.01B;
- Frontage width of 265 ft per Tax Map 052W12DB as sidewalk extent; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A “Fees in-Lieu”.

This calculates as  $(\$35.03 \times 6 \times 265) \times 1.5 = \$83,547$ .

Regarding fee in lieu of highway landscape strip to conform with Fig. 3.01B and 3.01.04B, staff derived as follows:

- Grass at \$2.21 per sq ft;
- Landscape strip 5.5 ft wide, excluding curb width, per Fig. 3.01B;
- Frontage width of 265 ft per Tax Map 052W12DB as landscape strip extent; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A “Fees in-Lieu”.

This calculates as  $(\$2.21 \times 5.5 \times 265) \times 1.5 = \$4,832$ .

For Condition SA2 and Attachment 202 (fee table) regarding fee in lieu of Oregon Way on-street parallel parking, staff derived as follows:

- Asphalt at \$15.00 per sq ft adjusted for inflation using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) from June 2022 (CU 21-02) to July 2024, the latest month the calculator made available as of August 14, 2024, which equals \$15.92;
- Parking stall dimensions of 8 ft wide by 22 ft long;
- 3.5 parking stalls after taking the distance from in line with the south property line at Oregon Way north to the stop bar at the intersection with the highway (172 ft), then subtracting 50 ft (minimum parking distance from intersection), 30 ft (driveway and its curb flares), and 16 ft (two 8-ft long transition areas of curb at each end of parking aisle) resulting in  $(172 - [50+30+16]) / 22 = 3.5$ ; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A "Fees in-Lieu".

This calculates as  $(\$15.92 \times [8 \times 22] \times 3.5) \times 1.5 = \$14,713$ .

Through Condition G6c and Attachment 202 (fee table) regarding fee in lieu of electric powerline burial/undergrounding to conform with WDO 3.02.04B and 4.02.12A, because as of August 14, 2024 the City has not yet adopted a fees in-lieu schedule, staff establishes a default fee the would be applicable if by the time necessary to assess the fee in order to issue building permit, the City would have not yet established this among other fees in lieu. The default fee is based on a Pacific Gas and Electric Company, a subsidiary of PG&E Corp., estimate that in general burial costs \$3 million per mile (PG&E "Currents" newsletter, article "Facts About Undergrounding Electric Lines", October 31, 2017 <<https://www.pgecurrents.com/2017/10/31/facts-about-undergrounding-electric-lines/>>). This equates to  $\$3,000,000 / 5,280 \text{ ft} = \$568.18$  rounded to \$568 per foot.

- ▲ In order to secure the development meeting the conditional use criteria and justify Street Adjustment, staff applies conditions.



## Phasing Plan Provisions

### 5.03.05 Phasing Plan for a Subdivision, PUD, Manufactured Dwelling Park or any other Land Use Permit

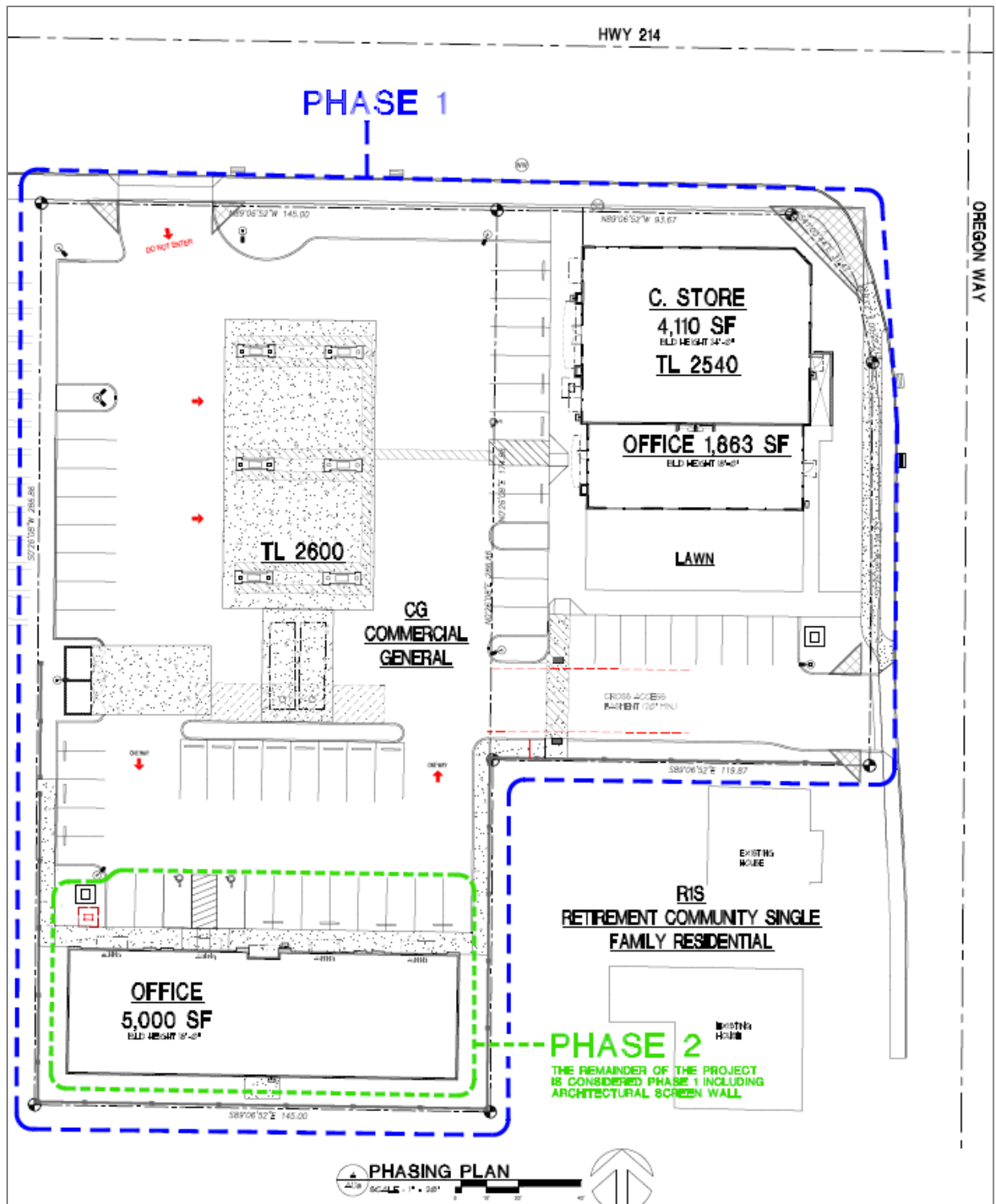
**A. Purpose:** The purpose of a Type III Phasing Permit is to allow phased construction of development while meeting the standards of this ordinance (Sections 2 and 3), while providing fully functional phases that develop in compliance with the tentative approval for the development.

**B. Criteria:** The proposed phasing of development shall:

1. Ensure that individual phases will be properly coordinated with each other and can be designed to meet City development standards; and
2. Ensure that the phases do not unreasonably impede future development of adjacent undeveloped properties;
3. Ensure that access, circulation, and public utilities are sized for future development of the remainder of the site and adjacent undeveloped sites.

The applicant's phasing plan narrative dated February 2, 2024 and submitted February 8, 2024 parrots the criteria with answers almost identical to the criteria text.

From the site plans, specifically Sheet A1.1a "Phasing Plan" dated February 5, 2024 and submitted February 8, 2024, staff was able to determine what the proposed phasing is: the southwest commercial office building and its immediate vicinity including north front parking constitute Phase 2. The plan notes, "The remainder of the project is considered Phase 1 including architectural screen wall", which staff makes sure is the case through a PP condition.



Phasing plan excerpt from Sheet A1.1a dated February 5, 2024 and submitted February 8, 2024

The phasing plan sheet makes apparent that the Phase 1 gas station – fuel pump canopy, convenience store, and northeast commercial office area – can be constructed and meet the criteria on its own.

Staff applies PP conditions and CU modification one in case Phase 2 were to lag in construction, never manifest, or become the subject of a developer’s request to construct something slightly or wholly different. These ensure criteria are met.

Also, as is routine for its land use review of developments, the Public Works Department through Attachment 102A has the usual kind of infrastructure text for the development in question and that is premised on the department approach to *de facto* approve any development, in turn premised on the idea that during its own department processes and reviews following the land use review stage, such as for civil engineering plan (CEP) plan review and right-of-way (ROW) permits, it will coordinate with ODOT to apply specific agency and City public works requirements and have the developer make so whatever is necessary to get ODOT and Public Works Department approvals that both respect conditions of approval that the Department sees as led and administered by the Planning Division while also meeting public works requirements for public infrastructure both on-site and in ROW and public utility easements (PUEs), the “public utilities” that criterion B.3 mentions. Essentially, the Public Works Department indicates that criterion B.3 is met or can be met through Attachment 102A and its later department processes and reviews following the land use review stage, such as for civil engineering plan (CEP) plan review and right-of-way (ROW) permits, so Planning Division staff defer and concur.

Lastly, City staff act on the premise that while a local government can and should deny an application that is inconsistent with applicable land use regulations, it can and should avoid denial if staff can impose reasonable conditions of approval. For virtually every land use review, staff can impose reasonable conditions of approval to avoid denial, and the review of the subject development is such a case.

The legislature gives implicit support for the concept in at least two statutes. The statutes are not applicable as regulations but are relevant regarding legislative intent. ORS 197.522 “Local government to approve subdivision, partition or construction; conditions” is about partition, subdivision, and needed housing, none of which are relevant to the subject development; however, its subsection (4) states, “A local government shall deny an application that is inconsistent with the comprehensive plan and applicable land use regulations and that cannot be made consistent through amendments to the application or the imposition of reasonable conditions of approval.” The second, OS 227.185 “Transmission tower; location; conditions” – no transmission tower being relevant to the subject development – states, “The governing body of a city or its designee may allow the establishment of a transmission tower over 200 feet in height in any zone subject to reasonable conditions imposed by the governing body or its designee”. These statutes indicate that the legislature expects local governments to apply land use conditions of approval in preference to denying. Also, neither statute defines the term

“reasonable”, and the term is elastic. Staff drafted the conditions to be reasonable and based on the characteristics of the subject development. Staff emphasizes that besides the Phasing Plan, the master or parent application type is Conditional Use, a term that says it all about the premise of conditioning.

Criterion B.3 is met.



## Remaining Provisions

These are applicable provisions not already addressed in the application type provisions sections above.

### 4.01.07 Consolidated Applications

**An applicant may request, in writing, to consolidate applications needed for a single development project. Under a consolidated review, all applications shall be processed following the procedures applicable for the highest type decision requested. It is the express policy of the City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.**

The proposal is consolidated.

In conclusion to the above analyses and findings, staff would recommend that the Planning Commission consider the staff report and its attachments and approve the consolidated applications package with conditions.



## Recommendation

Approval with conditions: Staff recommends that the Planning Commission consider the staff report and its attachments and approve the consolidated applications package with the conditions recommended by staff below:

### *General*

G1. As part of building permit application, the applicant shall submit revised site plans meeting the conditions of approval and obtain Planning Division approval through sign-off on permit issuance. The applicant shall submit a cover letter indicating what specific plans sheets or document page numbers demonstrate how the submittal meets each condition.

G2. The applicant or successors and assigns shall develop the property in substantial conformance with the final plans submitted and approved with these applications, except as modified by these conditions of approval. Were the applicant to revise plans other than to meet conditions of approval or meet building code, even if Planning Division staff does not notice and signs off on building permit issuance, Division staff retains the right to obtain restoration of improvements as shown on an earlier land use review plan set in service of substantial conformance.

G3. References: Attachment 201 serves as a dictionary or glossary defining certain abbreviations, acronyms, phrases, terms, and words in the context of the conditions of approval. The 200 series of attachments are as binding as the conditions of approval in the main body of the final decision.

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E and 4.02.12 unless if and where a condition of approval has more restrictive timing. By this condition, there is more restrictive timing: In any case, they are due no later than by Building Division issuance of first certificate of occupancy (C of O), regardless of deferral, if any, that Public Works (PW) might have approved through 3.01.02E. This condition is not deferring to C of O; it is saying that if there were to be PW deferral, then the department could not defer to later than C of O.
- b. ROW/easements: Correct recordation of required right-of-way (ROW) and public easements is due per WDO 2.01.05A – by building permit issuance. See Note A below.
- c. Where phasing is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located. Where an improvement spans phases and cannot be functionally divided by phase, it shall be due by the earliest phase.

- d. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an [Address Assignment Request](#). This is due prior to building permit application, and if property line adjustment or lot consolidation were to become relevant, then also after recordation with County. (See the Notes to the Applicant section following the conditions of approval, Note to the Applicant 17.)

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than 6 months prior to expiration of the land use approval as WDO 4.02.04B establishes, and shall complete recordations no later than 3 years past the land use “final decision” date. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage.

G6. Administration:

- a. Conformance: That a land use approval does not reiterate any and each particular detail, provision, requirement, rule, spec, or standard from any of the WDO, other ordinances, resolutions, public works construction code, or department policies does not exempt development from conformance with them.
- b. Copies: Per WDO 2.01.05B, the developer, including any succeeding contractor, shall provide copies of documentation that a City staff person requests regardless if the documentation source is another City staff person or department.
- c. Fees: The developer shall pay fees per Attachment 202.

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works (PW) and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the Planning Commission, contact PW to begin and finish dedication and granting sooner. The City Council meets most second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.



*Phasing Plan 24-01*

PP1. Phasing Plan:

a. Basic Description:

(1) Phase 1: On Tax Lot 3600 (east, corner lot), a single northeast (NE) building of with convenience store of 4,110 sq ft and an attached commercial office tenant space of 1,863 sq ft. On Tax Lot 3700 (west, interior lot), a fuel pump canopy. Minimum off-street parking and other corollary improvements for these uses.

(2) Phase 2: On Tax Lot 3700 (west, interior lot), a southwest (SW) commercial office building of 5,000 sq ft and its parking and other corollary improvements.

b. Phasing: The developer may choose to develop Phase 2, the SW office building and necessary corollary improvements, per land use review Sheet A1.1a later than the Phase 1 gas station complex of convenience store, NE commercial office, and fuel pump canopy and necessary corollary improvements.

c. Phase 2 expiration:

(1) Phase 1 substantial construction would keep land use approval with conditions valid longer than the baseline 3 years per WDO 4.02.04B (or longer than baseline per subsection D if there will have been an appeal). However, in reference to condition part b. above, there must be building permit application for Phase 2 by 8 years past the date that the Planning Commission motioned to tentatively approve CU 24-02.

(2) If Phase 1 fails to achieve substantial construction by 5 years past the date of the hearing at which the Planning Commission motioned tentative approval, WDO 4.02.04B.1 & 2 would not be met and – absent the City granting a time extension as subsection B.3 references – the land use approval with conditions would expire for both phases.

d. Phase 2 interim: If Phase 2 does develop later than Phase 1, then – regarding the area where the SW office building and its corollary improvements would be – until Phase 2 develops:

(1) The landowner shall pour curb or affix a linear obstruction to motor vehicles from driving and parking beyond the boundary of Phase 1 improvements and maintain such obstruction. Exhibit PP1 is an aerial photo of the area in 2023.

(2) The landowner shall maintain its grounds in conformance with [City Ordinance No. 2338](#) (June 9, 2003; amended regarding lighting by Ordinance No. 2522 September 22, 2014). Staff draws attention to Sections 5-9 about noxious vegetation, “attractive nuisances”, junked vehicle nuisances, open storage of junk, and scattering rubbish.

- (3) Vehicular circulation and parking within the undeveloped Phase 2 area is permissible only if the landowner upgrades as needed for conformance with WDO 3.05.02A, F, & K and 3.04.04. Together they prohibit gravel.



*Exhibit PP1*

- e. All conditions apply to any phasing, unless worded or under a header such that a condition applies more specifically. Where something is due by building permit application or issuance, it means the first of any phase, any building, unless a condition is more specific.

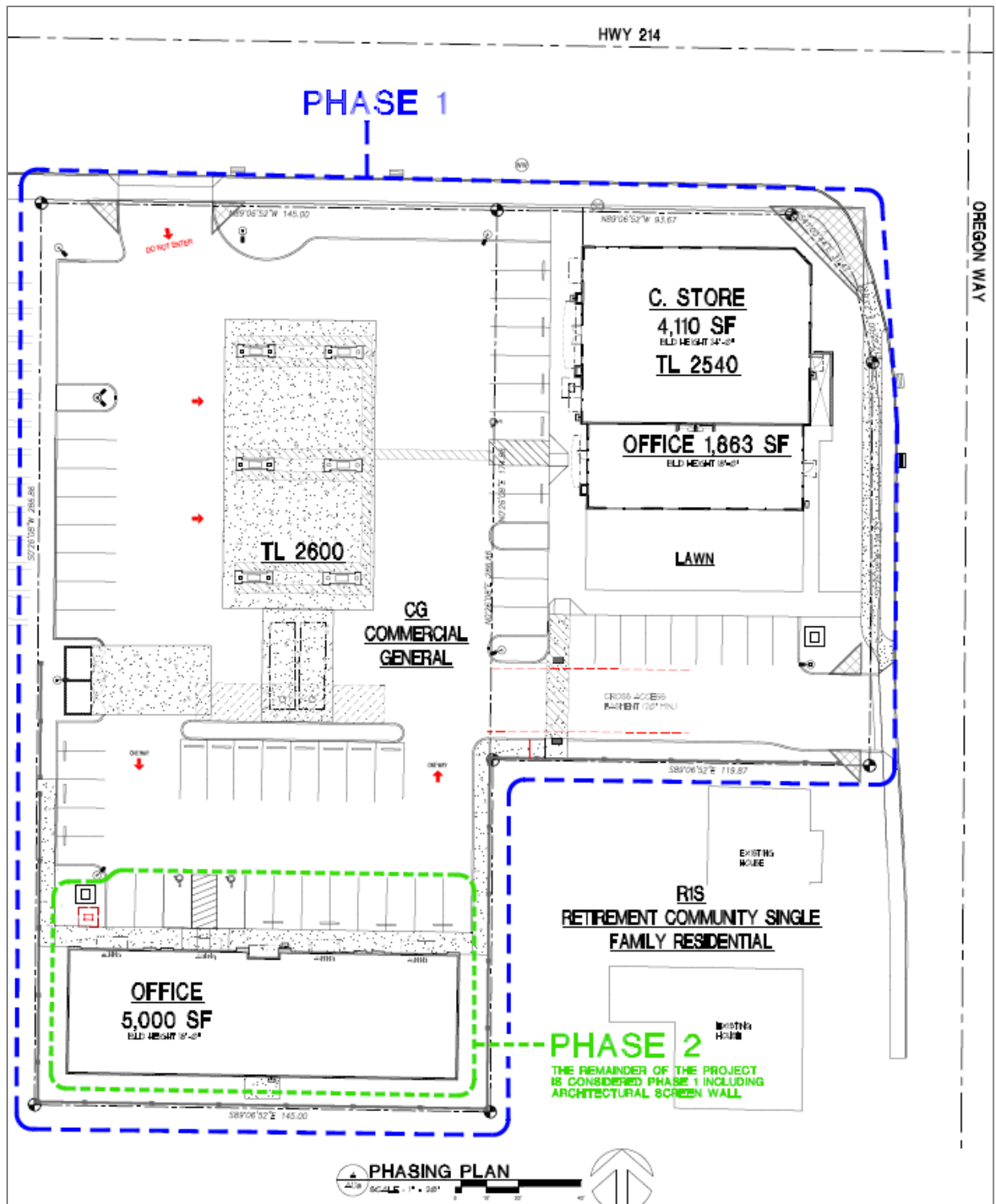


Exhibit PP1: Phasing plan excerpt from Sheet A1.1a dated February 5, 2024 and submitted February 8, 2024



*Design Review 24-02*

D1. ROW:

- a. Highway: To conform with WDO Figure 3.01B “Major Arterial”, as part of recordation the developer shall dedicate ROW if and as necessary to result in half-street ROW that is uniform min width of 50 ft measured from centerline. This is due by building permit application.
- b. Oregon Way: To conform with WDO Figure 3.01E “Access Street”, as part of recordation the developer shall dedicate variable width ROW resulting in half-street ROW that is uniform min width measured from centerline of 33 ft plus additional width along the northerly extent to accommodate the half-street width of the existing northbound left turn lane that the Figure 3.01E, which assumes a mid-block cross section, does not make explicit for telescoping width at intersections. The developer may take and report field measurement of the lane width or assume a lane width of 12 ft, yielding a total minimum width from centerline of  $33 + (12 / 2) = 39$  ft. “Northerly extent” shall extend minimum 140 ft south from a point in line with the highway ROW boundary; it is probable that the total half-street dedication along this extent would equal or approximate a min of  $3 + (12 / 2) = 9$  ft. Dedication is due by building permit application.

D2. PUE: If streetside public utility easements (PUEs) do not yet exist along any of the highway per the minimum of WDO Figure 3.01B and Oregon Way per the minimum and maximum of WDO 3.02.01B & F.2, then the developer shall grant the one or both PUEs.

D3. Driveways:

- a. Number & widths: To conform with WDO 3.04.03B.5 regarding access management, driveways shall be limited as follows:
  - (1) Highway: 1, max width per WDO Table 3.04A: 20 ft for one-way. If one-way inbound, there shall be min one *MUTCD*-compliant do-not-enter sign facing the site, one the east side of the driveway throat, and the pavement shall be striped to indicate no exit.
  - (2) Oregon Way: 1, max width 24 ft for two-way, except 26 ft for two-way if the developer through WDO Table 3.04A footnote 7 provides the same kind of documentation as condition part (1) above describes.
- b. Approach / apron / curb cut: Driveways shall conform to PW SS&Ds, Section [4150](#), unless documented as overridden by ODOT choosing to apply its standards.

D4. Access management: cross access: To conform with WDO 3.02.01E, 3.04.01A.2, 3.04.03B.3 & 5, 3.04.03C.1, 3, & 4, and 3.04.03D.2, the developer shall provide for what is termed any of cross access, ingress/egress, or shared access revocable only with the written concurrence of the Director and as follows:

a. Properties:

(1) Subject property: Grant cross access (A) across Tax Lot 3600 (2540 Newberg Hwy) to the benefit of 3700 (2600 Newberg Hwy) and (B) across Tax Lot 3700 to the benefit of 3600. (Instead of cross access for the subject property, which is comprised of both Tax Lots 3600 & 3700, the developer may opt to consolidate lots by applying and paying for as well as obtaining City approval of a Property Line Adjustment [PLA], which would be a land use review Type II per WDO 5.01.08 and so a staff decision, and record with the County the lot consolidation, all prior to building permit application.) This is due by building permit application per WDO 2.01.05A.

(2) Adjacent property: Grant cross access across Tax Lots 3600 & 3700 to the benefit of Tax Lot 052W12DB03800 (2620 Newberg Hwy; Dairy Queen). This is due by building permit application per WDO 2.01.05A.

b. Alignment: Applicable to both the subject property and the Tax Lot 3800, follow a drive aisle or aisles and connect each of the highway driveway, the common lot line between Tax Lots 3700 & 3800 somewhere within the segment 60 ft south of the north property line, the common lot line between Tax Lots 3600 & 3700, and the Oregon Way driveway.

c. Drive aisle stub: Extend a drive aisle stub conforming with WDO 3.04.03C.4b to Tax Lot 3800 (2620 Newberg Hwy; Dairy Queen) within the above-specified alignment.

d. Barriers: At the interface of a property line and a drive aisle stub, WDO 3.04.03C.4b prohibits curb and fixed barriers mounted to the drive aisle. (The developer may instead place signed barricades atop the pavement.) While fencing a property line remains permissible per WDO 2.06.02, were the developer or property manager to install fencing, then the segment over the drive aisle shall have vehicular gates.

e. Bicycle/pedestrian: The developer shall grant cross access not only for driving, but also walking and cycling, with alignment along each of the two wide walkways that WDO 3.04.06B requires and connecting with each of the highway and Oregon Way sidewalks.

f. Instrument: Regarding recordation of the cross access easement (CAE) or other types of legal instruments and how, the developer shall conform to the conditions in ways that satisfy the County. This is due by building permit application.

- g. Shared parking: Because Tax Lot 3600 (2540 Newberg Hwy) would lack minimum off-street parking ratio for all land uses on the lot per WDO Table 3.05A, then the developer shall either (1) revise site plans to conform with WDO 3.05.02 & Table 3.05A or (2) create a shared parking agreement, for which cross access is a pre-requisite, per WDO 3.05.05. (A shared parking agreement would be due per WDO 3.05.05D.3: by building permit issuance.) Minimum agreement attachments or exhibits shall be a County tax map, a revised site plan, and if such would exist, a recorded plat.
- h. ODOT factor:
  - (1) The developer shall apply to and obtain from ODOT the relevant approval(s) by building permit application to conform with the access management condition.
  - (2) If after City land use decision ODOT objects specifically to how the City administers or the developer conforms to other parts of the condition or to other conditions concerning vehicular access, then the developer may request and the Director may administratively approve in writing changes to administration or conformance to accommodate the ODOT factor while still having the development meet the WDO and conditions of approval to the max extent remaining. The Director may require developer application for any of Extension of a Development Decision per WDO 4.02.05 or Modification of Conditions per WDO 4.02.07.
  - (3) If after City land use decision ODOT directs access management in conflict with other parts of the condition or to other conditions concerning vehicular access, then the developer shall forward the written direction from ODOT to the attention of the Director; describe the conflict(s); describe the minimum deviation from conformance necessary to comply with ODOT direction while also conforming to the remainder of the condition to the maximum, including plan view illustrations where helpful; and request Director approval through a dated document that cites the land use case file and condition numbers. The Director may approve what the developer first requests or a modified request. The City intends that if the developer were to make use of this part (d) of the condition, he would do so once.

D5: Parking:

- a. Wheel stops: To conform with WDO 3.05.02H, the compact parking spaces along the northeast (NE) office south lawn shall have wheel stops, either 5 shared among the spaces or one per each of the nine spaces, to prevent any overhang of the wide walkway.
- b. Vehicular circulation directional markings/signage: To conform to WDO 3.05.02J, during building permit review the Director may administratively establish details, specifications, and revisions to administer the WDO section. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
- c. C/V: Carpool/vanpool (C/V) parking shall conform with Table 3.05C and 3.05.03H.
- d. EV: Electric vehicle (EV) parking shall conform with Table 3.05E and 3.05.03I.



D6. Electric power poles removal and lines burial: Development shall conform with WDO 3.02.04. The fee in-lieu shall be per Attachment 202. (Absent direction by the applicant otherwise, staff will proceed as if the developer intends to conform by paying the fee in-lieu and will assess it through the building permit.)

D7. Trash enclosure: Outdoor storage of trash and shall be enclosed in conformance with WDO 3.06.06B.5-7 and, regarding roofing, in conformance with Public Works Department Engineering Division administration of standards or directions regarding such, if any, in relation to keeping polluted water from entering drains.

## Conditional Use 24-02

CU1. Wide walkways: The wide walkways that WDO 3.04.06B requires shall have some width of some segments be decorative pavement, specifically, min width 6 ft and along the distance symbolized in green in Exhibit CU1 below. At the turn, the min width may narrow to avoid overlapping ADA ramp slopes. Decorative pavement means any of brick; concrete pavers; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.

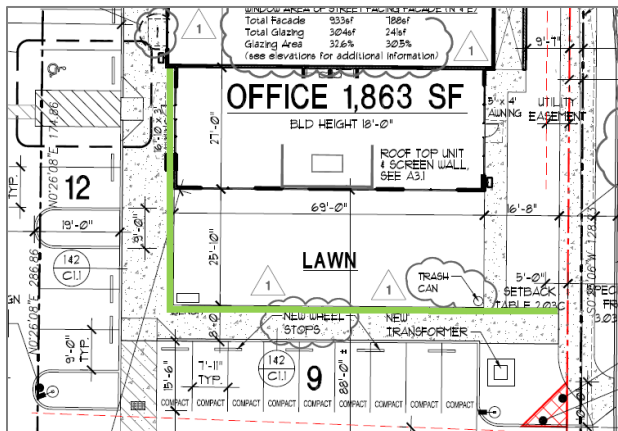


Exhibit CU1

CU2. Bicycle parking shall conform with 3.05.06 and be of min number:

- a. Convenience store: 2 (for example, 1 U-rack)
- b. NE commercial office: 2 (for example, 1 U-rack)
- c. SW commercial office: 4 (for example, 2 U-racks or a wave rack)

CU3. Landscaping generally:

- a. Bark dust: By the end of the time period per WDO 3.06.02C, 5.0% max of unpaved landscaped area may be non-living material such as bark dust, mulch, wood chips, cobbles, gravel, pebbles, or sand.
- b. Benches: Min 2.
  - (1) One in the landscaped open space at or near the NE commercial office space, along a wide walkway or in a plaza, install either a bench min width 6 ft or a picnic bench. Set back from walkway and pave the setback, min either 1.5 ft for a bench or 2 ft for a picnic bench.
  - (2) One bench min width 4 ft at or near the SW commercial office building and along a wide walkway.

- c. Buffering/screening: Evergreen hedge or shrubbery shall:
  - (3) Line Architectural Wall (AW) segments.
  - (4) Screen transformers and other at-grade electrical and mechanical equipment along min 2 sides.
  - (5) Serve as means of conformance with WDO 3.06.05B (parking screening).
- d. Coniferous/evergreen trees: Among newly planted trees, min 1 tree of the following coniferous or evergreen species:

Cedar, deodar	Madrone, Pacific
Cedar, incense	Oak, Oregon White
Cedar, Western Red	Pine, Lodgepole
Douglas-fir	Pine, Ponderosa
Fir, Grand	Pine, Western white; and
Hemlock, Western	Yew, Pacific

- e. Tree standards: The same as WDO Table 3.06A “Minimum Size” column – either 10 ft height or 2 inches caliper.

CU4. Front yard landscaping:

- a. Depth: The depth of landscaping from highway ROW south, in the yard west of the convenience store, shall be min 13 ft to vehicular circulation area back of curb to accommodate newly planted front yard trees outside of the streetside PUE. The min depth may instead be 6 ft if ODOT, such as through the Region 2 Development Review Coordinator, allows planting of trees within the PUE, the allowance is documented through building permit review and by building permit issuance with the applicant having submitted plans revised accordingly to both the agency and the City Community development Department, and the developer will have planted such trees by building permit inspection.
- b. Trees: Based on WDO 5.03.01B.3c5), the developer shall plant min:
  - (1) 7 trees in the yard along the highway max 20 ft from ROW; and
  - (2) 4 trees in the yard along Oregon Way max 20 ft from ROW, in a loose row with min 3 of them spaced offset from and complementing street trees.
- c. Hedge/shrubbery: In all areas not occupied by buildings and pavement, landscape per WDO 3.06.
  - (1) On Tax Lot 3700 in the yard along the highway, plant a hedge or row of continuous small or medium shrubbery extending between the driveway and east lot line. Plant min 5 ft from sidewalk and max 12 ft from ROW.
  - (2) On Tax Lot 3600 in the yard along the Oregon Way, line the convenience store rear east free-standing screen wall or wing wall with a hedge or row of continuous small or medium shrubbery, unless the developer declines to build the wing wall.

- d. Site interior:
  - (1) AW: Line each Architectural Wall (AW) segment with a hedge or row of continuous medium or large shrubbery.
  - (2) Lawn large tree: Within open space within 30 ft of the NE commercial office, plant min 2 trees, either both large or min 1 medium and 1 large. Min 1 of these west or south of the plaza – see below.
  - (3) Plaza: At or within 30 ft of the NE commercial office and adjacent to a wide walkway shall be a plaza min 56 sq ft, exc. walkway area, at 7.5 ft narrowest dimension, paved with brick; concrete pavers; field or flagstone; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.
  - (4) South yard: Within 100 ft of the Tax Lot 3700 south lot line, plant min 2 trees.
- e. Parking area:
  - (1) Front yards: To conform with WDO 3.06.05B, within the yards abutting streets the site perimeter landscaped area shall have a hedge or shrubbery as a screen of parking and vehicular circulation area min height 3.5 ft. Such shall be planted to be min 2 ft from sidewalks and wide walkways.
  - (2) NE office: Min 1 large tree in the southwesterly area of the south yard lawn.
  - (3) SW office: For common use by tenants, have a south rear door and a patio of brick, pavers, or poured concrete min 7 ft north-south by 11 ft east-west. Align patio flush with door outer swing. Plant a small tree near the patio west side.

CU5: Architectural Wall (AW) / Fences / Fencing:

- a. Exemption: Where chain-link fence with slats already exists along the north and west lot lines of Tax Lot 3500 (953 Oregon Way), the developer may exempt these two lines from AW if the homeowner in writing consents to exemption and the developer submits documentation by and as part of building permit application.
- b. Extent: Min height shall be along the:
  - (1) North and west lot lines of Tax Lot 3500 6 ft, 1.5 inches (if CMU, equal to 9 courses of blocks plus 1.5-inch smooth concrete cap).
  - (2) North and east lot lines of Tax Lot 90000 (950 Evergreen Road), 9 ft including a 1.5-inch smooth concrete cap between piers or pilasters.
  - (3) Where fencing may substitute per other conditions, for part (1) above it shall be 6 ft, and for part (2) above, 8 ft.

- c. Height at AW ends: Min height shall drop where subject to stair-stepped height limits in yards abutting streets per WDO 2.06.02, within VCA or sight triangles per 3.03.06, and AW shall remain outside streetside PUEs. AW may cross an off-street PUE, if any exist, with written authorization by the Public Works Director, and the PW Director may instead direct that instead of a segment of wall that there be coated chain-link fencing with slats across an off-street PUE. For crossing of private easements, the developer similarly may instead fence.
- d. Gaps or rectangular openings:
  - (1) There shall be one along the east lot line of Tax Lot 90000, min 4 ft wide and 6 ft, 8 inches high above grade, and with the south end of the gap aligned with the Tax Lot 90000 north east-west drive aisle, south curb, north face.



*Exhibit CU5-1*



*Exhibit CU5-2*

- (2) If AW exemption per part a. above is not applicable, then there may be a gap along the west lot line of Tax Lot 3500, aligned with where there exist west backyard chain-link gates, minimum width equal to the width of the gates.

- e. Color: Masonry, whether dyed or painted, regarding WDO 3.06.06B.5 & 6 shall be a color or colors other than black, charcoal, or dark gray. For any other fence / fencing or free-standing wall, including gates if any, the coating and slats that WDO 2.06.02D requires and any wall shall be a color or colors other than black, charcoal, or dark gray. On free-standing walls with two or more colors, darker color shall be towards the bottom and lighter color towards the top.
- f. Material: Masonry; however, AW segments, other than those along the north and east lot lines of Tax Lot 90000 (950 Evergreen Road), may be partly made of opaque cedar wood fencing if the wall appears mostly masonry. Specifically, masonry must constitute the bottom extent of wall segment from grade up to min of 4 ft (for example, 6 CMU courses) above grade plus the height of a smooth concrete cap between the masonry and the wood, and there shall be piers, pillars, or pilasters per subsection “Pillars” below. Exhibit CU5-3 below illustrates a similar example (that does not exactly meet the condition) and serves as concrete masonry unit (CMU) model:

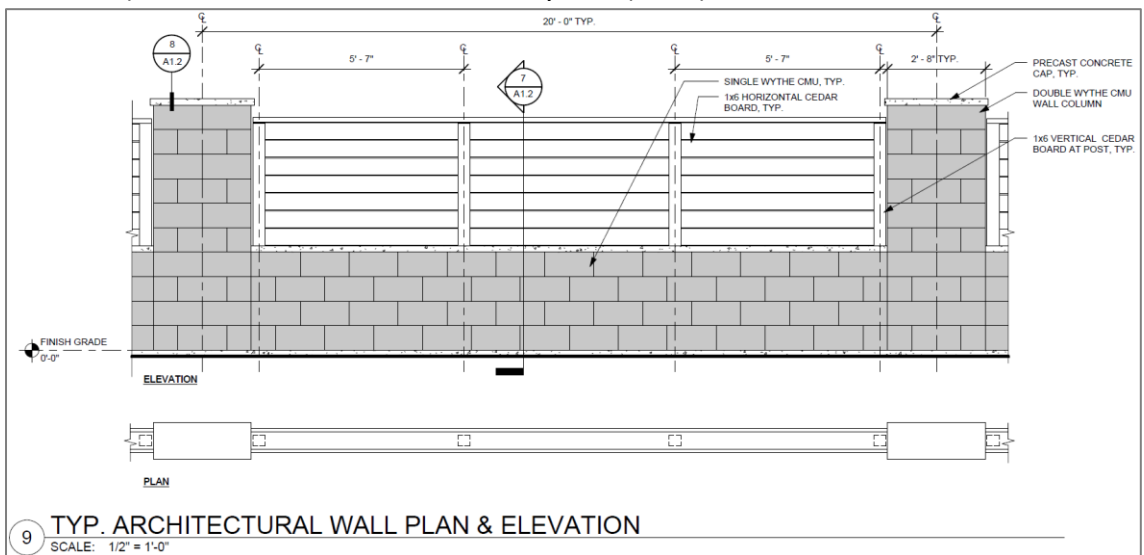


Exhibit CU5-3 (DR 2017-08)

- g. Texture: WDO 3.06.06B.7 is interpreted such that the standard for scoring, texture, or pattern on minimum 80.0% of the wall surface is applicable only to the WDO Table 3.06D minimum height of 6 ft – 80.0% being 7.2 of 9 CMU courses – not the conditioned minimum height of 9 ft, which equals 13.5 courses. In this context, the scored, textured, or split-face CMU courses shall start at or just beneath grade, and there shall be minimum 3 courses of ground or smooth-face CMU composing an upper band of the wall and minimum 1 course of ground or smooth-face CMU at approximately elbow height of an average height person standing at grade.

- h. Pillars: Whether the AW is solid masonry or incorporates wood fencing, each AW segment end shall have a pier, pillar, or pilaster min 16 inches wide relative to wall face and per WDO 3.06.06B.3 projecting min 3 inches each side of the wall.
  - (1) Number: Each segment shall have a min number of piers, pillars, or pilasters equal to a ratio of 1 per 40 ft of wall, and each segment end shall have a pier, pillar, or pilaster.
  - (2) Cap: Each pier or pilaster shall be capped with ornamental concrete in the form of any of a shallow-sloped pyramid or sphere or other finial atop such pyramid.
- i. This condition is due by the first building permit regardless of phase; that is, it is due regardless if Phase 2 is not developed at the same time as Phase 1.

CU6. Architecture:

- a. Canopies / fixed awnings:
  - (1) General: Min height clearance 9 ft.
  - (2) Fuel pump canopy: Max ceiling height 16 ft to either (a) ceiling or (b) ceiling-mounted lighting fixtures, whichever is lower.
  - (3) Convenience store and NE commercial office: The store and NE commercial office main entrances shall each have a canopy, fixed awning, building recess, or roof projection that shelters from precipitation, the former 4 ft narrowest dimension and 48 sq ft min area and the latter 4 ft and 32 sq ft. Each side or rear single staff door on the rest of the store and NE commercial office shall have the same, except 3 ft narrowest dimension and 18 sq ft min area, and for a set of double staff doors, 30 sq ft min area.
  - (4) SW commercial office: Each north entrance shall have a fixed awning, canopy, building wall projection, or secondary roof that shelters from the weather, min area 48 sq ft, min depth 4 ft. A fixed awning or canopy may be smaller if combined with a building recess and together they meet the min area. The south patio door elsewhere conditioned shall have the same, except min area 66 sq ft, min depth 6 ft.
- b. Cladding/materials: Convenience store and attached NE commercial office area:
  - (1) Base cladding min height 2 ft of brick, ceramic tile resembling stone, concrete masonry unit (CMU) block finished to resemble cut stone, or adhered stone. Otherwise, the desired materials provision of WDO 3.07.06B.2b(2) shall be a standard for all building elevations.
  - (2) The prohibited materials provision of WDO 3.07.06B.2b(3) shall be a standard.
  - (3) The proposed east CMU mandoor screen wall or wing wall, if not precluded by streetside PUE, shall be max height 4 ft, 2 inches, have the bottom 2 courses be split face and the upper 4 courses ground face and be capped with smooth concrete. The NE corner angled wall shall have a window min area 15 sq ft, min 2.5 ft wide, and wholly within 8.5 ft of grade.

- (4) Subsection (3) is void if the screen wall or wing wall would come to be in part or wholly within a streetside PUE because it would come closer to the building than the developer anticipates because of telescoping ROW width – see Conditions D1b & D2 – and if any of PW or ODOT directs and administers there not be a newly constructed free-standing wall within the Oregon Way streetside PUE, shortening or precluding the wall. Also, in this scenario, because PW has historically allowed chain-link fencing with streetside PUEs, the developer may in place of the intended wing wall install a chain-link fence that conforms with WDO 2.06.02D.1 & 2 and has slats of a color other than black, charcoal, or dark gray.
  - c. Scuppers: Any building rainwater scuppers shall not to dump onto the pavement of a wide walkway.
  - d. Setbacks:
    - (1) General: Site NE corner min setback shall equal streetside PUE.
    - (2) Convenience store / NE commercial office building: max 15 ft from highway ROW and max 20 ft from Oregon Way widened ROW (measured from straight line ROW, not the curved ROW near the intersection).
    - (3) SW commercial office: min 5 ft from Tax Lot 3700 east, south, and west lot lines.
  - e. Windows:
    - (1) General: All windows shall be square, round, or vertically proportioned. Operable windows shall have insect screens.
    - (2) Min areas, which shall be transparent:
      - (A) Convenience store:
        - 1. West façade 30.0%; north 30.0%; east 36 sq ft. For the angled, NE façade in particular, min 18 of the 36 sq ft.
        - 2. NE commercial office: West and south façades 30.0%; east 132 sq ft.
      - (B) SW commercial office: North façade 30.0%; east 15.0%; south 20.0%; and west 20.0%.
- CU7. Lighting: Besides conformance with WDO 3.11, including 3.11.02C color temperature:
- a. Buffer: Parking area or other pole-mounted fixtures are prohibited between the north lot line of 953 Oregon Way (Tax Lot 3500) and the east-west drive aisle.
  - b. Fuel pump canopy:



- (1) Max 14 ceiling fixtures. Any ceiling fixture shall be no closer to ceiling outer edge than 4 ft. Neon lighting, or a lighting technology that mimics the appearance of neon lighting, is prohibited on the fuel pump canopy and on the southernmost primary building on Tax Lot 3700. The developer shall make so either of the following: (1) ceiling light fixtures shall not drop below the ceiling plane, or (2) for ceiling-mounted fixtures, the canopy roof edge perimeter shall as a shield drop or extend down to the same plane as the underside of the lowest fixture. In either case, fixtures that drop or extend down from the ceiling shall each have opaque housing on all sides.
- (2) Based on the hours in Ordinance No. 2338, Section 5A Light Trespass, fuel pump canopy lights shall be off during the same hours as when the fuel pumps are closed.
- c. Max:
  - (1) Convenience store: 1 wall fixture on the east rear and none on the north side.
  - (2) NE commercial office: 1 wall fixture each on the east and west and none on the south side.
  - (3) South commercial office: 1 wall fixture at the south rear and none at the east and west sides.

CU8. Gas station operations:

- a. Noise:
  - (1) Gas station and convenience store: The gas station and convenience store shall be open to customer use no earlier and later than Monday through Saturday 6:00 a.m. to midnight and Sunday 6:00 a.m. to 11:00 p.m.
  - (2) Fuel pumps: Audible audiovisual advertising, if any, is prohibited from sounding from fuel pump electronic display speakers. Such advertising shall be limited to sight only.
  - (3) Tire/vacuum: Addition of any vehicle interior vacuum facility outdoors, tire pump facility outdoors, or other similar mechanical facility outdoors for gas station customers that makes noise shall be located min 100 ft north of the south lot line of Tax Lot 3700. Any vacuum shall be open to customer use no earlier and later than Monday through Saturday 7:00 a.m. to 9:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m.
- b. Trash: There shall be at least one trash receptacle along each of the walkways, at min 0.5 ft from walkway edge or outside wide walkway minimum width (8 ft), to and from the highway and Oregon Way sidewalks, within 25 ft of ROW, for intended use by convenience store customers, and remaining privately maintained and serviced.
- c. Vehicular circulation: The Director may administratively establish locations, details, specifications, and revisions to administer this condition part during building permit review. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
  - (1) Fuel pump queueing:

- (A) General: The developer shall stripe directional arrows and lines to direct motorists into fuel pump queues and distinguish the queues from driving routes around the fuel pump canopy.
- (B) Stacking: Of six queues, min 3 shall each fit stacking of min one car west of the fuel pump island behind cars parked at the pumps. Queueing may be obtusely angled relative to the pump islands.
- (C) Queuing shall not back up past face of curb in the highway right lane, and property management shall dispatch one or more employees to direct motorists as needed to prevent or correct such queuing.
- (2) Pump directional signage: There shall be directional signage that accomplishes directing on-site motorists where and how to queue, including pumps that are self-service and those served by an attendant.
- (3) I-5 directional signage: There shall be outside of ROW and streetside PUEs directional signage that accomplishes directing on-site motorists bound for I-5:
  - On Tax Lot 3700 (west lot), min 2 signs, each min area 18 by 24 inches, mounted min 2 ft and max 7 ft above grade, text min 6 inches high, and including the standard Interstate 5 logo. Detail drawings of these specifications are due by building permit application.
  - On Tax Lot 3600 (east lot), min 2 signs, the same dimensions and mounting as per part (A) above. One sign shall indicate trucks to turn left only, and the other sign shall indicate that left is to I-5 by using a left arrow and the standard Interstate 5 logo. The two signs may be mounted together on the same support. Sign detail drawings – in color – are due by building permit application.
- d. Median: A median barrier is required to be constructed at Oregon Way to mitigate against right turns by trucks exiting the site; refer to Attachment 102A, Public Works comments, item 6.


CU9. Signage: Electronic changing image: In addition to WDO 3.10.12, based on the hours in Ordinance No. 2338, Section 5A Light Trespass, any sign electronic changing image, if and where WDO 3.10 allows such, other than fuel price displays, shall be off during the same hours as when the convenience store is closed.

CU10. Modification: Because the WDO, including 5.03.01, does not specify how changes to an approved conditional use (CU) and related site improvements might trigger another CU or modification of a CU approval, for Director determination the following serve as criteria and – where noted – as factors:

- a. Significant expansion of the use(s), factors being an increase in any of: total GFA by 25.0% or more or by an absolute value of 1,000 sq ft or more, and, the number of buildings by 1 or more;
- b. Increase in off-street parking by 6 or more stalls, even if the existing supply were in excess of the minimum required ratio(s);
- c. Net increase in impervious surface totaling at least 1,000 sq ft;
- d. Adding the land uses of automotive maintenance and repair, whether or not including through service bay structures.
- e. Development as defined in WDO 1.02 within twenty (20) feet of a property boundary and not already conditioned through the subject approval;
- f. Any proposal necessitating a request for Adjustment to Street Right-of-Way and Improvement Requirements (“Street Adjustment”);
- g. Any proposal necessitating a request to vary from the WDO, that is, a variance;
- h. Any proposal necessitating a Type III or IV land use application type;
- i. City adoption of a unified development ordinance replacing the WDO were to have intervened;
- j. A request for major modification, as the Director determines, of the phasing plan; and
- k. Conversion of any NE or SW commercial office GFA to fast-food restaurant or limited-service eating place, for which WDO Table 3.05A row 11 has a minimum parking ratio higher than for general retail or food and drinking places. Exemptions from this condition are the creation of (1) a food or drinking place that is a permitted use within the CG zoning district, max 400 sq ft GFA, and accessory to the primary use of commercial office, and (2) fast-food restaurant or limited-service eating place that is a permitted use within the CG zoning district, has no drive-through, and is any of max 400 sq ft GFA within the NE commercial office and max 1,200 sq ft GFA within the SW commercial office building. Exemptions do not exempt permitted uses from some or all of the off-street parking minimum ratios per WDO Table 3.05A.
- l. Shared parking change: Future changes of use, such as expansion of a building or establishment of hours of operation which conflict with, or affect, the shared parking agreement, shall require review and authorization not only through any of, “a subsequent Design Review or Modification of Conditions” per WDO 3.05.05D.1, but also with the option of being through a Conditional Use (CU).

Modification of a specific condition of approval remains pursuant to WDO 4.02.07. Were the City to have amended the WDO to establish modification provisions for conditional uses, the Director may decide that the provisions supersede this condition of approval.

CU11. Discontinuance/revocation: Because the WDO does not specify if and when a conditional use approval would expire were a use to cease, based on WDO 4.02.04B the approval shall expire if the WDO Table 2.03A, B.2 use of "gasoline station" ceases and 3 years pass without the use recommencing. This CU approval excludes the uses "automotive maintenance" and "repair services" from the group of uses as the WDO terms. Violation of one or more conditions of approval may serve as a basis for City revocation.



*Conditional Use 24-02: Transportation*

T-A1:

1. OR 214 & Oregon Way: The developer shall pay a fee per Attachment 202 to fund a transportation study, specifically to investigate in coordination with ODOT (1) corridor signal timing and coordination adjustments and (2) improving safety by reducing vehicle turning or angle crashes. This is due by building permit issuance. [TSP R11 & revised TIA p. 14]
2. I-5 interchange with OR 214: To reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R8 & R9 & revised TIA p. 14]
3. OR 214 & Evergreen Rd: To mitigate effect on the intersection and reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R10 & revised TIA p. 14]

T-T. Bus transit: Bus stop improvements: To further TDM through bus transit, regarding the WTS Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because ROW and streetside PUE are too narrow relative to the street to accommodate installation, the developer shall pay a fee in-lieu as well as a fee in lieu of a bus stop bicycle rack per Attachment 202.



*Street Adjustment 24-01*

SA1. Frontage/street improvements: Highway: No min surface improvements are required other than either elsewhere conditioned or necessary to conform to Public Works (PW) direction or comply with ODOT engineering guidance. The developer may let existing improvements lie, excepting conforming upgrade of the driveway apron as the WDO and other conditions require, but also shall pay fees in lieu of highway improvements per Attachment 202.

SA2. Frontage/street improvements: Oregon Way: These shall be as follows:

- a. Parking: No on-street parallel parking lane 8-feet wide is required, this being an adjustment from what WDO Figure 3.01E would have required. The developer shall pay a fee in-lieu per Attachment 202.
- b. Landscape strip: Min width 6.5 ft wide inc. curb width and with min street trees per WDO 3.06.03A.1 (1:30), equaling 6 trees. For max 4 of the trees, the developer may pay a fee in-lieu per Attachment 202. Landscaping of area remaining after tree planting and irrigation shall be per the WDO 3.01.04B last paragraph.
- c. Sidewalk: Min width 8 ft.

Overlap: Wider sidewalk shall not narrow the landscape strip. The extra width of planter strip and sidewalk shall either (1) be within additional ROW that accommodates them, or (2) overlap outside ROW into streetside PUE, the PUE or other recorded legal instrument granting public access to the overlap. If (2), then the developer shall submit a draft of the legal instrument for Planning and PW review by either civil engineering plan (CEP) review application to PW or, if PW performs CEP review through building permit review, then by building permit application. Per WDO 2.01.05A, the developer shall submit copies of correctly recorded documents to the Planning Division.

SA3. ROW & PUE: There is no street adjustment to narrow below the minimum requirements; instead, see Conditions D1 & D2.

## Applicant Identity

<i>Applicant</i>	Ronald “Ron” James Ped, Ronald James Ped Architect, PC
<i>Applicant’s Representative</i>	n/a
<i>Landowner(s)</i>	Lal Din Sidhu (“Don” Sidhu), Woodburn Petroleum LLC

## Notes to the Applicant

The following are not planning / land use / zoning conditions of approval, but are notes for the applicant to be aware of and follow:

1. Records: Staff recommends that the applicant retain a copy of the subject approval.
2. Fences, fencing, & free-standing walls: The approval excludes any fences, fencing, & free-standing walls, which are subject to WDO 2.06 and the permit process of 5.01.03.
3. Signage: The approval excludes any private signage, which is subject to WDO 3.10 and the permit process of 5.01.10.
4. PLA Time Limit: WDO 4.02.04B. specifies that, “A final decision on any application shall expire within three years of the date of the final decision unless: 1. a building permit to exercise the right granted by the decision has been issued; 2. the activity approved in the decision has commenced; or 3. a time extension, Section 4.02.05, has been approved. Because unrecorded re-plats lingering indefinitely have burdened staff, a condition sets sooner time limits for subsection 2. to begin and finish recordation.
5. Mylar signature: The Community Development Director is the authority that signs plat Mylars and not any of the mayor, City Administrator, Public Works Director, or City Engineer. Only one City signature title block is necessary.
6. PLA Plat Tracker: Marion County maintains a plat tracking tool at <http://apps.co.marion.or.us/plattracker/>. Use it to check on the status of a recordation request to the County. City staff does not track County plat recordation.
7. Technical standards:
  - a. Context: A reader shall not construe a land use condition of approval that reiterates a City technical standard, such as a PW standard, to exclude remaining standards or to assert that conditions of approval should have reiterated every standard the City has in order for those standards to be met.
  - b. Utilities: A condition involving altered or additional sidewalk or other frontage/street improvement that would in the field result in displacement or relocation of any of utility

boxes, cabinets, vaults, or vault covers does not exempt the developer from having to move or pay to move any of these as directed by the City Engineer and with guidance from franchise utilities.

8. Other Agencies: The applicant, not the City, is responsible for obtaining permits from any county, state and/or federal agencies, which may require approval or permit, and must obtain all applicable City and County permits for work prior to the start of work and that the work meets the satisfaction of the permit-issuing jurisdiction. The Oregon Department of Transportation (ODOT) might require highway access, storm drainage, and other right-of-way (ROW) permits. All work within the public ROW or easements within City jurisdiction must conform to plans approved by the Public Works Department and must comply with a Public Works Right-of-Way permit issued by said department. Marion County plumbing permits must be issued for all waterline, sanitary sewer, and storm sewer work installed beyond the Public Right-of-Way, on private property.
9. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. Contact Planning Division staff at least 3 City business days prior to a desired date of planning and zoning inspection of site improvements. This is required and separate from and in addition to the usual building code and fire and life safety inspections. Note that Planning staff are not primarily inspectors, do not have the nearly immediate availability of building inspectors, and are not bound by any building inspector's schedule or general contractor convenience.
10. Stormwater management: The storm sewer system and any required on-site detention for the development must comply with the City Storm Water Management Plan, Public Works storm water practices and the Storm Drainage Master Plan.
11. Public Works Review: Regarding public infrastructure, consult the Public Works Department Engineering Division about when, where, and how to apply and implement [Public Works construction specifications, Standard Drawings, Standard Details](#), and general conditions of a permit type issued by the Public Works Department. Where the Oregon Dept. of Transportation (ODOT) has jurisdiction over a roadway, consult Public Works about role and process clarification. The [Engineering Division](#) can be reached at (503) 982-5240.
12. ROW:
  - a. Dedication: The Public Works Department Engineering Division has document templates for ROW and easement dedications that applicants are to use.  
  
ROW – and public utility easement (PUE) – dedications are due prior to building permit issuance per Public Works policy.
  - b. Work: All work within the public ROWs or easements within City jurisdiction must require plan approval and permit issuance from the Public Works Department. All public



improvements construction work must be performed in accordance with the plans stamped “approved” by the City, and comply with the City’s Standard Specifications and Standard drawings.

Where the Oregon Dept. of Transportation (ODOT) has jurisdiction over a roadway, consult Public Works about role and process clarification. The [Engineering Division](#) can be reached at (503) 982-5240.

13. Franchises: The applicant provides for the installation of all franchised utilities in any required easements.
14. Water: All water mains and appurtenances must comply with Public Works, Building Division, and Woodburn Fire District requirements. Existing water services lines that are not going to be use with this new development must be abandoned at the main line. The City performs required abandonment of existing water facilities at the water main with payment by the property owner. All taps to existing water mains must be done by a “Hot Tap” method and by approved City of Woodburn Contractors. The applicant shall install the proper type of backflow preventer for all domestic, lawn irrigation and fire sprinkler services. The backflow devices and meters shall be located near the city water main within an easement, unless approved otherwise by Public Works. Contact Byron Brooks, City of Woodburn Water Superintendent, for proper type and installation requirements of the backflow device at (503) 982-5380.
15. Grease Interceptor/Trap: If applicable, a grease trap would need to be installed on the sanitary service, either as a central unit or in a communal kitchen/food preparation area. Contact Marion County Plumbing Department for permit and installation requirements, (503) 588-5147.
16. Fire: Fire protection requirements must comply with Woodburn Fire District standards and requirements, including how the District interprets and applies Oregon Fire Code (OFC). Place fire hydrants within the public ROW or public utility easement and construct them in accordance with Public Works Department requirements, specifications, standards, and permit requirements. Fire protection access, fire hydrant locations and fire protection issues must comply with current fire codes and Woodburn Fire District standards. See City of Woodburn Standard Detail No. 5070-2 Fire Vault. The fire vault must be placed within the public right-of-way or public utility easement.

17. Street address assignment: The CU 24-02 redevelopment necessitates changes to [street address assignment](#). Assume and request the following with the request form:

<i>Lot</i>	<i>Existing Address</i>	<i>Requested Address</i>
Tax Lot 3600	2540 Newberg Hwy	Convenience store: 2540 Newberg Hwy, Ste 1 NE attached commercial office area: 2540 Newberg Hwy, Ste 2
Tax Lot 3700	2600 Newberg Hwy	SW commercial office building: 2600 Newberg Hwy, with one suite number per tenant space for all tenant spaces west to east, e.g. Stes 1, 2, 3, etc.

18. [Planning Division fee schedule](#): Additional fees are or might become applicable per the schedule:

- Page 2, row “Bond or performance guarantee release or status letter”, Applicable to such held by the Planning Division, not any by the Public Works Department Engineering Division. (This usually means bonding through the Planning Division is limited to street trees and/or on-site landscaping.)
- Page 2, “Civil engineering plan(s) (CEP) review, Planning Division review of Public Works Department permit application materials”. Where CEP is done through building permit review instead of a separate process prior to building permit application, Planning Division assess the fee on the building permit, avoiding separate invoicing and allowing the applicant to pay the fee along with the other permit fees.
- Page 2, row “Exception to when all public improvements are due / delay or deferral of frontage/street improvements”, applicable if a developer obtains Public Works Department approval of exception (delay/deferral) through WDO 3.01.02E(1) & (2). The fee serves as an exception disincentive. If Planning Division staff see no evidence of improvements under construction or constructed based on the building permit application materials, staff will assume deferral and assess the fee on the building permit, avoiding separate invoicing and allowing the applicant to pay the fee along with the other permit fees.

19. SDCs: The developer pays system development charges prior to building permit issuance. Engineering Division staff will determine the water, sewer, storm, traffic, and parks SDCs after the developer provides a complete Public Works Commercial/Industrial Development information sheet. The [Engineering Division](#) can be reached at (503) 982-5240.

**BOLTON**  
**448 E. Clackamas Circle**  
**Woodburn, OR. 97071**

January 15, 2025

City of Woodburn \* Honorable City Council

I am writing to you today in support of the Gas Station project that has been previously approved at the corner of Hwy 214 and Oregon Way. There is a small group of owners in Senior Estates that oppose this project. There are 1510 homes in Senior Estates and this small group does **NOT** represent our community overall.

We also reside at Senior Estates and are 100% in support of this project for the following reasons.

- Since 1999, the owner of this business has developed at least similar 28 locations in Oregon.
- The owner has recently built his corporate headquarters in Salem, Oregon.
- This is a local family owned and operated business.
- The owner of this location is a resident of Woodburn, Oregon.
- The existing properties owned and operated by this company are clean and in pristine condition.
- The gas stations owned sell gas at prices that are less than Costco or Safeway.
- The current stores owned offer convenient products that may be needed after hours.
- Current conditions at this property invite houseless people into the adjacent residential backyards.
- Traffic study has been completed, and a solution has been agreed to mitigate traffic issues.
- Design meets city codes for commercial development. The lots are commercial zoned.
- Well planned commercial developments can improve the overall quality of a neighborhood.
- Increased convenience with nearby access to shops and services can add value to homes.
- Commercial development can lead to increased property value for surrounding homes.

Current conditions for this property is something that all residents of Woodburn should want improved. We could move forward by allowing this project to be developed.

Please continue to improve the City of Woodburn and allow this project for the good of our community.

Sincerely,

David & Carol Bolton  
448 E. Clackamas Circle  
Woodburn, Oregon 97071

RECEIVED

JAN 15 2025

COMMUNITY DEVELOPMENT  
DEPARTMENT

CU 24-02

City Council  
January 27, 2025  
**Attachment 4**

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## US Markets project appeal

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**From** Don Zehring <donzehring@msn.com>  
**Date** Sat 1/18/2025 10:52 AM  
**To** Planning <Planning@ci.woodburn.or.us>  
**Cc** Annika Figueroa <Azehrun@me.com>; Danny Draper <draper99@hotmail.com>

\*\*\*\* This email is from an EXTERNAL sender. Exercise caution when opening attachments or click links from unknown senders or unexpected email. \*\*\*\*

To: Woodburn City Planners and City Council Members  
From: Don and Manette Zehring; 966 Oregon Way, Woodburn, OR 97071

Members of Woodburn's City Government,

By looking at my address you probably recognize that my wife and I are at the EPICENTER of the communities concern about this project. We felt supported two years ago when the City Council denied the Planning Commission's preliminary proposal after hearing significant testimony about the location, traffic, noise, and the intrinsic difficulty of entering the property off Hwy. 214 safely AND departing safely onto Oregon Way.

So, we now have a re-submission of the project that fails to adequately resolve many of the issues that prompted the Council in 2023 to deny approval. I have read through the 85+ and it is littered with "fees in lieu" for over a dozen issues that impact a variety of traffic and safety issues. My personal favorite can be found on page 80; the bus stop that is just outside my property line is insufficient; "...where because ROW and street PUE are too narrow relative to the street to accommodate installation, the developer shall pay a fee in lieu plus a fee in-lieu for a bus stop bicycle rack".

Which brings me to our most critical issue. The applicants "traffic volume" estimates appear to have used information based on historical evidence from the two banks that occupied the property 15 years ago. To compare and contrast the current US Market enterprise that will be in operation 16-18 hours a day with two small town banks that were open 8 hours a day can't possibly be valid and reliable as a measuring stick for ANY comparison of the two enterprises. And of greatest significance to my family is the fact that the US Markets own prediction of traffic exiting on Oregon Way will vary from 40-100 per hour. Imagine my wife or I several times each day trying to back out of our driveway. Look to the left (north) on Oregon Way, to right (south) on Oregon Way, and then in the rear view mirror at the exiting traffic from US Markets and trying to determine are they turning north or south? Add to that, unlike the banks which of course were always closed once darkness settled in, the US Markets will have cars exiting onto Oregon Way between 3 hours (summer) and 7 hours (winter) in the dark. That means the front of my house has 3-7 hours of non-stop high powered halogen headlights shining through my plate glass windows. A car every 30 to 60 seconds with lights impacting our livability nightly! So, if the City Council chooses to support the US Markets development, I would like to request either US Market or the City of Woodburn pay to install the length of my front yard an arborvitae hedge along the sidewalk with a black

metal post system the length of the hedge to prevent vehicles from invading the property.

Finally, we are in California caring for my wife's mother and will be unable to attend the 1/27 Council Meeting. My daughter will present testimony on our behalf.

Regards,  
Don and Manette Zehrung

Sent from my iPad

RECEIVED

JAN 21 2025

COMMUNITY DEVELOPMENT  
DEPARTMENT

CU 24-02



# Staff Report

**To:** Planning Commission

**Through:** Chris Kerr, AICP, Community Development Director *CK*

**From:** Colin Cortes, AICP, CNU-A, Senior Planner

**Meeting Date:** August 22, 2024 (Prepared August 15, 2024)

**Item:** 2540 & 2600 Newberg Hwy (Oregon Hwy 214), “US Market gas station” (CU 24-02)

**Tax Lot(s):** 052W12DB03700 (primary) & 3600

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**ATTACHMENT LIST ..... 28**

### Issue before the Planning Commission

Conditional Use 24-02 (Type III) and related applications for a gas station with convenience store, known as US Market, in the Commercial General (CG) zoning district at the southwest corner of Newberg Highway & Oregon Way: Commission decision.

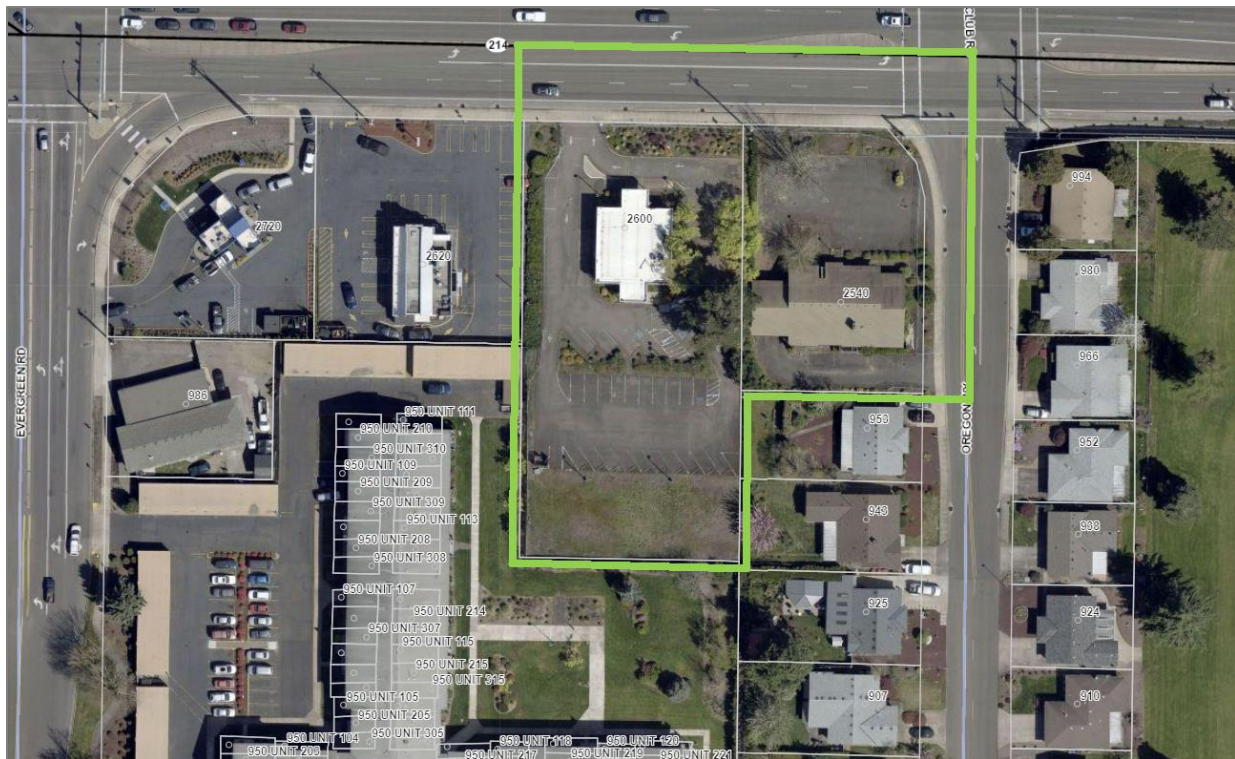
## Executive Summary

### *Location*

The proposal is to redevelop two lots totaling 1.42 acres at 2540 & 2600 Newberg Highway (Oregon Highway 214). The subject property is located at the southwest corner of the intersection of the highway and Oregon Way. To the southeast, it abuts two houses in Woodburn Senior Estates and to the southwest, Panor 360, which is a three-story condominium building.

### *Existing Context*

The subject property is zoned Commercial General (CG) and was occupied by two vacant bank buildings, now demolished.



*County aerial 2021; Subject property outlined in green*



County aerial 2023; Subject property outlined in green

### *Design Review*

The applicant proposes redevelopment into the US Market gas station, a conventional gas station with a convenience store of 4,110 square feet (sq ft), six gas pump islands with 12 pumps total, a commercial office tenant space of 1,863 sq ft attached to the south side of the convenience store, and as Phase 2 a southwest commercial office building of 5,000 sq ft.

### *Conditional Use*

The applicant/developer applied for a conditional use (CU) for the gas station because it is within 200 feet of residentially zoned property.

A “conditional” use is called such because (1) it’s conditional upon discrete approval by the City, and (2) the City can condition physical or operation aspects of a proposal, including on issues particular to the case at hand and above and beyond what Woodburn Development Ordinance (WDO) provisions directly address.



### *The Proposal*

Staff and the developer have worked to produce a good site development by focusing on:

- a. The look and feel of street frontage for passers-by walking, cycling, and driving;
- b. The look and feel of yard landscaping along streets for passers-by walking, cycling, and driving as well as on-site employees and customers;
- c. Urban design: how close buildings are to sidewalk, how many and how large are windows, are their entrances visible from sidewalk and whether the public can see main entrances to buildings from sidewalk, and whether placements of entrances orient to those who walk or cycle no worse than to those who drive and park;
- d. How safely and comfortably pedestrians and cyclist can access and circulation among on-site buildings through walkways and visibly distinct crossings of drive aisles, including decorative pavement that would connect the Oregon Way sidewalk with the NE commercial office area main entrance;
- e. Having enough on-site trash receptacles near sidewalk to lessen the likelihood of litter of yards along streets and street frontage by convenience store customers on foot;
- f. Avoiding excessive exterior lighting;
- g. Having adequate architecture in the context of strip commercial development;
- h. Having the Architectural Wall look adequate;
- i. Getting highway electric power poles and overhead electric power lines buried or fees in-lieu paid to fund such elsewhere in town;
- j. Having a few evergreen trees among newly planted trees; and
- k. Increase street trees and on-site trees in yards along streets, and provide for fee in-lieu to fund tree plantings elsewhere in town;
- l. Administering Street Adjustment SA 24-01 to have the developer improve Oregon Way to be the best of the two frontages for pedestrians and cyclists to give the City some public benefit for leaving the highway frontage as is or largely as is; and
- m. Mitigation of the unpleasant aspects of neighboring and patronizing a gas station and convenience store.

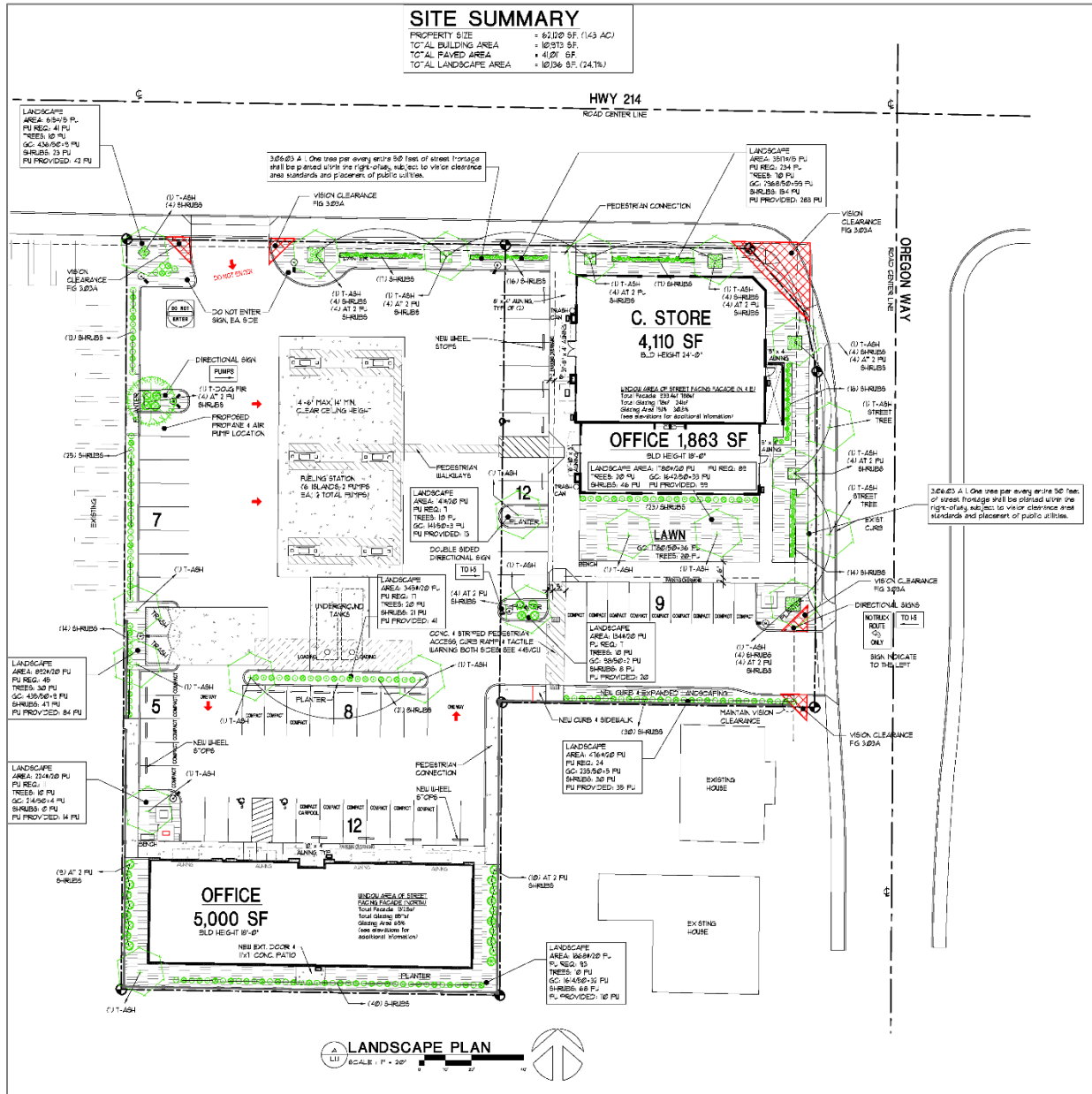
The staff analyses and findings (Attachment 102), especially the Conditional Use Provisions section, provides much more detail, and the recommended conditions of approval secure the above things.

### *Site Plan*

The development is phased into Phases 1 & 2, the second being the southwest commercial office building.

Site plan excerpts follow on the next page(s), and a larger version is among the attached site plans (Attachment 103).

Staff finds that the proposal meets applicable Woodburn Development Ordinance (WDO) provisions per the analyses and findings (Attachment 102).



Landscape Plan Excerpt Prior to Revision per Conditions of Approval

## Recommendation

Approval: Staff recommends that the Planning Commission consider the staff report and attachments and approve the consolidated applications package with the conditions that staff recommends.

## Conditions of Approval

The conditions are copied from towards the end of the analyses and findings (Attachment 102):

### *General*

G1. As part of building permit application, the applicant shall submit revised site plans meeting the conditions of approval and obtain Planning Division approval through sign-off on permit issuance. The applicant shall submit a cover letter indicating what specific plans sheets or document page numbers demonstrate how the submittal meets each condition.

G2. The applicant or successors and assigns shall develop the property in substantial conformance with the final plans submitted and approved with these applications, except as modified by these conditions of approval. Were the applicant to revise plans other than to meet conditions of approval or meet building code, even if Planning Division staff does not notice and signs off on building permit issuance, Division staff retains the right to obtain restoration of improvements as shown on an earlier land use review plan set in service of substantial conformance.

G3. References: Attachment 201 serves as a dictionary or glossary defining certain abbreviations, acronyms, phrases, terms, and words in the context of the conditions of approval. The 200 series of attachments are as binding as the conditions of approval in the main body of the final decision.

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E and 4.02.12 unless if and where a condition of approval has more restrictive timing. By this condition, there is more restrictive timing: In any case, they are due no later than by Building Division issuance of first certificate of occupancy (C of O), regardless of deferral, if any, that Public Works (PW) might have approved through 3.01.02E. This condition is not deferring to C of O; it is saying that if there were to be PW deferral, then the department could not defer to later than C of O.
- b. ROW/easements: Correct recordation of required right-of-way (ROW) and public easements is due per WDO 2.01.05A – by building permit issuance. See Note A below.
- c. Where phasing is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located. Where an improvement spans phases and cannot be functionally divided by phase, it shall be due by the earliest phase.

- d. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an Address Assignment Request. This is due prior to building permit application, and if property line adjustment or lot consolidation were to become relevant, then also after recordation with County. (See the Notes to the Applicant section following the conditions of approval, Note to the Applicant 17.)

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than 6 months prior to expiration of the land use approval as WDO 4.02.04B establishes, and shall complete recordations no later than 3 years past the land use “final decision” date. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage.

G6. Administration:

- a. Conformance: That a land use approval does not reiterate any and each particular detail, provision, requirement, rule, spec, or standard from any of the WDO, other ordinances, resolutions, public works construction code, or department policies does not exempt development from conformance with them.
- b. Copies: Per WDO 2.01.05B, the developer, including any succeeding contractor, shall provide copies of documentation that a City staff person requests regardless if the documentation source is another City staff person or department.
- c. Fees: The developer shall pay fees per Attachment 202.

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works (PW) and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the Planning Commission, contact PW to begin and finish dedication and granting sooner. The City Council meets most second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.



*Phasing Plan 24-01*

PP1. Phasing Plan:

a. Basic Description:

- (1) Phase 1: On Tax Lot 3600 (east, corner lot), a single northeast (NE) building of with convenience store of 4,110 sq ft and an attached commercial office tenant space of 1,863 sq ft. On Tax Lot 3700 (west, interior lot), a fuel pump canopy. Minimum off-street parking and other corollary improvements for these uses.
- (2) Phase 2: On Tax Lot 3700 (west, interior lot), a southwest (SW) commercial office building of 5,000 sq ft and its parking and other corollary improvements.

b. Phasing: The developer may choose to develop Phase 2, the SW office building and necessary corollary improvements, per land use review Sheet A1.1a later than the Phase 1 gas station complex of convenience store, NE commercial office, and fuel pump canopy and necessary corollary improvements.

c. Phase 2 expiration:

- (1) Phase 1 substantial construction would keep land use approval with conditions valid longer than the baseline 3 years per WDO 4.02.04B (or longer than baseline per subsection D if there will have been an appeal). However, in reference to condition part b. above, there must be building permit application for Phase 2 by 8 years past the date that the Planning Commission motioned to tentatively approve CU 24-02.
- (2) If Phase 1 fails to achieve substantial construction by 5 years past the date of the hearing at which the Planning Commission motioned tentative approval, WDO 4.02.04B.1 & 2 would not be met and – absent the City granting a time extension as subsection B.3 references – the land use approval with conditions would expire for both phases.

d. Phase 2 interim: If Phase 2 does develop later than Phase 1, then – regarding the area where the SW office building and its corollary improvements would be – until Phase 2 develops:

- (1) The landowner shall pour curb or affix a linear obstruction to motor vehicles from driving and parking beyond the boundary of Phase 1 improvements and maintain such obstruction. Exhibit PP1 is an aerial photo of the area in 2023.
- (2) The landowner shall maintain its grounds in conformance with City Ordinance No. 2338 (June 9, 2003; amended regarding lighting by Ordinance No. 2522 September 22, 2014). Staff draws attention to Sections 5-9 about noxious vegetation, “attractive nuisances”, junked vehicle nuisances, open storage of junk, and scattering rubbish.
- (3) Vehicular circulation and parking within the undeveloped Phase 2 area is permissible only if the landowner upgrades as needed for conformance with WDO 3.05.02A, F, & K and 3.04.04. Together they prohibit gravel.



*Exhibit PP1*

- e. All conditions apply to any phasing, unless worded or under a header such that a condition applies more specifically. Where something is due by building permit application or issuance, it means the first of any phase, any building, unless a condition is more specific.

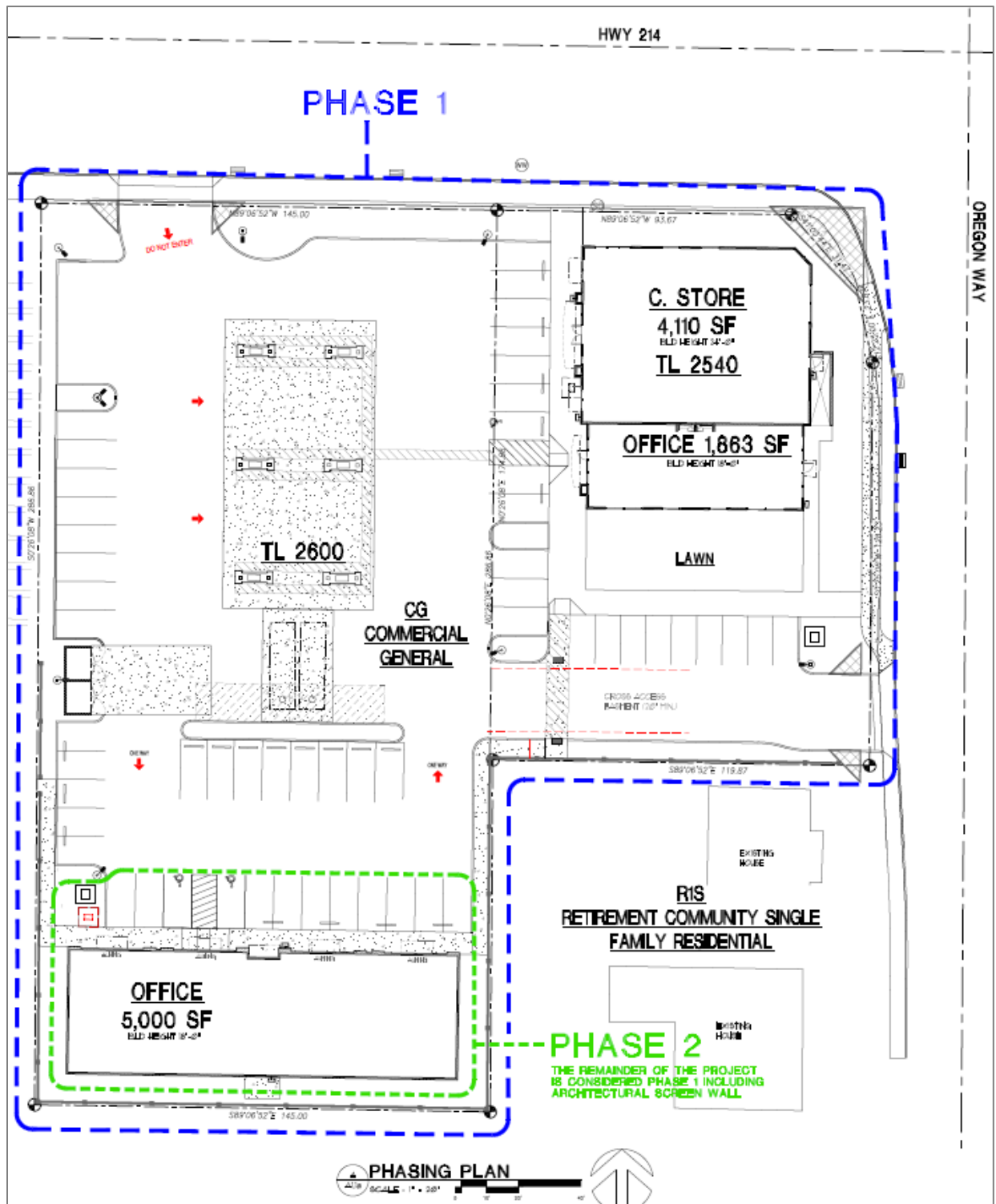


Exhibit PP1: Phasing plan excerpt from Sheet A1.1a dated February 5, 2024 and submitted February 8, 2024



*Design Review 24-02*

D1. ROW:

- a. Highway: To conform with WDO Figure 3.01B “Major Arterial”, as part of recordation the developer shall dedicate ROW if and as necessary to result in half-street ROW that is uniform min width of 50 ft measured from centerline. This is due by building permit application.
- b. Oregon Way: To conform with WDO Figure 3.01E “Access Street”, as part of recordation the developer shall dedicate variable width ROW resulting in half-street ROW that is uniform min width measured from centerline of 33 ft plus additional width along the northerly extent to accommodate the half-street width of the existing northbound left turn lane that the Figure 3.01E, which assumes a mid-block cross section, does not make explicit for telescoping width at intersections. The developer may take and report field measurement of the lane width or assume a lane width of 12 ft, yielding a total minimum width from centerline of  $33 + (12 / 2) = 39$  ft. “Northerly extent” shall extend minimum 140 ft south from a point in line with the highway ROW boundary; it is probable that the total half-street dedication along this extent would equal or approximate a min of  $3 + (12 / 2) = 9$  ft. Dedication is due by building permit application.

D2. PUE: If streetside public utility easements (PUEs) do not yet exist along any of the highway per the minimum of WDO Figure 3.01B and Oregon Way per the minimum and maximum of WDO 3.02.01B & F.2, then the developer shall grant the one or both PUEs.

D3. Driveways:

- a. Number & widths: To conform with WDO 3.04.03B.5 regarding access management, driveways shall be limited as follows:
  - (1) Highway: 1, max width per WDO Table 3.04A: 20 ft for one-way. If one-way inbound, there shall be min one *MUTCD*-compliant do-not-enter sign facing the site, one the east side of the driveway throat, and the pavement shall be striped to indicate no exit.
  - (2) Oregon Way: 1, max width 24 ft for two-way, except 26 ft for two-way if the developer through WDO Table 3.04A footnote 7 provides the same kind of documentation as condition part (1) above describes.
- b. Approach / apron / curb cut: Driveways shall conform to PW SS&Ds, Section 4150, unless documented as overridden by ODOT choosing to apply its standards.



D4. Access management: cross access: To conform with WDO 3.02.01E, 3.04.01A.2, 3.04.03B.3 & 5, 3.04.03C.1, 3, & 4, and 3.04.03D.2, the developer shall provide for what is termed any of cross access, ingress/egress, or shared access revocable only with the written concurrence of the Director and as follows:

a. Properties:

(1) Subject property: Grant cross access (A) across Tax Lot 3600 (2540 Newberg Hwy) to the benefit of 3700 (2600 Newberg Hwy) and (B) across Tax Lot 3700 to the benefit of 3600. (Instead of cross access for the subject property, which is comprised of both Tax Lots 3600 & 3700, the developer may opt to consolidate lots by applying and paying for as well as obtaining City approval of a Property Line Adjustment [PLA], which would be a land use review Type II per WDO 5.01.08 and so a staff decision, and record with the County the lot consolidation, all prior to building permit application.) This is due by building permit application per WDO 2.01.05A.

(2) Adjacent property: Grant cross access across Tax Lots 3600 & 3700 to the benefit of Tax Lot 052W12DB03800 (2620 Newberg Hwy; Dairy Queen). This is due by building permit application per WDO 2.01.05A.

b. Alignment: Applicable to both the subject property and the Tax Lot 3800, follow a drive aisle or aisles and connect each of the highway driveway, the common lot line between Tax Lots 3700 & 3800 somewhere within the segment 60 ft south of the north property line, the common lot line between Tax Lots 3600 & 3700, and the Oregon Way driveway.

c. Drive aisle stub: Extend a drive aisle stub conforming with WDO 3.04.03C.4b to Tax Lot 3800 (2620 Newberg Hwy; Dairy Queen) within the above-specified alignment.

d. Barriers: At the interface of a property line and a drive aisle stub, WDO 3.04.03C.4b prohibits curb and fixed barriers mounted to the drive aisle. (The developer may instead place signed barricades atop the pavement.) While fencing a property line remains permissible per WDO 2.06.02, were the developer or property manager to install fencing, then the segment over the drive aisle shall have vehicular gates.

e. Bicycle/pedestrian: The developer shall grant cross access not only for driving, but also walking and cycling, with alignment along each of the two wide walkways that WDO 3.04.06B requires and connecting with each of the highway and Oregon Way sidewalks.

f. Instrument: Regarding recordation of the cross access easement (CAE) or other types of legal instruments and how, the developer shall conform to the conditions in ways that satisfy the County. This is due by building permit application.

- g. Shared parking: Because Tax Lot 3600 (2540 Newberg Hwy) would lack minimum off-street parking ratio for all land uses on the lot per WDO Table 3.05A, then the developer shall either (1) revise site plans to conform with WDO 3.05.02 & Table 3.05A or (2) create a shared parking agreement, for which cross access is a pre-requisite, per WDO 3.05.05. (A shared parking agreement would be due per WDO 3.05.05D.3: by building permit issuance.) Minimum agreement attachments or exhibits shall be a County tax map, a revised site plan, and if such would exist, a recorded plat.
- h. ODOT factor:
  - (1) The developer shall apply to and obtain from ODOT the relevant approval(s) by building permit application to conform with the access management condition.
  - (2) If after City land use decision ODOT objects specifically to how the City administers or the developer conforms to other parts of the condition or to other conditions concerning vehicular access, then the developer may request and the Director may administratively approve in writing changes to administration or conformance to accommodate the ODOT factor while still having the development meet the WDO and conditions of approval to the max extent remaining. The Director may require developer application for any of Extension of a Development Decision per WDO 4.02.05 or Modification of Conditions per WDO 4.02.07.
  - (3) If after City land use decision ODOT directs access management in conflict with other parts of the condition or to other conditions concerning vehicular access, then the developer shall forward the written direction from ODOT to the attention of the Director; describe the conflict(s); describe the minimum deviation from conformance necessary to comply with ODOT direction while also conforming to the remainder of the condition to the maximum, including plan view illustrations where helpful; and request Director approval through a dated document that cites the land use case file and condition numbers. The Director may approve what the developer first requests or a modified request. The City intends that if the developer were to make use of this part (d) of the condition, he would do so once.

D5: Parking:

- a. Wheel stops: To conform with WDO 3.05.02H, the compact parking spaces along the northeast (NE) office south lawn shall have wheel stops, either 5 shared among the spaces or one per each of the nine spaces, to prevent any overhang of the wide walkway.
- b. Vehicular circulation directional markings/signage: To conform to WDO 3.05.02J, during building permit review the Director may administratively establish details, specifications, and revisions to administer the WDO section. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
- c. C/V: Carpool/vanpool (C/V) parking shall conform with Table 3.05C and 3.05.03H.
- d. EV: Electric vehicle (EV) parking shall conform with Table 3.05E and 3.05.03I.

D6. Electric power poles removal and lines burial: Development shall conform with WDO 3.02.04. The fee in-lieu shall be per Attachment 202. (Absent direction by the applicant otherwise, staff will proceed as if the developer intends to conform by paying the fee in-lieu and will assess it through the building permit.)

D7. Trash enclosure: Outdoor storage of trash and shall be enclosed in conformance with WDO 3.06.06B.5-7 and, regarding roofing, in conformance with Public Works Department Engineering Division administration of standards or directions regarding such, if any, in relation to keeping polluted water from entering drains.

## Conditional Use 24-02

CU1. Wide walkways: The wide walkways that WDO 3.04.06B requires shall have some width of some segments be decorative pavement, specifically, min width 6 ft and along the distance symbolized in green in Exhibit CU1 below. At the turn, the min width may narrow to avoid overlapping ADA ramp slopes. Decorative pavement means any of brick; concrete pavers; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.

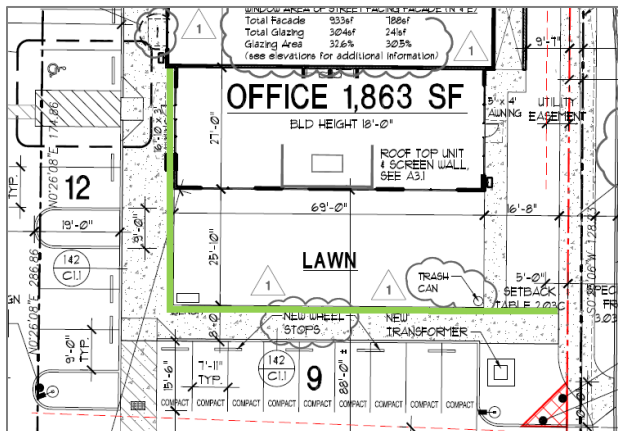


Exhibit CU1

CU2. Bicycle parking shall conform with 3.05.06 and be of min number:

- Convenience store: 2 (for example, 1 U-rack)
- NE commercial office: 2 (for example, 1 U-rack)
- SW commercial office: 4 (for example, 2 U-racks or a wave rack)

CU3. Landscaping generally:

- Bark dust: By the end of the time period per WDO 3.06.02C, 5.0% max of unpaved landscaped area may be non-living material such as bark dust, mulch, wood chips, cobbles, gravel, pebbles, or sand.
- Benches: Min 2.
  - One in the landscaped open space at or near the NE commercial office space, along a wide walkway or in a plaza, install either a bench min width 6 ft or a picnic bench. Set back from walkway and pave the setback, min either 1.5 ft for a bench or 2 ft for a picnic bench.
  - One bench min width 4 ft at or near the SW commercial office building and along a wide walkway.

- c. Buffering/screening: Evergreen hedge or shrubbery shall:
  - (1) Line Architectural Wall (AW) segments.
  - (2) Screen transformers and other at-grade electrical and mechanical equipment along min 2 sides.
  - (3) Serve as means of conformance with WDO 3.06.05B (parking screening).
- d. Coniferous/evergreen trees: Among newly planted trees, min 1 tree of the following coniferous or evergreen species:

Cedar, deodar	Madrone, Pacific
Cedar, incense	Oak, Oregon White
Cedar, Western Red	Pine, Lodgepole
Douglas-fir	Pine, Ponderosa
Fir, Grand	Pine, Western white; and
Hemlock, Western	Yew, Pacific

- e. Tree standards: The same as WDO Table 3.06A “Minimum Size” column – either 10 ft height or 2 inches caliper.

CU4. Front yard landscaping:

- a. Depth: The depth of landscaping from highway ROW south, in the yard west of the convenience store, shall be min 13 ft to vehicular circulation area back of curb to accommodate newly planted front yard trees outside of the streetside PUE. The min depth may instead be 6 ft if ODOT, such as through the Region 2 Development Review Coordinator, allows planting of trees within the PUE, the allowance is documented through building permit review and by building permit issuance with the applicant having submitted plans revised accordingly to both the agency and the City Community development Department, and the developer will have planted such trees by building permit inspection.
- b. Trees: Based on WDO 5.03.01B.3c5), the developer shall plant min:
  - (1) 7 trees in the yard along the highway max 20 ft from ROW; and
  - (2) 4 trees in the yard along Oregon Way max 20 ft from ROW, in a loose row with min 3 of them spaced offset from and complementing street trees.
- c. Hedge/shrubbery: In all areas not occupied by buildings and pavement, landscape per WDO 3.06.
  - (1) On Tax Lot 3700 in the yard along the highway, plant a hedge or row of continuous small or medium shrubbery extending between the driveway and east lot line. Plant min 5 ft from sidewalk and max 12 ft from ROW.
  - (2) On Tax Lot 3600 in the yard along the Oregon Way, line the convenience store rear east free-standing screen wall or wing wall with a hedge or row of continuous small or medium shrubbery, unless the developer declines to build the wing wall.

- d. Site interior:
  - (1) AW: Line each Architectural Wall (AW) segment with a hedge or row of continuous medium or large shrubbery.
  - (2) Lawn large tree: Within open space within 30 ft of the NE commercial office, plant min 2 trees, either both large or min 1 medium and 1 large. Min 1 of these west or south of the plaza – see below.
  - (3) Plaza: At or within 30 ft of the NE commercial office and adjacent to a wide walkway shall be a plaza min 56 sq ft, exc. walkway area, at 7.5 ft narrowest dimension, paved with brick; concrete pavers; field or flagstone; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.
  - (4) South yard: Within 100 ft of the Tax Lot 3700 south lot line, plant min 2 trees.
- e. Parking area:
  - (1) Front yards: To conform with WDO 3.06.05B, within the yards abutting streets the site perimeter landscaped area shall have a hedge or shrubbery as a screen of parking and vehicular circulation area min height 3.5 ft. Such shall be planted to be min 2 ft from sidewalks and wide walkways.
  - (2) NE office: Min 1 large tree in the southwesterly area of the south yard lawn.
  - (3) SW office: For common use by tenants, have a south rear door and a patio of brick, pavers, or poured concrete min 7 ft north-south by 11 ft east-west. Align patio flush with door outer swing. Plant a small tree near the patio west side.

CU5: Architectural Wall (AW) / Fences / Fencing:

- a. Exemption: Where chain-link fence with slats already exists along the north and west lot lines of Tax Lot 3500 (953 Oregon Way), the developer may exempt these two lines from AW if the homeowner in writing consents to exemption and the developer submits documentation by and as part of building permit application.
- b. Extent: Min height shall be along the:
  - (1) North and west lot lines of Tax Lot 3500 6 ft, 1.5 inches (if CMU, equal to 9 courses of blocks plus 1.5-inch smooth concrete cap).
  - (2) North and east lot lines of Tax Lot 90000 (950 Evergreen Road), 9 ft including a 1.5-inch smooth concrete cap between piers or pilasters.
  - (3) Where fencing may substitute per other conditions, for part (1) above it shall be 6 ft, and for part (2) above, 8 ft.

- c. Height at AW ends: Min height shall drop where subject to stair-stepped height limits in yards abutting streets per WDO 2.06.02, within VCA or sight triangles per 3.03.06, and AW shall remain outside streetside PUEs. AW may cross an off-street PUE, if any exist, with written authorization by the Public Works Director, and the PW Director may instead direct that instead of a segment of wall that there be coated chain-link fencing with slats across an off-street PUE. For crossing of private easements, the developer similarly may instead fence.
- d. Gaps or rectangular openings:
  - (1) There shall be one along the east lot line of Tax Lot 90000, min 4 ft wide and 6 ft, 8 inches high above grade, and with the south end of the gap aligned with the Tax Lot 90000 north east-west drive aisle, south curb, north face.



Exhibit CU5-1



Exhibit CU5-2

- (2) If AW exemption per part a. above is not applicable, then there may be a gap along the west lot line of Tax Lot 3500, aligned with where there exist west backyard chain-link gates, minimum width equal to the width of the gates.

- e. Color: Masonry, whether dyed or painted, regarding WDO 3.06.06B.5 & 6 shall be a color or colors other than black, charcoal, or dark gray. For any other fence / fencing or free-standing wall, including gates if any, the coating and slats that WDO 2.06.02D requires and any wall shall be a color or colors other than black, charcoal, or dark gray. On free-standing walls with two or more colors, darker color shall be towards the bottom and lighter color towards the top.
- f. Material: Masonry; however, AW segments, other than those along the north and east lot lines of Tax Lot 90000 (950 Evergreen Road), may be partly made of opaque cedar wood fencing if the wall appears mostly masonry. Specifically, masonry must constitute the bottom extent of wall segment from grade up to min of 4 ft (for example, 6 CMU courses) above grade plus the height of a smooth concrete cap between the masonry and the wood, and there shall be piers, pillars, or pilasters per subsection “Pillars” below. Exhibit CU5-3 below illustrates a similar example (that does not exactly meet the condition) and serves as concrete masonry unit (CMU) model:

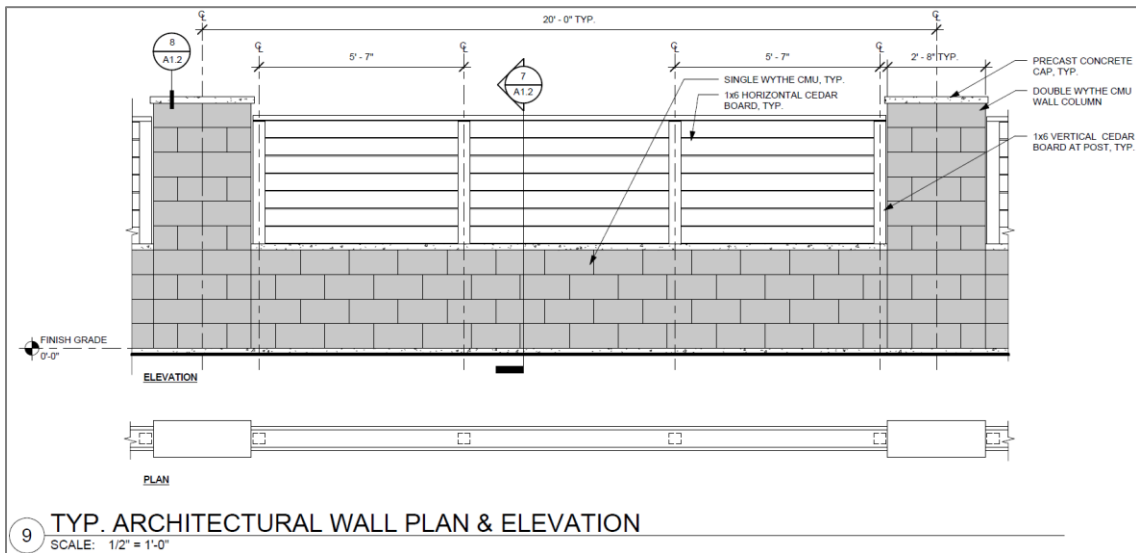


Exhibit CU5-3 (DR 2017-08)

- g. Texture: WDO 3.06.06B.7 is interpreted such that the standard for scoring, texture, or pattern on minimum 80.0% of the wall surface is applicable only to the WDO Table 3.06D minimum height of 6 ft – 80.0% being 7.2 of 9 CMU courses – not the conditioned minimum height of 9 ft, which equals 13.5 courses. In this context, the scored, textured, or split-face CMU courses shall start at or just beneath grade, and there shall be minimum 3 courses of ground or smooth-face CMU composing an upper band of the wall and minimum 1 course of ground or smooth-face CMU at approximately elbow height of an average height person standing at grade.



- h. Pillars: Whether the AW is solid masonry or incorporates wood fencing, each AW segment end shall have a pier, pillar, or pilaster min 16 inches wide relative to wall face and per WDO 3.06.06B.3 projecting min 3 inches each side of the wall.
  - (1) Number: Each segment shall have a min number of piers, pillars, or pilasters equal to a ratio of 1 per 40 ft of wall, and each segment end shall have a pier, pillar, or pilaster.
  - (2) Cap: Each pier or pilaster shall be capped with ornamental concrete in the form of any of a shallow-sloped pyramid or sphere or other finial atop such pyramid.
- i. This condition is due by the first building permit regardless of phase; that is, it is due regardless if Phase 2 is not developed at the same time as Phase 1.

CU6. Architecture:

- a. Canopies / fixed awnings:
  - (1) General: Min height clearance 9 ft.
  - (2) Fuel pump canopy: Max ceiling height 16 ft to either (a) ceiling or (b) ceiling-mounted lighting fixtures, whichever is lower.
  - (3) Convenience store and NE commercial office: The store and NE commercial office main entrances shall each have a canopy, fixed awning, building recess, or roof projection that shelters from precipitation, the former 4 ft narrowest dimension and 48 sq ft min area and the latter 4 ft and 32 sq ft. Each side or rear single staff door on the rest of the store and NE commercial office shall have the same, except 3 ft narrowest dimension and 18 sq ft min area, and for a set of double staff doors, 30 sq ft min area.
  - (4) SW commercial office: Each north entrance shall have a fixed awning, canopy, building wall projection, or secondary roof that shelters from the weather, min area 48 sq ft, min depth 4 ft. A fixed awning or canopy may be smaller if combined with a building recess and together they meet the min area. The south patio door elsewhere conditioned shall have the same, except min area 66 sq ft, min depth 6 ft.
- b. Cladding/materials: Convenience store and attached NE commercial office area:
  - (1) Base cladding min height 2 ft of brick, ceramic tile resembling stone, concrete masonry unit (CMU) block finished to resemble cut stone, or adhered stone. Otherwise, the desired materials provision of WDO 3.07.06B.2b(2) shall be a standard for all building elevations.
  - (2) The prohibited materials provision of WDO 3.07.06B.2b(3) shall be a standard.
  - (3) The proposed east CMU mandoor screen wall or wing wall, if not precluded by streetside PUE, shall be max height 4 ft, 2 inches, have the bottom 2 courses be split face and the upper 4 courses ground face and be capped with smooth concrete. The NE corner angled wall shall have a window min area 15 sq ft, min 2.5 ft wide, and wholly within 8.5 ft of grade.

- (4) Subsection (3) is void if the screen wall or wing wall would come to be in part or wholly within a streetside PUE because it would come closer to the building than the developer anticipates because of telescoping ROW width – see Conditions D1b & D2 – and if any of PW or ODOT directs and administers there not be a newly constructed free-standing wall within the Oregon Way streetside PUE, shortening or precluding the wall. Also, in this scenario, because PW has historically allowed chain-link fencing with streetside PUEs, the developer may in place of the intended wing wall install a chain-link fence that conforms with WDO 2.06.02D.1 & 2 and has slats of a color other than black, charcoal, or dark gray.
  - c. Scuppers: Any building rainwater scuppers shall not to dump onto the pavement of a wide walkway.
  - d. Setbacks:
    - (1) General: Site NE corner min setback shall equal streetside PUE.
    - (2) Convenience store / NE commercial office building: max 15 ft from highway ROW and max 20 ft from Oregon Way widened ROW (measured from straight line ROW, not the curved ROW near the intersection).
    - (3) SW commercial office: min 5 ft from Tax Lot 3700 east, south, and west lot lines.
  - e. Windows:
    - (1) General: All windows shall be square, round, or vertically proportioned. Operable windows shall have insect screens.
    - (2) Min areas, which shall be transparent:
      - (A) Convenience store:
        - 1. West façade 30.0%; north 30.0%; east 36 sq ft. For the angled, NE façade in particular, min 18 of the 36 sq ft.
        - 2. NE commercial office: West and south façades 30.0%; east 132 sq ft.
      - (B) SW commercial office: North façade 30.0%; east 15.0%; south 20.0%; and west 20.0%.
- CU7. Lighting: Besides conformance with WDO 3.11, including 3.11.02C color temperature:
- a. Buffer: Parking area or other pole-mounted fixtures are prohibited between the north lot line of 953 Oregon Way (Tax Lot 3500) and the east-west drive aisle.
  - b. Fuel pump canopy:

- (1) Max 14 ceiling fixtures. Any ceiling fixture shall be no closer to ceiling outer edge than 4 ft. Neon lighting, or a lighting technology that mimics the appearance of neon lighting, is prohibited on the fuel pump canopy and on the southernmost primary building on Tax Lot 3700. The developer shall make so either of the following: (1) ceiling light fixtures shall not drop below the ceiling plane, or (2) for ceiling-mounted fixtures, the canopy roof edge perimeter shall as a shield drop or extend down to the same plane as the underside of the lowest fixture. In either case, fixtures that drop or extend down from the ceiling shall each have opaque housing on all sides.
- (2) Based on the hours in Ordinance No. 2338, Section 5A Light Trespass, fuel pump canopy lights shall be off during the same hours as when the fuel pumps are closed.
- c. Max:
  - (1) Convenience store: 1 wall fixture on the east rear and none on the north side.
  - (2) NE commercial office: 1 wall fixture each on the east and west and none on the south side.
  - (3) South commercial office: 1 wall fixture at the south rear and none at the east and west sides.

CU8. Gas station operations:

- a. Noise:
  - (1) Gas station and convenience store: The gas station and convenience store shall be open to customer use no earlier and later than Monday through Saturday 6:00 a.m. to midnight and Sunday 6:00 a.m. to 11:00 p.m.
  - (2) Fuel pumps: Audible audiovisual advertising, if any, is prohibited from sounding from fuel pump electronic display speakers. Such advertising shall be limited to sight only.
  - (3) Tire/vacuum: Addition of any vehicle interior vacuum facility outdoors, tire pump facility outdoors, or other similar mechanical facility outdoors for gas station customers that makes noise shall be located min 100 ft north of the south lot line of Tax Lot 3700. Any vacuum shall be open to customer use no earlier and later than Monday through Saturday 7:00 a.m. to 9:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m.
- b. Trash: There shall be at least one trash receptacle along each of the walkways, at min 0.5 ft from walkway edge or outside wide walkway minimum width (8 ft), to and from the highway and Oregon Way sidewalks, within 25 ft of ROW, for intended use by convenience store customers, and remaining privately maintained and serviced.
- c. Vehicular circulation: The Director may administratively establish locations, details, specifications, and revisions to administer this condition part during building permit review. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
  - (1) Fuel pump queueing:

- (A) General: The developer shall stripe directional arrows and lines to direct motorists into fuel pump queues and distinguish the queues from driving routes around the fuel pump canopy.
- (B) Stacking: Of six queues, min 3 shall each fit stacking of min one car west of the fuel pump island behind cars parked at the pumps. Queueing may be obtusely angled relative to the pump islands.
- (C) Queuing shall not back up past face of curb in the highway right lane, and property management shall dispatch one or more employees to direct motorists as needed to prevent or correct such queuing.
- (2) Pump directional signage: There shall be directional signage that accomplishes directing on-site motorists where and how to queue, including pumps that are self-service and those served by an attendant.
- (3) I-5 directional signage: There shall be outside of ROW and streetside PUEs directional signage that accomplishes directing on-site motorists bound for I-5:
  - (A) On Tax Lot 3700 (west lot), min 2 signs, each min area 18 by 24 inches, mounted min 2 ft and max 7 ft above grade, text min 6 inches high, and including the standard Interstate 5 logo. Detail drawings of these specifications are due by building permit application.
  - (B) On Tax Lot 3600 (east lot), min 2 signs, the same dimensions and mounting as per part (A) above. One sign shall indicate trucks to turn left only, and the other sign shall indicate that left is to I-5 by using a left arrow and the standard Interstate 5 logo. The two signs may be mounted together on the same support. Sign detail drawings – in color – are due by building permit application.
- d. Median: A median barrier is required to be constructed at Oregon Way to mitigate against right turns by trucks exiting the site; refer to Attachment 102A, Public Works comments, item 6.


CU9. Signage: Electronic changing image: In addition to WDO 3.10.12, based on the hours in Ordinance No. 2338, Section 5A Light Trespass, any sign electronic changing image, if and where WDO 3.10 allows such, other than fuel price displays, shall be off during the same hours as when the convenience store is closed.

CU10. Modification: Because the WDO, including 5.03.01, does not specify how changes to an approved conditional use (CU) and related site improvements might trigger another CU or modification of a CU approval, for Director determination the following serve as criteria and – where noted – as factors:

- a. Significant expansion of the use(s), factors being an increase in any of: total GFA by 25.0% or more or by an absolute value of 1,000 sq ft or more, and, the number of buildings by 1 or more;
- b. Increase in off-street parking by 6 or more stalls, even if the existing supply were in excess of the minimum required ratio(s);
- c. Net increase in impervious surface totaling at least 1,000 sq ft;
- d. Adding the land uses of automotive maintenance and repair, whether or not including through service bay structures.
- e. Development as defined in WDO 1.02 within twenty (20) feet of a property boundary and not already conditioned through the subject approval;
- f. Any proposal necessitating a request for Adjustment to Street Right-of-Way and Improvement Requirements (“Street Adjustment”);
- g. Any proposal necessitating a request to vary from the WDO, that is, a variance;
- h. Any proposal necessitating a Type III or IV land use application type;
- i. City adoption of a unified development ordinance replacing the WDO were to have intervened;
- j. A request for major modification, as the Director determines, of the phasing plan; and
- k. Conversion of any NE or SW commercial office GFA to fast-food restaurant or limited-service eating place, for which WDO Table 3.05A row 11 has a minimum parking ratio higher than for general retail or food and drinking places. Exemptions from this condition are the creation of (1) a food or drinking place that is a permitted use within the CG zoning district, max 400 sq ft GFA, and accessory to the primary use of commercial office, and (2) fast-food restaurant or limited-service eating place that is a permitted use within the CG zoning district, has no drive-through, and is any of max 400 sq ft GFA within the NE commercial office and max 1,200 sq ft GFA within the SW commercial office building. Exemptions do not exempt permitted uses from some or all of the off-street parking minimum ratios per WDO Table 3.05A.
- l. Shared parking change: Future changes of use, such as expansion of a building or establishment of hours of operation which conflict with, or affect, the shared parking agreement, shall require review and authorization not only through any of, “a subsequent Design Review or Modification of Conditions” per WDO 3.05.05D.1, but also with the option of being through a Conditional Use (CU).

Modification of a specific condition of approval remains pursuant to WDO 4.02.07. Were the City to have amended the WDO to establish modification provisions for conditional uses, the Director may decide that the provisions supersede this condition of approval.

CU11. Discontinuance/revocation: Because the WDO does not specify if and when a conditional use approval would expire were a use to cease, based on WDO 4.02.04B the approval shall expire if the WDO Table 2.03A, B.2 use of "gasoline station" ceases and 3 years pass without the use recommencing. This CU approval excludes the uses "automotive maintenance" and "repair services" from the group of uses as the WDO terms. Violation of one or more conditions of approval may serve as a basis for City revocation.



*Conditional Use 24-02: Transportation*

T-A1:

- a. OR 214 & Oregon Way: The developer shall pay a fee per Attachment 202 to fund a transportation study, specifically to investigate in coordination with ODOT (1) corridor signal timing and coordination adjustments and (2) improving safety by reducing vehicle turning or angle crashes. This is due by building permit issuance. [TSP R11 & revised TIA p. 14]
- b. I-5 interchange with OR 214: To reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R8 & R9 & revised TIA p. 14]
- c. OR 214 & Evergreen Rd: To mitigate effect on the intersection and reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R10 & revised TIA p. 14]

T-T. Bus transit: Bus stop improvements: To further TDM through bus transit, regarding the WTS Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because ROW and streetside PUE are too narrow relative to the street to accommodate installation, the developer shall pay a fee in-lieu as well as a fee in lieu of a bus stop bicycle rack per Attachment 202.



*Street Adjustment 24-01*

SA1. Frontage/street improvements: Highway: No min surface improvements are required other than either elsewhere conditioned or necessary to conform to Public Works (PW) direction or comply with ODOT engineering guidance. The developer may let existing improvements lie, excepting conforming upgrade of the driveway apron as the WDO and other conditions require, but also shall pay fees in lieu of highway improvements per Attachment 202.

SA2. Frontage/street improvements: Oregon Way: These shall be as follows:

- a. Parking: No on-street parallel parking lane 8-feet wide is required, this being an adjustment from what WDO Figure 3.01E would have required. The developer shall pay a fee in-lieu per Attachment 202.
- b. Landscape strip: Min width 6.5 ft wide inc. curb width and with min street trees per WDO 3.06.03A.1 (1:30), equaling 6 trees. For max 4 of the trees, the developer may pay a fee in-lieu per Attachment 202. Landscaping of area remaining after tree planting and irrigation shall be per the WDO 3.01.04B last paragraph.
- c. Sidewalk: Min width 8 ft.

Overlap: Wider sidewalk shall not narrow the landscape strip. The extra width of planter strip and sidewalk shall either (1) be within additional ROW that accommodates them, or (2) overlap outside ROW into streetside PUE, the PUE or other recorded legal instrument granting public access to the overlap. If (2), then the developer shall submit a draft of the legal instrument for Planning and PW review by either civil engineering plan (CEP) review application to PW or, if PW performs CEP review through building permit review, then by building permit application. Per WDO 2.01.05A, the developer shall submit copies of correctly recorded documents to the Planning Division.

SA3. ROW & PUE: There is no street adjustment to narrow below the minimum requirements; instead, see Conditions D1 & D2.



## **Actions**

The Planning Commission may instead act on the land use application to:

1. Approve with modified conditions, or
2. Deny, based on WDO criteria or other City provisions.

If the Planning Commission were to act upon the recommendation, staff would prepare a “final decision” document for signature by the Commission chair in the days following the hearing.

## **Attachment List**

101. Marked Tax Map
102. Analyses & Findings
- 102A. Public Works comments (August 13, 2024; 2 pages)
103. Application materials / site plans / elevations (June 10, 2024; 6 sheets)
104. Transportation System Plan (TSP) Fig. 2 “Functional Roadway Classification”
- 201.\* CU 24-02 US Market Gas Station: Dictionary & Glossary
202. CU 24-02 US Market Gas Station: Conditioned Fees

\*The 200 series of attachments are details for the conditions of approval.

05 2W 12DB

05 2W 12DB  
WOODBURN



MARION COUNTY, OREGON  
NW1/4 SE1/4 SEC12 T5S R2W W.M.  
SCALE 1" = 100'

LEGEND

- LINE TYPES**
- Taxlot Boundary
  - Road Right-of-Way
  - Railroad Right-of-Way
  - Private Road ROW
  - Subdivision/Plat Bndry
  - Waterline - Taxlot Bndry
  - Historical Boundary
  - Easement
  - Railroad Centerline
  - Taxcode Line
  - Map Boundary
  - Waterline - Non Bndry

- CORNER TYPES**
- + 1/16TH Section Cor.
  - ⊙ DLC Corner
  - ⊕ 1/4 Section Cor.
  - ⊕ 16, 15 Section Corner
  - ⊕ 21, 22

**NUMBERS**  
Tax Code Number  
**00 00 0**

Acreeage  
**0.25 AC**

All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

**NOTES**  
Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

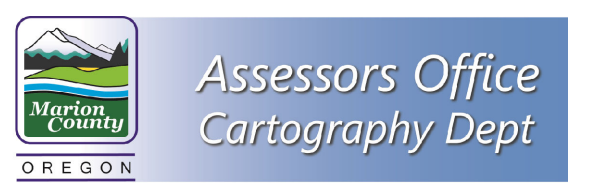
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**CANCELLED NUMBERS**

3900A1			
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Attachment 101

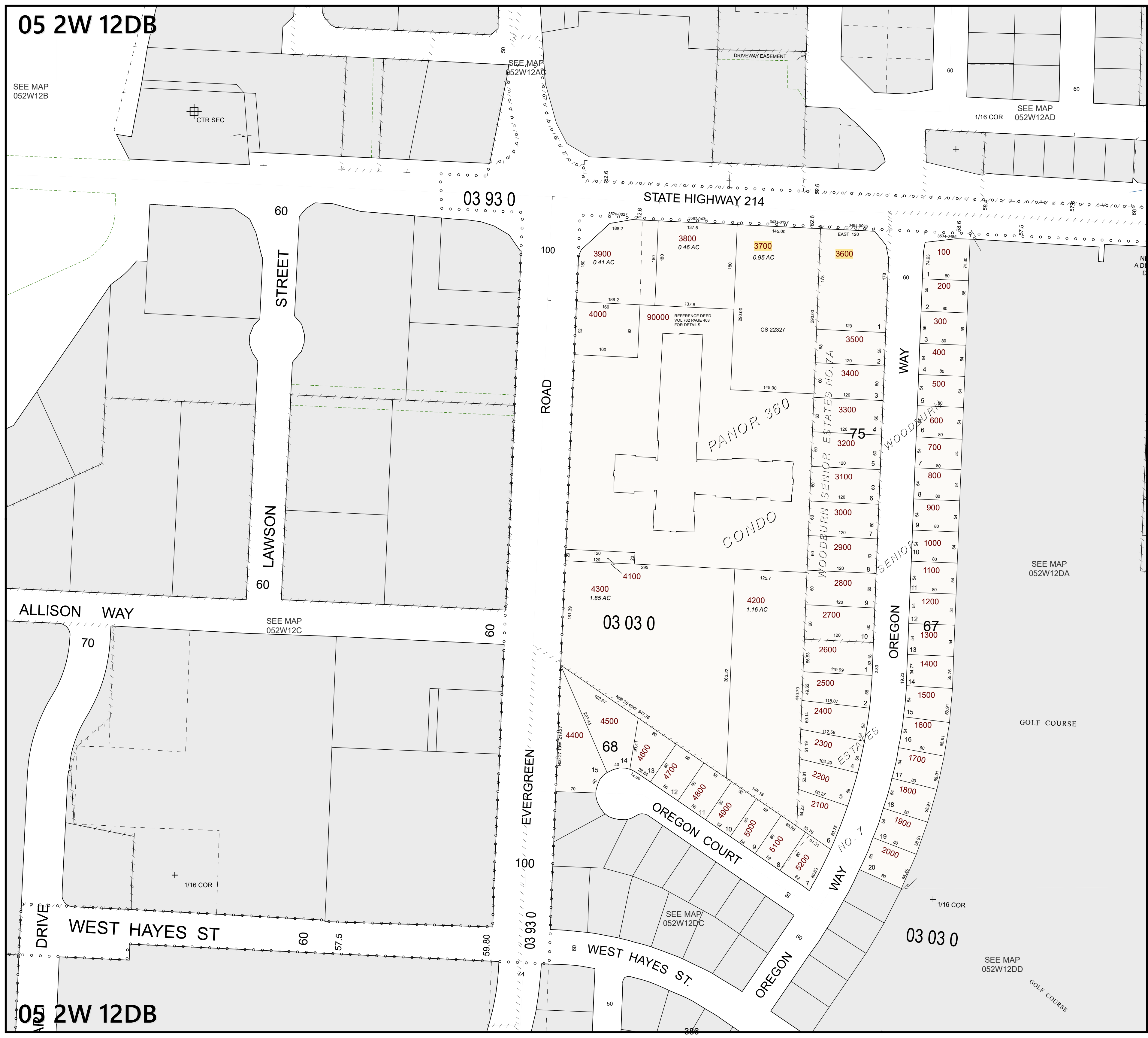
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT [www.co.marion.or.us](http://www.co.marion.or.us)

PLOT DATE: 1/25/2024

WOODBURN  
05 2W 12DB



## CU 24-02: Analyses & Findings

This attachment to the staff report analyzes the application materials and finds through statements how the application materials relate to and meet applicable provisions such as criteria, requirements, and standards. They confirm that a given standard is met or if not met, they call attention to it, suggest a remedy, and have a corresponding recommended condition of approval. Symbols aid locating and understanding categories of findings:

<i>Symbol</i>	<i>Category</i>	<i>Indication</i>
✓	Requirement (or guideline) met	No action needed
✗	Requirement (or guideline) not met	Correction needed
⊖	Requirement (or guideline) not applicable	No action needed
▲	<ul style="list-style-type: none"> <li>Requirement (or guideline) met, but might become unmet because of condition applied to meet separate and related requirement that is not met</li> <li>Plan sheets and/or narrative inconsistent</li> <li>Other special circumstance benefitting from attention</li> </ul>	Revision needed for clear and consistent records
■	Deviation: Planned Unit Development, Zoning Adjustment, and/or Variance	Request to modify, adjust, or vary from a requirement

Section references are to the [Woodburn Development Ordinance \(WDO\)](#).

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**Project Name & Case File Numbers**

The applicant submitted the project name US Market. The land use application master/parent case file number is Conditional Use CU 24-02, and the children/corollary case file numbers are Design Review 24-02, Phasing Plan PP 24-01, & Adjustment to Street Improvement Requirements ("Street Adjustment") SA 24-01.

The subject property is composed of two lots, and the developer of the proposed strip commercial development proposes no Property Line Adjustment (PLA) or lot consolidation.

The gas station development is:

1. On Tax Lot 3600 (east, corner lot), a convenience store of 4,110 square feet (sq ft), 6 pump islands with 12 pumps, a commercial office tenant space of 1,863 sq ft attached to the south side of the convenience store, and;
2. On Tax Lot 3700 (west, interior lot), as Phase 2 a southwest commercial office building of 5,000 sq ft.

**Location**

<i>Address(es)</i>	2540 & 2600 Newberg Hwy (SW corner of Oregon Hwy 214 / Newberg Hwy & Oregon Way)
<i>Tax Lot(s)</i>	052W12DB03700 (primary) & 3600; respectively 0.95 & 0.47 acres, totaling 1.42 acres
<i>Nearest intersection</i>	Oregon Hwy 214 / Newberg Hwy & Oregon Way

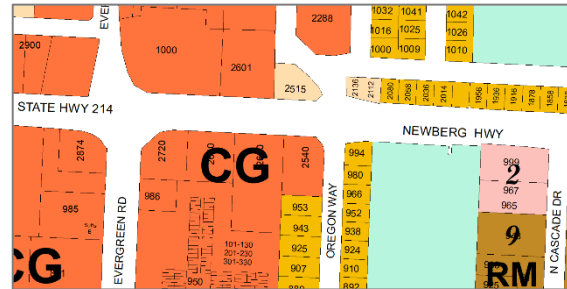
**Land Use & Zoning**

<i>Comprehensive Plan Land Use Designation</i>	Commercial
<i>Zoning District</i>	Commercial General (CG)
<i>Overlay District(s)</i>	none
<i>Existing Use(s)</i>	None following demolition of two vacant bank buildings no later than 2022

For context, the comprehensive plan land use map designations and zoning are illustrated below with excerpts from the City geographic information system (GIS) and the zoning is tabulated further below:



Comprehensive Plan land use map excerpt



Zoning map excerpt

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	Across OR Hwy 214: Commercial General (CG)
East	Across Oregon Way: Retirement Community Single Family Residential (R1S)
South	East to west: R1S (943 & 953 Oregon Way; houses) and CG (950 Evergreen Rd; Panor 360 condominiums)
West	CG (950 Evergreen Rd; Panor 360 condominiums; and 2620 Newberg Hwy; Dairy Queen)

## Statutory Dates

<i>Application Completeness</i>	July 3, 2024
<i>120-Day Final Decision Deadline</i>	October 31, 2024 per Oregon Revised Statutes (ORS) <a href="#">227.178</a> . (The nearest and prior regularly scheduled City Council date would be October 28, 2024.

# Design Review Provisions

## DR Provisions

### Volume 1 Organization and Structure

#### 1.04 Nonconforming Uses and Development

The developer already obtained demolition permits from the Building Division, and the site is cleared. Because the proposal is full redevelopment, nonconformance of private, on-site improvements is not an applicable concept and the development will conform to the WDO and conditions of approval. Regarding nonconforming public street improvements, staff further addresses this nonconformance under the Adjustment to Street Improvement Requirements ("Street Adjustment") section of this document.

⊖ Not applicable.

### Volume 2 Land Use Zoning and Specified Use Standards

#### 2.03 Commercial Zones

#### 2.05 Overlay Districts

#### 2.06 Accessory Structures

#### 2.07 Special Uses

#### 2.08 Specific Conditional Uses

Uses Allowed in Commercial Zones Table 2.03A		
Use		Zone
Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)		CG
<b>B</b>	<b>Commercial Retail and Services</b>	
2	Automotive maintenance and gasoline stations, including repair services	CU <sup>3</sup>
6	Business services	P
16	Office and office services and supplies	P
19	Printing, publishing, copying, bonding, finance, insurance, medical, data processing, social assistance, legal services, management, and corporate offices	P
20	Professional services	P
<b>3. Allowed outright if not within 200 feet of residentially zoned properties</b>		

A proposed use is a gasoline station, hereafter referred to as gas station. Because it is within 200 ft of residentially zoned property – 943 & 953 Oregon Way to the southeast that is zoned R1S, for the subject property the use and its convenience store remain a conditional use. Commercial office is a permitted use.

<b>Commercial General (CG) - Site Development Standards</b>			
<b>Table 2.03C</b>			
<b>Lot Area, Minimum (square feet)</b>		<b>No minimum</b>	
<b>Lot Width, Minimum (feet)</b>		<b>No minimum</b>	
<b>Lot Depth, Minimum (feet)</b>		<b>No minimum</b>	
<b>Street Frontage, Minimum (feet)</b>		<b>No minimum</b>	
<b>Front Setback and Setback Abutting a Street, Minimum (feet)</b>		<b>5 <sup>1</sup></b>	
<b>Side or Rear Setback, Minimum (feet)</b>	<b>Abutting RS, R1S, or RM zone</b>	<b>10 <sup>4</sup></b>	
	<b>Abutting CO, CG, DDC, NNC, P/SP, IP, SWIR, or IL zone</b>	<b>0 or 5 <sup>4, 5</sup></b>	
<b>Setback to a Private Access Easement, Minimum (feet)</b>		<b>1</b>	
<b>Lot Coverage, Maximum</b>		<b>Not specified <sup>2</sup></b>	
<b>Building Height, Maximum (feet)</b>	<b>Primary or accessory structure</b>	<b>Outside Gateway subarea</b>	<b>70</b>
		<b>Western Gateway subarea</b>	<b>50</b>
		<b>Eastern Gateway subarea</b>	<b>40</b>
	<b>Features not used for habitation</b>		<b>100</b>
<ol style="list-style-type: none"> <li><b>1. Measured from the Street Widening Setback (Section 3.03.02), if any</b></li> <li><b>2. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements.</b></li> <li><b>3. Only allowed in the Gateway Overlay District</b></li> <li><b>4. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use.</b></li> <li><b>5. A building may be constructed at the property line, or shall be set back at least five feet.</b></li> </ol>			

The site plans and elevations show that the proposed development conforms with the basic development standards that Table 2.03C contains.

## 2.05 Overlay Districts

### 2.05.02 Interchange Management Area Overlay District

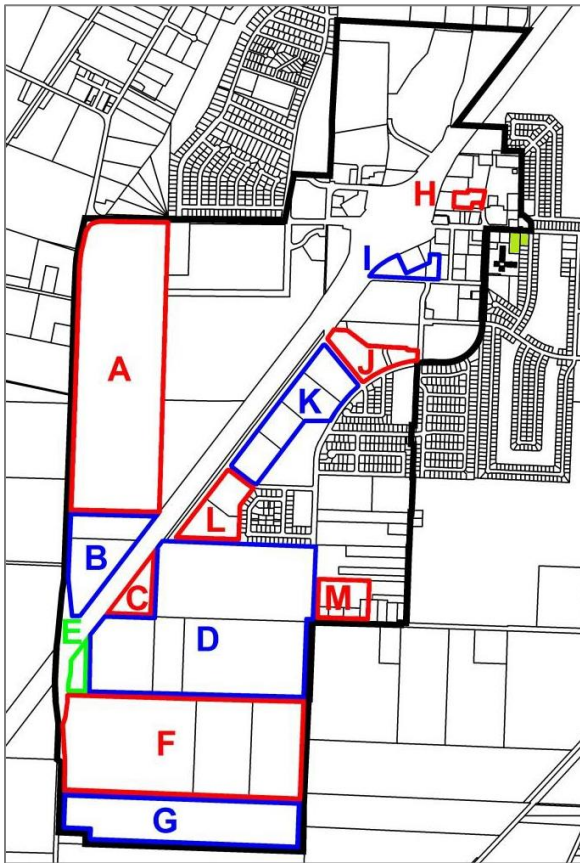


Figure 2.05B – Interchange Management Area Boundary and Subareas (with subject property at NE marked in green)

For those aware of the Interchange Management Area Overlay District (IMA), the above WDO figure marked to show the subject property confirms that the property lies just outside the IMA, that is, the property is *not* in the IMA. (Also, none of the other overlay districts are applicable.)

⊖ Not applicable.

## 2.06 Accessory Structures

### 2.06.02 Fences and Walls

Regarding the “Architectural Wall” as a buffer or screen wall per 3.06.05 to the standards of 3.06.06 and any fence or fencing the developer would build and install, a condition or conditions of approval would secure conformance, as well as a fence permit application type per 5.01.03 “Fence and Free Standing Wall”.



▲ In order to secure conformance to 2.06.02, staff applies a condition or conditions.

### **2.06.03 Structures**

Within the proposal, which is phased development, neither phase includes accessory structures such as sheds, making this WDO section not applicable; however, even if the fuel pump canopy were considered an accessory structure instead of a primary one, it remains proposed more than 5 ft away from a property line. (Other WDO sections address the proposed trash enclosure.)

– Not applicable.

### **2.07 Special Uses**

#### **2.07.08 Facilities During Construction**

This is not directly relevant to land use review. Contractor behavior is to conform during construction. No condition of approval is necessary to reiterate the requirement.

– Not applicable.

### **2.08 Specific Conditional Uses**

None relate to a gas station.

– Not applicable.

## **Volume 3 Development Guideline and Standards**

### **3.01 Streets**

Regarding public street improvements, staff further addresses this under the Adjustment to Street Improvement Requirements ("Street Adjustment") section of this document.

■ SA: Staff further addresses public street improvements further under the Street Adjustment Provisions section (under criterion 3, factor b).

### **3.02 Utilities and Easements**

#### **3.02.01 Public Utility Easements**

**A. The Director shall require dedication of specific easements for the construction and maintenance of municipal water, sewerage and storm drainage facilities located on private property.**

**B. Streetside:** A streetside public utility easement (PUE) shall be dedicated along each lot line abutting a public street at minimum width 5 feet. Partial exemption for townhouse corner lot: Where such lot is 18 to less than 20 feet wide, along the longer frontage, streetside PUE minimum width shall be 3 feet; or, where the lot is narrower than 18 feet, the longer side frontage is exempt from streetside PUE.

**C. Off-street:** The presumptive minimum width of an off-street PUE shall be 16 feet, and the Public Works Director in writing may establish a different width as a standard.

**E.** As a condition of approval for development, including property line adjustments, partitions, subdivisions, design reviews, Planned Unit Developments (PUDs), Street Adjustments, Zoning Adjustments, or Variances, the Director may require dedication of additional public easements, including off-street public utility easements and other easement types such as those that grant access termed any of bicycle/pedestrian access, cross access, ingress/egress, public access, or shared access, as well as those that identify, memorialize, and reserve future street corridors in place of ROW dedication.

**F. Streetside PUE maximum width:**

- 1. Purpose:** To prevent developers and franchise utilities from proposing wider than minimum streetside PUEs along tracts or small lots after land use final decision; to prevent particularly for a tract or lot abutting both a street and an alley; to encourage developers to communicate with franchise utilities and define streetside PUE widths during land use review and how to what is defined; to avoid overly constraining yards, and to avoid such PUEs precluding front roofed patios, porches, or stoops.
- 2. Standards:** Exempting any lot or tract subject to Figure 3.01B “Major Arterial”, the following standards are applicable to a lot or tract with:
  - a. No alley or shared rear lane:** 8 feet streetside.
  - b. Alley or shared rear lane:** Either 8 feet streetside and 5 feet along alley or shared rear lane, or, 5 feet streetside and 8 feet along alley or shared rear lane.

**Nothing in this section precludes a streetside PUE from variable width where necessary such as to expand around public fire hydrants.**

Regarding A, the Public Works Department handles this through its own conditions and processes. Additionally, one of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT).

Regarding B, because the site plan calls out a streetside PUE along Oregon Way but does not indicate its width, staff applies a condition or conditions. The highway is subject to a superseding standard requiring a 10-ft wide easement: Figure 3.01B “Major Arterial”, and the site plan calls out a streetside PUE and indicates a 10-foot width.

Regarding C, the Public Works Department implements this through its own permit processes, standards, and specifications, and Planning Division also staff apply a condition or conditions for WDO conformance and to deal with existing context of public utilities. Additionally, one of the two frontages is a state highway, which involves ODOT standards and permitting processes.

▲ In order to secure conformance with Figure 3.01B and 3.02.01B & F.2, staff applies a condition or conditions.

### **3.02.02 Creeks and Watercourse Maintenance Easements**

There are no creeks or watercourses.

⊖ Not applicable.

### **3.02.03 Street Lighting**

The Public Works Department handles this through its own permit processes, standards, and specifications. Additionally, one of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT).

▲ In order to secure conformance to 3.02.03, the Public Works Department might apply public works standards and specifications.

### **3.02.04 Underground Utilities**

**B. Street: All permanent utility service within ROW resulting from development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist as the electric utility documents and the developer submits such documentation.**

- 1. Developments along Boundary Streets shall remove existing electric power poles and lines and bury or underground lines where the following apply:**
  - a. A frontage with electric power poles and lines is or totals minimum 250 feet; and**
  - b. Burial or undergrounding would either decrease or not increase the number of electric power poles. The developer shall submit documentation from the electric utility.**

**Where the above are not applicable, a developer shall pay a fee in-lieu, excepting residential development that has 4 or fewer dwellings and involves no land division.**

- 2. Fees in-lieu: Per Section 4.02.12.**

Because the application materials fail to show that the development would conform along the highway where electric power poles and overhead electric power lines existing, staff applies a condition or conditions. (Absent direction by the applicant otherwise, staff will proceed as if the developer intends to conform by paying the fee in-lieu and will assess it through the building permit.)

▲ In order to secure conformance to 3.02.04, staff applies a condition or conditions.

### **3.03 Setbacks and Open Space**

#### **3.03.02 Special Setbacks**

This is a street widening setback. Because the development proposes and/or is conditioned to conform regarding ROW widths, the Special Setback is not applicable.

⊖ Not applicable.

#### **3.03.03 Projections into the Setback Abutting a Street**

#### **3.03.04 Projections into the Side Setback**

#### **3.03.05 Projections into the Rear Setback**

Because the development is strip commercial with conventional setbacks that meet or exceed zoning minimums, there are no projections. Were that to change later, the developer would still have to demonstrate conformance and the development conform.

⊖ Not applicable.

#### **3.03.06 Vision Clearance Area**

The application materials indicate that the applicant is aware of and intending to conform regarding driveways and the building closest to the site NE corner, which is the SW corner of the highway and Oregon Way, because the NE building (the convenience store and attached NE commercial office) is notched at the NE to keep out of the vision clearance area (VCA) or sight triangle. The building isn't near any driveway. (Were a site plan to fall out of conformance upon building permit application, staff would prompt the developer to correct during permit reviews.)

✓ The requirement is met.

### **3.04.01 Applicability and Permit**

#### **A. Street Access**

Every lot shall have:

- 1. Direct access to an abutting public street, or**
- 2. Access to a public street by means of a public access easement and private maintenance agreement to the satisfaction of the Director, revocable only with the concurrence of the Director, and that is recorded. The easement shall contain text that pursuant to Woodburn Development Ordinance (WDO) 3.04.03B.3, the public shared access (ingress and egress) right of this easement is revocable only with the written concurrence of the Community Development Director.**

This standard plus the highway being a state highway affects access management. A main reason the developer proposes the highway driveway as one-way inbound is because of an Oregon Department of Transportation (ODOT) "Conditional Approval of Grant of Access", file code 30-24 and "CHAMPS" No. 093457 dated January 23, 2024, of which the applicant submitted a copy to the City among the February 8, 2024 application materials. It states, "Traffic movements for the private approach at the subject location shall only allow right turns off Hillsboro-Silverton Highway."

In any case, there would be full physical access to and from the highway via the Oregon Way driveway and Oregon Way itself, which intersects the highway to the north of that driveway; however, because the subject property is two lots that the applicant proposes neither to adjust nor consolidate, and motorists would have to cross Tax Lot 3600 (2540 Newberg Hwy) to get from the fuel pump canopy on Tax Lot 3700 (2600 Newberg Hwy) onto Oregon Way as a means to get to the highway, the developer needs to grant what is termed any of cross access, ingress/egress, or shared access across the two lots revocable only with the written concurrence of the Community Development Director in order to conform with 3.04.01A.2.

▲ In order to secure conformance with 3.04.01A.2, staff applies a cross access condition to the two lots composing the subject property.

### **3.04.02 Drive-Throughs**

The strip commercial development includes none.

⊖ Not applicable.

### **3.04.03 Driveway Guidelines and Standards ...**

#### **B. Number of Driveways**

- 3. For nonresidential uses, the number of driveways should be minimized based on overall site design, including consideration of:**
  - a. The function classification of abutting streets;**
  - b. The on-site access pattern, including parking and circulation, joint access, turnarounds and building orientation;**
  - c. The access needs of the use in terms of volume, intensity and duration characteristics of trip generation.**
- 5. For all development and uses, the number of driveways shall be further limited through access management per subsections C & D below.**

#### **C. Joint Access**

- 1. Lots that access a Major Arterial, Minor Arterial, Service Collector, or Access Street should be accessed via a shared driveway or instead to an alley or shared rear lane.**

2. **A partition, subdivision, or PUD should be configured so that lots abutting a Major Arterial, Minor Arterial, Service Collector, or Access Street have access to a local street, alley, or shared rear lane. Access to lots with multiple street frontages should be from the street with the lowest functional class.**
3. **Every joint driveway or access between separate lots shall be per the same means as in Section 3.04.01A.2.**
4. **Standards: ...**

One of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT). The developer wants to narrow the highway driveway from 30 to 20 ft, which involves ODOT permitting and standards. That width is within WDO maximum for a one-way driveway (per Table 3.04A). The Oregon Way driveway width is 24 ft. Section 3.04.03 encourages and in part requires joint or shared driveways, and because of the analysis and findings for 3.04.01A related to street access, cross access causes the Oregon Way driveway to be required as a joint or shared one. Through the conditional use process staff applies conditions limiting driveway widths for both frontages.

▲ In order to secure conformance to conditional use criteria, staff applies a condition or conditions.

**D. Access management:**

2. **Commercial: Any development within a commercial zoning district that Section 2.03A lists shall grant shared access to adjacent lots and tracts partly or wholly within any of the same districts. An alley or shared rear lane may substitute for meeting this standard if the alley provides equivalent public access. Zoning Adjustment is permissible.**

<b>Access Requirements</b>		
<b>Table 3.04A</b>		
		<b>Commercial or Industrial Use</b>
<b>Paved Width of Driveway (feet)</b> <small>3, 4, 7, 8</small>	<b>1-way</b>	<b>10 minimum</b> <b>20 maximum</b>
	<b>2-way</b>	<b>Commercial/Mixed-Use:</b> <b>20 minimum</b> <b>24 maximum*</b> <b>*(Add 12 ft maximum if a turn pocket is added)</b>
		<b>Industrial:</b> <b>22 minimum</b> <b>36 maximum*</b> <b>*(Add 8' if a turn pocket is added)</b>
<b>Throat Length (feet) <sup>5</sup></b>	<b>Major Arterial, Minor Arterial, Service Collector</b>	<b>Commercial:</b> <b>36 minimum;</b> <b>Industrial:</b> <b>50 minimum</b>
	<b>Access or Local Street</b>	<b>18 minimum</b>

<b>Access Requirements</b> <b>Table 3.04A</b>	
1.	The separation should be maximized.
2.	Driveways on abutting lots need not be separated from each other, and may be combined into a single shared driveway.
3.	Driveways over 40 feet long and serving one dwelling unit may have a paved surface minimum 8 feet wide.
4.	Notwithstanding the widths listed in this table, the minimum clearance around a fire hydrant shall be provided (See Figure 3.04D).
5.	Throat length is measured from the closest off-street parking or loading space to the right-of-way. A throat applies only at entrances (See Figure 3.05B).
6.	Maximum of 4 individual lots can be served from single shared driveway (See Figure 3.04A) except where and as Section 3.04.03D.3 "Flag Lots" supersedes.
7.	It is permissible that the Oregon Fire Code (OFC) as administered by the independent Woodburn Fire District may cause driveway widths to exceed minimums and maximums. It is a developer's responsibility to comply with the OFC.
8.	Width measurement excludes throat side curbing, if any.
9.	Refer to OFC Appendix D, Figure D103.1.

The site plan shows proposed driveways that conform.

✓ The requirement is met.

### **3.04.05 Transportation Impact Analysis**

**B. A transportation study known as a transportation impact analysis (TIA) is required for any of the following:**

1. **Comprehensive Plan Map Change or Zone Change or rezoning that is quasi-judicial, excepting upon annexation designation of zoning consistent with the Comprehensive Plan.**
2. **A development would increase vehicle trip generation by 50 peak hour trips or more or 500 average daily trips (ADT) or more.**
3. **A development would raise the volume-to-capacity (V/C) ratio of an intersection to 0.96 or more during the PM peak hour.**



4. **Operational or safety concerns documented by the City or an agency with jurisdiction, such as ODOT or the County, and submitted no earlier than a pre-application conference and no later than as written testimony entered into the record before the City makes a land use decision.**
5. **A development involves or affects streets and intersections documented by ODOT as having a high crash rate, having a high injury rate of persons walking or cycling, having any cyclist and pedestrian deaths, or that partly or wholly pass through school zones that ODOT recognizes.**
6. **Where ODOT has jurisdiction and ORS or OAR, including OAR 734-051, compels the agency to require.**

The applicant submitted a revised traffic impact analysis (TIA) dated June 23, 2023 on May 1, 2024 as well as a supplement dated and submitted July 23, 2024.

Page 36, “Findings and Recommendations” proposed no mitigation measures. Staff addresses the TIA further under the Conditional Use Provisions section of this document.

#### **3.04.03E. Interconnected Parking Facilities.**

1. **All uses on a lot shall have common or interconnected off-street parking and circulation facilities.**
2. **Similar or compatible uses on abutting lots shall have interconnected access and parking facilities.**

Because the proposal is a single, integrated site development for several primary uses – a gas station, composed of the fuel pump canopy and convenience store – plus NE attached commercial office and a (Phase 2) SW commercial office building, it would be like a commercial strip mall. The site plan shows continuous drive aisles and obvious shared parking across the two lots composing the subject property.

✓ The requirement is met.

#### **3.04.04 Improvement Standards**

The site plans illustrate pavement that conforms.

✓ The requirement is met.

### 3.05 Off-Street Parking and Loading

#### 3.05.02 General Provisions

Because the application materials fail to show that the development would conform fully to the requirements, staff applies a condition or conditions.

▲ In order to secure conformance with the above subsections of 3.05.02, staff applies a condition or conditions.

#### E. Setback

1. In commercial and industrial zones, the parking, loading, and circulation areas shall be set back from a street a minimum of five feet.
2. Parking, loading, and circulation areas shall be set back from a property line a minimum of five feet, excepting any of (a) interior lot lines of lots in a development that have the same owner or that have outbuildings as part of a complex of buildings sited amid parking, such as in an office or industrial park or strip mall, (b) a shared access and use agreement between or among landowners per Section 3.04, and (c) shared access in the specific context of residential development of other than multiple-family dwellings.

Subsection 2(a) is applicable and, because of conditioning for other WDO sections related to cross access and shared parking, 2(b) will be applicable.

✓ The requirement is met.

#### J. All uses required to provide 20 or more off-street parking spaces shall have directional markings or signs to control vehicle movement.

The phrase, “directional markings or signs to control vehicle movement” leaves room for interpretation about what kinds of markings or signs, number, size, placements, and symbols and text. A gas station involves a lot of queuing and conflicts among vehicles moving across the site. The site plan shows some detail, but in staff opinion not enough to direct gas station motorists to pump queues and distinguish queuing areas from drive aisles.

Also, because of how access management would work, motorists returning to I-5 would exit to Oregon Way to turn left/north to then turn left/west at OR 214.

With ODOT highway access management as describe earlier above for 3.04.01A, Planning Division staff intends that markings and signage direct motorists seeking I-5 to go to Oregon Way. Because of the room for interpretation, and that the applicant will later refine the site plan, it is during building permit review that administratively establishing details, specifications, and revisions to administer the WDO section would be timely and fruitful.

**3.05.03 Off-Street Parking**

**3.05.03 Off-Street Parking**

**A. Number of Required Off-Street Parking Spaces**

1. Off-street vehicle parking spaces shall be provided in amounts not less than those set forth in this Section (Table 3.05A).
2. Off-street vehicle parking spaces shall not exceed two times the amount required in this Section (Table 3.05A).

...

C. A maximum of 20 percent of the required vehicle parking spaces may be satisfied by compact vehicle parking spaces.

D. Off-street vehicle parking spaces and drive aisles shall not be smaller than specified in this Section (Table 3.05C).

**F. Garages ...**

2. For multi-family dwellings, one-half of the parking spaces required by this Section (Table 3.05A) shall be in a garage or garages, whether conventional or tandem, or, in a carport or carports.

**Table 3.05A**

<b>Off-Street Parking Ratio Standards</b> <b>Table 3.05A</b>	
<b>Use<sup>1</sup></b>	<b>Parking Ratio - spaces per activity unit or square feet of gross floor area</b>
<b>COMMERCIAL / PUBLIC</b>	
<b>6. Motor vehicle service</b>	<b>1/ 200 retail area + 3/ service bay + 1/ pump island</b>
<b>12. Offices (such as professional, scientific and technical services, finance and insurance, real estate, administrative and support services, social assistance, and public administration – but not including ambulatory health services)</b>	<b>1/ 350 square feet</b>
<b>1. The Director may authorize parking for any use not specifically listed in this table. The applicant shall submit an analysis that identifies the parking needs, and a description of how the proposed use is similar to other uses permitted in the zone. The Director may require additional information, as needed, to document the parking needs of the proposed use.</b>	

Minimum required off-street parking is:

<i>Land use</i>	<i>Ratio</i>	<i>Square Footage</i>	<i>Spaces</i>
Gas station	1 per 200 sq ft of retail area (4 per 1,000) + 1 per island	4,110	20.6
Commercial office	1 per 350 sq ft (2.86 per 1,000)	1,863 (NE)	5.3
		5,000 (SW)	14.3
All sitewide			40.2 → 40

Even without counting any space under the fuel pump canopy, the site plan proposes 50 spaces sitewide, exceeding the minimum requirement sitewide, but not so much it would exceed the maximum parking or parking cap per 3.05.03A.2 above. (Staff concurs with the applicant assumption that that the “1/ pump island” parking minimum has no practical effect on minimum parking, the area under any gas station fuel pump canopy being its own minimum parking.) There are 12 compact parking spaces. Because there are 10 excess parking spaces, a fraction of the compact parking could be considered part of minimum parking. Of 40, 20% is 8 compact spaces, and with 10 extra spaces sitewide, the site plan minimum parking of 40 can be interpreted to meet the compact parking maximum of 8.

However, while Tax Lot 3700 (2600 Newberg Hwy) would meet minimum parking for the fuel pumps and exceed that for the SW commercial office building, Tax Lot 3600 (2540 Newberg Hwy) would have 19 or 20 spaces, short of the minimum 26 parking stalls for the convenience store and attached NE commercial office space. This raises the issue of shared parking, which staff addresses further below under 3.05.05.

✓ The requirement is met.

**Table 3.05.05 Parking Space and Drive Aisle Dimensions**

The site plan appears to conform. The applicant opted for standard size stalls to be 19 ft long, 1 ft longer than the minimum length of 18 ft.

**Carpool/Vanpool Parking  
Table 3.05C**



Development or Use	Description	Stall Minimum Number or Percent
1. Non-residential development within commercial zoning districts	Zero to 19 total minimum required off-street parking spaces	n/a
	20 to 33 total	1 stall
	34 to 65 total	2 stalls
1. Standard applies even if the site is not zoned P/SP. 2. See Section 3.05.03H for carpool/vanpool (C/V) development standards.		

The site plan shows the minimum 2 C/V spaces at the east central front corner of the SW office building, as indicated by "CARPOOL". Because there is no additional information about specifications such as for signage and striping per 3.05.03H, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with Table 3.05.03H, staff applies a condition or conditions.

**3.05.05 Shared Parking ...**

**D. Shared parking may be allowed if the following standards are met:**

- 1. Future changes of use, such as expansion of a building or establishment of hours of operation which conflict with, or affect, a shared parking agreement, shall require review and authorization of a subsequent Design Review or Modification of Conditions.**
- 2. Legal documentation, to the satisfaction of the Director, shall be submitted verifying shared parking between the separate developments. Shared parking agreements may include provisions covering maintenance, liability, hours of use, and cross-access easements.**
- 3. The approved legal documentation shall be recorded by the applicant at the Marion County Recorder's Office and a copy of the recorded document shall be submitted to the Director, prior to issuance of a building or other land use permit.**


The subject property is two lots that the applicant proposes neither to adjust nor consolidate, with Tax Lot 3600 (2540 Newberg Hwy) having the convenience store and attached NE commercial office area and Tax Lot 3700 (2600 Newberg Hwy) having the fuel pump canopy and SW office building.

As mentioned earlier above regarding minimum parking, while Tax Lot 3700 (2600 Newberg Hwy) would meet minimum parking for the fuel pumps and exceed that for the SW commercial office building, Tax Lot 3600 (2540 Newberg Hwy) would have 19 or 20 spaces, short of the minimum 26 parking stalls for the convenience store and attached NE commercial office space.

For these reasons, shared parking is *de facto* proposed and a shared parking agreement becomes required.

The application materials lack a draft shared parking agreement. Staff applies a condition to secure conformance during building permit review.

▲ In order to secure conformance with 3.05.05D, staff applies a condition or conditions.

<b>Off-Street Bicycle Parking</b> <b>Table 3.05D</b>		
		
Development or Use	Description	Stall Minimum Number, Percent, or Ratio
<b>2. Non-residential development within commercial zoning districts</b>		<b>Whichever of the two rates is greater:</b> <b>(1) 2 stalls or 15% of total minimum required parking spaces, whichever is greater; or</b> <b>(2) 2 stalls or equal to 0.6/ 1,000 square feet GFA, whichever is greater.</b>
<b>3. The Director may authorize off-street bicycle parking for any use that the Development or Use column does not clearly include.</b>		
<b>4. See Section 3.05.06 for bicycle parking development standards.</b>		

Minimum bicycle parking is whichever of the two rates is greater:

- (1) 2 stalls or 15% of 25 parking spaces, whichever is greater; or
- (2) 2 stalls or equal to 0.6 x (4,394/1,000) square feet GFA of the convenience store, whichever is greater.

This is the same as:


- (1) 2 stalls or (40 x 0.15) → 6 stalls, whichever is greater; or
- (2) 2 stalls or equal to (0.6 x 6.863) = 4.1 stalls →, whichever is greater.

So, rate (2) is applicable, and of that, the second rate is applicable, yielding the minimum required bicycle parking of 6 stalls. The site plan shows 4 at the convenience store and 2 at the SW commercial office building.

Because the SW commercial office building of 5,000 sq ft per the site plan and elevations would have as many as 4-5 tenant spaces, staff believes more than 2 are necessary at that building and by conditional use requires a sitewide minimum of 8 with minimum 4 of these being at the SW office commercial building. For reasons why, see farther below under the Conditional Use Provisions section (Table CU-3, row CU2, third column).

The Table 3.05C minimum ratio is met, and conceptually the bicycle parking could conform with 3.05.06. Because there is no additional information about specifications, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with 3.05.06, staff applies a condition or conditions.

<b>Electric Vehicle Parking</b> <b>Table 3.05E</b> 		
Development or Use	Description	Stall Minimum Number or Percent
<b>2. Non-residential development within commercial zoning districts</b>	<b>Zero to 19 total minimum required spaces</b>	<b>n/a</b>
	<b>20 to 39 total</b>	<b>2 stalls</b>
	<b>40 or more total</b>	<b>2 stalls or 5%, whichever is greater</b>
<b>2. The Director may authorize EV parking for any use that the Development or Use column does not clearly include.</b> <b>3. See Section 3.05.03I below for EV development standards.</b> <b>4. Administrative note: As of January 2022, electrical permitting remains through the County instead of the City by agreement between the City and County.</b>		

The site plan shows the minimum 2 EV spaces at the site northwest front of the SW commercial office building symbolized with “EV SPACE”, meeting Table 3.05E. (Regarding, “2 stalls or 5%, whichever is greater”, 5% of 40 minimum parking spaces equals 2.)

Because there is no additional information about specifications such as for charging level, signage, and striping per 3.05.03I, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with 3.05.03I, staff applies a condition or conditions.

### **3.05.04 Off-Street Loading & Unloading**

The proposal conforms.

✓ The requirement is met.

### **3.06 Landscaping**

#### **3.06.03 Landscaping Standards**

##### **A. Street Trees**

Staff addresses this further under both the Conditional Use Provisions and the Adjustment to Street Right of Way and Improvement Requirements (“Street Adjustment”) Provisions sections of this document.

■ *CU & SA:* Staff further addresses street trees further under both the Conditional Use Provisions section (under criterion 3, factor b) and the Adjustment to Street Right of Way and Improvement Requirements (“Street Adjustment”) Provisions section.

#### **3.06.05 Screening**

##### **A. Screening between zones and uses shall comply with Table 3.06D.**

The row “Property being Developed – must provide screening if no comparable screening exists on abutting protected property” and “CG or MUV zone” that intersects with the columns “Adjacent properties – zone or use that receives the benefit of screening” and both “RS, R1S, or RSN zone” and “Multiple-family dwelling” necessitates an “Architectural Wall” (AW) along the lot lines abutting the lots with the two houses at 943 & 953 Oregon Way and the Panor 360 condominiums at 950 Evergreen Road.

▲ In order to secure conformance with Table 3.06D, staff applies a condition or conditions.



**B. All parking areas, except those for single-family and duplex dwellings, abutting a street shall provide a 42-inch vertical visual screen from the abutting street grade. Acceptable design techniques to provide the screening include plant materials, berms, architectural walls, and depressed grade for the parking area. All screening shall comply with the clear vision standards of this ordinance (Section 3.03.06).**

Because the landscape plan symbolizes some shrubbery or hedges that don't quite fully line parking and vehicular circulation areas so as to screen them, staff applies a condition or conditions.

▲ In order to secure conformance with the screening requirement, staff applies a condition or conditions.

### **3.06.06 Architectural Walls**

Because the application materials fail to show that the development would conform to the requirement, staff applies a condition or conditions.

▲ In order to secure conformance with AW standards, staff applies a condition or conditions.

### **3.06.07 Significant Tree Preservation & Removal**

See the Conditional Use Provisions section under criterion 3, factor c5) "aesthetics", for analysis.

Through conditional use process, staff applies a fee to mitigate the loss of Significant Trees and to increase the City tree fund. For the explanation why, see the paragraph farther below under the Conditional Use Provisions section (under criterion 3, factor c5).

▲ In order to secure Significant Tree removal mitigation, staff applies a condition or conditions.

## **3.07 Architectural Design**

### **3.07.06 Standards for Non-Residential Structures in Residential, Commercial and Public/Semi Public Zones**

Per 3.07.01A, the architectural provisions are standards for land use review Type I and guidelines for higher types. The application types composing the consolidated package result in Type III.

The site plans and building elevations show largely what the guidelines describe; however, without conditions applied through the conditional use process, guidelines would remain just that – optional for the developer and subject to “value engineering”.

▲ In order to secure adequate architecture in the context of strip commercial development, staff applies a condition or conditions.

### **3.08 Partitions and Subdivisions**

None proposed.

– Not applicable.

### **3.10 Signs**

Land use application types generally are not the means for the City to review or approve signage. Signage, including wall and monument signs, remain subject to review and approval through a Type I sign permit through 5.01.10 “Sign Permit”.

– Not applicable.

### **3.11 Lighting**

The site plans through Sheet E1.1 “Lighting Plan” appears to conform with 3.11.02. Regarding color temperature / hue in particular per 3.11.02C, the application materials submitted May 1, 2024 included cut or spec sheets indicating that parking area pole lights would be the model of 4,000° Kelvin (K) color temperature, a conforming value. However, the color temperature is not specified for either the wall-mounted fixture model or the fuel pump canopy ceiling light fixture model nor, it is necessary to specify model purchase and installation of the 4,000° K and not the 5,000° K models. This may be through marked cut or spec sheets, plan sheet revisions, or both. Staff conditions accordingly.

▲ In order to secure conformance with 3.11.02C & F, staff applies a condition or conditions.

## Conditional Use Provisions

### CU Provisions

#### 5.03.01 Conditional Use

**A. Purpose:** A conditional use is an activity which is permitted in a zone but which, because of some characteristics, is not entirely compatible with other uses allowed in the zone, and cannot be permitted outright. A public hearing is held by the Planning Commission and conditions may be imposed to offset impacts and make the use as compatible as practical with surrounding uses. Conditions can also be imposed to make the use conform to the requirements of this Ordinance and with other applicable criteria and standards. Conditions that decrease the minimum standards of a development standard require variance approval.

**B. Criteria:**

1. The proposed use shall be permitted as a conditional use within the zoning district.
2. The proposed use shall comply with the development standards of the zoning district.
3. The proposed use shall be compatible with the surrounding properties.

Relevant factors to be considered in determining whether the proposed use is compatible include:

- a. The suitability of the size, shape, location and topography of the site for the proposed use;
- b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;
- c. The impact of the proposed use on the quality of the living environment:
  - 1) Noise;
  - 2) Illumination;
  - 3) Hours of operation;
  - 4) Air quality;
  - 5) Aesthetics; and
  - 6) Vehicular traffic.
- d. The conformance of the proposed use with applicable Comprehensive Plan policies; and
- e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.

#### *Scope of review*

The applicant duly consolidated the development applications per WDO 4.01.07 – master/parent case file number is Conditional Use CU 24-02, and the children/corollary case file numbers are Design Review 24-02, Phasing Plan PP 24-01, & Adjustment to Street Improvement Requirements ("Street Adjustment") SA 24-01. Under consolidated review, City policy is not to segment development review into discrete parts in a manner that could preclude comprehensive review of the entire development and “its cumulative impacts” (4.01.07). The proposed development includes a mix of uses, with the gas station being a conditional use

pursuant to the WDO and the convenience store being a permitted use. However, the mixed uses on the property are arguably tied together under a singular business model, each reliant on the other components and benefitting from their assembled presence on a singular site. It is reasonable to assume that individuals using the fueling islands will also use the convenience store, whether for paying for fuel, purchasing food and beverages, using the restroom, etc. The City is not required to identify a subarea of the property as the “gas station site” and consider impacts framed by a smaller area. The uses have a grouped impact that generally cannot be separated. In particular and as evident from the transportation impact analysis (TIA), the site development traffic effects result from the whole and all of the site uses. For that reason, it is reasonable for the City in evaluating the effects of the proposed gas station, convenience store, and office areas, to also assume and condition the reasonable convenience store impacts along with the other uses. Also, the City reviewed and considered the effects of the mixed uses on the development site on the surrounding properties to the full extent of the property lines as part of its evaluation.

#### *Criteria and factors*

Looking at each criterion and factor:

*1 “The proposed use shall be permitted as a conditional use within the zoning district.”*

The use of gas station is permitted as a conditional use as examined under the Design Review Provisions section of this document.

✓ The criterion is met.

*2 “The proposed use shall comply with the development standards of the zoning district.”*

It complies with some but not others as examined under other sections in this document, particularly the Design Review Provisions section.

▲ In order to secure full compliance, staff applies a condition or conditions.

*3 “The proposed use shall be compatible with the surrounding properties.*

Recommended conditions of approval make the proposed conditional use compatible with the surrounding properties.

*Relevant factors to be considered in determining whether the proposed use is compatible include:*

*a. The suitability of the size, shape, location and topography of the site for the proposed use;”*

CU 24-02 US Market Gas Station 2540 & 2600 Newberg Hwy Staff Report

Attachment 102

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The site is composed of two lots totaling 1.42 acres, zoned Commercial General (CG), L-shaped, located at a street corner, and flat. Nothing about these are compelling factors against a gas station.

*“b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;”*

Regarding the capacity of public water, sewerage, and drainage facilities, the Public Works Department Engineering Division handles this through its own conditions and processes. Public Works comments (Attachment 102A, August 13, 2024) identify no objections to development. The proposed use for any given facility is either sufficient or will be after the developer upgrades per the Public Works Department Engineering Division, except where and as Oregon Dept. of Transportation (ODOT) is applicable. Typically, ODOT accommodates developers drawing and constructing street improvements to City standards even along Oregon Highways 99E, 211, 214, & 219.

Regarding street and pedestrian facilities, the Planning Division is taking the lead. The developer applied for an Adjustment to Street Improvement Requirements ("Street Adjustment"), SA 24-01, for both the highway and Oregon Way. Both frontages are nonconforming relative to Figures 3.01B "Major Arterial" and 3.01E "Access Street". They lack both landscape strips with street trees per 3.06.03A and sidewalk that is not curb-tight. Development requires ROW dedication per 3.01.01A & Fig. 3.01B and street improvements per WDO 3.01.01B & D, 3.01.02A & E, 3.01.03A & C.1, Fig. 3.01A, 3.01.04B, and Fig. 3.01B.

Allowing the existing context to remain with strip commercial development would make the walking and cycling environment along highly-trafficked streets (for those cyclists who feel and are safer riding on sidewalk) no less hostile. Additionally, an SA is a discretionary application type. Second, staff applies conditions that secure improvements though less than WDO standards, and that are reasonably proportional to the development. For reasons why, see Table CU-3 below, row CU4, third column.

*“c. The impact of the proposed use on the quality of the` living environment:*

*1) Noise;”*

See Table CU-3, row CU8, third column below.

*“2) Illumination;”*

See Table CU-3, row CU7, third column below.

*“3) Hours of operation;”*

See Table CU-3, row CU8, third column below.

#### *“4) Air quality;”*

Staff addresses climate change simply to say, it’s a gas station with all the greenhouse gas and volatile organic compound (VOC) emissions that it would enable.

Putting aside climate change, what else is “air quality?” A gas station comes with fumes, particularly easy to get a whiff of near the pumps. However, once a gas station is in place, a city government can do little to change that fact. If this factor is important to someone, the question would be a simple yes or no to a gas station.

Otherwise regarding air quality, staff applies conditions for additional trees in the east and north yards and a wider sidewalk along Oregon Way as a public bicycle pedestrian path, serving as transportation demand management (TDM) by inducing adjacent and nearby residents to drive less often, especially to and from the proposed development and nearby destinations in the commercial area around the intersections of the highway with Country Club Road and Evergreen Roads and with Lawson Avenue, and with fewer driving trips comes better air quality. Also, regarding on-site trees, see factor 5) below.

#### *5) Aesthetics; and*

Staff interprets this to include:

- a. The look and feel of street frontage for passers-by walking, cycling, and driving;
- b. The look and feel of yard landscaping along streets for passers-by walking, cycling, and driving as well as on-site employees and customers;
- c. Urban design: how close buildings are to sidewalk, how many and how large are windows, are their entrances visible from sidewalk and whether the public can see main entrances to buildings from sidewalk, and whether placements of entrances orient to those who walk or cycle no worse than to those who drive and park;
- d. How safely and comfortably pedestrians and cyclist can access and circulation among on-site buildings through walkways and visibly distinct crossings of drive aisles, including decorative pavement that would connect the Oregon Way sidewalk with the NE commercial office area main entrance;
- e. Having enough on-site trash receptacles near sidewalk to lessen the likelihood of litter of yards along streets and street frontage by convenience store customers on foot;
- f. Avoiding excessive exterior lighting;
- g. Having adequate architecture in the context of strip commercial development;
- h. Having the Architectural Wall look adequate;
- i. Getting highway electric power poles and overhead electric power lines buried or fees in-lieu paid to fund such elsewhere in town;
- j. Having a few evergreen trees among newly planted trees; and
- k. Increase street trees and on-site trees in yards along streets, and provide for fee in-lieu to fund tree plantings elsewhere in town;

- l. Administering Street Adjustment SA 24-01 to have the developer improve Oregon Way to be the best of the two frontages for pedestrians and cyclists to give the City some public benefit for leaving the highway frontage as is or largely as is; and
- m. Mitigation of the unpleasant aspects of neighboring and patronizing a gas station and convenience store.

Significant Tree removal: Also, regarding on-site trees, for a condition and Attachment 203 (fee table) regarding contribution to the City tree fund, having a fee is based on conditional use compatibility with surrounding properties (criterion 3) and impact of the proposed use on the quality of the living environment (factor 3c) including air quality and aesthetics (factors 3c4 & 3c5). The reason is that a demolition contractor, while demolishing the two vacant banks, removed from the subject property at least two but likely three Significant Trees (as 1.02 defines) in May 2021 without City authorization, particularly a Significant Tree Removal Permit per 5.01.11. Staff had seen and photographed on-site trees during at least two site visits, one each on November 9, 2018 and April 26, 2019. The removal prompted neighbor complaints to the City Council at the May 24, 2021 meeting, and there was code enforcement. The Council on August 9, 2021 adopted Ordinance No. 2592 “establishing an enhanced penalty” for violations of WDO tree preservation and removal provisions.

Through conditional use process, staff applies a fee to mitigate the loss and to increase the City tree fund.

Staff applies conditions towards these objectives.

#### *6) Vehicular traffic.*

The proposal is strip commercial development of a gas station with convenience store and two commercial office spaces, one at the northeast attached to the south side of the convenience store, and at the southwest an office building.

The applicant recycled the traffic impact analysis (TIA) dated August 13, 2021 from CU 21-02 as a CU 24-02 submittal February 8, 2024. The applicant revised the TIA June 23, 2023 and submitted it May 1, 2024. The applicant submitted a five-page supplement dated and submitted July 23, 2024 clarifying how the applicant’s consultant applied the Institute of Transportation Engineers (ITE) *Trip General Manual* rates of vehicle trips that would pass by the site, i.e., “pass-by” trip rates. Staff had the transportation consultant to the City review the revised TIA and draft a memo (February 26, 2024).

TIA page 36, “Findings and Recommendations” proposed no mitigation measures.

Page 14 of the revised TIA identifies high vehicle turning and angle crash rate at most intersections in Table 4, reproduced below, and p. 12 of the revised TIA references crash history. The crash history states:

“The table also provides a crash rate per million entering vehicles, which is often used to assess whether a geometric or traffic control deficiency is present when the crash rate is greater than 1.0 per million entering vehicles.”

**Table 4. Intersection Crash Summary (January 2015 to December 2019)**  
*(Note that 2020 crash data is available but is impacted by COVID trends)*

Intersection	# of Crashes	Severity			Crash Rate per MEV	ODOT 90 <sup>th</sup> % Rate
		Fatal	Injury	Non-Injury		
1: I-5 SB Ramps/ Newberg Hwy	48	0	35	13	0.93	3SG: 0.509 Urban
2: I-5 NB Ramps/ Newberg Hwy	48	0	27	21	0.90	3SG: 0.509 Urban
3: Evergreen Rd/ Newberg Hwy	67	0	39	28	1.36	4SG: 0.860 Urban
4: RI Access/ Newberg Hwy	1	0	0	1	0.05	Right-In/ Right-Out
5: Oregon Way/ Newberg Hwy	43	0	30	13	1.08	4SG: 0.860 Urban
6: Oregon Way/ Access	0	0	0	0	0.00	3ST: 0.293 Urban

3SG: Three-legged signalized, 4SG: Four-legged signalized, 3ST: Three-legged stop-controlled

From p. 14

**Table 9. Trip Generation Estimates (ITE 11<sup>th</sup> Edition)**

Land Use	ITE Code	Metric	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
<b>Existing Uses</b>									
Drive-in Bank	912	5,714 SF	573	57	33	24	120	60	60
Pass-by Trips			-201	-17	-10	-7	-42	-21	-21
<b>Net New Trips</b>			<b>372</b>	<b>40</b>	<b>23</b>	<b>17</b>	<b>78</b>	<b>39</b>	<b>39</b>
<b>Proposed Uses</b>									
Small Office Building	712	6,863 SF	99	11	9	2	15	5	10
Convenience Store/ Gas Station	945	4,110 SF 12 pos.	3,086	324	162	162	273	137	136
Pass-by Trips			-2,315	-246	-123	-123	-205	-103	-102
<b>Total Proposed Uses</b>			<b>3,185</b>	<b>335</b>	<b>171</b>	<b>164</b>	<b>288</b>	<b>142</b>	<b>146</b>
<b>Total Pass-by Trips</b>			<b>-2,315</b>	<b>-246</b>	<b>-123</b>	<b>-123</b>	<b>-205</b>	<b>-103</b>	<b>-102</b>
<b>Net New Trips</b>			<b>870</b>	<b>89</b>	<b>48</b>	<b>41</b>	<b>83</b>	<b>39</b>	<b>44</b>
<b>Total New Trips (Proposed Trips – Approved Bank Trips)</b>									
Total Trip Difference			+2,612	+278	+138	+140	+168	+82	+86
Pass-by Trip Difference			-2,114	-229	-113	-116	-163	-82	-81
<b>Net New Trip Difference</b>			<b>+498</b>	<b>+49</b>	<b>+25</b>	<b>+24</b>	<b>+5</b>	<b>+0</b>	<b>+5</b>

From p. 26



Modeling predicts that the proposed development would generate net 870 daily vehicle trips, more than the two banks, now demolished, did – a net 498 more per revised TIA Table 9 on p. 26, of which AM peak trips are total 89 or net 49 and PM peak trips are total 83 or net 5.

This would include greater numbers of left turns (from Oregon Way), suggesting that crash risk remains or rises. The p. 36, “Findings and Recommendations” section, third bullet, acknowledges, “The safety analysis identified high crash rates at the I-5 ramp intersections, Evergreen Road, and Oregon Way on OR 214.” The fourth bullet states:

“The Evergreen Road/OR 214 and Oregon Way/OR 214 intersections were included on the ODOT SPIS[\*] lists in 2019, 2020, and 2021 at a 95th percentile. The signal phasing was recently changed at these signals from protected-permissive to protected only left-turn phasing, which is not reflected in the crash data. As most crashes at these intersections were turning collisions on the highway, this is expected to reduce the number of crashes reported at these intersections and further monitoring is recommended.”

\*Safety Priority Index System.

However, it’s not known if crash risks are actually lower, and with Table 4 indicating that this intersection of those studied has the highest crash rate and that the intersection of the highway and Country Club Road / Oregon Way has the second highest, staff finds the revised TIA unconvincing about crash safety and errs on the side of caution.

#### *Country Club Road / Oregon Way*

For this second-highest crash rate intersection, staff applies Condition T-A1 as a mitigation measure to fund the Transportation System Plan (TSP) Project R11, a signal timing study from TSP p. 32, and to supplement with addition funding both to examine improving safety and to account for inflation after the City Council adopted the TSP in September 2019, using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) to adjust \$15,000 from then to July 2024, the latest month the calculator made available as of August 14, 2024. Staff applies Condition T-A1a.

#### *I-5 Interchange*

The City conditioned the approval of the DR 21-07 Amazon warehouse, formerly known as “Project Basie”, at 450 Butteville Road through Condition 10 to provide a proportionate share contribution of \$10,000 towards TSP Projects R8 & R9, signal/intersection studies estimated at \$15,000 each and totaling \$30,000, to address the elevated crash rate along the highway at the I-5 northbound on and off-ramps, the third-highest crash rate per TIA Table 4 above.

Page 22, Table 7 of the revised TIA lists developments including Amazon and cites its trip generation as 457 trips during the AM Peak hours and 176 during the PM peak hour; however the DR 21-7 revised TIA dated July 6, 2021 totals 599 AM peak hour trips per p. 33 Fig. 13 and 224 PM peak hour trips per p. 35 Fig. 14.

The subject CU 24-02 US Market as examined earlier above would generate 89 AM peak trips compared with 83 PM peak hour trips. Both Amazon and the gas station have higher trips during the AM peak than the PM one. The gas station 89 trips equals 14.9% of the 599 of Amazon. Because of Amazon having given \$10,000, 14.9% of that would be \$1,490 towards the total remaining \$20,000 needed for the estimated total cost of \$30,000 of both TSP Projects R8 & R9. Staff adjusts from September 2021, the date of the DR 21-07 Planning Commission staff report, to July 2024, the latest month the aforementioned calculator made available, and this yields \$1,709 rounded. Staff applies Condition T-A1b.

#### *Evergreen Road*

The City for DR 2019-05 Allison Way Apartments at 398 Stacy Allison Way through Condition T-A3 required a proportionate share contribution of \$15,000 toward a signal/intersection study related to TSP Project R10 to alleviate the crash condition for the 67 additional PM peak hour trips added to the intersection. (The Public Works Department has not reported that there has been study. For the gas station first attempt, CU 21-02, the dollar amount of this share would have been \$15,000.)

CU 24-02 US Market would add 61 trips to that intersection, almost that of the apartments, and as Table 4 above shows, the intersection has a high crash rate. The proportionate share calculation is 61 gas station trips compared to 67 apartment trips,  $61 / 67 = 91.0\%$ , which when applied to \$15,000 yields \$13,657. Because the base amount dates from May 2020, the date of the DR 2019-05 Planning Commission staff report, staff adjusts the \$13,657 for inflation to be in July 2024 dollars, the latest month the aforementioned calculator made available. This yields \$16,755 rounded. Staff applies Condition T-A1c.

#### *Bus transit*

To further transportation demand management (TDM) through bus transit, regarding the Woodburn Transportation System (WTS) Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because ROW and streetside PUE are too narrow relative to the street to accommodate installation staff applies a condition for fees in lieu of a bus shelter and bus stop bicycle parking. The cost is based on the City Transit Development Plan (TDP; Resolution No. 2213 on June 12, 2023). (The TDP follows the Transit Plan Update, also known as the Transit Update Plan, adopted via Resolution No. 1980 on November 8, 2010.) TDP Fig. 68 from p. 94, footnote 6, estimated \$15,000 for a bus stop improved with a shelter.

Staff adjusts from June 2023 to July 2024, the latest month the aforementioned calculator made available. Staff had determined the cost of bus stop bicycle parking was \$510.20 through ANX 2019-01 Woodburn Eastside Apartments (known Woodburn Place Apartments), and staff adjusts from October 2020 to July 2024. Staff applies Condition T-T.

*“d. The conformance of the proposed use with applicable Comprehensive Plan policies; and”*  
 Staff applies conditions in support of [Comprehensive Plan](#) Policies:

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
Residential Land Development and Housing:		
D-1.9	15	<p>“Industrial and commercial uses that locate adjacent to a residential area should buffer their use by screening, design, and sufficient setback that their location will not adversely affect the residential area.”</p> <p>The site is abouts two houses in Woodburn Senior Estates to the southeast and a three-story condominium building, Panor 360, to the southwest. East across Oregon Way are three more houses in the Estates.</p> <p>Conditions address the policy and thereby address CU criterion 3, factor d. The conditions also address factors among c1)-5) &amp; e, the ones addressing:</p> <ul style="list-style-type: none"> <li>• Front yard landscaping that has more trees and shrubs</li> <li>• Architectural Wall (AW) along the southeast and southwest property lines abutting the properties with the two houses and the condominium building</li> <li>• Lights on number and placements of exterior light fixtures</li> <li>• Gas station operations – including regarding noise; hours of operation of the convenience store and vacuums; trash; and fuel pump vehicle queuing</li> <li>• Lighting regarding electronic changing imagery within front yard signage.</li> </ul>
Commercial Land Development and Employment:		
F-1.2	24	<p>“Lands for high traffic generating uses (shopping centers, malls, restaurants, etc.) should be located on well improved arterials. The uses should provide the necessary traffic control devices needed to ameliorate their impact on the arterial streets.”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>A gas station is a high traffic generating use, and its proposed site is at the corner of a state highway and a street, the developer being conditioned to upgrade the street frontage. A T transportation condition secures transportation mitigation fees as examined under CU factor 6) about vehicular traffic and as different means of meeting the intent of the Comprehensive Plan policy than changing the traffic signal at the highway intersection with Oregon Way.</p>
F-1.3	24	<p>“Strip zoning should be discouraged as a most unproductive form of commercial land development. Strip zoning is characterized by the use of small parcels of less than one acre, with lot depths of less than 150 feet and parcels containing multiple driveway access points. Whenever possible, the City should encourage or require commercial developments which are designed to allow pedestrians to shop without relying on the private automobile to go from shop to shop. Therefore, acreage site lots should be encouraged to develop "mall type" developments that allow a one stop and shop opportunity. Commercial developments or commercial development patterns that require the use of the private automobile shall be discouraged.”</p> <p>The two lots total 1.42 acres with highway and Oregon Way frontages of 265 and 178 ft respectively.</p> <p>Conditions implement access management to not increase the number of driveways within the development and across successive developments along the major thoroughfares that are the spines of the CG zoning district.</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses.</p>
F-1.4	24	<p>“Architectural design of commercial areas should be attractive with a spacious feeling and enough landscaping to reduce the visual impact of large expanses of asphalt parking areas. Nodal and mixed use village commercial areas should be neighborhood and pedestrian oriented, with parking to the rear or side of commercial buildings, and with pedestrian connections to neighboring residential areas.”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>Conditions make a dent in large expanses of asphalt parking areas through more trees in yards along streets and hedge or shrubbery screening parking areas from streets. Conditions require minimum window area on street-facing walls for attractiveness, and wide walkways connecting sidewalks with all building main entrances on the site. An objective is to make a gas station development less ugly than it might otherwise be.</p>
F-1.6	25	<p>“Commercial office and other low traffic generating commercial retail uses can be located on collectors or in close proximity to residential areas if care in architecture and site planning is exercised. The City should ensure by proper regulations that any commercial uses located close to residential areas have the proper architectural and landscaping buffer zones.”</p> <p>The WDO and conditions secure care in architecture and site planning for the commercial development close to residential area to the southeast and southwest through a combination of wall, slatted fencing, vegetation, and height limits on light poles and wall-mounted lights.</p>
<b>Transportation:</b>		
H-1.1	33	<p>“Develop an expanded intracity bus transit system that provides added service and route coverage to improve the mobility and accessibility of the transportation disadvantaged and to attract traditional auto users to use the system.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p> <p>Conditions also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
H-1.3	34	<p>“Develop a low stress network of bicycle lanes and routes that link major activity centers such as residential neighborhoods, schools, parks, commercial areas and employment centers. Identify off-street facilities in City greenway and park areas. Ensure all new or improved collector and arterial streets are constructed with bicycle lanes.”</p> <p>Conditions induce cycling by requiring rain canopies at building entrances, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, and wide sidewalk along Oregon Way, the less trafficked and noisy street. The wide sidewalk is minimum 8 ft, enough to serve as a bicycle/pedestrian path (or “multi-use path”) for most cyclists who feel safer riding outside a roadway when possible.</p>
H-1.4	34	<p>“Develop a comprehensive network of sidewalks and off-street pathways. Identify key connections to improve pedestrian mobility within neighborhoods and link residential areas to schools, parks, places of employment and commercial areas. Ensure all new collector and arterial streets are constructed with sidewalks.”</p> <p>Conditions induce walking and cycling by requiring rain canopies at building entrances, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The wide sidewalk is minimum 8 ft, enough to serve as a bicycle/pedestrian path (or “multi-use path”) for most cyclists who feel safer riding outside a roadway when possible.</p>
H-2.3	34	<p>“Encourage multi-modal transportation options, including park-and-ride facilities, carpooling, and use of transit services.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
H-2.5	34	<p>“Provide inter-parcel circulation through crossover easements, frontage or backage roads, or shared parking lots where feasible.”</p> <p>DR conditions secure access management based on WDO 3.04.03 and Table 3.04A.</p>
H-3.1	35	<p>“Continue coordination with ODOT to improve safety on state facilities within the City and citywide access management strategies.”</p> <p>CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p>
H-3.2	35	<p>“Implement strategies to address pedestrian and bicycle safety issues, specifically for travel to and from local schools, commercial areas, and major activity centers.”</p> <p>Conditions induce walking and cycling by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses.</p> <p>CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
H-4.1	35	<p>“Evaluate the feasibility of various funding mechanisms, including new and innovative sources.”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.
H-5.1	35	<p>“Implement, where appropriate, a range of potential Transportation Demand Management (TDM) strategies that can be used to improve the efficiency of the transportation system by shifting single-occupant vehicle trips to other models [<i>sic</i>] and reducing automobile reliance at times of peak traffic volumes.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p> <p>They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
Natural ... Resources:		
J-1.1	40	<p>“... Outside of designated floodplains and riparian corridors, developers should be required to leave standing trees in developments where feasible.”</p> <p>See the Conditional Use Provisions section under criterion 3, factor c5) “aesthetics”, for analysis relating to Significant Tree removal mitigation. A condition secures contribution to the City tree fund.</p>
Energy Conservation:		
M-1.2	49	<p>“The City shall increase its commitment to energy conservation, including alternative energy vehicles, increased recycling, and reduction in out-of-direction travel. ... .”</p>



<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>CU conditions induce walking and cycling by requiring a wide landscape strip and wide sidewalk and trees in the yards abutting the highway and the street. A wider, shadier sidewalk along Oregon Way induces more walking and cycling trips and by reducing vehicle trips lowers risk of collisions.</p> <p>Conditions limit number of exterior light fixtures.</p>

*“e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.”*

The City Engineer through Attachment 102A did not identify any deficiencies of or threats to public infrastructure in regards to factor b. of the third CU criterion – subsection B.3b – and the proposal sketches street improvements, construction level details to be determined in conformance with the conditions of approval and in concert with the Oregon Dept. of Transportation (ODOT).

Staff applies conditions regarding chiefly a few main topics to ensure compatibility of the development:

- a. WDO conformance;
- b. Mitigation of the unpleasant aspects of neighboring and patronizing a gas station and convenience store, through CU conditions;
- c. Traffic mitigation through a transportation condition – a “T” condition; and
- d. Aesthetics as examined above for 3c5), both (1) on-site and (2) through Street Adjustment SA 24-01 regarding Oregon Way frontage, especially landscape strip and sidewalk.

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
CU1	3c, 3c5), 3e	<ul style="list-style-type: none"> <li>• To have the Oregon Way front yard, the yard closest to nearby houses, look more attractive from the street.</li> <li>• To delineate the route from Oregon Way to the northeast commercial office main entrance.</li> <li>• To have the northeast commercial office area south side lawn feel more park-like for tenants and customers.</li> </ul>

Table CU-3		
CU Condition	CU Criteria/Factors	Reasons
CU2	3b, 3c, 3c4), 3c6)	<ul style="list-style-type: none"> <li>• Because the SW commercial office building of 5,000 sq ft per the site plan and elevations would have as many as 4-5 tenant spaces, staff believes more than 2 are necessary at that building and by conditional use requires a sitewide minimum of 8 with minimum 4 of these being at the SW office commercial building.</li> <li>• One stall per tenant space seems more reasonable</li> <li>• If bicycle parking is adequate, tenants and customers are more likely to make use of it, contributing to traffic reduction and better air quality.</li> </ul>
CU3	3c, 3c5)	<ul style="list-style-type: none"> <li>• To ensure that landscape areas are just that and mostly green, not mostly bark dust.</li> <li>• To reduce the urban heat island effect.</li> <li>• To screen at-grade electrical transformers and other equipment.</li> <li>• To provide for variety of trees, specifically to have a few evergreens that can grow large for habitat and for visual wayfinding.</li> </ul>
CU4	3a, 3c, 3c5), 3e	<ul style="list-style-type: none"> <li>• The proposal is whole redevelopment of a demolished site.</li> <li>• There is room within the proposed site plan to omit the northernmost parking space for deeper highway front yard landscaping.</li> <li>• Regarding the highway frontage, invite the Oregon Dept. of Transportation (ODOT) and the City Public Works Dept. Engineering Division, one or both of which would have <i>de facto</i> jurisdiction over the streetside public utility easement (PUE) of 10-foot width per WDO Fig. 3.01B "Major Arterial", to agree to the planting of trees within the streetside PUE, allowing the applicant to keep the depth of proposed south site perimeter landscaping as is.</li> <li>• Have trees in the Oregon Way front yard complementing the street trees, making the frontage more pedestrian-friendly.</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• To have the northeast commercial office area south side lawn feel more park-like for tenants and customers by providing along the lawn a tiny plaza in which a bench that is both proposed and required bench can be sited.</li> <li>• To provide ample, paved, and covered outdoor common area for the southwest commercial office building tenants in the rear south yard large enough to fit a table and chairs away from door swing.</li> </ul>
CU5	3c, 3c5)	<ul style="list-style-type: none"> <li>• To establish clear standards for the required Architectural Wall (AW).</li> <li>• To require that the AW be 9 ft, the maximum height per WDO 2.06.02 and what the Planning Commission ordered for CU 21-02, to provide a better buffer/screen from Panor 360, the three-story condominium building at 950 Evergreen Road.</li> <li>• Staff allows a portion of an AW to consist of cedar wood to allow the developer to shave some construction cost. This is in keeping with precedent established for the AW at 1750 Park Avenue and recently the Commission approval of CU 24-01 for the US Market gas station at 2115 Molalla Road. The use of cedar wood is not precluded by WDO 3.06.06B.</li> <li>• An AW is practical and makes the development compatible with the adjacent two houses and the Panor 360 condominium building, thereby meeting a part of the CU purpose statement in 5.03.01A.</li> </ul>
CU6	3c, 3c5)	<ul style="list-style-type: none"> <li>• To prevent “value engineering” or similar: the developer omitting improvements that neither the WDO requires nor are conditioned, but the City expected per the land use review site plan, including minimum percentage % window areas on building elevations and a single small window in the angled northeast elevation of the convenience store, as well as some masonry cladding at the base along much of the front and the sides of the convenience store, and sheltering from the elements at building main entrance and employee side doors.</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• To require some WDO 3.07.06B architectural provisions that are “should’s” for Type III land use reviews into “shall’s”.</li> <li>• Regarding the fuel pump canopy, acknowledging that federal highway clearances range from 14-16 feet, with the lower end more common along state highways, a canopy with 16 ft of clearance is practical and safe even for box trucks and recreation vehicles (RVs).</li> </ul>
CU7	3a, 3c, 3c2), 3c5), 3e	<ul style="list-style-type: none"> <li>• Same as the WDO 3.11.01A purpose statement.</li> <li>• At gas stations generally, fuel pumps come with fixed canopies with high ceilings and many ceiling lights, sometimes with neon-like exterior trim.</li> <li>• The development would be next to two houses and a three-story condominium building.</li> <li>• Whatever one’s feelings and perceptions of safety from crime, gas stations and convenience store fronts are brightly lit. Lighting by itself doesn’t prevent assault or theft.</li> <li>• To avoid lighting annoyances to neighbors as well as to passers-by on the sidewalks.</li> </ul>
CU8	3c, 3c1), 3c5), 3e	<ul style="list-style-type: none"> <li>• To preclude audible advertising from pump speakers – in other words, those loud obnoxious video ads that play while refueling at some gas stations – reaching apartment patios and balconies and through windows.</li> <li>• To prevent obnoxious intrusion of advertising, especially sudden and loud – into every aspect and moment of life.</li> <li>• To allow reasonable hours for use of vacuums and reasonable placement of tire pumps and vacuums away from residences. No particular Planning Division permit is required for such equipment, so a condition of approval is the only regulatory way to address their noise outside of the Ordinance No. 2312 (April 8, 2002). (Staff goes easy on any tire pump that might appear because motorists expect a gas station any time of day or night to have a pump available and working when their car tires suddenly need air.)</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• Because convenience stores can at times, especially at night, attract customers or would-be customers who are homeless, as well as wayward juveniles, and because the noise associated with interacting with such persons can reasonably be expected to cause nuisance to residential neighbors, it is reasonable to require closure of the convenience store for much of the night for hours similar to that of other convenience stores not open 24/7, for example, the US Market at 1030 Broadway NE, Salem, OR and the recently approved CU 24-01 US Market at 2115 Molalla Road conditioned with the same hours as CU 24-02, it being surrounded by residential development. The Woodburn gas stations that have stores open 24/, though clustered at the west side of town at I-5, are surrounded by commercial properties. The proposed convenience store might not have been open 24/7 anyway.</li> <li>• Limiting the convenience store hours is especially justified because the development would abut two houses and a three-story condominium building.</li> <li>• For customers of the convenience store not getting gas, especially those coming and going on foot or by bicycle, to provide a trash can to lessen temptation to litter at or in the right-of-way.</li> <li>• Regarding the part of a condition about vehicle queuing, to provide for orderly arrival of vehicles at the pump and to provide for organized queuing when needed to lessen motorist frustration and honking.</li> <li>• The conditioned hours of operation, trash receptacle, and prohibitions of audible audio visual advertising and electronic changing imagery other than fuel prices within signage are practical and make the development compatible with the adjacent residences, thereby meeting a part of the CU purpose statement in 5.03.01A.</li> </ul>
CU9	3c, 3c2), 3c5), 3e	<ul style="list-style-type: none"> <li>• To prevent obnoxious intrusion of advertising, especially sudden and loud – into every aspect and moment of life, including at the gas pumps.</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• The presence of front yard permanent signage that is permissible per WDO 3.10 that would brand the gas station and have fuel prices is enough to catch the attention of would-be customers, and electronic changing imagery within the sign face that is on 24/7 is unnecessary to identify the development or attract customers.</li> <li>• Electronic changing image advertising is of no need during convenience store closure.</li> <li>• Regarding lighting, the same as the WDO 3.11.01A purpose statement and the same intent as Ordinance No. 2338 (June 9, 2003), Sect. 5A (as amended by Ordinance No. 2522 September 22, 2014).</li> <li>• An unnecessary distraction to highway and Oregon Way motorists is precluded, particularly helpful during the evening and at night.</li> </ul>

▲ In order to secure the development meeting criteria 2 & 3, staff conditions.

## Adjustment to Street Improvement Requirements ("Street Adjustment") Provisions

### SA Provisions

#### 5.02.04 Adjustment to Street Improvement Requirements ("Street Adjustment")

**A. Purpose:** The purpose of a Type II Street Adjustment is to allow deviation from the street standards required by Section 3.01 for the functional classification of streets identified in the Woodburn Transportation System Plan. The Street Adjustment review process provides a mechanism by which the regulations in the WDO may be adjusted if the proposed development continues to meet the intended purposes of Section 3.01. Street Adjustment reviews provide discretionary flexibility for unusual situations. They also allow for alternative ways to meet the purposes of Section 3.01. They do not serve to except or exempt from or to lessen or lower minimum standards for ROW improvements, with exceptions of subsections B & H. A Street Adjustment is for providing customized public improvements that substitutes for what standards require, while a Variance is for excepting or exempting from, lessening, or lowering standards, with exceptions of subsections B & H. A Street Adjustment for a development reviewed as a Type I or II application shall be considered as a Type II application, while development reviewed as a Type III application shall be considered a Type III application.

**B. Applicability:** Per the Purpose subsection above about improvements, and regarding ROW Street Adjustment may be used to narrow minimum width. Regarding alleys or off-street bicycle/pedestrian corridor or facility standards, see instead Zoning Adjustment.

**C. Criteria:**

1. The estimated extent, on a quantitative basis, to which the rights-of-way and improvements will be used by persons served by the building or development, and whether the use is for safety or convenience;
2. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;
3. The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights-of-way and improvements will be a part;
4. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to mitigate the estimated impact on the public infrastructure system.
5. The application is not based primarily on convenience for a developer or reducing civil engineering or public improvements construction costs to a developer.
6. The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.
7. Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.

**8. A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such.**

**D. Minimum Standards:** To ensure a safe and functional street with capacity to meet current demands and to ensure safety for vehicles, bicyclists and pedestrians, as well as other forms of non-vehicular traffic, the minimum standards for rights-of-way and improvements for Boundary and Connecting Streets per Sections 3.01.03C & D continue to apply. Exempting from or lessening or lowering those standards shall require a Variance. Deviation from applicable public works construction code specifications would be separate from the WDO through process that the Public Works Department might establish.

**E. Factors:** Street Adjustment applications, where and if approved, shall have conditions that customize improvements and secure accommodations for persons walking and cycling, not only driving, that meet the purposes of Section 3.01. The City may through approval with conditions require wider additional ROW dedication along the part or the whole of an extent of the subject frontage to accommodate either adjusted improvements or improvements that vary from standards.

**F. Bicycle/pedestrian facility:** If and where a Street Adjustment application requests to substitute or omit one or more required bicycle facilities, such as bicycle lanes, and the City approves the application, then the following should apply: For each substitute or omitted facility, the developer would construct a minimum width 8 feet bicycle/pedestrian facility on the same side of street centerline as the substituted or omitted facility. The City may condition wider.

**G. Landscape strip:** If and where a Street Adjustment application requests to adjust one or more required landscape strips from between curb and sidewalk, and the City approves the application, then the list below should apply. This subsection is not applicable to bridge / culvert crossing.

- 1. Sidewalk:** Construction of sidewalk minimum width 8 feet on the same side of street centerline as the adjusted landscape strip. The City may condition wider.
- 2. Planting corridor:** For each landscape strip that is relocated, delineation and establishment of a street tree planting corridor along the back of sidewalk in such a way as to allow newly planted trees to not conflict with any required streetside PUE to the extent that the Public Works Department Engineering Division in writing defines what constitutes a conflict. To give enough room for root growth, the corridor minimum width would be either 6 feet where along open yard or 7 ft where it would be flush with a building foundation. This would include installation of root barriers between the trees and street centerline to public works construction code specification.
- 3. ROW:** Where necessary to meet the above standards, dedication of additional ROW even if the additional is more than the minimum additional dedication that Section 3.01 requires.
- 4. Planting in ROW required:** Street trees would not be planted in the yard outside ROW.

**H. If the applicable Boundary Street minimums are the lesser minimums for residential development of 4 or fewer dwellings and where no land division is applicable, as Section 3.01.03C.2 allows, then allowed adjustment is: ...**

**I. Plan review:** An applicant shall submit among other administratively required application materials scaled drawings, including plan and cross section views, of proposed street improvement widths, extents, and details as well as existing conditions and proposed development site plans that include



property and easement lines and physical features some distance beyond the boundaries of the subject property for fuller context.

What would have been the standard cross sections are below:

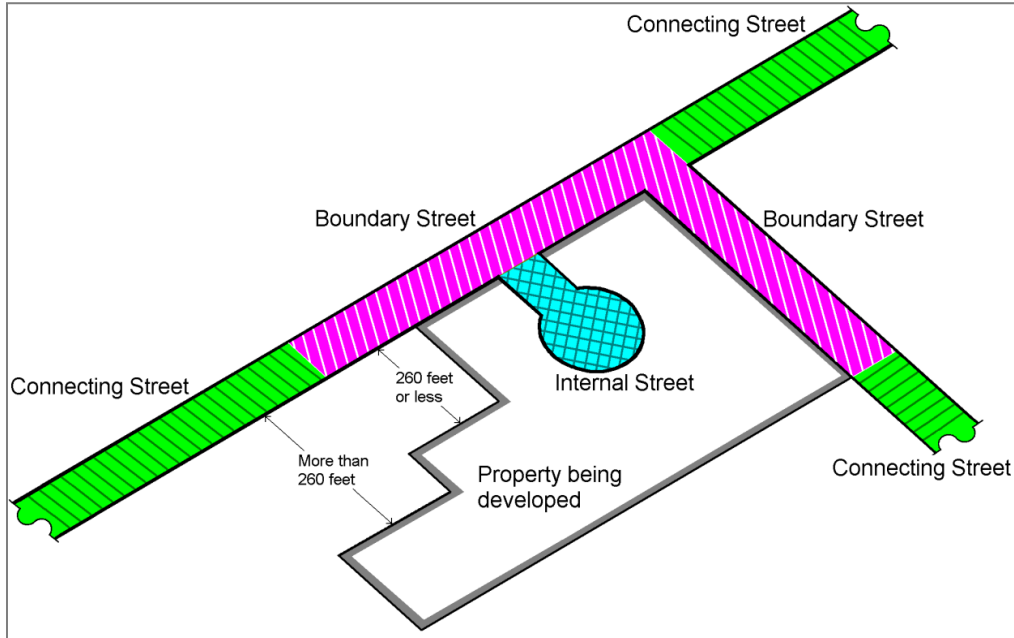


Figure 3.01A – Internal, Boundary, and Connecting Streets

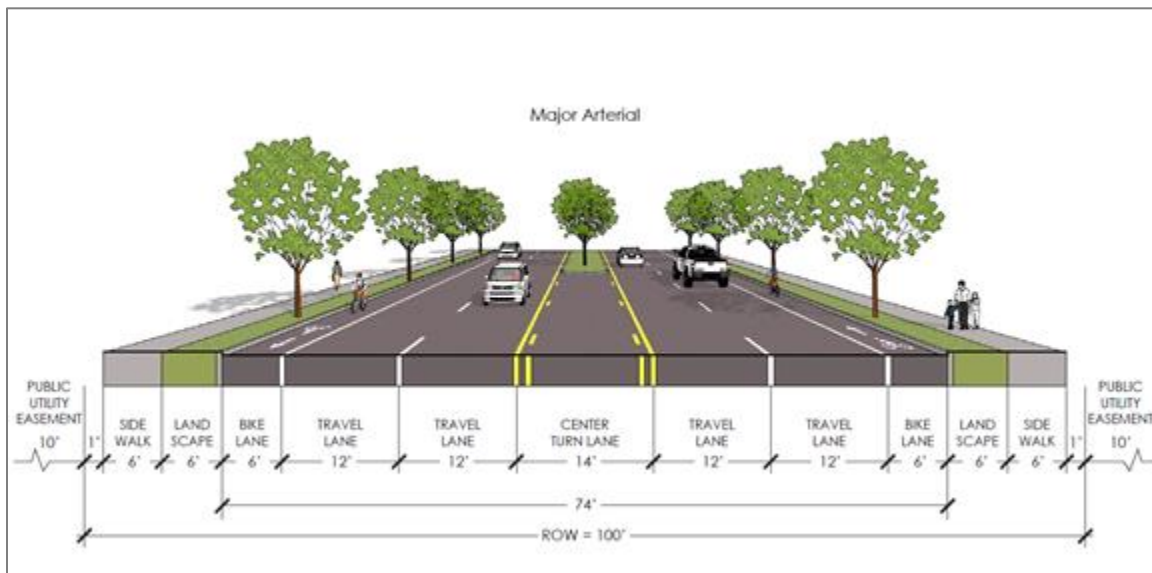


Figure 3.01B – Major Arterial (Oregon Hwy 214 / Newberg Hwy)

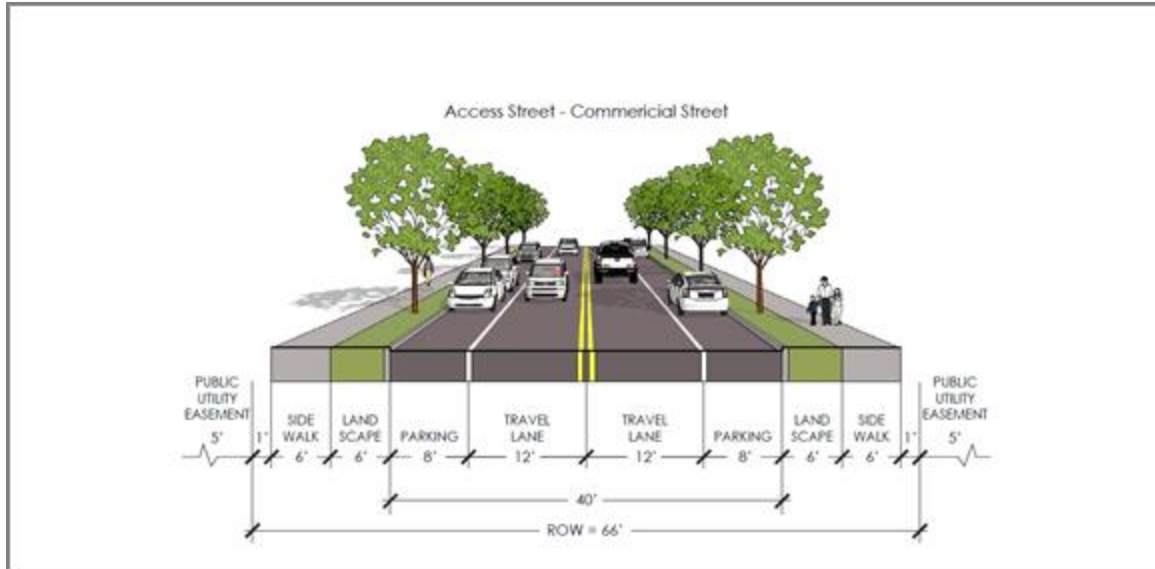


Figure 3.01E – Access Street (Oregon Way)

The application materials include a Street Adjustment narrative (“Exception to Street Right of Way Narrative”) dated February 5, 2024 and submitted February 8, 2024.

Regarding criterion 1, the applicant’s narrative (p. 2) states:

“The existing frontages on Hwy 214 and Oregon Way meet the WDO standards with the exception of the landscape strip and sidewalk being reversed. On Hwy 214 conforming strictly to the WDO standards would actually narrow the road by 6’ to add a landscape strip adjacent to the roadway, see A1.1. Changing this would not affect ‘the extent to which the right of way and improvements will be used by persons served by the building or development.’”

Though staff disagrees about the narrowing – of course a developer would dedicate right-of-way to fit in a landscape strip and sidewalk, not remove the right travel lane – staff otherwise concurs about no effect on the extent to which the right of way and improvements will be used by persons served by the development in the sense that there are at present and will remain the same number of vehicular lanes along both frontages, highway bicycle lane, and sidewalks. The proposed land uses of gas station and convenience store are for convenience and not safety.

*Paragraph 1*

Relative to Figure 3.01B, highway non-conformance is limited to lack of planter strip and street trees. Conventional traffic engineering does not address effects of development on walking and cycling as it does for vehicular trips, there is no widely recognized norm for how to address such, and the WDO provides no guidance on the topic. Second, the north frontage context is strip commercial along a heavily trafficked state highway, the kind of dangerous and noisy environment that repels pedestrian and cyclists. Those who do walk and cycle are likely those who are living nearby, the homeless, those without access to car, and those few who wish to brave existing conditions. The presence of a sidewalk is sufficient for sheer practicality for those who wish to walk along a highway or cycle outside of the bicycle lane because they don't feel safe in a highway bicycle lane. In this context, the number of pedestrians and off-street cyclists is moot. Pedestrians and cautious cyclists can and do use the wide sidewalk today, and the pedestrians and cautious cyclists the development might attract would use the same wide sidewalk.

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

*Paragraph 2*

Relative to Figure 3.01E, Oregon Way non-conformance is limited to lack of parking lane, planter strip, and street trees. Staff applies conditions that excepts only the parking lane but also requires fee in lieu of such parking. Additionally, the conditions require wider planter strip and wider sidewalk exceeding the minimums of Figure 3.01E. Like conventional development and zoning codes, the WDO requires off-street parking for almost all developments, including the subject development, so the absence of on-street parking is not of concern from this perspective. Second, pedestrians and cautious cyclists can and do use the narrow curb-tight sidewalk today, and the pedestrians and cautious cyclists the development might attract would use the new wider sidewalk. A wide sidewalk encourages walking and cycling, particularly for cyclists afraid to ride on-street. Third, Figure 3.01E does not account for the presence of a left turn lane at intersections, and such exists because of ODOT, and given that ODOT and the Public Works Department assume its continued existence, Public Works assumes that the developer would adapt required Oregon Way half-street improvements to fit along the turn lane, and that ODOT typically asks that there be no on-street parking within a certain distance of state highway intersections, usually 50 ft, it is reasonable in this case to allow for fee in lieu of what little on-street parking a civil engineer could fit.

Staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, the criterion 1 is met.

Regarding criterion 2, the applicant's narrative (p. 2) states:

"As stated above there is no change to the extent of use from existing conditions to WDO standards, thus no improvements are needed to meet the estimated use, beyond those shown on the submitted plans. According to our engineer of record;

I would estimate that the quantitative impact to remove and replaced existing infrastructure to the current standard would be on the order of \$150/lf over the approximately 425 feet of frontage is around \$65,000 not including engineering, permitting and survey work which may add another \$25,000 when dealing with ODOT. The addition of a parking lane on Oregon Way would require ROW dedication, additional paving, adjustment of utilities, etc... to potentially gain 1 or 2 parking spaces since we have a driveway on the south end and you can't park too close to the intersection. The additional cost for that might be \$50,000 or more."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 2 is met.

Regarding criterion 3, the applicant's narrative (p. 3) states:

"The extent to which the building or development will impact the public infrastructure would be unaffected by maintaining the existing conditions vs an increased impact the change to strict conformance to the WDO requirements would create."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 3 is met.

Regarding criterion 4, the applicant's narrative (p. 3) states:

"Changing to conform strictly to the WDO requirements, rather than letting the existing conditions that meet the intent of the code remain, is what would create an impact on the public infrastructure system that is unnecessary. According to our engineer of record;

I would estimate that the quantitative impact to remove and replaced existing infrastructure to the current standard would be on the order of \$150/lf over the approximately 425 feet of frontage is around \$65,000 not including engineering, permitting and survey work which may add another \$25,000 when dealing with ODOT. The addition of a parking lane on Oregon Way would require ROW dedication, additional paving, adjustment of utilities, etc... to potentially gain 1 or 2 parking spaces since we have a driveway on the south end and you can't park too close to the intersection. The additional cost for that might be \$50,000 or more.

The changes needed to meet the requirements of WDO would cost approximately \$140,000 and would create a discontinuity to the frontage along the affected areas. Furthermore the existing conditions provide both a sidewalk and landscape strip in of a size required by the code if not in the exact locations intended."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 4 is met.

The applicant's narrative fails to cite and address the remaining criteria, criteria 5-8:

"5. The application is not.

6. The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.

7. Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.

8. A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such."

Regarding criterion 5, the developer's comments cited earlier above clearly show intent to base the SA application based primarily on convenience for the developer or reducing civil engineering or public improvements construction costs to the developer. The criterion precludes this.

Regarding criterion 6, at least the developer did not assert that the application is based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages, which allows staff to find the criterion met.

Criterion 7 is not applicable because the developer did not propose to narrow any required right-of-way (ROW) dedication.

Criterion 8 is met with conditioning of fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and conditioning of fee in lieu of Oregon Way on-street parking.

About Street Adjustments in general, Planning staff adds that the Public Works Department is content with frontages along the corridor, and defers to ODOT for developments where ODOT has jurisdiction. By 2015, ODOT improved the I-5 interchange and as part of that project widened OR 214 east of the interchange to a little east of Oregon Way. As expected, the agency constructed to its own economized standards, which resulted in curb-tight sidewalk, though wide at about 8 ft, no street trees, and no burial of the south side overhead electric power lines. Also, until late 2017 and early 2018, staff approved any Street Exception (as the application type was then termed) that a developer requested, and Planning staff experience in these years was that the Public Works Department prefers curb-tight sidewalk and existing conditions anyway generally beyond curbs as long as there were minimum improvements to driving area between curbs and subsurface/underground potable water, sanitary sewer, and stormwater utilities. In more recent years, Planning staff took the lead in at least imposing conditions on Street Exception and Street Adjustment approvals to get a degree of improvements and/or fees in-lieu. Regarding the highway, Planning staff years ago recognized the *de facto* policy decision by other departments to leave the ODOT-improved segment as is and not have individual redevelopments upgrade their frontages to have landscape strips, new sidewalk that conforms, and buried power lines redevelopment by redevelopment.

The developer's chief justification for the SA, which for CU 21-02 originally (that which the City Council denied in 2022) had proposed no upgrades of nonconforming street frontages, was convenience, saving money, and be of no profit to the gas station or commercial office enterprises. For any development, if and where the City grants Street Adjustments, it implicitly assumes the taxpayer cost of upgrading frontages itself through capital improvement projects. This guided Planning staff applying the SA criteria and conditioning.

Through both conditional use and Street Adjustment, Planning staff applies conditions that grant SA approval for both frontages, but also to give the City some public benefit for leaving the highway as is or mostly as is and for Oregon way not having required on-street parking; require the developer to make the Oregon Way frontage the best for pedestrians through wide landscape strip with street trees, wide sidewalk, and setting maximums for Oregon Way driveway width; and securing fees in-lieu.

#### *Fees in-Lieu*

For Condition SA1 and Attachment 202 (fee table) regarding fee in lieu of upgrading highway sidewalk to conform with Fig. 3.01B, staff derived as follows:

- Poured concrete at \$33.00 per sq ft adjusted for inflation using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) from June 2022 (CU 21-02) to July 2024, the latest month the calculator made available as of August 14, 2024, which equals \$35.03;
- Sidewalk 6 ft wide per Fig. 3.01B;
- Frontage width of 265 ft per Tax Map 052W12DB as sidewalk extent; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A “Fees in-Lieu”.

This calculates as  $(\$35.03 \times 6 \times 265) \times 1.5 = \$83,547$ .

Regarding fee in lieu of highway landscape strip to conform with Fig. 3.01B and 3.01.04B, staff derived as follows:

- Grass at \$2.21 per sq ft;
- Landscape strip 5.5 ft wide, excluding curb width, per Fig. 3.01B;
- Frontage width of 265 ft per Tax Map 052W12DB as landscape strip extent; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A “Fees in-Lieu”.

This calculates as  $(\$2.21 \times 5.5 \times 265) \times 1.5 = \$4,832$ .

For Condition SA2 and Attachment 202 (fee table) regarding fee in lieu of Oregon Way on-street parallel parking, staff derived as follows:

- Asphalt at \$15.00 per sq ft adjusted for inflation using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) from June 2022 (CU 21-02) to July 2024, the latest month the calculator made available as of August 14, 2024, which equals \$15.92;
- Parking stall dimensions of 8 ft wide by 22 ft long;
- 3.5 parking stalls after taking the distance from in line with the south property line at Oregon Way north to the stop bar at the intersection with the highway (172 ft), then subtracting 50 ft (minimum parking distance from intersection), 30 ft (driveway and its curb flares), and 16 ft (two 8-ft long transition areas of curb at each end of parking aisle) resulting in  $(172 - [50+30+16]) / 22 = 3.5$ ; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A "Fees in-Lieu".

This calculates as  $(\$15.92 \times [8 \times 22] \times 3.5) \times 1.5 = \$14,713$ .

Through Condition G6c and Attachment 202 (fee table) regarding fee in lieu of electric powerline burial/undergrounding to conform with WDO 3.02.04B and 4.02.12A, because as of August 14, 2024 the City has not yet adopted a fees in-lieu schedule, staff establishes a default fee the would be applicable if by the time necessary to assess the fee in order to issue building permit, the City would have not yet established this among other fees in lieu. The default fee is based on a Pacific Gas and Electric Company, a subsidiary of PG&E Corp., estimate that in general burial costs \$3 million per mile (PG&E "Currents" newsletter, article "Facts About Undergrounding Electric Lines", October 31, 2017 <https://www.pgecurrents.com/2017/10/31/facts-about-undergrounding-electric-lines/>). This equates to  $\$3,000,000 / 5,280 \text{ ft} = \$568.18$  rounded to \$568 per foot.

- ▲ In order to secure the development meeting the conditional use criteria and justify Street Adjustment, staff applies conditions.





## Phasing Plan Provisions

### 5.03.05 Phasing Plan for a Subdivision, PUD, Manufactured Dwelling Park or any other Land Use Permit

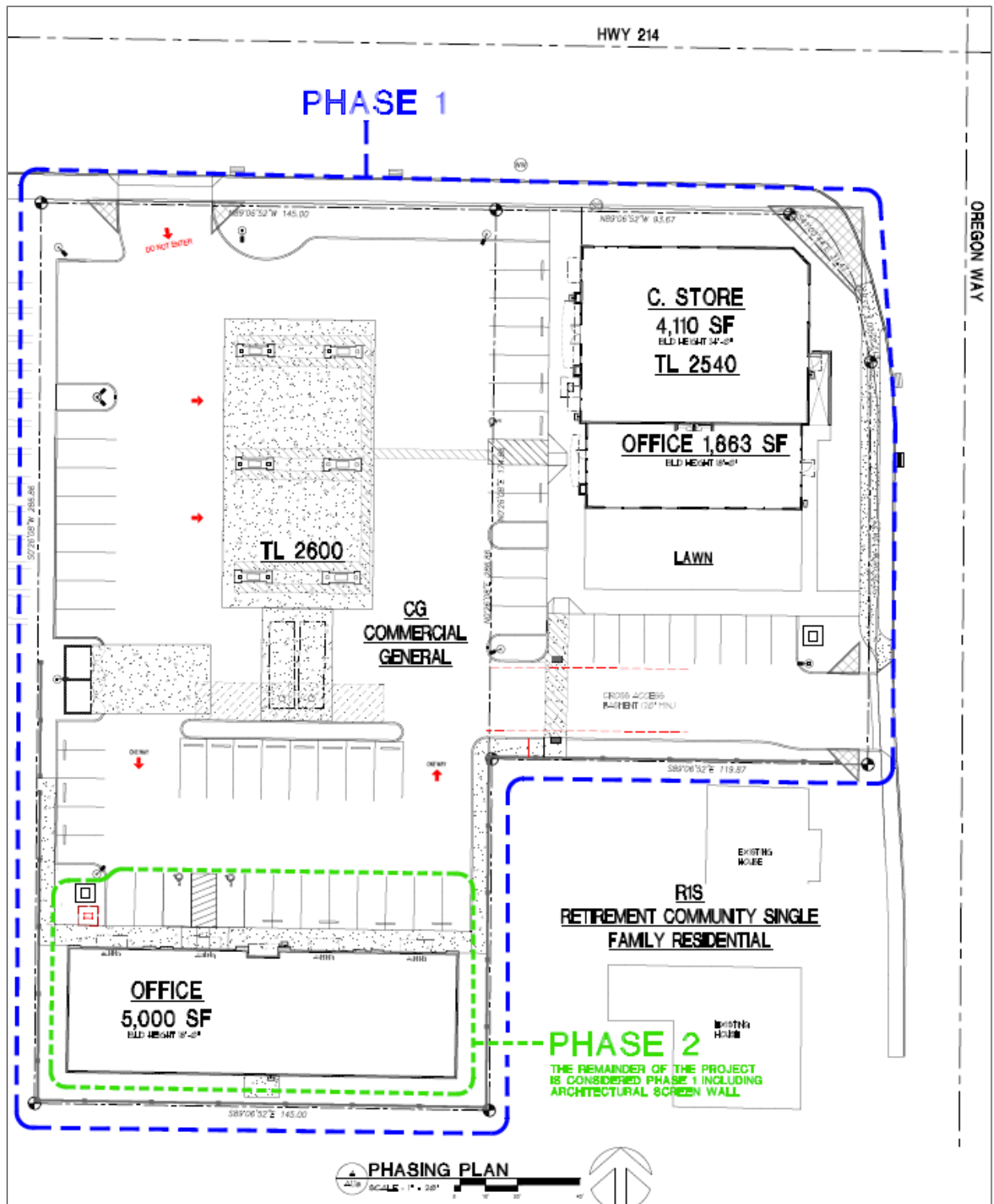
**A. Purpose:** The purpose of a Type III Phasing Permit is to allow phased construction of development while meeting the standards of this ordinance (Sections 2 and 3), while providing fully functional phases that develop in compliance with the tentative approval for the development.

**B. Criteria:** The proposed phasing of development shall:

1. Ensure that individual phases will be properly coordinated with each other and can be designed to meet City development standards; and
2. Ensure that the phases do not unreasonably impede future development of adjacent undeveloped properties;
3. Ensure that access, circulation, and public utilities are sized for future development of the remainder of the site and adjacent undeveloped sites.

The applicant's phasing plan narrative dated February 2, 2024 and submitted February 8, 2024 parrots the criteria with answers almost identical to the criteria text.

From the site plans, specifically Sheet A1.1a "Phasing Plan" dated February 5, 2024 and submitted February 8, 2024, staff was able to determine what the proposed phasing is: the southwest commercial office building and its immediate vicinity including north front parking constitute Phase 2. The plan notes, "The remainder of the project is considered Phase 1 including architectural screen wall", which staff makes sure is the case through a PP condition.



Phasing plan excerpt from Sheet A1.1a dated February 5, 2024 and submitted February 8, 2024

The phasing plan sheet makes apparent that the Phase 1 gas station – fuel pump canopy, convenience store, and northeast commercial office area – can be constructed and meet the criteria on its own.

Staff applies PP conditions and CU modification one in case Phase 2 were to lag in construction, never manifest, or become the subject of a developer’s request to construct something slightly or wholly different. These ensure criteria are met.

Also, as is routine for its land use review of developments, the Public Works Department through Attachment 102A has the usual kind of infrastructure text for the development in question and that is premised on the department approach to *de facto* approve any development, in turn premised on the idea that during its own department processes and reviews following the land use review stage, such as for civil engineering plan (CEP) plan review and right-of-way (ROW) permits, it will coordinate with ODOT to apply specific agency and City public works requirements and have the developer make so whatever is necessary to get ODOT and Public Works Department approvals that both respect conditions of approval that the Department sees as led and administered by the Planning Division while also meeting public works requirements for public infrastructure both on-site and in ROW and public utility easements (PUEs), the “public utilities” that criterion B.3 mentions. Essentially, the Public Works Department indicates that criterion B.3 is met or can be met through Attachment 102A and its later department processes and reviews following the land use review stage, such as for civil engineering plan (CEP) plan review and right-of-way (ROW) permits, so Planning Division staff defer and concur.

Lastly, City staff act on the premise that while a local government can and should deny an application that is inconsistent with applicable land use regulations, it can and should avoid denial if staff can impose reasonable conditions of approval. For virtually every land use review, staff can impose reasonable conditions of approval to avoid denial, and the review of the subject development is such a case.

The legislature gives implicit support for the concept in at least two statutes. The statutes are not applicable as regulations but are relevant regarding legislative intent. ORS 197.522 “Local government to approve subdivision, partition or construction; conditions” is about partition, subdivision, and needed housing, none of which are relevant to the subject development; however, its subsection (4) states, “A local government shall deny an application that is inconsistent with the comprehensive plan and applicable land use regulations and that cannot be made consistent through amendments to the application or the imposition of reasonable conditions of approval.” The second, OS 227.185 “Transmission tower; location; conditions” – no transmission tower being relevant to the subject development – states, “The governing body of a city or its designee may allow the establishment of a transmission tower over 200 feet in height in any zone subject to reasonable conditions imposed by the governing body or its designee”. These statutes indicate that the legislature expects local governments to apply land use conditions of approval in preference to denying. Also, neither statute defines the term

“reasonable”, and the term is elastic. Staff drafted the conditions to be reasonable and based on the characteristics of the subject development. Staff emphasizes that besides the Phasing Plan, the master or parent application type is Conditional Use, a term that says it all about the premise of conditioning.

Criterion B.3 is met.



## Remaining Provisions

These are applicable provisions not already addressed in the application type provisions sections above.

### 4.01.07 Consolidated Applications

**An applicant may request, in writing, to consolidate applications needed for a single development project. Under a consolidated review, all applications shall be processed following the procedures applicable for the highest type decision requested. It is the express policy of the City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.**

The proposal is consolidated.

In conclusion to the above analyses and findings, staff would recommend that the Planning Commission consider the staff report and its attachments and approve the consolidated applications package with conditions.

## Recommendation

Approval with conditions: Staff recommends that the Planning Commission consider the staff report and its attachments and approve the consolidated applications package with the conditions recommended by staff below:

### *General*

G1. As part of building permit application, the applicant shall submit revised site plans meeting the conditions of approval and obtain Planning Division approval through sign-off on permit issuance. The applicant shall submit a cover letter indicating what specific plans sheets or document page numbers demonstrate how the submittal meets each condition.

G2. The applicant or successors and assigns shall develop the property in substantial conformance with the final plans submitted and approved with these applications, except as modified by these conditions of approval. Were the applicant to revise plans other than to meet conditions of approval or meet building code, even if Planning Division staff does not notice and signs off on building permit issuance, Division staff retains the right to obtain restoration of improvements as shown on an earlier land use review plan set in service of substantial conformance.

G3. References: Attachment 201 serves as a dictionary or glossary defining certain abbreviations, acronyms, phrases, terms, and words in the context of the conditions of approval. The 200 series of attachments are as binding as the conditions of approval in the main body of the final decision.

G4. Due dates / public improvements:

- a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E and 4.02.12 unless if and where a condition of approval has more restrictive timing. By this condition, there is more restrictive timing: In any case, they are due no later than by Building Division issuance of first certificate of occupancy (C of O), regardless of deferral, if any, that Public Works (PW) might have approved through 3.01.02E. This condition is not deferring to C of O; it is saying that if there were to be PW deferral, then the department could not defer to later than C of O.
- b. ROW/easements: Correct recordation of required right-of-way (ROW) and public easements is due per WDO 2.01.05A – by building permit issuance. See Note A below.
- c. Where phasing is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located. Where an improvement spans phases and cannot be functionally divided by phase, it shall be due by the earliest phase.

- d. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an [Address Assignment Request](#). This is due prior to building permit application, and if property line adjustment or lot consolidation were to become relevant, then also after recordation with County. (See the Notes to the Applicant section following the conditions of approval, Note to the Applicant 17.)

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than 6 months prior to expiration of the land use approval as WDO 4.02.04B establishes, and shall complete recordations no later than 3 years past the land use “final decision” date. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage.

G6. Administration:

- a. Conformance: That a land use approval does not reiterate any and each particular detail, provision, requirement, rule, spec, or standard from any of the WDO, other ordinances, resolutions, public works construction code, or department policies does not exempt development from conformance with them.
- b. Copies: Per WDO 2.01.05B, the developer, including any succeeding contractor, shall provide copies of documentation that a City staff person requests regardless if the documentation source is another City staff person or department.
- c. Fees: The developer shall pay fees per Attachment 202.

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works (PW) and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the Planning Commission, contact PW to begin and finish dedication and granting sooner. The City Council meets most second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.



*Phasing Plan 24-01*

PP1. Phasing Plan:

a. Basic Description:

- (1) Phase 1: On Tax Lot 3600 (east, corner lot), a single northeast (NE) building of with convenience store of 4,110 sq ft and an attached commercial office tenant space of 1,863 sq ft. On Tax Lot 3700 (west, interior lot), a fuel pump canopy. Minimum off-street parking and other corollary improvements for these uses.
- (2) Phase 2: On Tax Lot 3700 (west, interior lot), a southwest (SW) commercial office building of 5,000 sq ft and its parking and other corollary improvements.

b. Phasing: The developer may choose to develop Phase 2, the SW office building and necessary corollary improvements, per land use review Sheet A1.1a later than the Phase 1 gas station complex of convenience store, NE commercial office, and fuel pump canopy and necessary corollary improvements.

c. Phase 2 expiration:

- (1) Phase 1 substantial construction would keep land use approval with conditions valid longer than the baseline 3 years per WDO 4.02.04B (or longer than baseline per subsection D if there will have been an appeal). However, in reference to condition part b. above, there must be building permit application for Phase 2 by 8 years past the date that the Planning Commission motioned to tentatively approve CU 24-02.
- (2) If Phase 1 fails to achieve substantial construction by 5 years past the date of the hearing at which the Planning Commission motioned tentative approval, WDO 4.02.04B.1 & 2 would not be met and – absent the City granting a time extension as subsection B.3 references – the land use approval with conditions would expire for both phases.

d. Phase 2 interim: If Phase 2 does develop later than Phase 1, then – regarding the area where the SW office building and its corollary improvements would be – until Phase 2 develops:

- (1) The landowner shall pour curb or affix a linear obstruction to motor vehicles from driving and parking beyond the boundary of Phase 1 improvements and maintain such obstruction. Exhibit PP1 is an aerial photo of the area in 2023.
- (2) The landowner shall maintain its grounds in conformance with [City Ordinance No. 2338](#) (June 9, 2003; amended regarding lighting by Ordinance No. 2522 September 22, 2014). Staff draws attention to Sections 5-9 about noxious vegetation, “attractive nuisances”, junked vehicle nuisances, open storage of junk, and scattering rubbish.



- (3) Vehicular circulation and parking within the undeveloped Phase 2 area is permissible only if the landowner upgrades as needed for conformance with WDO 3.05.02A, F, & K and 3.04.04. Together they prohibit gravel.



*Exhibit PP1*

- e. All conditions apply to any phasing, unless worded or under a header such that a condition applies more specifically. Where something is due by building permit application or issuance, it means the first of any phase, any building, unless a condition is more specific.

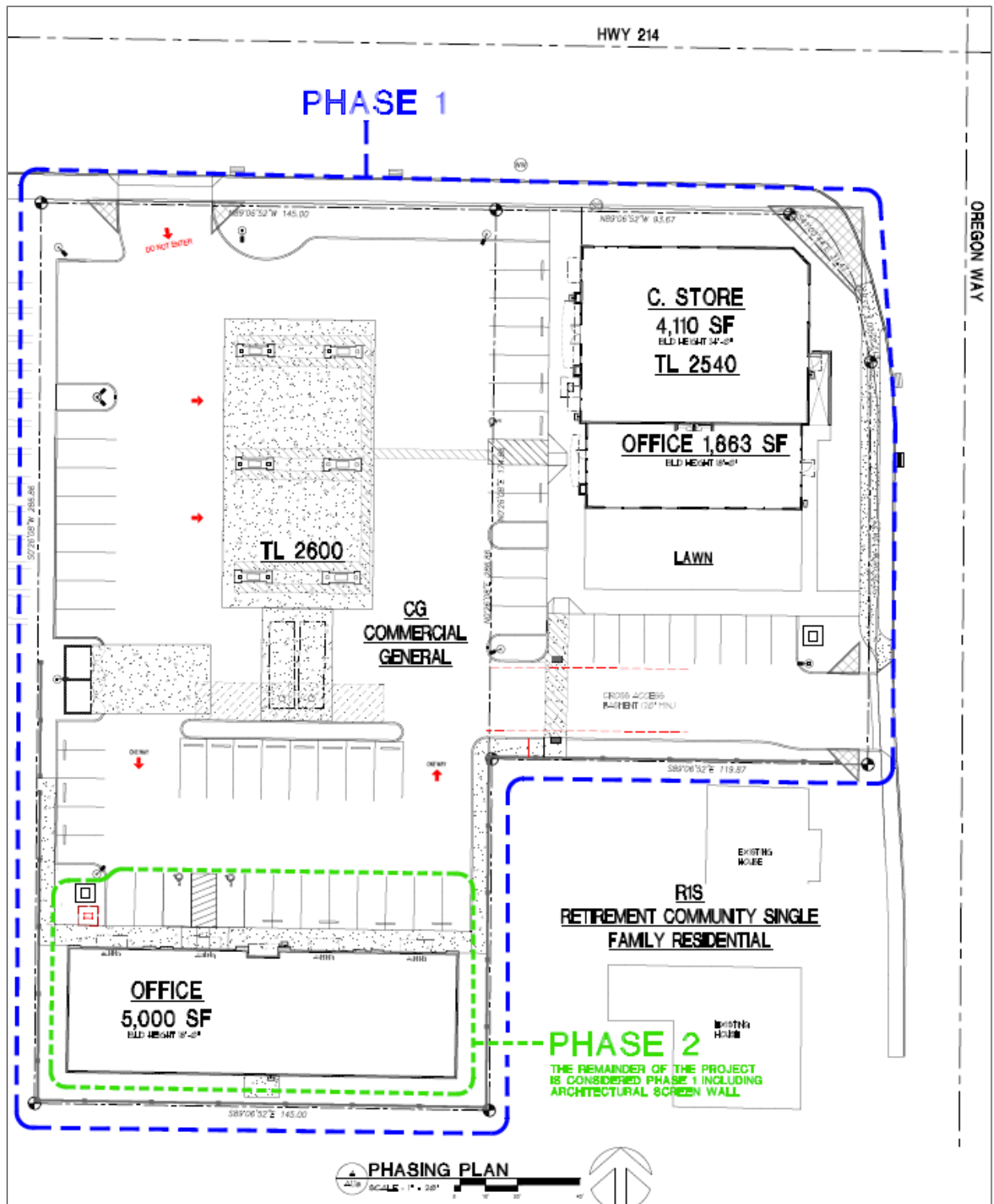


Exhibit PP1: Phasing plan excerpt from Sheet A1.1a dated February 5, 2024 and submitted February 8, 2024



*Design Review 24-02*

D1. ROW:

- a. Highway: To conform with WDO Figure 3.01B “Major Arterial”, as part of recordation the developer shall dedicate ROW if and as necessary to result in half-street ROW that is uniform min width of 50 ft measured from centerline. This is due by building permit application.
- b. Oregon Way: To conform with WDO Figure 3.01E “Access Street”, as part of recordation the developer shall dedicate variable width ROW resulting in half-street ROW that is uniform min width measured from centerline of 33 ft plus additional width along the northerly extent to accommodate the half-street width of the existing northbound left turn lane that the Figure 3.01E, which assumes a mid-block cross section, does not make explicit for telescoping width at intersections. The developer may take and report field measurement of the lane width or assume a lane width of 12 ft, yielding a total minimum width from centerline of  $33 + (12 / 2) = 39$  ft. “Northerly extent” shall extend minimum 140 ft south from a point in line with the highway ROW boundary; it is probable that the total half-street dedication along this extent would equal or approximate a min of  $3 + (12 / 2) = 9$  ft. Dedication is due by building permit application.

D2. PUE: If streetside public utility easements (PUEs) do not yet exist along any of the highway per the minimum of WDO Figure 3.01B and Oregon Way per the minimum and maximum of WDO 3.02.01B & F.2, then the developer shall grant the one or both PUEs.

D3. Driveways:

- a. Number & widths: To conform with WDO 3.04.03B.5 regarding access management, driveways shall be limited as follows:
  - (1) Highway: 1, max width per WDO Table 3.04A: 20 ft for one-way. If one-way inbound, there shall be min one *MUTCD*-compliant do-not-enter sign facing the site, one the east side of the driveway throat, and the pavement shall be striped to indicate no exit.
  - (2) Oregon Way: 1, max width 24 ft for two-way, except 26 ft for two-way if the developer through WDO Table 3.04A footnote 7 provides the same kind of documentation as condition part (1) above describes.
- b. Approach / apron / curb cut: Driveways shall conform to PW SS&Ds, Section [4150](#), unless documented as overridden by ODOT choosing to apply its standards.

D4. Access management: cross access: To conform with WDO 3.02.01E, 3.04.01A.2, 3.04.03B.3 & 5, 3.04.03C.1, 3, & 4, and 3.04.03D.2, the developer shall provide for what is termed any of cross access, ingress/egress, or shared access revocable only with the written concurrence of the Director and as follows:

a. Properties:

(1) Subject property: Grant cross access (A) across Tax Lot 3600 (2540 Newberg Hwy) to the benefit of 3700 (2600 Newberg Hwy) and (B) across Tax Lot 3700 to the benefit of 3600. (Instead of cross access for the subject property, which is comprised of both Tax Lots 3600 & 3700, the developer may opt to consolidate lots by applying and paying for as well as obtaining City approval of a Property Line Adjustment [PLA], which would be a land use review Type II per WDO 5.01.08 and so a staff decision, and record with the County the lot consolidation, all prior to building permit application.) This is due by building permit application per WDO 2.01.05A.

(2) Adjacent property: Grant cross access across Tax Lots 3600 & 3700 to the benefit of Tax Lot 052W12DB03800 (2620 Newberg Hwy; Dairy Queen). This is due by building permit application per WDO 2.01.05A.

b. Alignment: Applicable to both the subject property and the Tax Lot 3800, follow a drive aisle or aisles and connect each of the highway driveway, the common lot line between Tax Lots 3700 & 3800 somewhere within the segment 60 ft south of the north property line, the common lot line between Tax Lots 3600 & 3700, and the Oregon Way driveway.

c. Drive aisle stub: Extend a drive aisle stub conforming with WDO 3.04.03C.4b to Tax Lot 3800 (2620 Newberg Hwy; Dairy Queen) within the above-specified alignment.

d. Barriers: At the interface of a property line and a drive aisle stub, WDO 3.04.03C.4b prohibits curb and fixed barriers mounted to the drive aisle. (The developer may instead place signed barricades atop the pavement.) While fencing a property line remains permissible per WDO 2.06.02, were the developer or property manager to install fencing, then the segment over the drive aisle shall have vehicular gates.

e. Bicycle/pedestrian: The developer shall grant cross access not only for driving, but also walking and cycling, with alignment along each of the two wide walkways that WDO 3.04.06B requires and connecting with each of the highway and Oregon Way sidewalks.

f. Instrument: Regarding recordation of the cross access easement (CAE) or other types of legal instruments and how, the developer shall conform to the conditions in ways that satisfy the County. This is due by building permit application.

- g. Shared parking: Because Tax Lot 3600 (2540 Newberg Hwy) would lack minimum off-street parking ratio for all land uses on the lot per WDO Table 3.05A, then the developer shall either (1) revise site plans to conform with WDO 3.05.02 & Table 3.05A or (2) create a shared parking agreement, for which cross access is a pre-requisite, per WDO 3.05.05. (A shared parking agreement would be due per WDO 3.05.05D.3: by building permit issuance.) Minimum agreement attachments or exhibits shall be a County tax map, a revised site plan, and if such would exist, a recorded plat.
- h. ODOT factor:
  - (1) The developer shall apply to and obtain from ODOT the relevant approval(s) by building permit application to conform with the access management condition.
  - (2) If after City land use decision ODOT objects specifically to how the City administers or the developer conforms to other parts of the condition or to other conditions concerning vehicular access, then the developer may request and the Director may administratively approve in writing changes to administration or conformance to accommodate the ODOT factor while still having the development meet the WDO and conditions of approval to the max extent remaining. The Director may require developer application for any of Extension of a Development Decision per WDO 4.02.05 or Modification of Conditions per WDO 4.02.07.
  - (3) If after City land use decision ODOT directs access management in conflict with other parts of the condition or to other conditions concerning vehicular access, then the developer shall forward the written direction from ODOT to the attention of the Director; describe the conflict(s); describe the minimum deviation from conformance necessary to comply with ODOT direction while also conforming to the remainder of the condition to the maximum, including plan view illustrations where helpful; and request Director approval through a dated document that cites the land use case file and condition numbers. The Director may approve what the developer first requests or a modified request. The City intends that if the developer were to make use of this part (d) of the condition, he would do so once.

D5: Parking:

- a. Wheel stops: To conform with WDO 3.05.02H, the compact parking spaces along the northeast (NE) office south lawn shall have wheel stops, either 5 shared among the spaces or one per each of the nine spaces, to prevent any overhang of the wide walkway.
- b. Vehicular circulation directional markings/signage: To conform to WDO 3.05.02J, during building permit review the Director may administratively establish details, specifications, and revisions to administer the WDO section. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
- c. C/V: Carpool/vanpool (C/V) parking shall conform with Table 3.05C and 3.05.03H.
- d. EV: Electric vehicle (EV) parking shall conform with Table 3.05E and 3.05.03I.

D6. Electric power poles removal and lines burial: Development shall conform with WDO 3.02.04. The fee in-lieu shall be per Attachment 202. (Absent direction by the applicant otherwise, staff will proceed as if the developer intends to conform by paying the fee in-lieu and will assess it through the building permit.)

D7. Trash enclosure: Outdoor storage of trash and shall be enclosed in conformance with WDO 3.06.06B.5-7 and, regarding roofing, in conformance with Public Works Department Engineering Division administration of standards or directions regarding such, if any, in relation to keeping polluted water from entering drains.

## Conditional Use 24-02

CU1. Wide walkways: The wide walkways that WDO 3.04.06B requires shall have some width of some segments be decorative pavement, specifically, min width 6 ft and along the distance symbolized in green in Exhibit CU1 below. At the turn, the min width may narrow to avoid overlapping ADA ramp slopes. Decorative pavement means any of brick; concrete pavers; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.

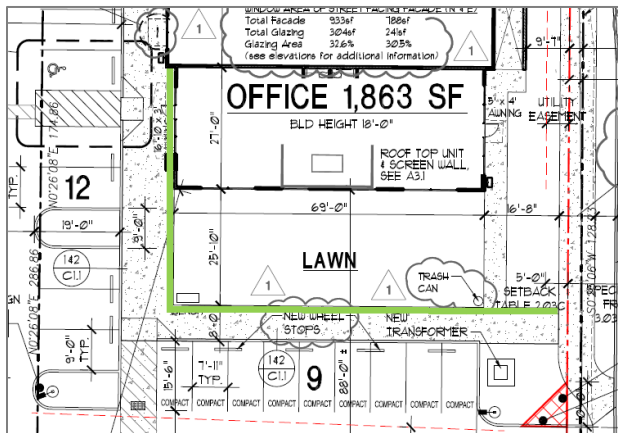


Exhibit CU1

CU2. Bicycle parking shall conform with 3.05.06 and be of min number:

- Convenience store: 2 (for example, 1 U-rack)
- NE commercial office: 2 (for example, 1 U-rack)
- SW commercial office: 4 (for example, 2 U-racks or a wave rack)

CU3. Landscaping generally:

- Bark dust: By the end of the time period per WDO 3.06.02C, 5.0% max of unpaved landscaped area may be non-living material such as bark dust, mulch, wood chips, cobbles, gravel, pebbles, or sand.
- Benches: Min 2.
  - One in the landscaped open space at or near the NE commercial office space, along a wide walkway or in a plaza, install either a bench min width 6 ft or a picnic bench. Set back from walkway and pave the setback, min either 1.5 ft for a bench or 2 ft for a picnic bench.
  - One bench min width 4 ft at or near the SW commercial office building and along a wide walkway.

- c. Buffering/screening: Evergreen hedge or shrubbery shall:
  - (3) Line Architectural Wall (AW) segments.
  - (4) Screen transformers and other at-grade electrical and mechanical equipment along min 2 sides.
  - (5) Serve as means of conformance with WDO 3.06.05B (parking screening).
- d. Coniferous/evergreen trees: Among newly planted trees, min 1 tree of the following coniferous or evergreen species:

Cedar, deodar	Madrone, Pacific
Cedar, incense	Oak, Oregon White
Cedar, Western Red	Pine, Lodgepole
Douglas-fir	Pine, Ponderosa
Fir, Grand	Pine, Western white; and
Hemlock, Western	Yew, Pacific

- e. Tree standards: The same as WDO Table 3.06A “Minimum Size” column – either 10 ft height or 2 inches caliper.

CU4. Front yard landscaping:

- a. Depth: The depth of landscaping from highway ROW south, in the yard west of the convenience store, shall be min 13 ft to vehicular circulation area back of curb to accommodate newly planted front yard trees outside of the streetside PUE. The min depth may instead be 6 ft if ODOT, such as through the Region 2 Development Review Coordinator, allows planting of trees within the PUE, the allowance is documented through building permit review and by building permit issuance with the applicant having submitted plans revised accordingly to both the agency and the City Community development Department, and the developer will have planted such trees by building permit inspection.
- b. Trees: Based on WDO 5.03.01B.3c5), the developer shall plant min:
  - (1) 7 trees in the yard along the highway max 20 ft from ROW; and
  - (2) 4 trees in the yard along Oregon Way max 20 ft from ROW, in a loose row with min 3 of them spaced offset from and complementing street trees.
- c. Hedge/shrubbery: In all areas not occupied by buildings and pavement, landscape per WDO 3.06.
  - (1) On Tax Lot 3700 in the yard along the highway, plant a hedge or row of continuous small or medium shrubbery extending between the driveway and east lot line. Plant min 5 ft from sidewalk and max 12 ft from ROW.
  - (2) On Tax Lot 3600 in the yard along the Oregon Way, line the convenience store rear east free-standing screen wall or wing wall with a hedge or row of continuous small or medium shrubbery, unless the developer declines to build the wing wall.



- d. Site interior:
  - (1) AW: Line each Architectural Wall (AW) segment with a hedge or row of continuous medium or large shrubbery.
  - (2) Lawn large tree: Within open space within 30 ft of the NE commercial office, plant min 2 trees, either both large or min 1 medium and 1 large. Min 1 of these west or south of the plaza – see below.
  - (3) Plaza: At or within 30 ft of the NE commercial office and adjacent to a wide walkway shall be a plaza min 56 sq ft, exc. walkway area, at 7.5 ft narrowest dimension, paved with brick; concrete pavers; field or flagstone; or, poured concrete patterned, stamped, or treated to resemble brick or paving stones.
  - (4) South yard: Within 100 ft of the Tax Lot 3700 south lot line, plant min 2 trees.
- e. Parking area:
  - (1) Front yards: To conform with WDO 3.06.05B, within the yards abutting streets the site perimeter landscaped area shall have a hedge or shrubbery as a screen of parking and vehicular circulation area min height 3.5 ft. Such shall be planted to be min 2 ft from sidewalks and wide walkways.
  - (2) NE office: Min 1 large tree in the southwesterly area of the south yard lawn.
  - (3) SW office: For common use by tenants, have a south rear door and a patio of brick, pavers, or poured concrete min 7 ft north-south by 11 ft east-west. Align patio flush with door outer swing. Plant a small tree near the patio west side.

CU5: Architectural Wall (AW) / Fences / Fencing:

- a. Exemption: Where chain-link fence with slats already exists along the north and west lot lines of Tax Lot 3500 (953 Oregon Way), the developer may exempt these two lines from AW if the homeowner in writing consents to exemption and the developer submits documentation by and as part of building permit application.
- b. Extent: Min height shall be along the:
  - (1) North and west lot lines of Tax Lot 3500 6 ft, 1.5 inches (if CMU, equal to 9 courses of blocks plus 1.5-inch smooth concrete cap).
  - (2) North and east lot lines of Tax Lot 90000 (950 Evergreen Road), 9 ft including a 1.5-inch smooth concrete cap between piers or pilasters.
  - (3) Where fencing may substitute per other conditions, for part (1) above it shall be 6 ft, and for part (2) above, 8 ft.

- c. Height at AW ends: Min height shall drop where subject to stair-stepped height limits in yards abutting streets per WDO 2.06.02, within VCA or sight triangles per 3.03.06, and AW shall remain outside streetside PUEs. AW may cross an off-street PUE, if any exist, with written authorization by the Public Works Director, and the PW Director may instead direct that instead of a segment of wall that there be coated chain-link fencing with slats across an off-street PUE. For crossing of private easements, the developer similarly may instead fence.
- d. Gaps or rectangular openings:
  - (1) There shall be one along the east lot line of Tax Lot 90000, min 4 ft wide and 6 ft, 8 inches high above grade, and with the south end of the gap aligned with the Tax Lot 90000 north east-west drive aisle, south curb, north face.



Exhibit CU5-1



Exhibit CU5-2

- (2) If AW exemption per part a. above is not applicable, then there may be a gap along the west lot line of Tax Lot 3500, aligned with where there exist west backyard chain-link gates, minimum width equal to the width of the gates.

- e. Color: Masonry, whether dyed or painted, regarding WDO 3.06.06B.5 & 6 shall be a color or colors other than black, charcoal, or dark gray. For any other fence / fencing or free-standing wall, including gates if any, the coating and slats that WDO 2.06.02D requires and any wall shall be a color or colors other than black, charcoal, or dark gray. On free-standing walls with two or more colors, darker color shall be towards the bottom and lighter color towards the top.
- f. Material: Masonry; however, AW segments, other than those along the north and east lot lines of Tax Lot 90000 (950 Evergreen Road), may be partly made of opaque cedar wood fencing if the wall appears mostly masonry. Specifically, masonry must constitute the bottom extent of wall segment from grade up to min of 4 ft (for example, 6 CMU courses) above grade plus the height of a smooth concrete cap between the masonry and the wood, and there shall be piers, pillars, or pilasters per subsection “Pillars” below. Exhibit CU5-3 below illustrates a similar example (that does not exactly meet the condition) and serves as concrete masonry unit (CMU) model:

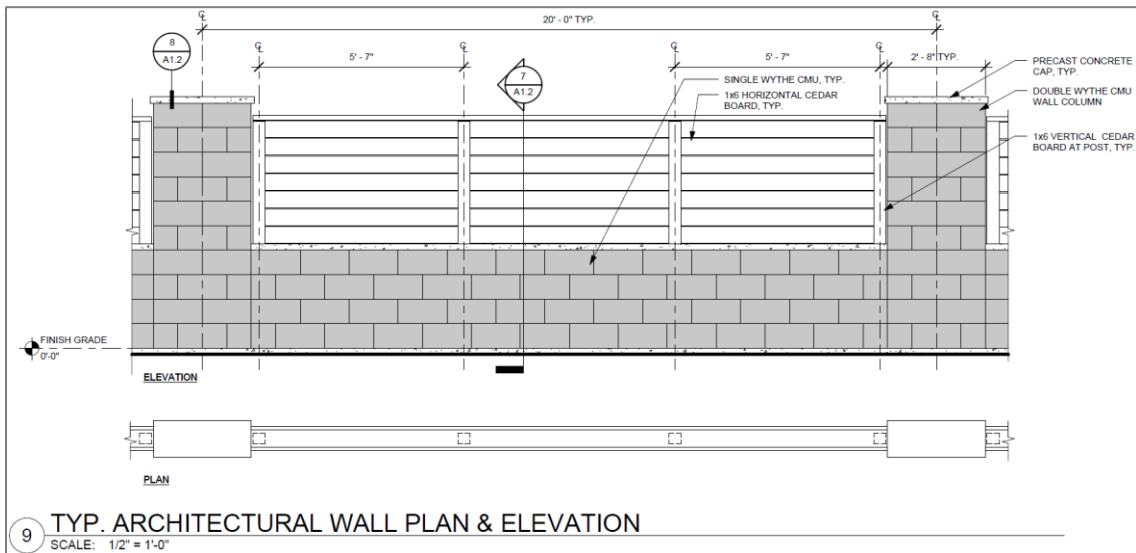


Exhibit CU5-3 (DR 2017-08)

- g. Texture: WDO 3.06.06B.7 is interpreted such that the standard for scoring, texture, or pattern on minimum 80.0% of the wall surface is applicable only to the WDO Table 3.06D minimum height of 6 ft – 80.0% being 7.2 of 9 CMU courses – not the conditioned minimum height of 9 ft, which equals 13.5 courses. In this context, the scored, textured, or split-face CMU courses shall start at or just beneath grade, and there shall be minimum 3 courses of ground or smooth-face CMU composing an upper band of the wall and minimum 1 course of ground or smooth-face CMU at approximately elbow height of an average height person standing at grade.

- h. Pillars: Whether the AW is solid masonry or incorporates wood fencing, each AW segment end shall have a pier, pillar, or pilaster min 16 inches wide relative to wall face and per WDO 3.06.06B.3 projecting min 3 inches each side of the wall.
  - (1) Number: Each segment shall have a min number of piers, pillars, or pilasters equal to a ratio of 1 per 40 ft of wall, and each segment end shall have a pier, pillar, or pilaster.
  - (2) Cap: Each pier or pilaster shall be capped with ornamental concrete in the form of any of a shallow-sloped pyramid or sphere or other finial atop such pyramid.
- i. This condition is due by the first building permit regardless of phase; that is, it is due regardless if Phase 2 is not developed at the same time as Phase 1.

CU6. Architecture:

- a. Canopies / fixed awnings:
  - (1) General: Min height clearance 9 ft.
  - (2) Fuel pump canopy: Max ceiling height 16 ft to either (a) ceiling or (b) ceiling-mounted lighting fixtures, whichever is lower.
  - (3) Convenience store and NE commercial office: The store and NE commercial office main entrances shall each have a canopy, fixed awning, building recess, or roof projection that shelters from precipitation, the former 4 ft narrowest dimension and 48 sq ft min area and the latter 4 ft and 32 sq ft. Each side or rear single staff door on the rest of the store and NE commercial office shall have the same, except 3 ft narrowest dimension and 18 sq ft min area, and for a set of double staff doors, 30 sq ft min area.
  - (4) SW commercial office: Each north entrance shall have a fixed awning, canopy, building wall projection, or secondary roof that shelters from the weather, min area 48 sq ft, min depth 4 ft. A fixed awning or canopy may be smaller if combined with a building recess and together they meet the min area. The south patio door elsewhere conditioned shall have the same, except min area 66 sq ft, min depth 6 ft.
- b. Cladding/materials: Convenience store and attached NE commercial office area:
  - (1) Base cladding min height 2 ft of brick, ceramic tile resembling stone, concrete masonry unit (CMU) block finished to resemble cut stone, or adhered stone. Otherwise, the desired materials provision of WDO 3.07.06B.2b(2) shall be a standard for all building elevations.
  - (2) The prohibited materials provision of WDO 3.07.06B.2b(3) shall be a standard.
  - (3) The proposed east CMU mandoor screen wall or wing wall, if not precluded by streetside PUE, shall be max height 4 ft, 2 inches, have the bottom 2 courses be split face and the upper 4 courses ground face and be capped with smooth concrete. The NE corner angled wall shall have a window min area 15 sq ft, min 2.5 ft wide, and wholly within 8.5 ft of grade.

- (4) Subsection (3) is void if the screen wall or wing wall would come to be in part or wholly within a streetside PUE because it would come closer to the building than the developer anticipates because of telescoping ROW width – see Conditions D1b & D2 – and if any of PW or ODOT directs and administers there not be a newly constructed free-standing wall within the Oregon Way streetside PUE, shortening or precluding the wall. Also, in this scenario, because PW has historically allowed chain-link fencing with streetside PUEs, the developer may in place of the intended wing wall install a chain-link fence that conforms with WDO 2.06.02D.1 & 2 and has slats of a color other than black, charcoal, or dark gray.
  - c. Scuppers: Any building rainwater scuppers shall not to dump onto the pavement of a wide walkway.
  - d. Setbacks:
    - (1) General: Site NE corner min setback shall equal streetside PUE.
    - (2) Convenience store / NE commercial office building: max 15 ft from highway ROW and max 20 ft from Oregon Way widened ROW (measured from straight line ROW, not the curved ROW near the intersection).
    - (3) SW commercial office: min 5 ft from Tax Lot 3700 east, south, and west lot lines.
  - e. Windows:
    - (1) General: All windows shall be square, round, or vertically proportioned. Operable windows shall have insect screens.
    - (2) Min areas, which shall be transparent:
      - (A) Convenience store:
        - 1. West façade 30.0%; north 30.0%; east 36 sq ft. For the angled, NE façade in particular, min 18 of the 36 sq ft.
        - 2. NE commercial office: West and south façades 30.0%; east 132 sq ft.
      - (B) SW commercial office: North façade 30.0%; east 15.0%; south 20.0%; and west 20.0%.
- CU7. Lighting: Besides conformance with WDO 3.11, including 3.11.02C color temperature:
- a. Buffer: Parking area or other pole-mounted fixtures are prohibited between the north lot line of 953 Oregon Way (Tax Lot 3500) and the east-west drive aisle.
  - b. Fuel pump canopy:

- (1) Max 14 ceiling fixtures. Any ceiling fixture shall be no closer to ceiling outer edge than 4 ft. Neon lighting, or a lighting technology that mimics the appearance of neon lighting, is prohibited on the fuel pump canopy and on the southernmost primary building on Tax Lot 3700. The developer shall make so either of the following: (1) ceiling light fixtures shall not drop below the ceiling plane, or (2) for ceiling-mounted fixtures, the canopy roof edge perimeter shall as a shield drop or extend down to the same plane as the underside of the lowest fixture. In either case, fixtures that drop or extend down from the ceiling shall each have opaque housing on all sides.
  - (2) Based on the hours in Ordinance No. 2338, Section 5A Light Trespass, fuel pump canopy lights shall be off during the same hours as when the fuel pumps are closed.
- c. Max:
- (1) Convenience store: 1 wall fixture on the east rear and none on the north side.
  - (2) NE commercial office: 1 wall fixture each on the east and west and none on the south side.
  - (3) South commercial office: 1 wall fixture at the south rear and none at the east and west sides.

CU8. Gas station operations:

- a. Noise:
  - (1) Gas station and convenience store: The gas station and convenience store shall be open to customer use no earlier and later than Monday through Saturday 6:00 a.m. to midnight and Sunday 6:00 a.m. to 11:00 p.m.
  - (2) Fuel pumps: Audible audiovisual advertising, if any, is prohibited from sounding from fuel pump electronic display speakers. Such advertising shall be limited to sight only.
  - (3) Tire/vacuum: Addition of any vehicle interior vacuum facility outdoors, tire pump facility outdoors, or other similar mechanical facility outdoors for gas station customers that makes noise shall be located min 100 ft north of the south lot line of Tax Lot 3700. Any vacuum shall be open to customer use no earlier and later than Monday through Saturday 7:00 a.m. to 9:00 p.m. and Sunday 9:00 a.m. to 6:00 p.m.
- b. Trash: There shall be at least one trash receptacle along each of the walkways, at min 0.5 ft from walkway edge or outside wide walkway minimum width (8 ft), to and from the highway and Oregon Way sidewalks, within 25 ft of ROW, for intended use by convenience store customers, and remaining privately maintained and serviced.
- c. Vehicular circulation: The Director may administratively establish locations, details, specifications, and revisions to administer this condition part during building permit review. Further site plan revisions necessary to conform, if any, shall be due by building permit issuance.
  - (1) Fuel pump queueing:

- (A) General: The developer shall stripe directional arrows and lines to direct motorists into fuel pump queues and distinguish the queues from driving routes around the fuel pump canopy.
- (B) Stacking: Of six queues, min 3 shall each fit stacking of min one car west of the fuel pump island behind cars parked at the pumps. Queueing may be obtusely angled relative to the pump islands.
- (C) Queuing shall not back up past face of curb in the highway right lane, and property management shall dispatch one or more employees to direct motorists as needed to prevent or correct such queuing.
- (2) Pump directional signage: There shall be directional signage that accomplishes directing on-site motorists where and how to queue, including pumps that are self-service and those served by an attendant.
- (3) I-5 directional signage: There shall be outside of ROW and streetside PUEs directional signage that accomplishes directing on-site motorists bound for I-5:
  - On Tax Lot 3700 (west lot), min 2 signs, each min area 18 by 24 inches, mounted min 2 ft and max 7 ft above grade, text min 6 inches high, and including the standard Interstate 5 logo. Detail drawings of these specifications are due by building permit application.
  - On Tax Lot 3600 (east lot), min 2 signs, the same dimensions and mounting as per part (A) above. One sign shall indicate trucks to turn left only, and the other sign shall indicate that left is to I-5 by using a left arrow and the standard Interstate 5 logo. The two signs may be mounted together on the same support. Sign detail drawings – in color – are due by building permit application.
- d. Median: A median barrier is required to be constructed at Oregon Way to mitigate against right turns by trucks exiting the site; refer to Attachment 102A, Public Works comments, item 6.

CU9. Signage: Electronic changing image: In addition to WDO 3.10.12, based on the hours in Ordinance No. 2338, Section 5A Light Trespass, any sign electronic changing image, if and where WDO 3.10 allows such, other than fuel price displays, shall be off during the same hours as when the convenience store is closed.


CU10. Modification: Because the WDO, including 5.03.01, does not specify how changes to an approved conditional use (CU) and related site improvements might trigger another CU or modification of a CU approval, for Director determination the following serve as criteria and – where noted – as factors:

- a. Significant expansion of the use(s), factors being an increase in any of: total GFA by 25.0% or more or by an absolute value of 1,000 sq ft or more, and, the number of buildings by 1 or more;
- b. Increase in off-street parking by 6 or more stalls, even if the existing supply were in excess of the minimum required ratio(s);
- c. Net increase in impervious surface totaling at least 1,000 sq ft;
- d. Adding the land uses of automotive maintenance and repair, whether or not including through service bay structures.
- e. Development as defined in WDO 1.02 within twenty (20) feet of a property boundary and not already conditioned through the subject approval;
- f. Any proposal necessitating a request for Adjustment to Street Right-of-Way and Improvement Requirements (“Street Adjustment”);
- g. Any proposal necessitating a request to vary from the WDO, that is, a variance;
- h. Any proposal necessitating a Type III or IV land use application type;
- i. City adoption of a unified development ordinance replacing the WDO were to have intervened;
- j. A request for major modification, as the Director determines, of the phasing plan; and
- k. Conversion of any NE or SW commercial office GFA to fast-food restaurant or limited-service eating place, for which WDO Table 3.05A row 11 has a minimum parking ratio higher than for general retail or food and drinking places. Exemptions from this condition are the creation of (1) a food or drinking place that is a permitted use within the CG zoning district, max 400 sq ft GFA, and accessory to the primary use of commercial office, and (2) fast-food restaurant or limited-service eating place that is a permitted use within the CG zoning district, has no drive-through, and is any of max 400 sq ft GFA within the NE commercial office and max 1,200 sq ft GFA within the SW commercial office building. Exemptions do not exempt permitted uses from some or all of the off-street parking minimum ratios per WDO Table 3.05A.
- l. Shared parking change: Future changes of use, such as expansion of a building or establishment of hours of operation which conflict with, or affect, the shared parking agreement, shall require review and authorization not only through any of, “a subsequent Design Review or Modification of Conditions” per WDO 3.05.05D.1, but also with the option of being through a Conditional Use (CU).

Modification of a specific condition of approval remains pursuant to WDO 4.02.07. Were the City to have amended the WDO to establish modification provisions for conditional uses, the Director may decide that the provisions supersede this condition of approval.



CU11. Discontinuance/revocation: Because the WDO does not specify if and when a conditional use approval would expire were a use to cease, based on WDO 4.02.04B the approval shall expire if the WDO Table 2.03A, B.2 use of "gasoline station" ceases and 3 years pass without the use recommencing. This CU approval excludes the uses "automotive maintenance" and "repair services" from the group of uses as the WDO terms. Violation of one or more conditions of approval may serve as a basis for City revocation.



*Conditional Use 24-02: Transportation*

T-A1:

1. OR 214 & Oregon Way: The developer shall pay a fee per Attachment 202 to fund a transportation study, specifically to investigate in coordination with ODOT (1) corridor signal timing and coordination adjustments and (2) improving safety by reducing vehicle turning or angle crashes. This is due by building permit issuance. [TSP R11 & revised TIA p. 14]
2. I-5 interchange with OR 214: To reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R8 & R9 & revised TIA p. 14]
3. OR 214 & Evergreen Rd: To mitigate effect on the intersection and reduce vehicle crashes, the developer shall pay a fee per Attachment 202. [TSP R10 & revised TIA p. 14]

T-T. Bus transit: Bus stop improvements: To further TDM through bus transit, regarding the WTS Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because ROW and streetside PUE are too narrow relative to the street to accommodate installation, the developer shall pay a fee in-lieu as well as a fee in lieu of a bus stop bicycle rack per Attachment 202.



*Street Adjustment 24-01*

SA1. Frontage/street improvements: Highway: No min surface improvements are required other than either elsewhere conditioned or necessary to conform to Public Works (PW) direction or comply with ODOT engineering guidance. The developer may let existing improvements lie, excepting conforming upgrade of the driveway apron as the WDO and other conditions require, but also shall pay fees in lieu of highway improvements per Attachment 202.

SA2. Frontage/street improvements: Oregon Way: These shall be as follows:

- a. Parking: No on-street parallel parking lane 8-feet wide is required, this being an adjustment from what WDO Figure 3.01E would have required. The developer shall pay a fee in-lieu per Attachment 202.
- b. Landscape strip: Min width 6.5 ft wide inc. curb width and with min street trees per WDO 3.06.03A.1 (1:30), equaling 6 trees. For max 4 of the trees, the developer may pay a fee in-lieu per Attachment 202. Landscaping of area remaining after tree planting and irrigation shall be per the WDO 3.01.04B last paragraph.
- c. Sidewalk: Min width 8 ft.

Overlap: Wider sidewalk shall not narrow the landscape strip. The extra width of planter strip and sidewalk shall either (1) be within additional ROW that accommodates them, or (2) overlap outside ROW into streetside PUE, the PUE or other recorded legal instrument granting public access to the overlap. If (2), then the developer shall submit a draft of the legal instrument for Planning and PW review by either civil engineering plan (CEP) review application to PW or, if PW performs CEP review through building permit review, then by building permit application. Per WDO 2.01.05A, the developer shall submit copies of correctly recorded documents to the Planning Division.

SA3. ROW & PUE: There is no street adjustment to narrow below the minimum requirements; instead, see Conditions D1 & D2.

## Applicant Identity

<i>Applicant</i>	Ronald “Ron” James Ped, Ronald James Ped Architect, PC
<i>Applicant’s Representative</i>	n/a
<i>Landowner(s)</i>	Lal Din Sidhu (“Don” Sidhu), Woodburn Petroleum LLC

## Notes to the Applicant

The following are not planning / land use / zoning conditions of approval, but are notes for the applicant to be aware of and follow:

1. Records: Staff recommends that the applicant retain a copy of the subject approval.
2. Fences, fencing, & free-standing walls: The approval excludes any fences, fencing, & free-standing walls, which are subject to WDO 2.06 and the permit process of 5.01.03.
3. Signage: The approval excludes any private signage, which is subject to WDO 3.10 and the permit process of 5.01.10.
4. PLA Time Limit: WDO 4.02.04B. specifies that, “A final decision on any application shall expire within three years of the date of the final decision unless: 1. a building permit to exercise the right granted by the decision has been issued; 2. the activity approved in the decision has commenced; or 3. a time extension, Section 4.02.05, has been approved. Because unrecorded re-plats lingering indefinitely have burdened staff, a condition sets sooner time limits for subsection 2. to begin and finish recordation.
5. Mylar signature: The Community Development Director is the authority that signs plat Mylars and not any of the mayor, City Administrator, Public Works Director, or City Engineer. Only one City signature title block is necessary.
6. PLA Plat Tracker: Marion County maintains a plat tracking tool at <http://apps.co.marion.or.us/plattracker/>. Use it to check on the status of a recordation request to the County. City staff does not track County plat recordation.
7. Technical standards:
  - a. Context: A reader shall not construe a land use condition of approval that reiterates a City technical standard, such as a PW standard, to exclude remaining standards or to assert that conditions of approval should have reiterated every standard the City has in order for those standards to be met.
  - b. Utilities: A condition involving altered or additional sidewalk or other frontage/street improvement that would in the field result in displacement or relocation of any of utility

boxes, cabinets, vaults, or vault covers does not exempt the developer from having to move or pay to move any of these as directed by the City Engineer and with guidance from franchise utilities.

8. Other Agencies: The applicant, not the City, is responsible for obtaining permits from any county, state and/or federal agencies, which may require approval or permit, and must obtain all applicable City and County permits for work prior to the start of work and that the work meets the satisfaction of the permit-issuing jurisdiction. The Oregon Department of Transportation (ODOT) might require highway access, storm drainage, and other right-of-way (ROW) permits. All work within the public ROW or easements within City jurisdiction must conform to plans approved by the Public Works Department and must comply with a Public Works Right-of-Way permit issued by said department. Marion County plumbing permits must be issued for all waterline, sanitary sewer, and storm sewer work installed beyond the Public Right-of-Way, on private property.
9. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. Contact Planning Division staff at least 3 City business days prior to a desired date of planning and zoning inspection of site improvements. This is required and separate from and in addition to the usual building code and fire and life safety inspections. Note that Planning staff are not primarily inspectors, do not have the nearly immediate availability of building inspectors, and are not bound by any building inspector's schedule or general contractor convenience.
10. Stormwater management: The storm sewer system and any required on-site detention for the development must comply with the City Storm Water Management Plan, Public Works storm water practices and the Storm Drainage Master Plan.
11. Public Works Review: Regarding public infrastructure, consult the Public Works Department Engineering Division about when, where, and how to apply and implement [Public Works construction specifications, Standard Drawings, Standard Details](#), and general conditions of a permit type issued by the Public Works Department. Where the Oregon Dept. of Transportation (ODOT) has jurisdiction over a roadway, consult Public Works about role and process clarification. The [Engineering Division](#) can be reached at (503) 982-5240.
12. ROW:
  - a. Dedication: The Public Works Department Engineering Division has document templates for ROW and easement dedications that applicants are to use.  
  
ROW – and public utility easement (PUE) – dedications are due prior to building permit issuance per Public Works policy.
  - b. Work: All work within the public ROWs or easements within City jurisdiction must require plan approval and permit issuance from the Public Works Department. All public

improvements construction work must be performed in accordance with the plans stamped “approved” by the City, and comply with the City’s Standard Specifications and Standard drawings.

Where the Oregon Dept. of Transportation (ODOT) has jurisdiction over a roadway, consult Public Works about role and process clarification. The [Engineering Division](#) can be reached at (503) 982-5240.

13. Franchises: The applicant provides for the installation of all franchised utilities in any required easements.
14. Water: All water mains and appurtenances must comply with Public Works, Building Division, and Woodburn Fire District requirements. Existing water services lines that are not going to be use with this new development must be abandoned at the main line. The City performs required abandonment of existing water facilities at the water main with payment by the property owner. All taps to existing water mains must be done by a “Hot Tap” method and by approved City of Woodburn Contractors. The applicant shall install the proper type of backflow preventer for all domestic, lawn irrigation and fire sprinkler services. The backflow devices and meters shall be located near the city water main within an easement, unless approved otherwise by Public Works. Contact Byron Brooks, City of Woodburn Water Superintendent, for proper type and installation requirements of the backflow device at (503) 982-5380.
15. Grease Interceptor/Trap: If applicable, a grease trap would need to be installed on the sanitary service, either as a central unit or in a communal kitchen/food preparation area. Contact Marion County Plumbing Department for permit and installation requirements, (503) 588-5147.
16. Fire: Fire protection requirements must comply with Woodburn Fire District standards and requirements, including how the District interprets and applies Oregon Fire Code (OFC). Place fire hydrants within the public ROW or public utility easement and construct them in accordance with Public Works Department requirements, specifications, standards, and permit requirements. Fire protection access, fire hydrant locations and fire protection issues must comply with current fire codes and Woodburn Fire District standards. See City of Woodburn Standard Detail No. 5070-2 Fire Vault. The fire vault must be placed within the public right-of-way or public utility easement.

17. Street address assignment: The CU 24-02 redevelopment necessitates changes to [street address assignment](#). Assume and request the following with the request form:

<i>Lot</i>	<i>Existing Address</i>	<i>Requested Address</i>
Tax Lot 3600	2540 Newberg Hwy	Convenience store: 2540 Newberg Hwy, Ste 1 NE attached commercial office area: 2540 Newberg Hwy, Ste 2
Tax Lot 3700	2600 Newberg Hwy	SW commercial office building: 2600 Newberg Hwy, with one suite number per tenant space for all tenant spaces west to east, e.g. Stes 1, 2, 3, etc.

18. [Planning Division fee schedule](#): Additional fees are or might become applicable per the schedule:

- Page 2, row “Bond or performance guarantee release or status letter”, Applicable to such held by the Planning Division, not any by the Public Works Department Engineering Division. (This usually means bonding through the Planning Division is limited to street trees and/or on-site landscaping.)
- Page 2, “Civil engineering plan(s) (CEP) review, Planning Division review of Public Works Department permit application materials”. Where CEP is done through building permit review instead of a separate process prior to building permit application, Planning Division assess the fee on the building permit, avoiding separate invoicing and allowing the applicant to pay the fee along with the other permit fees.
- Page 2, row “Exception to when all public improvements are due / delay or deferral of frontage/street improvements”, applicable if a developer obtains Public Works Department approval of exception (delay/deferral) through WDO 3.01.02E(1) & (2). The fee serves as an exception disincentive. If Planning Division staff see no evidence of improvements under construction or constructed based on the building permit application materials, staff will assume deferral and assess the fee on the building permit, avoiding separate invoicing and allowing the applicant to pay the fee along with the other permit fees.

19. SDCs: The developer pays system development charges prior to building permit issuance. Engineering Division staff will determine the water, sewer, storm, traffic, and parks SDCs after the developer provides a complete Public Works Commercial/Industrial Development information sheet. The [Engineering Division](#) can be reached at (503) 982-5240.



**US MARKET/GAS STATION  
2540 & 2600 Newberg Highway  
CU 24-02  
Public Works Comments**

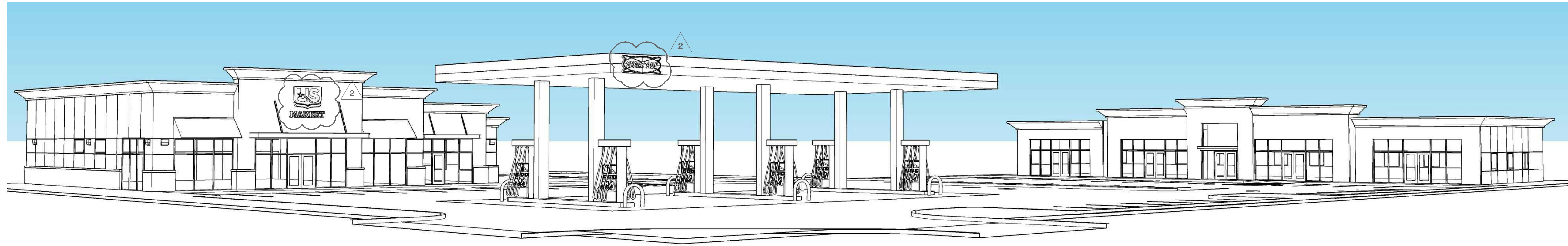
**August 13, 2024**

**GENERAL NOTES:**

1. The Applicant/owner, not the City, is responsible for obtaining permits from City, State, County and/or Federal agencies that may require such permit or approval.
2. Applicant to provide a storm drainage report prior to Civil Plans approval if applicable. The storm drainage report shall comply with the City of Woodburn storm master plan and ODOT's approval for discharging the private storm system into ODOT's system along Hwy 214 (Newberg Highway).
3. All City-maintained facilities located on private property shall require a minimum of 16-foot-wide utility easement conveyed to the City by the property owner. Provide and record the required right-of-way dedication, public utility easements, and waterline easements prior to building permit issuance if required. All water meters shall be within the right-of-way or public utility easements.
4. The Applicant shall obtain the required 1200C Erosion Control Permit from the Department of Environmental Quality prior to City issuance of permit(s), if applicable.
5. A final review of the Civil Plans will be done during the building permit application. Public infrastructure will be constructed in accordance with plans approved by public works, ODOT, and other agencies that may require the applicant to obtain permits.
6. A median barrier is required to be constructed at Oregon Way to mitigate against right turns by trucks exiting the site. The median barrier design and location will be part of the civil plans reviewed through the building permit application and construction of the median is due at the same time as Condition G4a (WDO 3.01.02E).



7. All sanitary sewer laterals serving the proposed developments are private up to the main line. All existing sewer laterals shall be abandoned at the main if they are not going to be utilized.
8. Fire hydrant locations and fire protection requirements shall be as per the Woodburn Fire District and City of Woodburn requirements.
9. System Development Charges shall be paid prior to building permit issuance.
10. All work within ODOT's jurisdiction shall comply with ODOT's permits and requirements.
11. All onsite private storm systems and sewer lateral lines shall comply with Marion County plumbing permit and requirements.
12. Storm systems for both gasoline/petroleum products spill or parking areas are not allowed to connect/discharge into the public sanitary sewer system. The private storm system on the proposed pumps area shall comply with Federal, State, and City's regulations for containment of spills and storm discharges.



# US MARKET

## CODE SUMMARY

CODE: 2019 O69C  
 OCCUPANCY: M  
 CONSTRUCTION: V-B

### ALLOWABLE BUILDING AREAS-TABLE 503

OCCUPANCY	CONSTRUCTION TYPE	TABULAR BUILDING AREA	ACTUAL AREA
M	V-B	9,000 SF	9,973 SF

## SITE PLAN SUMMARY

ZONED: CG - GENERAL COMMERCIAL

PROPERTY SIZE = 62,120.42 S.F. (1.43 AC)  
 REQ'D LANDSCAPE P.U. = 484 P.U.  
 PROPOSED LANDSCAPE P.U. = 732 P.U.

### PARKING REQ.

TOTAL PARKING:  
 GEN. RETAIL: 4110 SQ.FT. / 200 = 20.55, 21 REQ. (item 6 table 3.05A)  
 OFFICE: 6,863 SQ.FT. / 350 = 19.6, 20 REQ. (item 12 table 3.05A)  
 GAS STATION: 1 PER PUMP ISLAND = 6 REQ. (item 6 table 3.05A)  
 TOTAL REQUIRED SPACES: 47 REQ.  
 PARKING SPACES: 50 PROVIDED (3 van accessible spaces)  
 (38 full size spaces & 12 compact spaces)  
 \* 47 req. spaces x .2 = 9.4, 9 compact spaces max,  
 plus 3 additional compact spaces beyond req. number of spaces

Number of compact spaces is based on the required parking amount not what is provided  
 WDO 3.05.03C: A maximum of 20 percent of the **required** vehicle parking spaces may be  
 satisfied by compact vehicle parking spaces.

### STREET TREES REQ.

ONE TREE EVERY 30'-0" REQ.  
 8 TREES PROPOSED

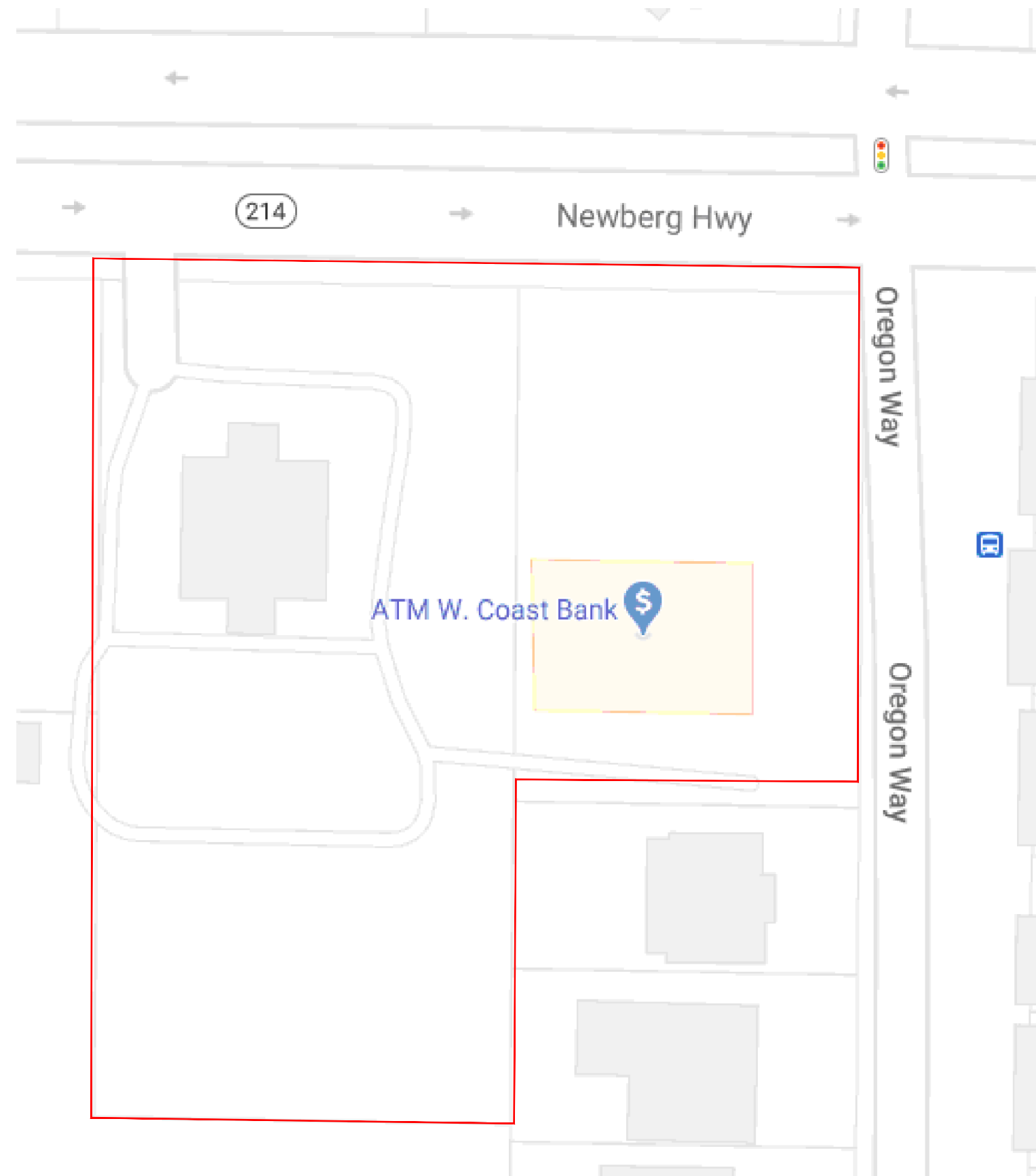
### BIKE PARKING REQ.

**3.05.03 Off-Street Parking**  
 E. All uses that are required to provide 10 or more off-street parking spaces and residential structures with four or more dwelling or living units shall provide a bicycle rack within 50 feet of the main building entrance. The number of required rack spaces shall be one space per ten vehicle parking spaces, with a maximum of 20 rack spaces.

49/10 = 5 REQUIRED  
 6 BIKE PARKING SPACES PROVIDED  
 2 BIKE RACKS (4 BIKE SPACES) PROVIDED AT CONVENIENCE STORE  
 1 BIKE RACK (2 BIKE SPACES) PROVIDED AT SW OFFICE BUILDING  
 (2 BIKE PER RACK)

## DRAWING INDEX

- A1.0 COVER PAGE
- A1.1 SITE PLAN
- A1.2 EXISTING SITE & DEMO PLAN
- A1.3 FIRE ACCESS PLAN
- C1.1 GRADING PLAN
- C1.2 UTILITY PLAN
- E1.1 LIGHTING PLAN
- L1.1 LANDSCAPE PLAN
- L1.2 IRRIGATION PLAN
- A3.1 BLDG ELEVATIONS & RENDERINGS



**VICINITY MAP**  
 SCALE: NTS



- 1 DESIGN REVIEW COMMENTS 4/1/24 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5/14/24 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6/12/24 - REVISION 3

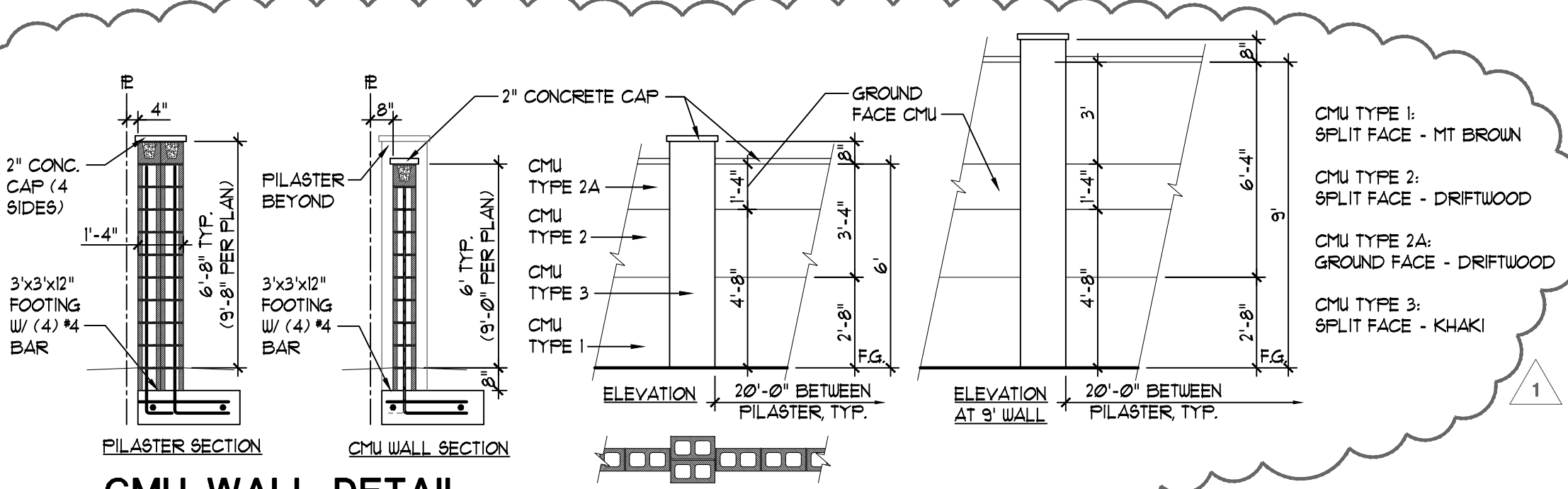
NEW OFFICE, RETAIL AND GAS STATION  
**US MARKET**  
 2600 NEWBERG HIGHWAY WOODBURN OREGON

DATE: DEC. 1 2020  
 DRAWN: GLM / KDG  
 JOB NO.: 1984

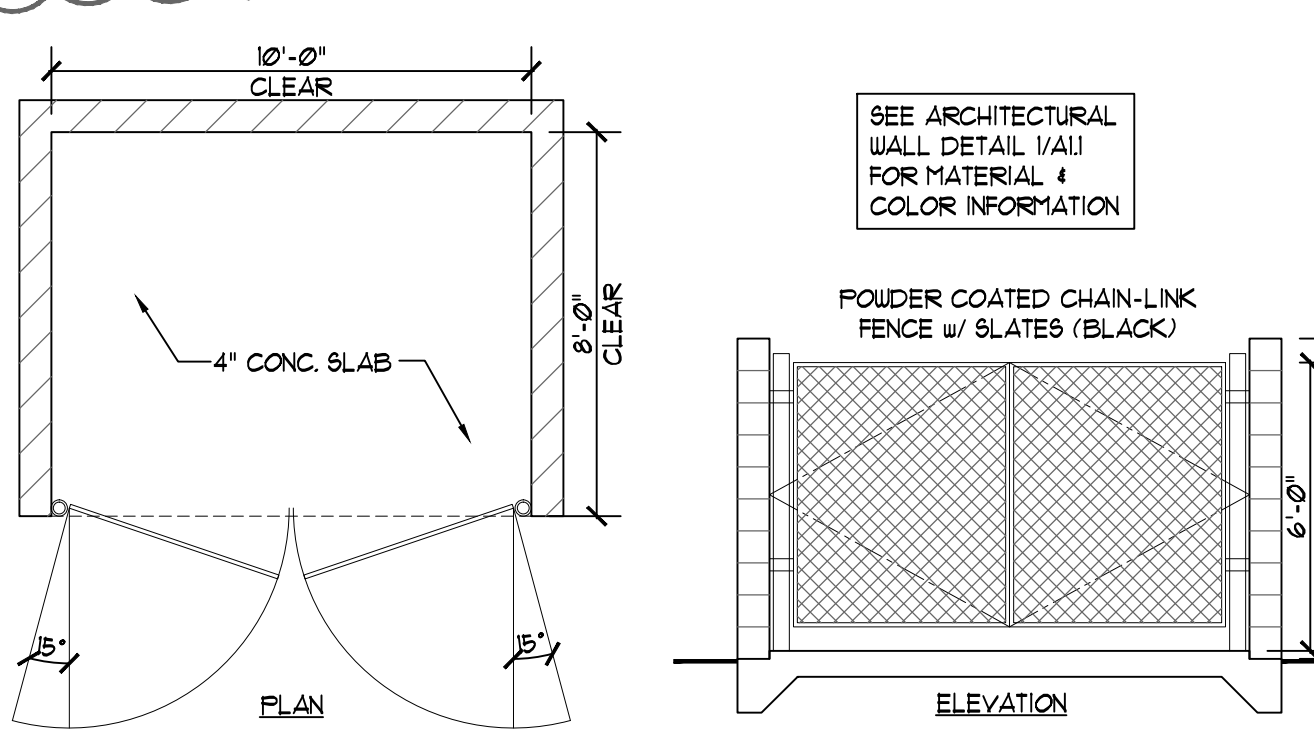
**A1.0**

**Attachment 103**  
**Sheet 1 of 6**

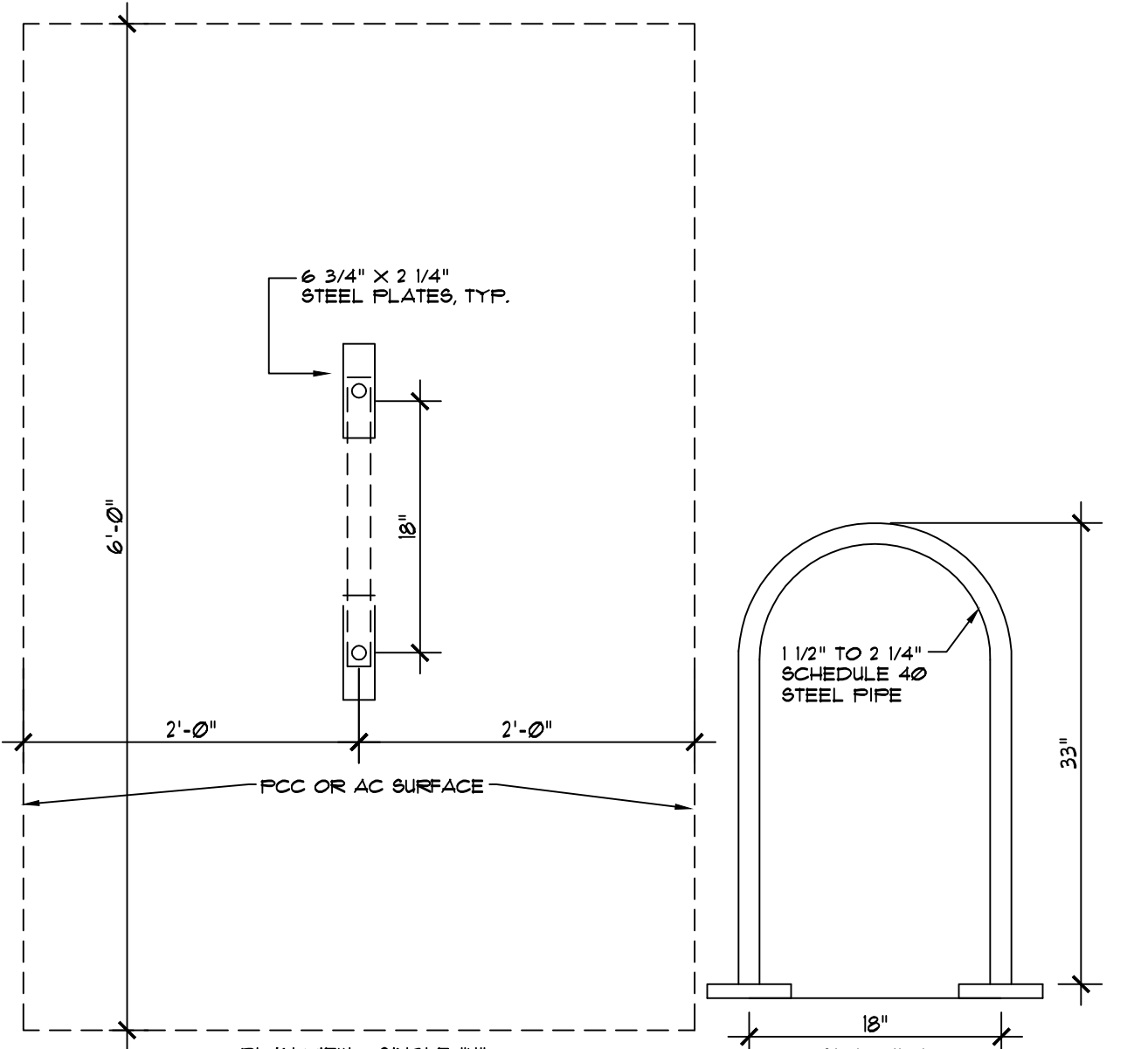
DESIGN REVIEW SET 02.05.24



**1 CMU WALL DETAIL ARCHITECTURAL SCREEN WALL**  
 SCALE: 1/4" = 1'-0"



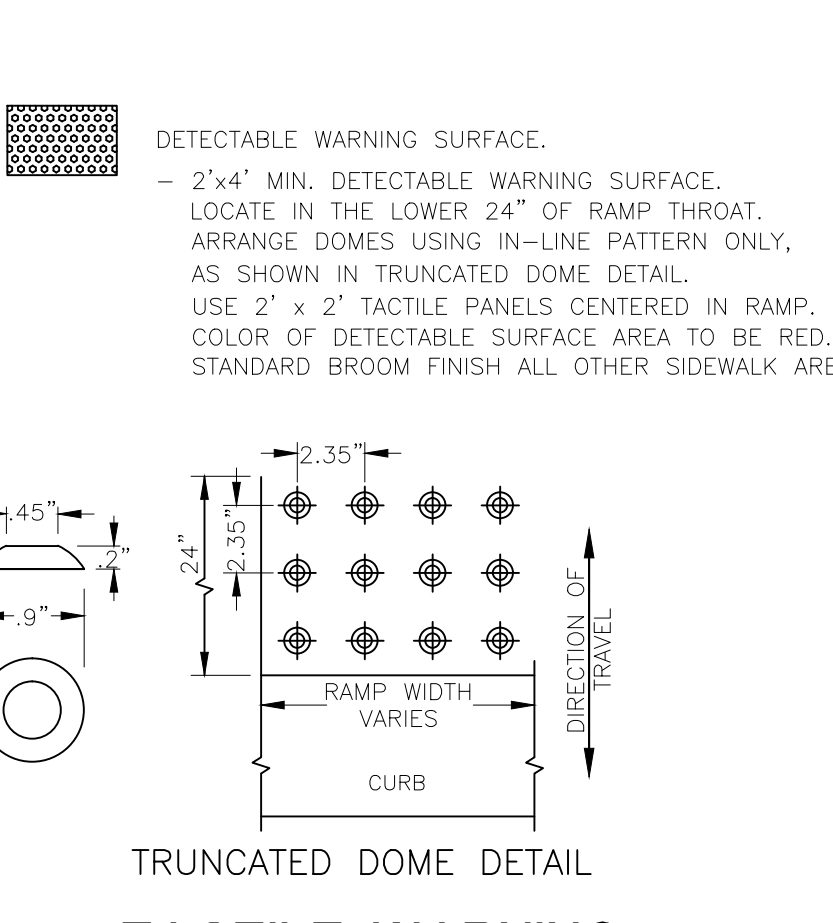
**2 TRASH ENCLOSURE**  
 SCALE: 1/4" = 1'-0"



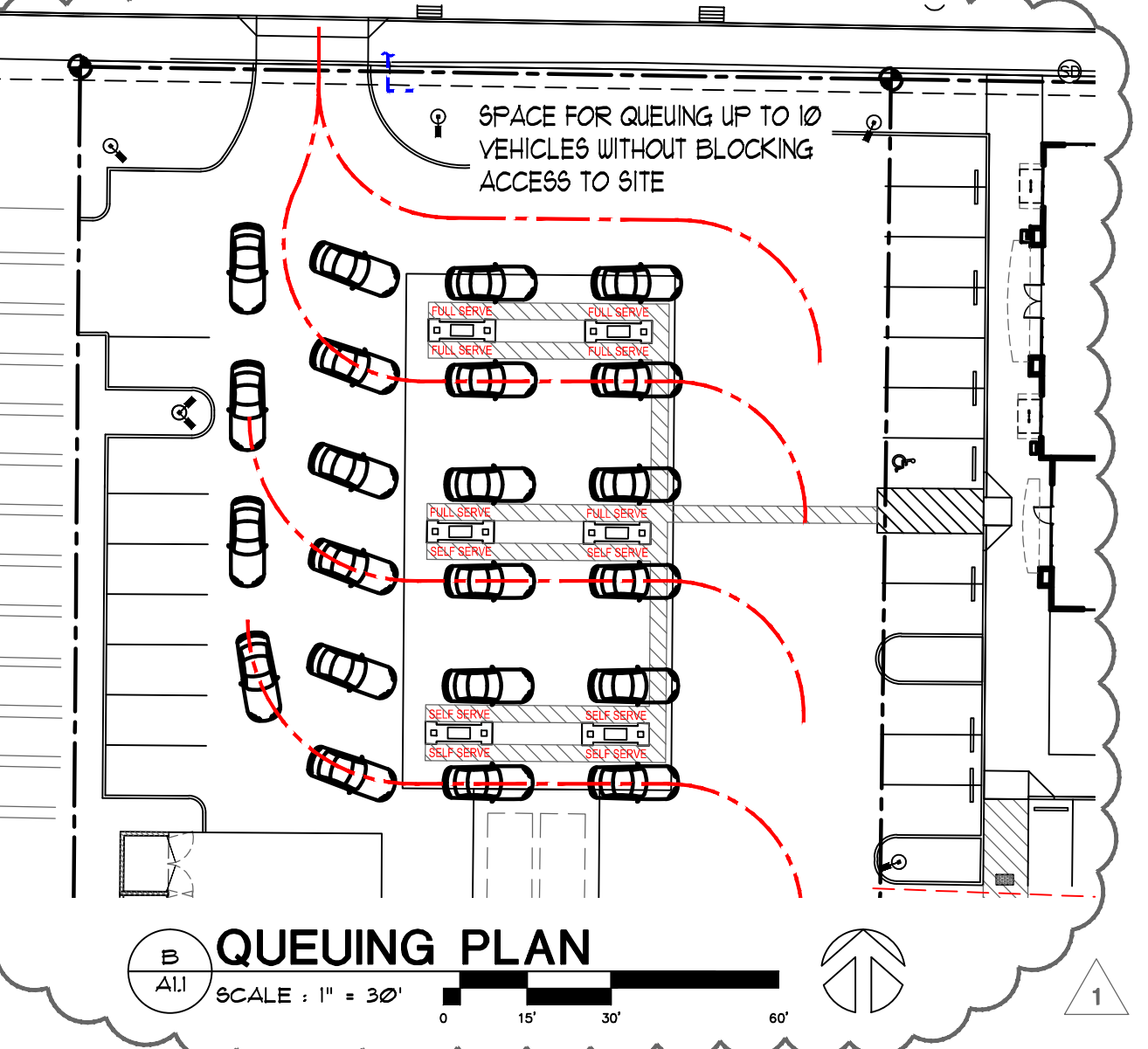
**3 BICYCLE PARKING RACK DETAIL**  
 SCALE: 1" = 1'-0"



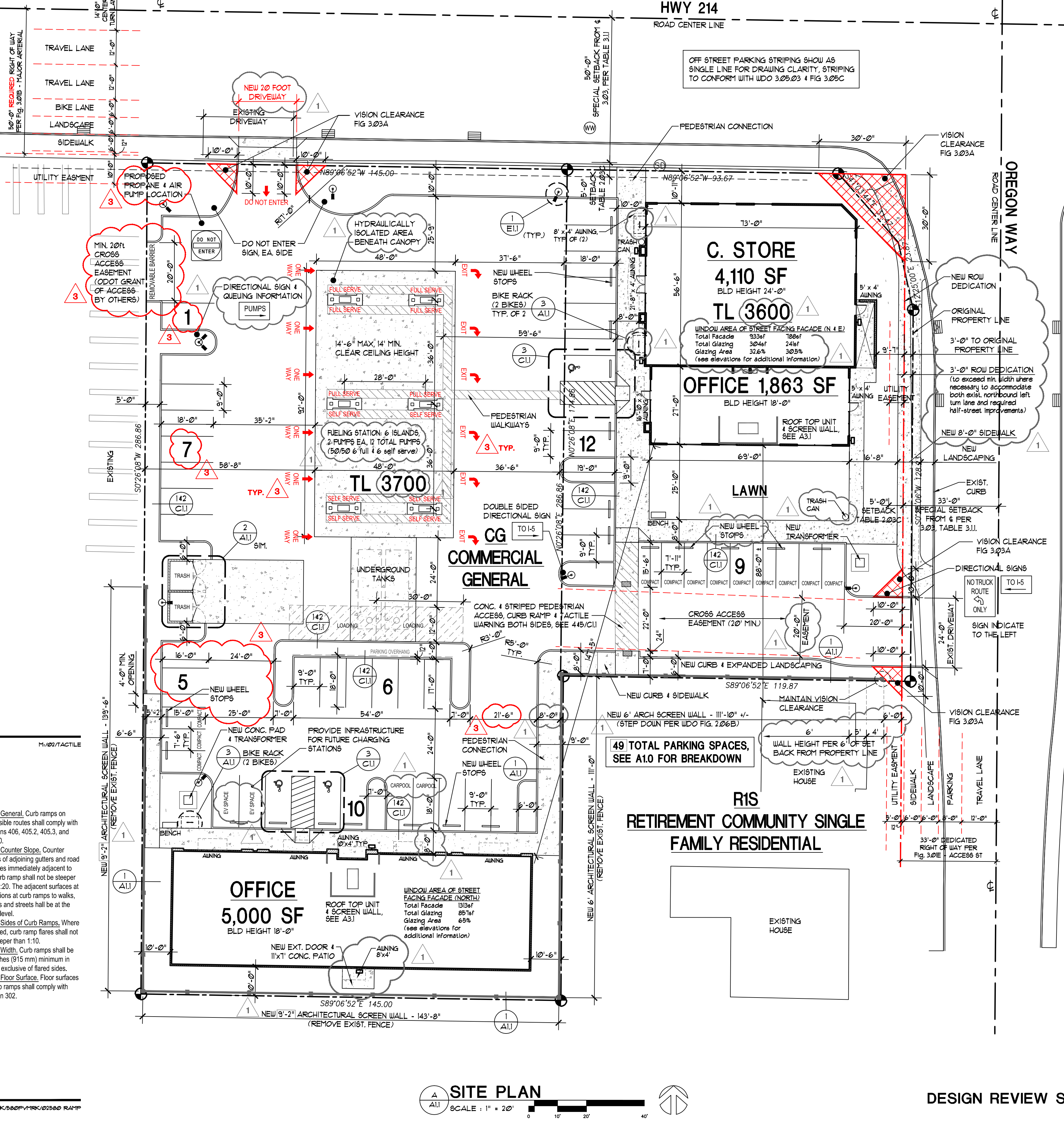
**4 TACTILE WARNING**  
 SCALE: 1" = 1'-0"



**5 ACCESSIBLE RAMP**  
 SCALE: 1/4" = 1'-0"

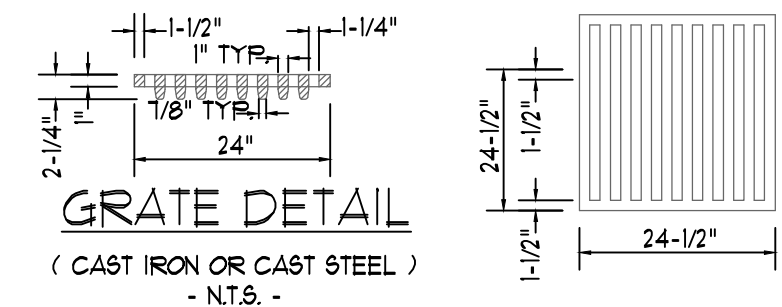


**QUEUEING PLAN**  
 SCALE: 1" = 30'

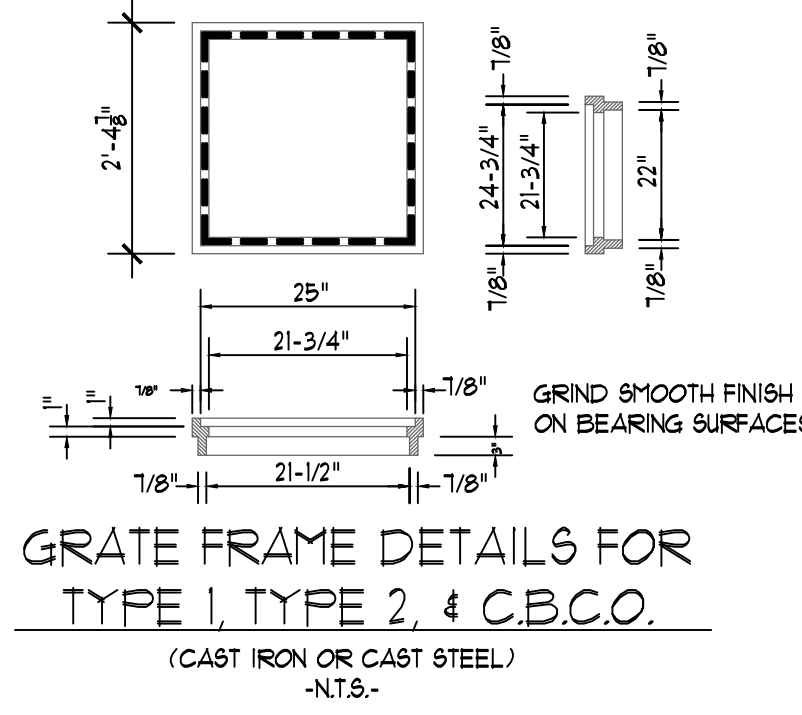


**SITE PLAN**  
 SCALE: 1" = 20'

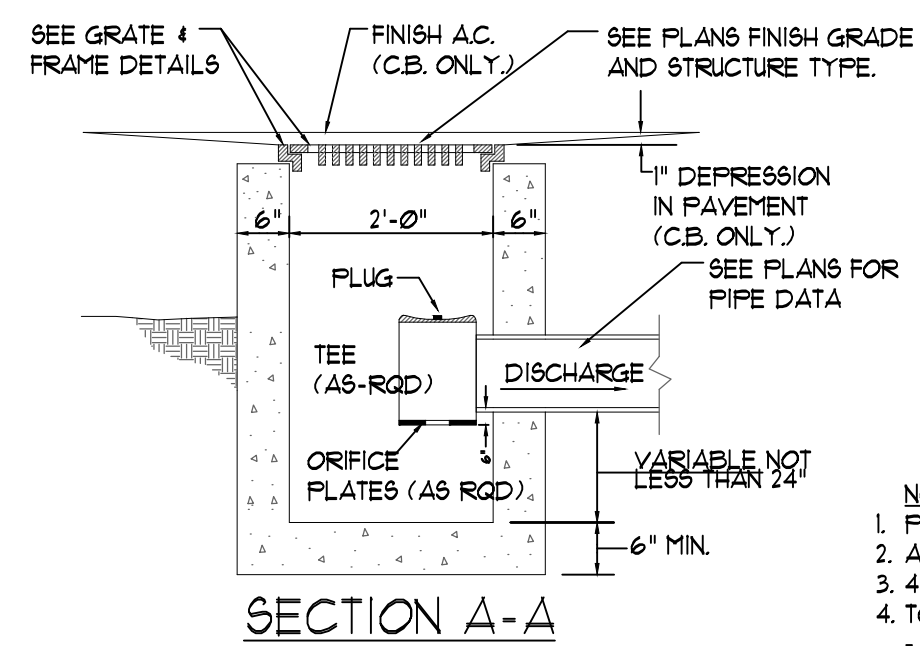
- NOTES:
- ALL CASTINGS SHALL CONFORM TO ASTM A 48 (AASHTO M 105) FOR GRAY IRON CASTINGS, CLASS 30, OR (AASHTO M 193 CLASS 10) FOR CAST STEEL.
  - ROUNDS, FILLETS, TAPERS AND OTHER MINOR MODIFICATIONS TO THE DIMENSIONS SHOWN FOR CASTINGS MAY BE MADE TO CONFORM TO COMMON SHOP PRACTICES.
  - GRATES AND FRAMES MAY BE OF CAST OR WELDED CONSTRUCTION, AT THE CONTRACTOR'S OPTION.
  - STEEL FOR WELDED GRATE 4 FRAME SHALL BE ASTM A-1 OR ASTM A-313.



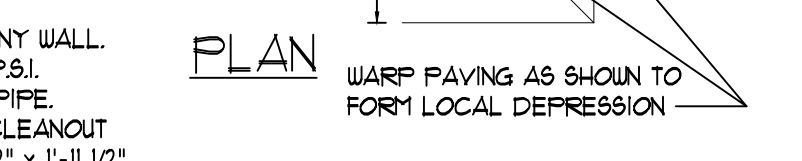
CATCH BASIN HAS GRATE (SEE DTL.)  
CATCH BASIN CLEANOUT HAS SOLID COVER (SEE NOTE NO. 4 BELOW).



GRATE FRAME DETAILS FOR TYPE 1, TYPE 2, & C.B.C.O.  
(CAST IRON OR CAST STEEL)  
- N.T.S. -



- NOTES:
- PIPE(S) CAN BE PLACED IN ANY WALL.
  - ALL CONCRETE TO BE 3300 P.S.I.
  - 4" DRAINS TO BE CONCRETE PIPE.
  - TO CONSTRUCT CATCHBASIN CLEANOUT - REPLACE GRATE WITH 1'-3 1/2" x 1'-1 1/2" STEEL PLATE 3/4" THICK, DRILL 1" DIA. LIFT HOLE NEAR ONE END OF PLATE.



1 STANDARD CATCHBASIN AND CATCH BASIN CLEANOUT  
SCALE: 1/2" = 1'-0"

**Endura**  
GREASE MANAGEMENT  
Submittal Sheet

Approvals and Listings maintained by:  
Campus Industries Ltd.  
Canada: 1-800-461-5300 USA: 1-888-461-5307

Part Description: 3" Gray Endura 50 Gallons Per Minute (GPM) 100lbs Grease Interceptor

Part Number: 3950A03

TOP VIEW

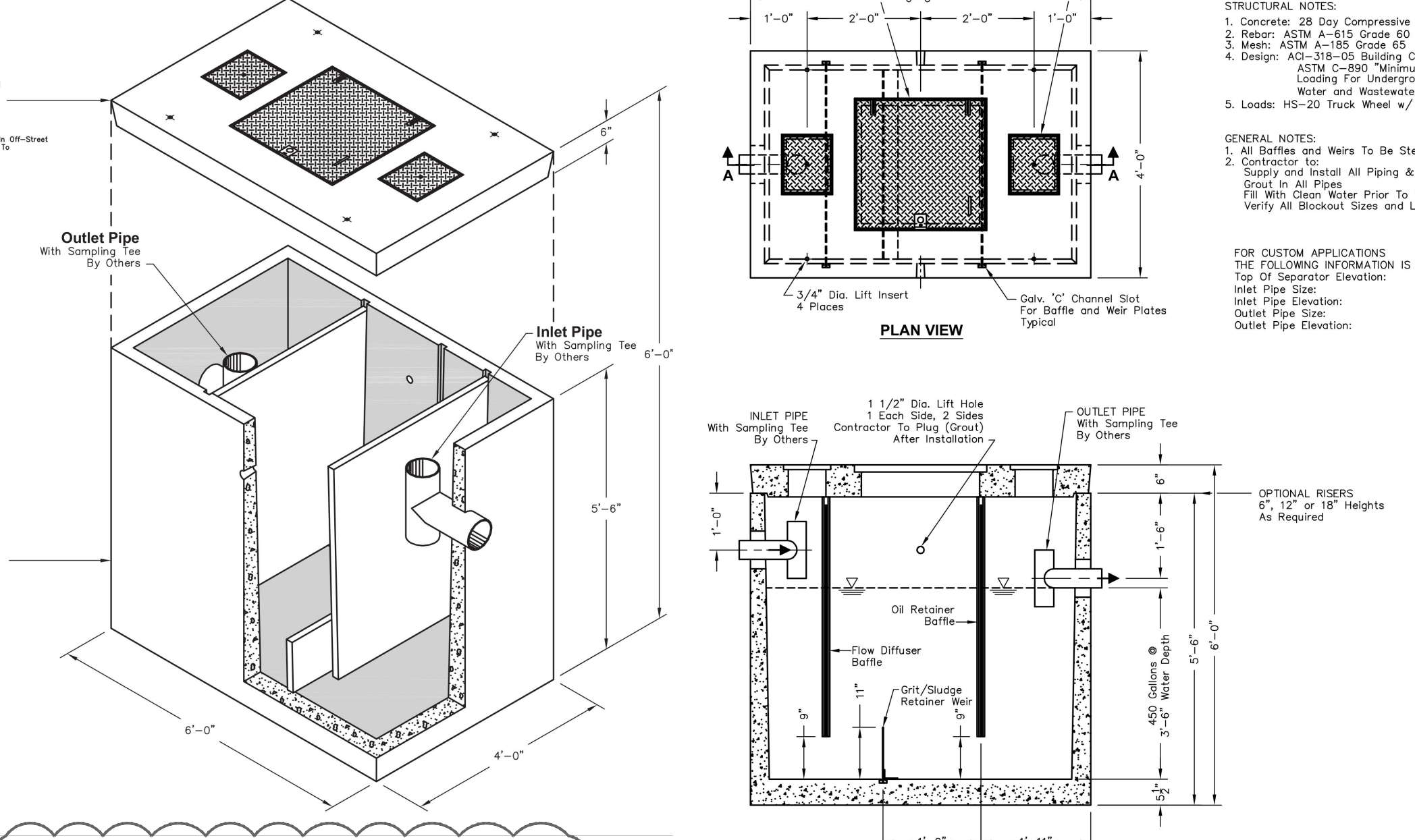
GREASE INTERCEPTOR LOAD		
FIXTURE	#	EA. TOTAL
SINK	2	4
KITCHEN SINK	2	6
MOP SINK	1	3
TOTAL FIXTURE UNITS: 13		

50 GPM ADEQUATE FOR 20 DFU PER TABLE 1014.21

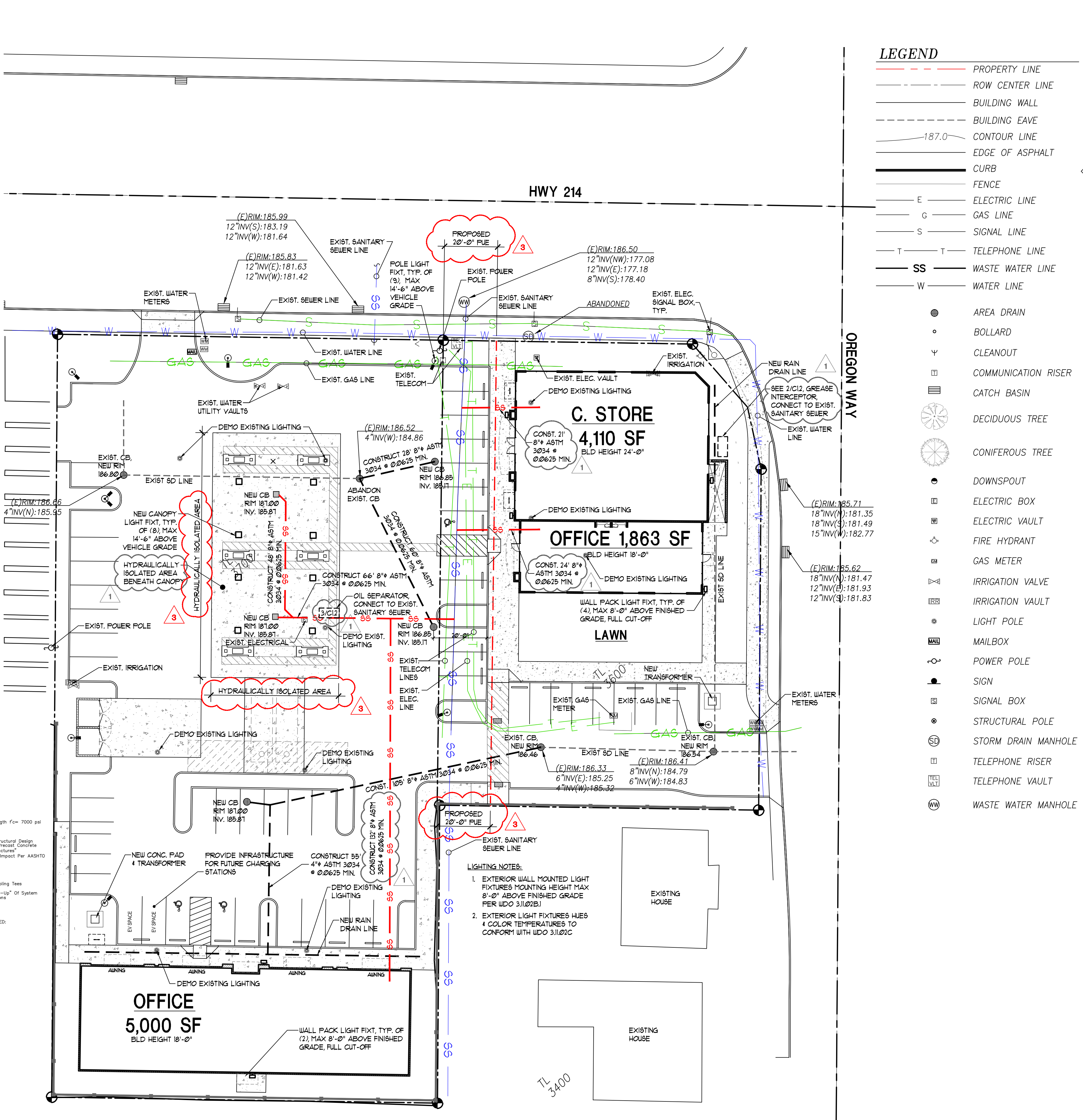
FRONT VIEW SIDE VIEW

Part #	Part UPC	Size (Inches)	Ctn Qty	Ctn Bar Code	Ctn. Wt (Kgs)	Ctn. Wt (Lbs)	Skid Cubic (m)	Skid Cubic (ft)	Ctns/Skid
3950A03	662671390110	3X3	1	10662671390117	29.41	64.70	1.63	97.50	4

2 GREASE INTERCEPTOR  
SCALE: NOT TO SCALE

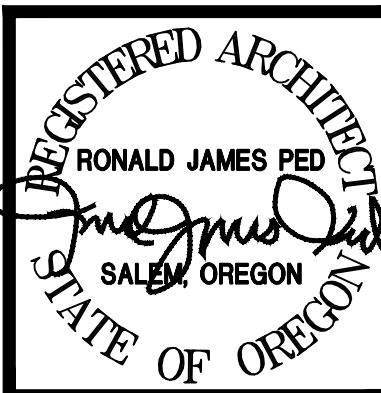
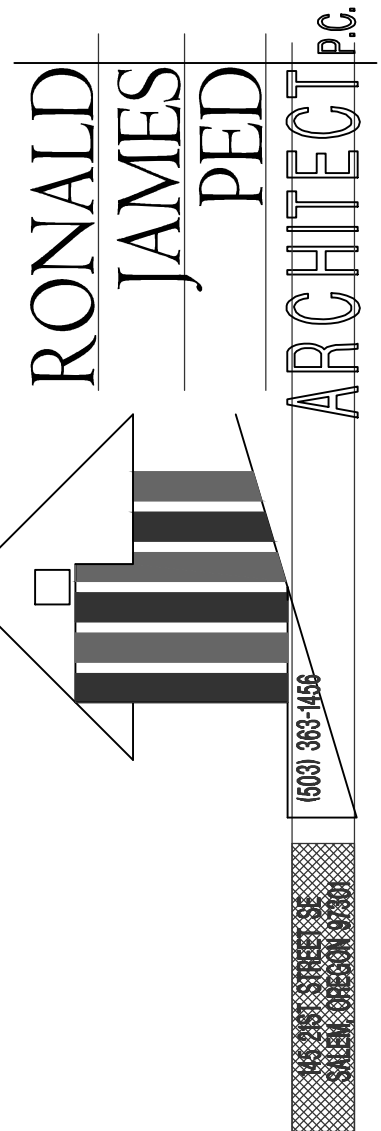


3 OIL WATER SEPARATOR  
SCALE: NOT TO SCALE



UTILITY PLAN  
SCALE: 1" = 20'

- LEGEND**
- PROPERTY LINE
  - ROW CENTER LINE
  - BUILDING WALL
  - BUILDING EAVE
  - 187.0 CONTOUR LINE
  - EDGE OF ASPHALT
  - CURB
  - FENCE
  - E --- ELECTRIC LINE
  - G --- GAS LINE
  - S --- SIGNAL LINE
  - T --- TELEPHONE LINE
  - SS --- WASTE WATER LINE
  - W --- WATER LINE
- AREA DRAIN
  - BOLLARD
  - CLEANOUT
  - COMMUNICATION RISER
  - ▣ CATCH BASIN
  - DECIDUOUS TREE
  - CONIFEROUS TREE
  - DOWNSPOUT
  - ELECTRIC BOX
  - ELECTRIC VAULT
  - FIRE HYDRANT
  - GAS METER
  - IRRIGATION VALVE
  - IRRIGATION VAULT
  - LIGHT POLE
  - MAILBOX
  - POWER POLE
  - SIGN
  - SIGNAL BOX
  - STRUCTURAL POLE
  - STORM DRAIN MANHOLE
  - TELEPHONE RISER
  - TELEPHONE VAULT
  - WASTE WATER MANHOLE



- 1 DESIGN REVIEW COMMENTS 4.12.4 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5.14.24 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6.12.4 - REVISION 3

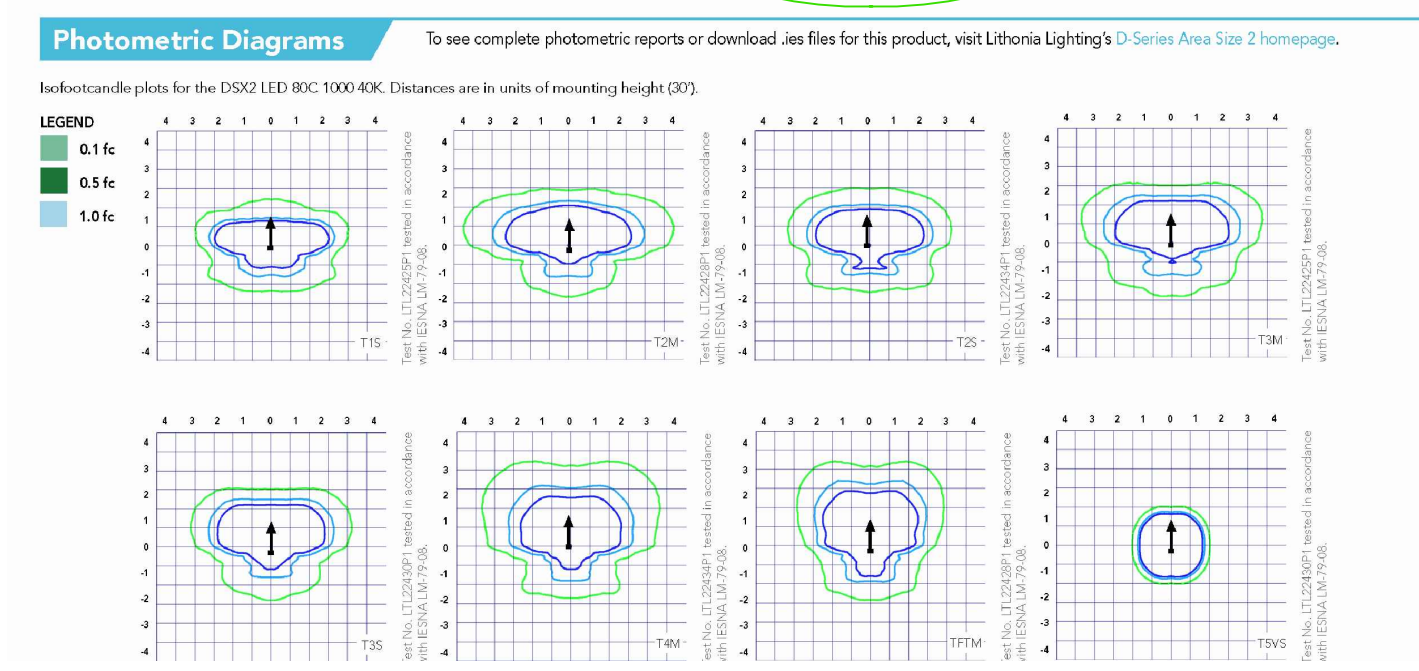
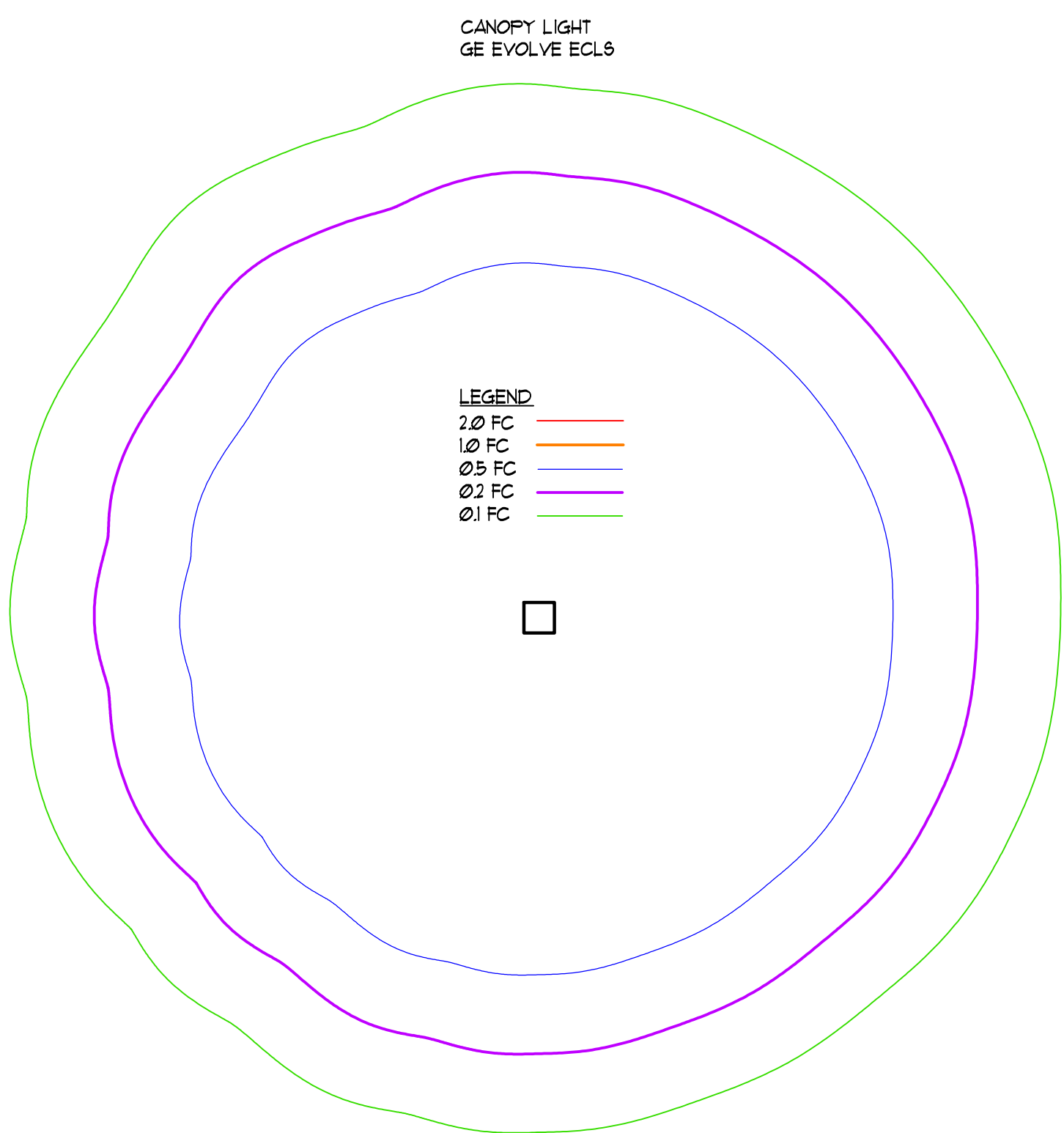
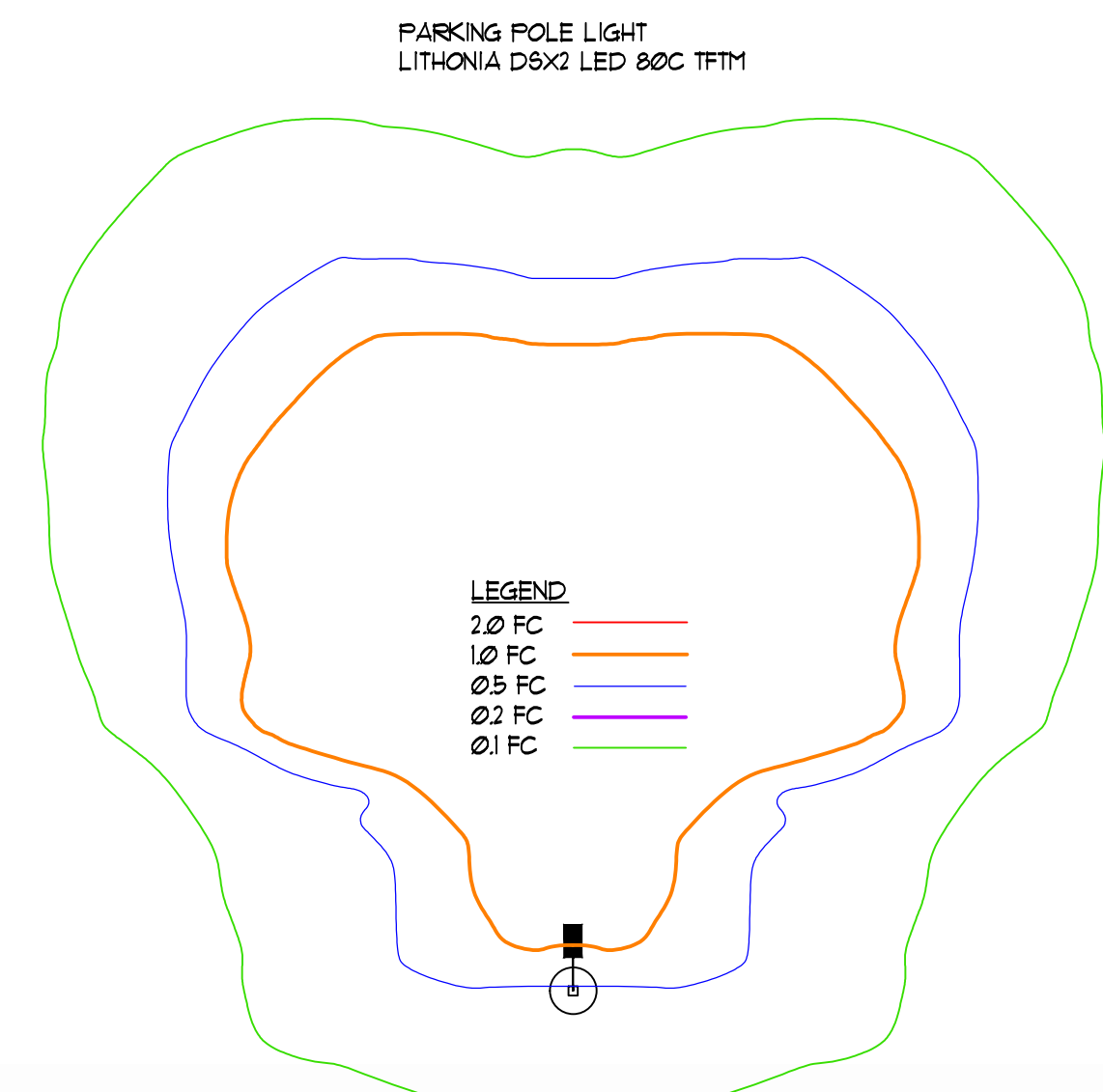
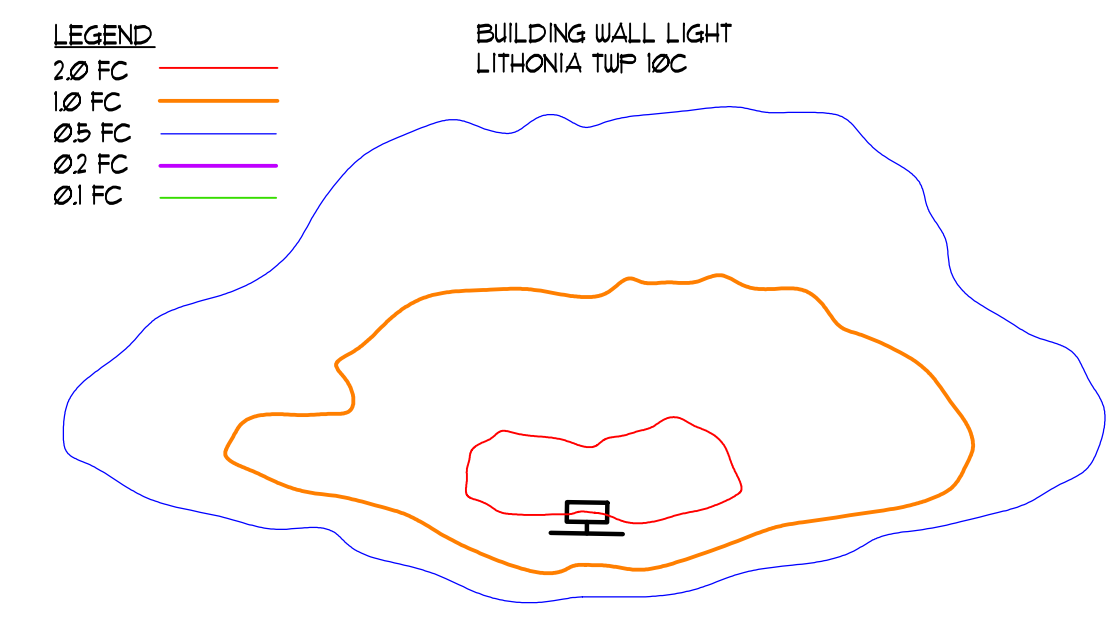
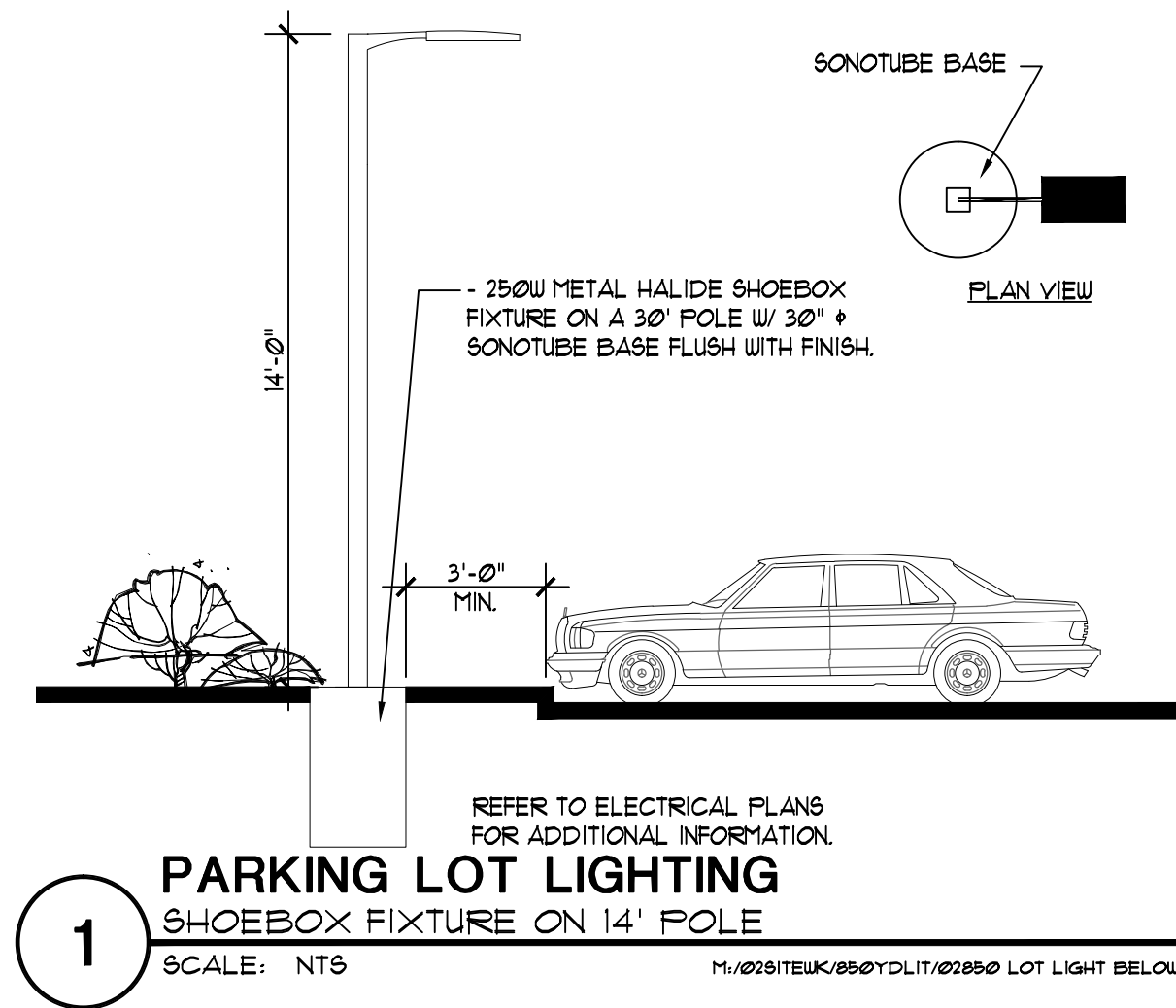
NEW OFFICE, RETAIL AND GAS STATION  
US MARKET  
2600 NEWBERG HIGHWAY WOODBURN OREGON

DATE: DEC. 1, 2020  
DRAWN: AK / KDS  
JOB NO.: 19064

C1.2  
DESIGN REVIEW SET 02.05.24  
REVISED SHEET NUMBER

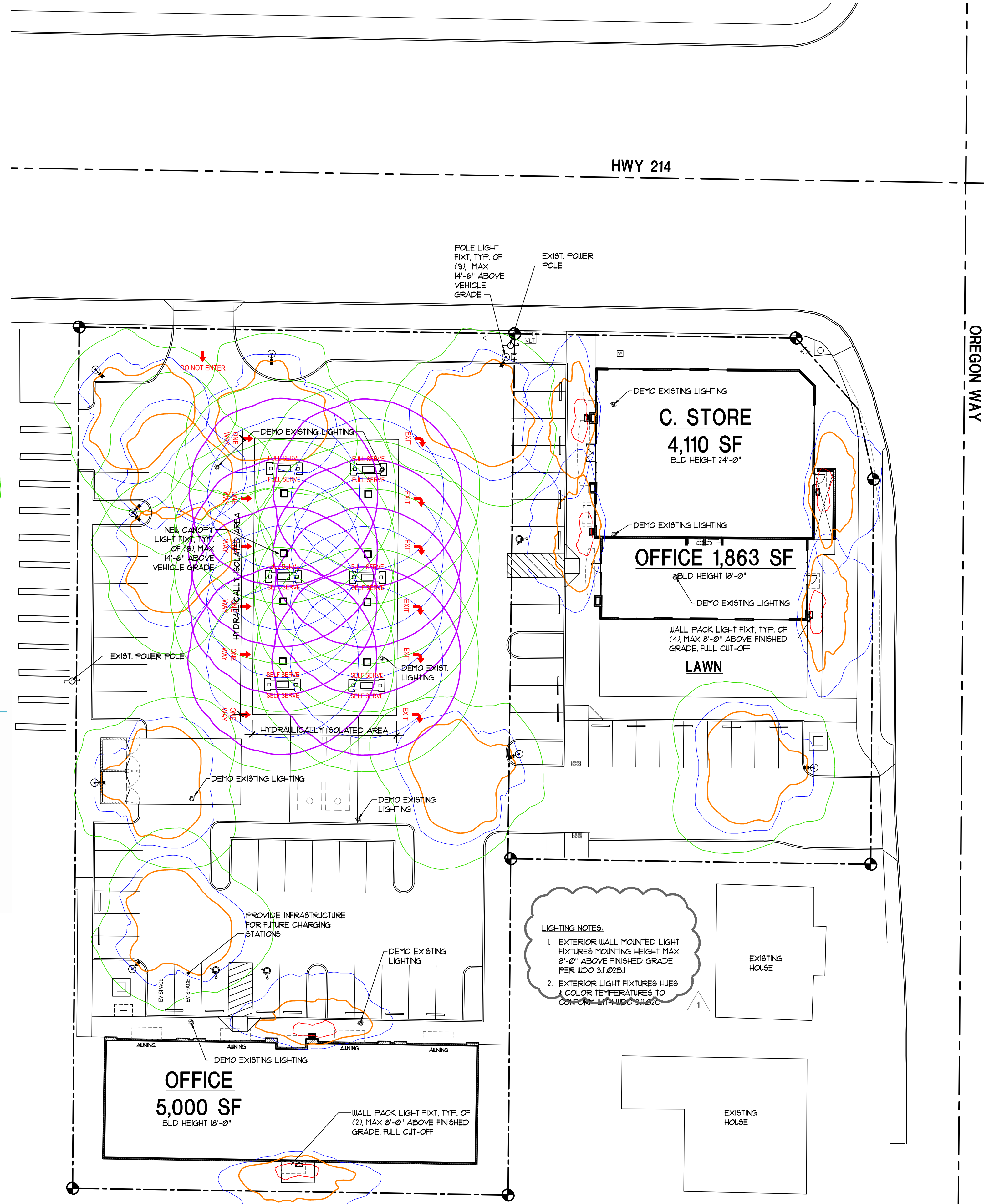
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 C1.2  
 PRINTED BY: kevin

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**LIGHTING SCHEDULE**

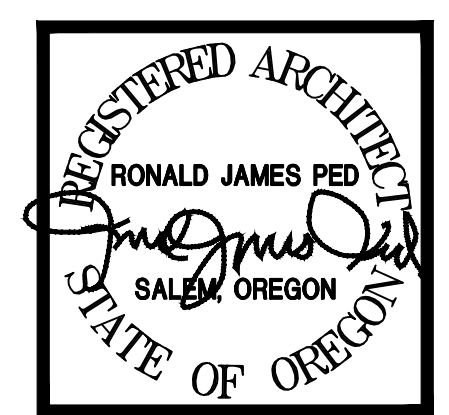
- PARKING POLE LIGHT  
LITHONIA DSX2 LED 80C TFM
- CANOPY LIGHT  
LITHONIA CAY LED P0
- BUILDING WALL LIGHT  
EATON Lumark WP WAL-PACK w/ FULL CUTOFF
- EXISTING PARKING POLE LIGHT



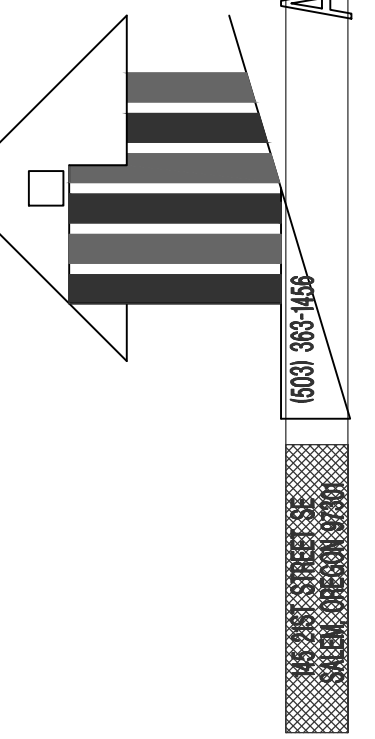
**LIGHTING NOTES:**

- EXTERIOR WALL MOUNTED LIGHT FIXTURES MOUNTING HEIGHT MAX 8'-0" ABOVE FINISHED GRADE PER IBCO 311.02(1)
- EXTERIOR LIGHT FIXTURES HUES & COLOR TEMPERATURES TO CONFORM WITH IBCO 311.02(2)

**LIGHTING PLAN**  
 SCALE: 1" = 20'



- 1 DESIGN REVIEW COMMENTS 4/1/24 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5/14/24 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6/12/24 - REVISION 3



# SITE SUMMARY

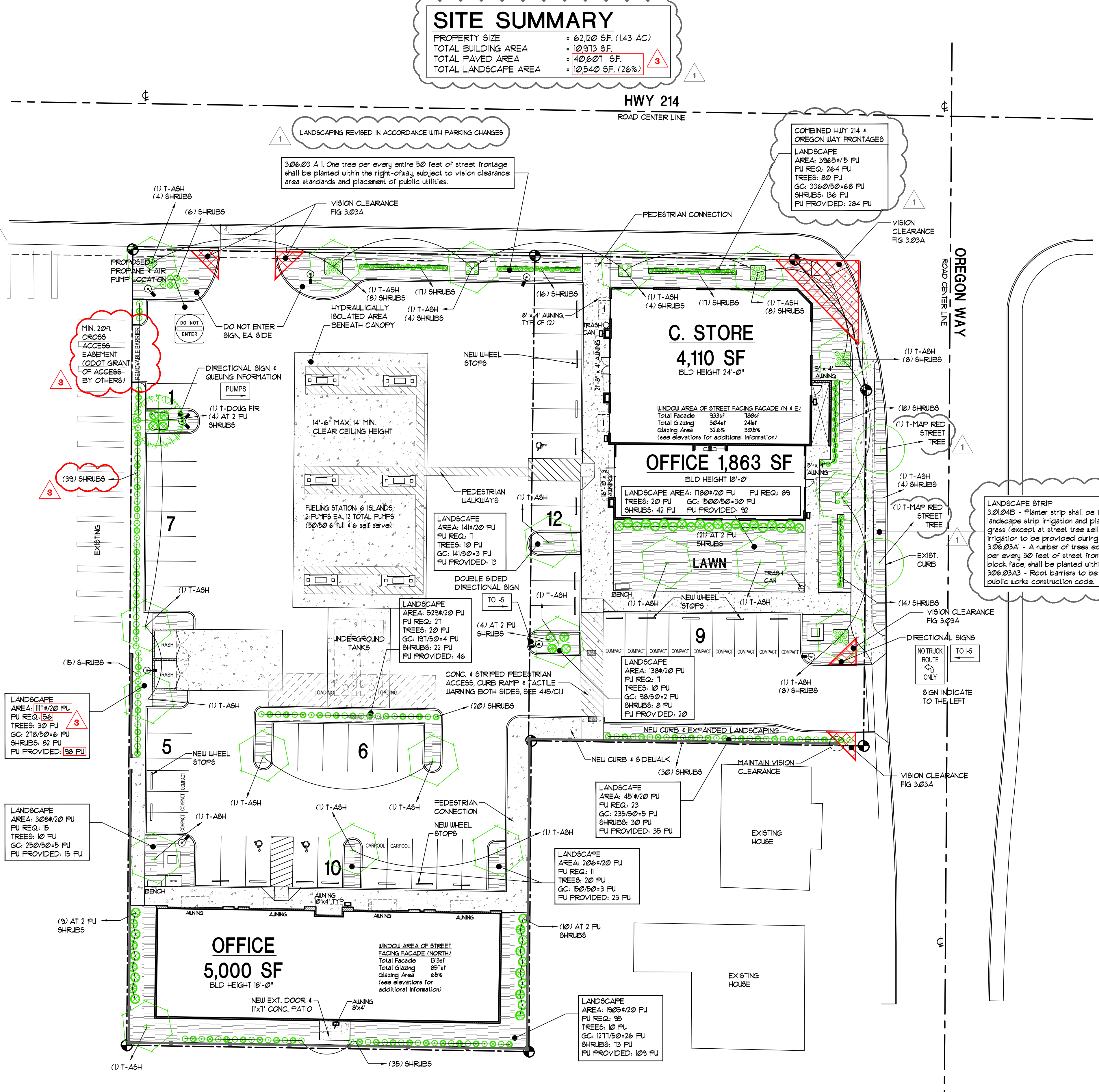
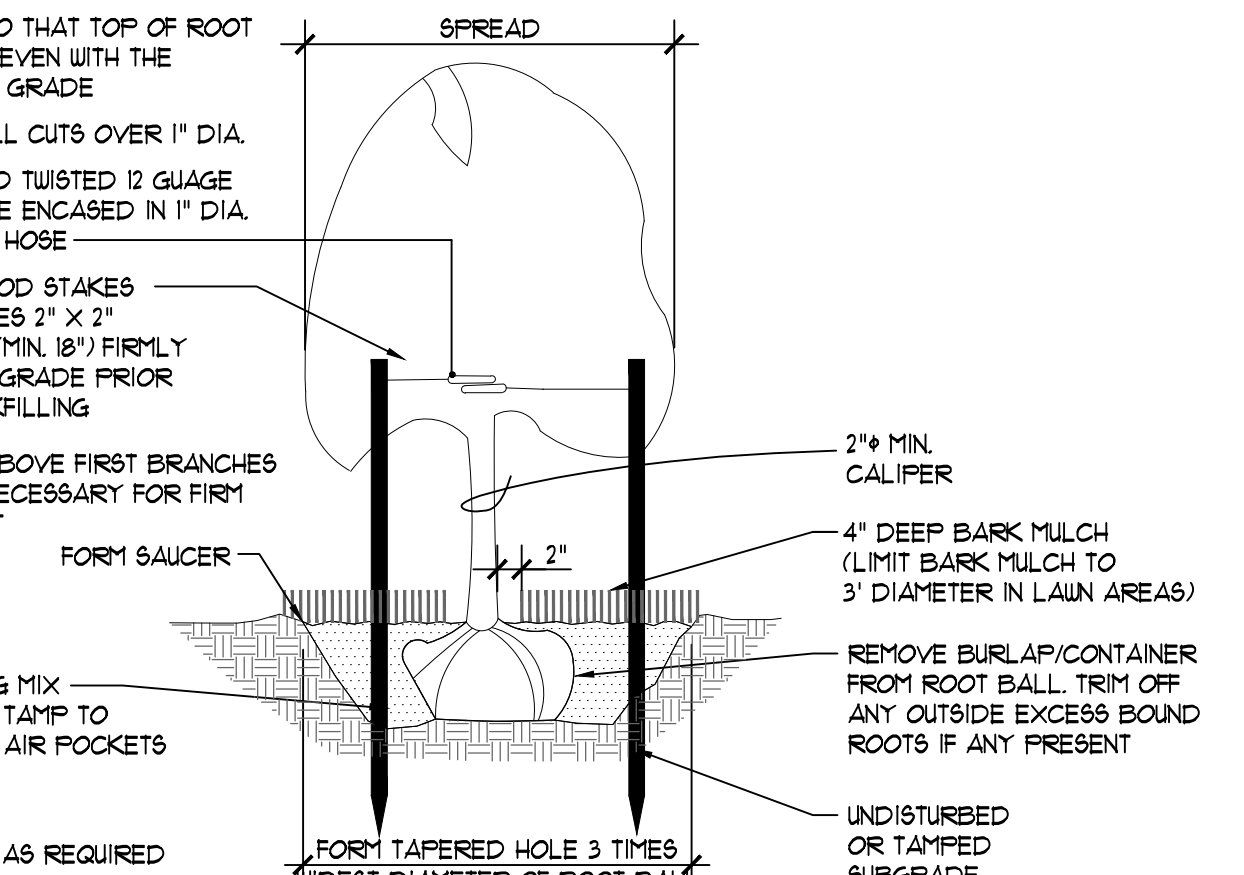
PROPERTY SIZE	= 62,120 SF. (1.43 AC)
TOTAL BUILDING AREA	= 10,913 SF.
TOTAL PAVED AREA	= 40,601 SF.
TOTAL LANDSCAPE AREA	= 10,540 SF. (26%) <span style="border: 1px solid red; padding: 2px;">3</span>

PLANT LIST				
STREET TREES	COMMON NAME/BOTANICAL NAME	SIZE	COMMENTS	MATURE SIZE
	T-ASH ASH, RAYWOOD FRAXINUS OXYCARPA 'RAYWOOD'	7'-8"	2" CALIPER 10 FU	AVG. 30'-40' MAX. 80'
	T-LIN LINDEN TILIA CORDATA 'HALA'	7'-8"	2" CALIPER 10 FU	60'-10'
	T-MAP AR1 ARMSTRONG MAPLE ACER RUBRUM 'ARMSTRONG'	7'-8"	2" CALIPER 10 FU	40'-60'
	T-MAP RED ACER RUBRUM/RED MAPLE October Glory	7'-8"	2" CALIPER 10 FU	40'-60'
	T-DOUG FIR DOUGLAS FIR / Pseudotsuga menziesii	LARGE	2" CALIPER 10 FU	AVG. 50'-80' MAX. 300'

ORNAMENTAL TREES				
COMMON NAME/BOTANICAL NAME	SIZE	COMMENTS	MATURE SIZE	
T-JAPO CRYPTOMERIA JAPONICA 'ELEGANS'	7'-8"	2" MIN CALIPER 5 FU		
T-TAMA CRYPTOMERIA JAPONICA 'TAISHO TAMA' (TAISHO TAMA JAPANESE CEDAR)	4'-6"	2" MIN CALIPER 5 FU		
T-BLA CRYPTOMERIA JAPONICA 'BLACK DRAGON'	4'-6"	2" MIN CALIPER 5 FU		
T-MAP VINE VINE MAPLE/ACER circinatum	7'-8"	2" MIN CALIPER 2 FU		
T-CRAB CRABAPPLE/MALUS 'AMERICAN BEAUTY'	7'-8"	2" MIN CALIPER 2 FU		
T-ORY CRYPTOMERIA JAPONICA 'SEKKEN-SUGI'	6'	2" MIN CALIPER 5 FU		
T-CUP CUPRESSUS SEMPERVIRENS ITALIAN CYPRESS 'STRICTA'	6'	2" MIN CALIPER 5 FU		
T-CHA CHAMAECYPARIS OBUSA HINOKI FALSE CYPRESS 'GRACILIS'	6'	2" MIN CALIPER 5 FU		

GROUND COVER				
BOTANICAL NAME/COMMON NAME	SIZE	COMMENTS	MATURE SIZE	
G-PHL PHLOX SUBLATA CREEPING PHLOX	1 gal.	24" SPACING 1 FU		
G-VIN VINCA MAJOR PERIWINKLE	1 gal.	24" SPACING 1 FU		

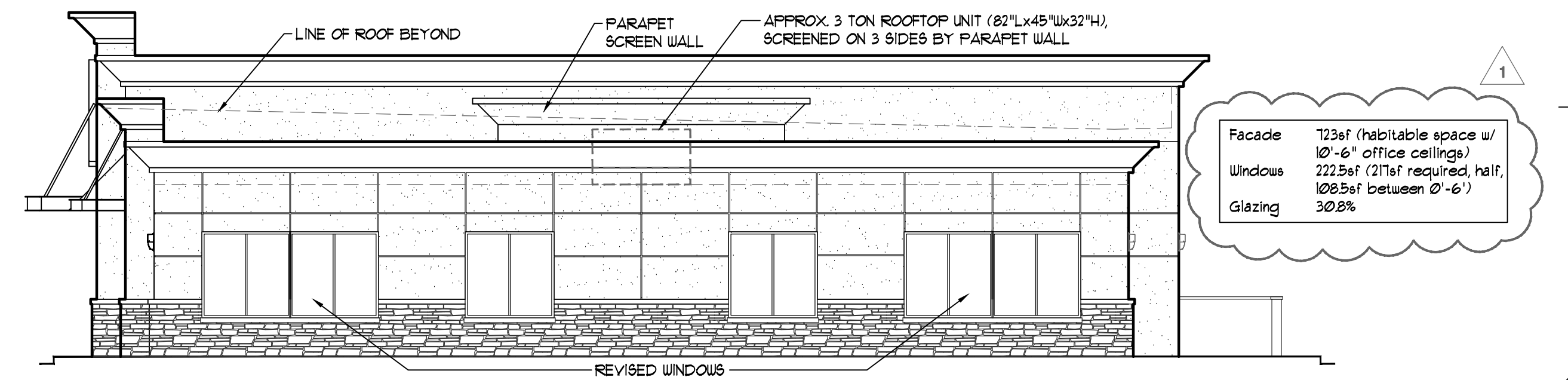
PLANT LIST				
SIZE	SHRUBS	COMMON NAME/BOTANICAL NAME	COMMENTS	MATURE SIZE
1 gal. 3 gal.	S-HYB HYDRANGEA HYDRANGEA Stryana ROSE OF SHARON 'MINERVA' 'AZURRI SATIN'	1 FU 1 gal / 2 FU 3 gal		
	S-STRA DEUTZIA x hybrid 'STRAWBERRY FIELDS'	1 FU 1 gal / 2 FU 3 gal		
	S-ABE ABELIA grandiflora 'EDWARD GOUCHER' (EVERGREEN)	1 FU 1 gal / 2 FU 3 gal		
	S-VIBD VIBURNUM Japonicum (EVERGREEN)	1 FU 1 gal / 2 FU 3 gal		
	S-PIE PIERIS Japonicum 'LILLY-OF-THE-VALLEY' (EVERGREEN/SHADE)	1 FU 1 gal / 2 FU 3 gal		
	S-AUC AUCUBA JAPONICA JAPANESE AUCUBA (EVERGREEN/SHADE)	1 FU 1 gal / 2 FU 3 gal		
	S-VIB VIBURNUM ELLIPTICUM COMMON VIBURNUM	1 FU 1 gal / 2 FU 3 gal		
	S-CURR RED-FLOWERING CURRANT/Ribes sanguinum	1 FU 1 gal / 2 FU 3 gal		



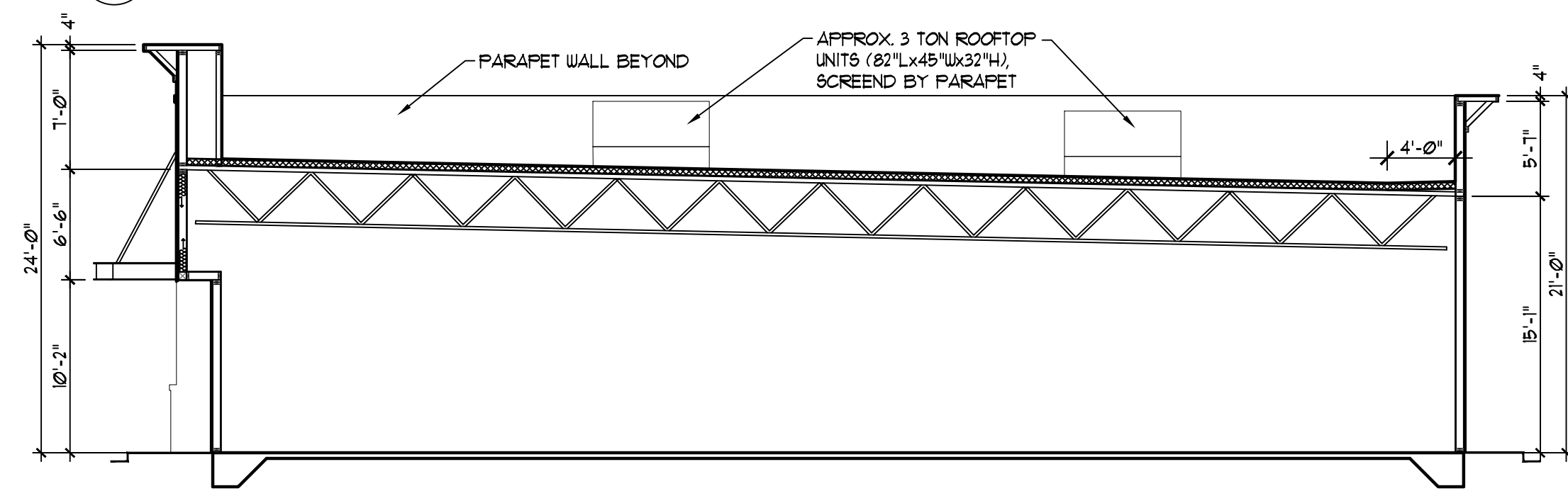
**LANDSCAPE PLAN**  
SCALE: 1" = 20'

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PRINTED: Mon, 10 Jun 2024 - 01:45 pm PRINTED BY: kevin

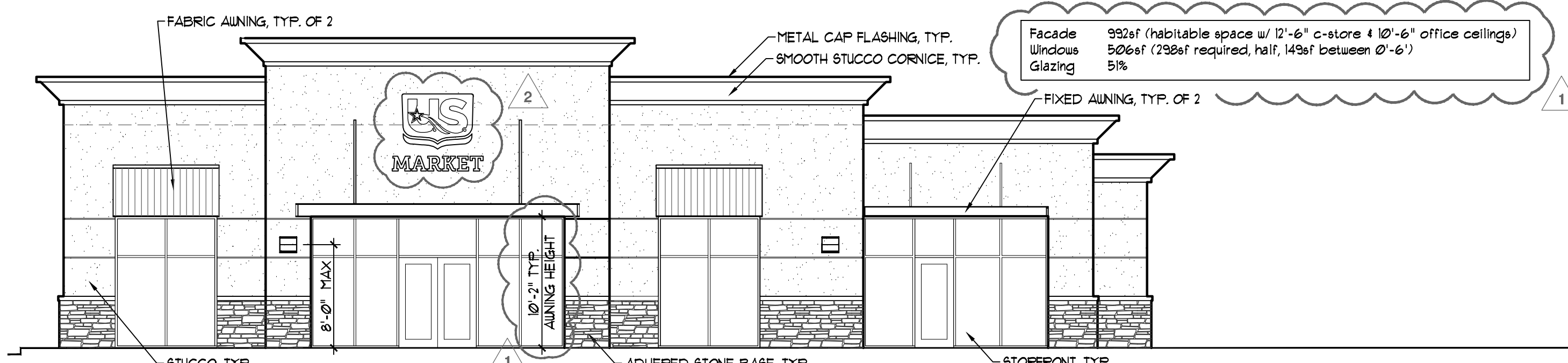
# CONVENIENCE STORE



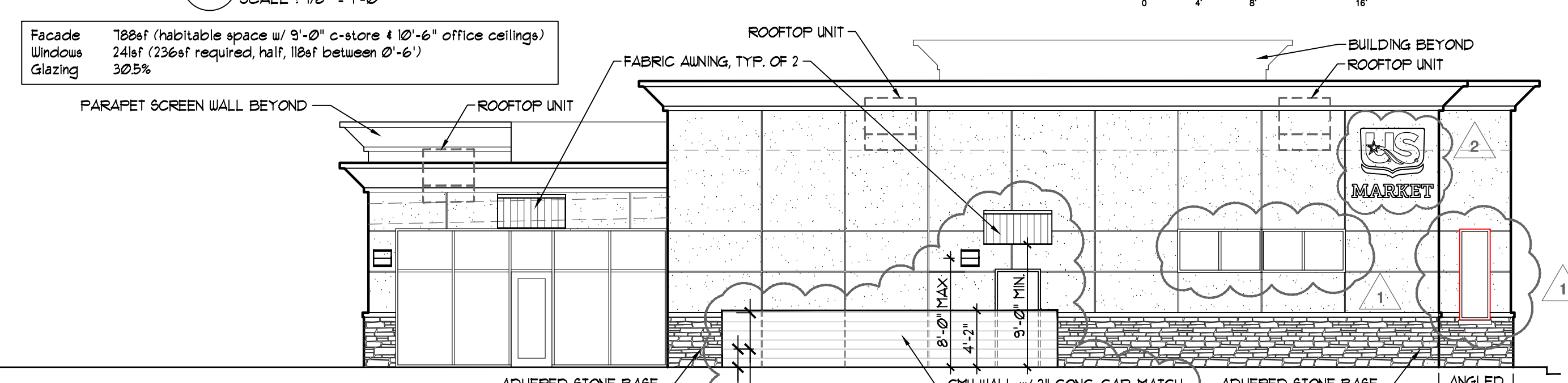
**CONVENIENCE STORE - SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"



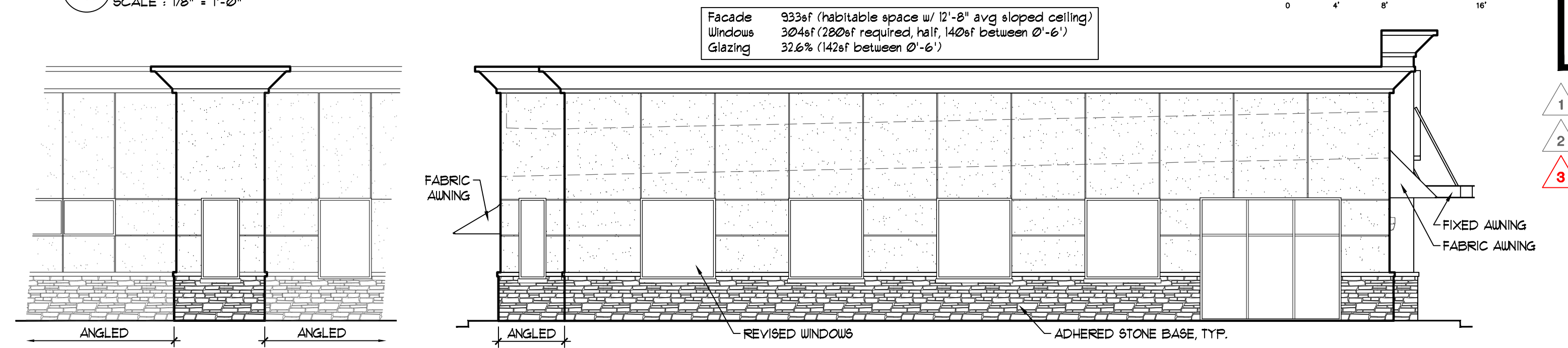
**CONVENIENCE STORE - CROSS SECTION**  
SCALE: 1/8" = 1'-0"



**CONVENIENCE STORE - WEST ELEVATION**  
SCALE: 1/8" = 1'-0"

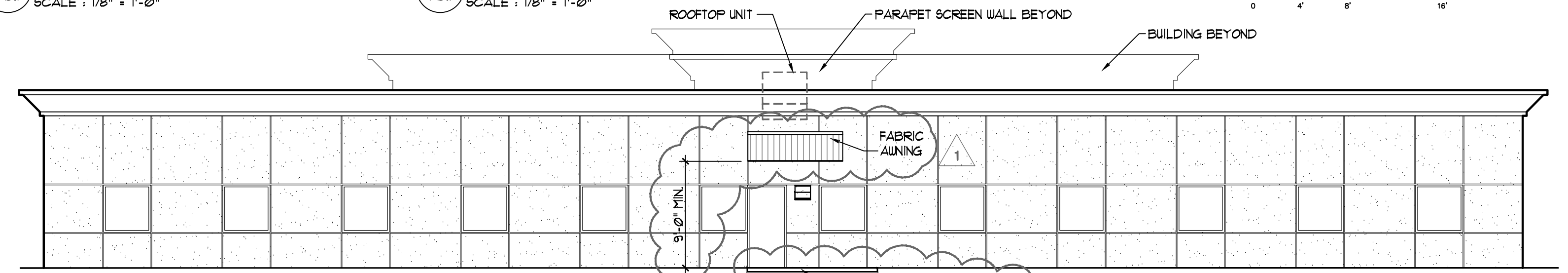


**CONVENIENCE STORE - EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



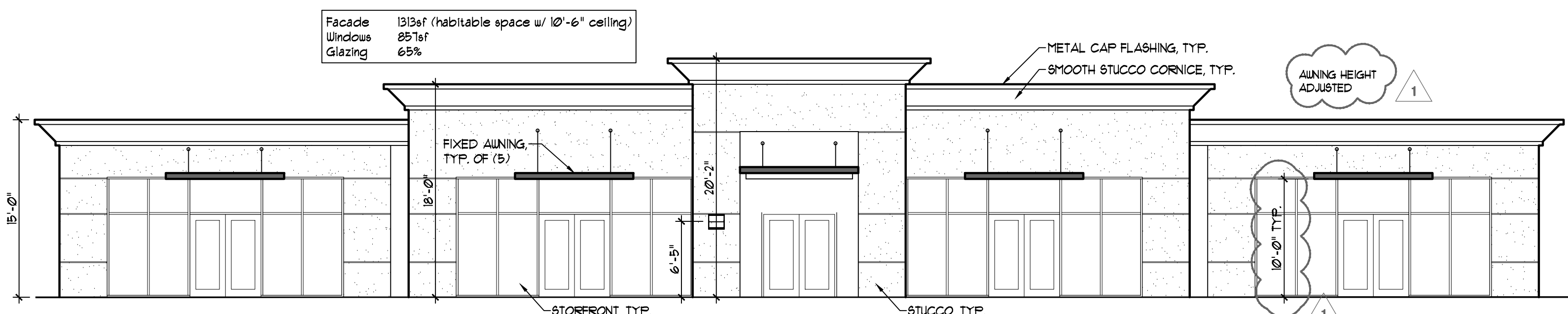
**CONVENIENCE STORE - NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"

**ANGLED WALL**  
SCALE: 1/8" = 1'-0"

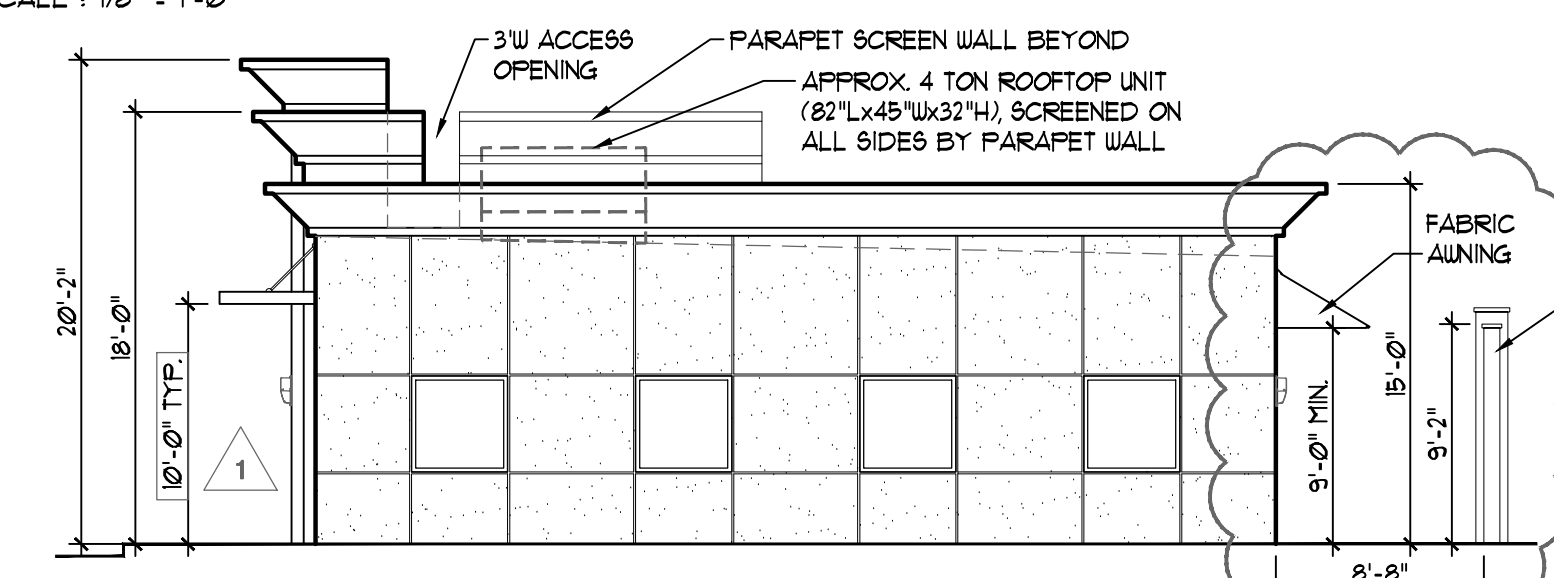


**OFFICE BUILDING - SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"

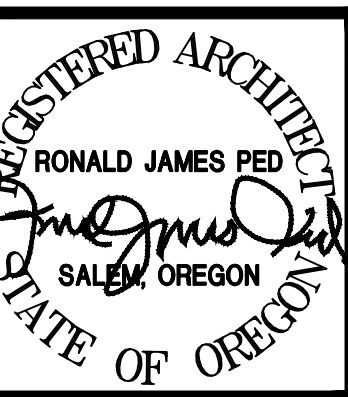
# OFFICE BUILDING



**OFFICE BUILDING - NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



**OFFICE BLDG - WEST ELEV.**  
SCALE: 1/8" = 1'-0"



- 1 DESIGN REVIEW COMMENTS 4.124 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5.1424 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6.124 - REVISION 3

NEW OFFICE, RETAIL AND GAS STATION  
**US MARKET**  
2600 NEWBERG HIGHWAY WOODBURN OREGON

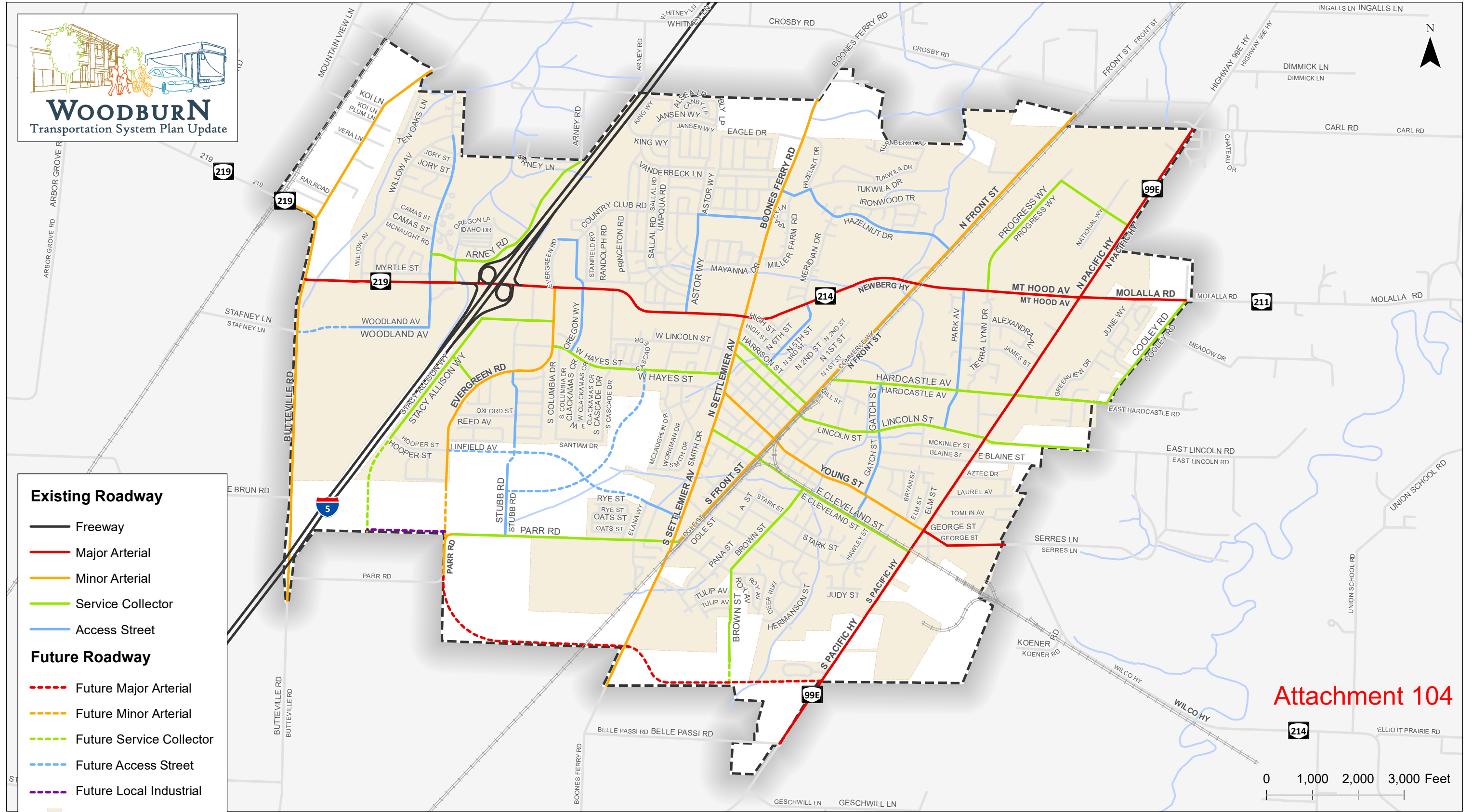
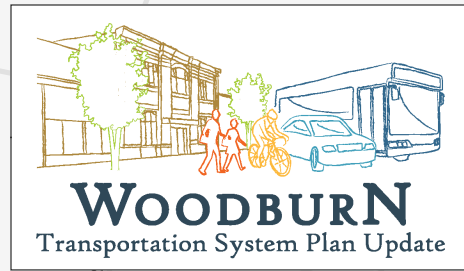
**Attachment 103**  
**Sheet 6 of 6**

DATE: DEC. 1, 2020  
DRAWN: AK / KDB  
JOB NO.: 1864

A3.1

DESIGN REVIEW SET 02.05.24

LAST SAVED: Tue, 14 May 2024 - 12:55 pm LOCATION: C:\Users\kevin\AppData\Local\Temp\AcPublish\_9164\A3.1.1.20.22.dwg A3.1  
 PRINTED: Mon, 10 Jun 2024 - 01:46 pm PRINTED BY: kevin



**Existing Roadway**

- Freeway
- Major Arterial
- Minor Arterial
- Service Collector
- Access Street

**Future Roadway**

- - - Future Major Arterial
- - - Future Minor Arterial
- - - Future Service Collector
- - - Future Access Street
- - - Future Local Industrial

- City Boundary
- Urban Growth Boundary

Attachment 104

**Functional Roadway Classification  
Woodburn, Oregon** Figure 2

Note: Future roadway alignments are approximate and subject to further refinement.

Coordinate System: NAD 1983 HARN StatePlane Oregon North FIPS 3601 Feet Intl  
Data Source: City of Woodburn, Oregon Department of Transportation

H:\1212\1071 - Woodburn TSP Update\GIS\TSP02 Functional Roadway Classification.mxd - mmcormick - 5:25 PM 9/16/2019



## CU 24-02 US Market Gas Station 2540 & 2600 Newberg Highway:

### Attachment 201: Dictionary & Glossary

This document defines and explains abbreviations, acronyms, phrases, and words particularly in the context of conditions of approval.

- “ADA” refers to the federal Americans with Disabilities Act of 1990.
- “AW” refers to Architectural Wall.
- “CAE” refers to cross access easement.
- “CDD” refers to the Community Development Department.
- “CEP” refers to civil engineering plan review, which is a review process independent of land use review led by the Community Development Department Planning Division and that is led by the Public Works Department Engineering Division through any application forms, fees, and review criteria as the Division might establish. A staff expectation is that CEP follows land use review and approval, that is, a final decision, and as PW decides either (1) precedes either building permit application or issuance, or (2) is the same as the building permit review process.
- “County” refers to Marion County.
- “C/V” refers to carpool/vanpool.
- “Director” refers to the Community Development Director.
- “EV” refers to electric vehicle.
- “exc.” means excluding.
- “FOC” refers to face of curb.
- “GFA” refers to gross floor area.
- “ft” refers to feet.
- “highway” refers to Oregon Highway 214 / Newberg Highway.
- “max” means maximum.
- “min” means minimum.
- “Modal share” means the percentage of travelers using a particular type of transportation or number of trips using a type, as examples walking, cycling, riding transit, and driving.
- “Modal shift” means a change in modal share.
- “MUTCD” refers to *Manual on Uniform Traffic Control Devices* of the U.S. Department of Transportation (U.S. DOT) Federal Highway Administration (FHWA).
- “NE” means northeast.
- “NW” means northwest.
- “OAR” refers to Oregon Administrative Rules.
- “o.c.” refers to on-center spacing, such as of trees or shrubs.
- “ODOT” refers to the Oregon Department of Transportation.

- “OR 211” refers to Oregon Highway 211, which is Molalla Road.
- “OR 214” refers to Oregon Highway 214, which is Newberg Highway.
- “OR 99E” refers to Oregon Highway 99E, which is Pacific Highway.
- “ORS” refers to Oregon Revised Statutes.
- “PU” refers to plant unit as WDO Table 3.06B describes.
- “PUE” refers to public utility easement, whether along and abutting public ROW (“streetside” PUE as WDO 3.02.01B describes) or extending into or across the interior of private property (“off-street” PUE as WDO 3.02.01C describes). In the context of property line adjustment (including lot consolidation), partition, or subdivision, the developer records through or with the plat. Absent this context, recordation is separate from land use review pursuant to a document template or templates established by PW. PW is the project manager for receiving, reviewing, accepting, obtaining City Council approval for, and recording legal instrument materials that a developer submits; at the same time, the developer is responsible for such instruments conforming with the WDO and land use conditions of approval.
- “PW” refers to Public Works (the department) or on rare occasion public works (civil infrastructure) depending on context.
- “Root barrier” refers to that illustrated by PW SS&Ds, [Drawing No. 1 “Street Tree Planting New Construction”](#).
- “ROW” refers to right-of-way.
- “RPZ” refers to root protection zone, which WDO 1.02 defines.
- “SE” means southeast.
- “SDA” refers to site development area, the entire territory that is the subject of the land use application package.
- “Shared rear lane” refers to what resembles and functions like an alley, but isn’t public ROW.
- “sq ft” refers to square feet.
- “SS&Ds” refers to PW [standard specifications and drawings](#).
- “Street trees” refer to trees that conform to the WDO, including 3.06.03A and Tables 3.06B & C, and that have root barriers where applicable per PW [Drawing No. 1 “Street Tree Planting New Construction”](#).
- “Substantial construction” is what WDO 1.02 defines.
- “SW” means southwest.
- “Tax Lot 3400” means 052W12DB03400, which is 943 Oregon Way.
- “Tax Lot 3600” means 052W12DB03600, which is 2600 Newberg Hwy.
- “Tax Lot 3700” means 052W12DB03700, which is 2540 Newberg Hwy.
- “Tax Lot 3700” means 052W12DB03700, which is 2540 Newberg Hwy.
- “Tax Lot 3500” means 052W12DB03500, which is 953 Oregon Way.
- “Tax Lot 90000” means 052W12DB90000, which is 950 Evergreen Rd.
- “TCE” refers to temporary construction easement.

CU 24-02 US Market Gas Station 2540 & 2600 Newberg Hwy etc. Staff Report / Final Decision

Attachment 201

Page 2 of 3

- “TDM” refers to transportation demand management, which means according to the TSP (p. 82), “a policy tool as well as a general term used to describe any action that removes single occupant vehicle trips from the roadway during peak travel demand periods”, and according to Wikipedia as of October 13, 2020, “the application of strategies and policies to reduce travel demand, or to redistribute this demand in space or in time.”
- “TDP” means the [Transit Development Plan](#) dated June 2023 adopted by Resolution No. 2213 June 12, 2023.
- “Tot.” means total.
- “TPU” means the Transit Plan Update Approved Final Report dated November 8, 2010 and adopted by Resolution No. 1980.
- “TSP” means the [Woodburn Transportation System Plan \(TSP\)](#).
- “UGB” refers to the urban growth boundary.
- “WDO” refers to the [Woodburn Development Ordinance](#).
- “WFD” refers to the independent Woodburn Fire District.
- “WTS” refers to the Woodburn Transit Service or Woodburn Transit System.
- “w/i” means within.
- “w/o” means without.
- “VCA” refers to vision clearance area as WDO 1.02 and 3.03.06 establish or as a specific condition establishes.

## CU 24-02 US Market Gas Station 2540 & 2600 Newberg Highway:

### Attachment 202: Conditioned Fees

All of the following conditioned fees are due as applicable, whether or not mentioned directly by a condition of approval.

Refer to Condition G3 for a dictionary/glossary, including acronyms and shorthand text.

#### **Part A. Fee Provisions**

1. Any and all conditioned fees are in addition to, and not in place or as discounts of, any existing charge or fee however termed ordinarily assessed based on any existing ordinance, resolution, or administrative policy, inc. adopted fee schedules. If and when the City amends any ordinance, resolution, or administrative policy, inc. a fee schedule, to increase a charge or fee that is both (1) the same kind of charge or fee that is conditioned, (2) the amended charge or fee amount would exceed the amount conditioned, and (3) the increase takes effect before the conditioned fee is due, then the developer shall pay the greater amount.
2. Payments of conditioned fees due outside the context of assessment and payment through building permit shall reference a final decision case file number and the condition of approval letter/number designation, be it in a check memo field or through a cover or transmittal letter.
3. For fees due by building permit issuance, a developer may request the Director to allocate payments the same as allowed for fees in-lieu by WDO 4.02.12A.2, specifically, to pay across issuance of two or more structural building permits for the subject development.

For all administrative and logistical questions about payment of land use conditioned fees outside the context of assessment and payment through building permit, the developer is to contact the Administrative Assistant at (503) 982-5246 and refer to this attachment within the CU 24-01 US Market gas station 2115 Molalla Road final decision.

For payment method citywide policy details, the developer is to contact the Finance Department at (503) 982-5222, option 1, for payment method policy details or view its [webpage](#).

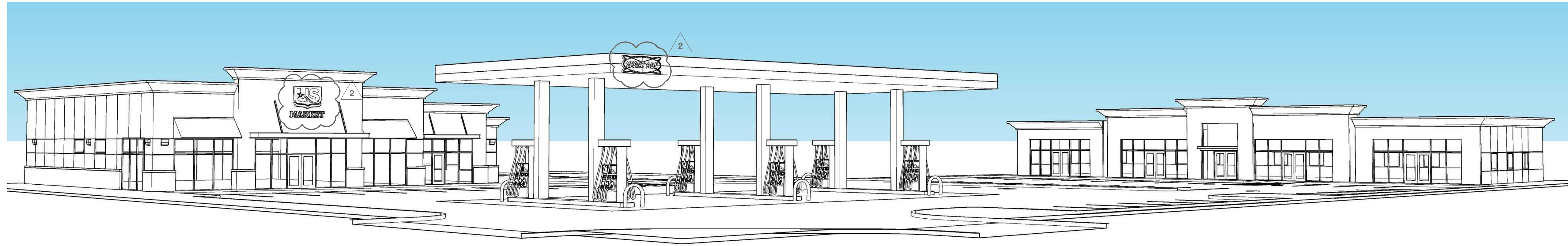
**Part B. Fee Table**

<i>Table 202. Conditioned Fees</i>						
<i>Condition Reference</i>	<i>Fee Type</i>		<i>Amount</i>	<i>Context</i>	<i>Timing</i>	<i>Staff Tracking:</i>
T-A1	a. OR 214 & Country Club Rd / Oregon Way: Transportation signal timing and crash safety study fee in-lieu		By year of assessment: 2024 or 2025: \$18,376 2026: \$19,495 2027 or later: \$20,080	Fee in lieu of investigation in coordination with ODOT of corridor signal timing and coordination adjustments. (TSP R11 adjusted for inflation from Sept. 2019 to July 2024 as 2024 amount.)	Building permit issuance	
	b. I-5 interchange with OR 214:		\$1,709	To mitigate and to reduce vehicle crashes. (Related to TSP R8 & R9.)	Building permit issuance	
	c. OR 214 & Evergreen Rd:		By year of assessment: 2024 or 2025: \$16,755 2026: \$17,775 2027 or later: \$18,308	To reduce vehicle crashes. (Related to TSP R10.)	Building permit issuance	
T-T	Bus shelter fee in-lieu		By year of assessment: 2024 or 2025: \$15,464 2026: \$16,406 2027 or later: \$16,898	Oregon Way northbound stop (TDP Fig. 68 adjusted for inflation from June 2023 to July 2024 as 2024 amount.)	Building permit issuance	
	Bus stop bicycle parking fee in-lieu		\$617			
EX1 & EX2	Street tree fee in-lieu	For highway:	\$950 per tree. For EX1, assessed at minimum 9 trees.	Street Adjustment SA 24-01 from standard frontage improvements, which includes existing curb-tight sidewalk. A fee in lieu of the 9 trees that WDO 3.06.03A would have	Building permit issuance	

Condition Reference	Fee Type	Amount	Context	Timing	Staff Tracking:
			required for 265 ft of frontage.		
	For Oregon Way:	\$950 per tree assessed at max 4 trees.	Applies to omitted street trees, or, ones missing from required number upon inspection	Either building permit issuance or prior to passing final inspection / obtaining certificate of occupancy	
EX1	Fee in lieu of highway landscape strip	\$4,832	A fee for sidewalk that SA 24-01 adjusts from conformance/upgrade	Building permit issuance	
	Fee in lieu of upgrading highway sidewalk to conform	\$83,547	A fee for sidewalk that SA 24-01 adjusts from conformance/upgrade	Building permit issuance	
EX2	Fee in lieu of upgrading street to have on-street parallel parking per Fig. 3.01E	\$14,713	A fee for on-street parking that SA 24-01 adjusts from conformance/upgrade	Building permit issuance	
G6c through this Attachment 202	City tree fund	\$2,850	Existing City tree fund (for new trees in City ROWs and in parks and on other City properties)	Building permit issuance	
G6c & D6	Fees in lieu per WDO 3.02.04B through WDO 4.02.12.	Per Part A Fee Provisions above, City ordinance, resolution, or policy. *	WDO 4.02.12 *If by the time necessary to assess in order to issue building permit, the City would have not yet established the fee in lieu of electric power line burial/ undergrounding, then the fee would default to \$568 per lineal ft of line assessed at minimum 265 ft.	Per WDO 4.02.12A: Building permit issuance	

Refer to [Planning Division fee schedule](#) for fees relating to civil engineering plan (CEP) review; inspections; bond / bonding / performance guarantee deferring street improvements beyond building permit issuance; and bond release letter.

[General ledger (GL) account 363-000 3678 "Developer Contributions".]



# US MARKET

## CODE SUMMARY

CODE: 2019 O69C  
 OCCUPANCY: M  
 CONSTRUCTION: V-B

### ALLOWABLE BUILDING AREAS-TABLE 503

OCCUPANCY	CONSTRUCTION TYPE	TABULAR BUILDING AREA	ACTUAL AREA
M	V-B	9,000 SF	9,973 SF

## SITE PLAN SUMMARY

ZONED: CG - GENERAL COMMERCIAL

PROPERTY SIZE = 62,120.42 S.F. (1.43 AC)  
 REQ'D LANDSCAPE P.U. = 484 P.U.  
 PROPOSED LANDSCAPE P.U. = 732 P.U.

### PARKING REQ.

TOTAL PARKING:  
 GEN. RETAIL: 4110 SQ.FT. / 200 = 20.55, 21 REQ. (item 6 table 3.05A)  
 OFFICE: 6,863 SQ.FT. / 350 = 19.6, 20 REQ. (item 12 table 3.05A)  
 GAS STATION: 1 PER PUMP ISLAND = 6 REQ. (item 6 table 3.05A)  
 TOTAL REQUIRED SPACES: 47 REQ.  
 PARKING SPACES: 50 PROVIDED (3 van accessible spaces)  
 (38 full size spaces & 12 compact spaces)  
 \* 47 req. spaces x .2 = 9.4, 9 compact spaces max,  
 plus 3 additional compact spaces beyond req. number of spaces

Number of compact spaces is based on the required parking amount not what is provided  
 WDO 3.05.03C: A maximum of 20 percent of the **required** vehicle parking spaces may be  
 satisfied by compact vehicle parking spaces.

### STREET TREES REQ.

ONE TREE EVERY 30'-0" REQ.  
 8 TREES PROPOSED

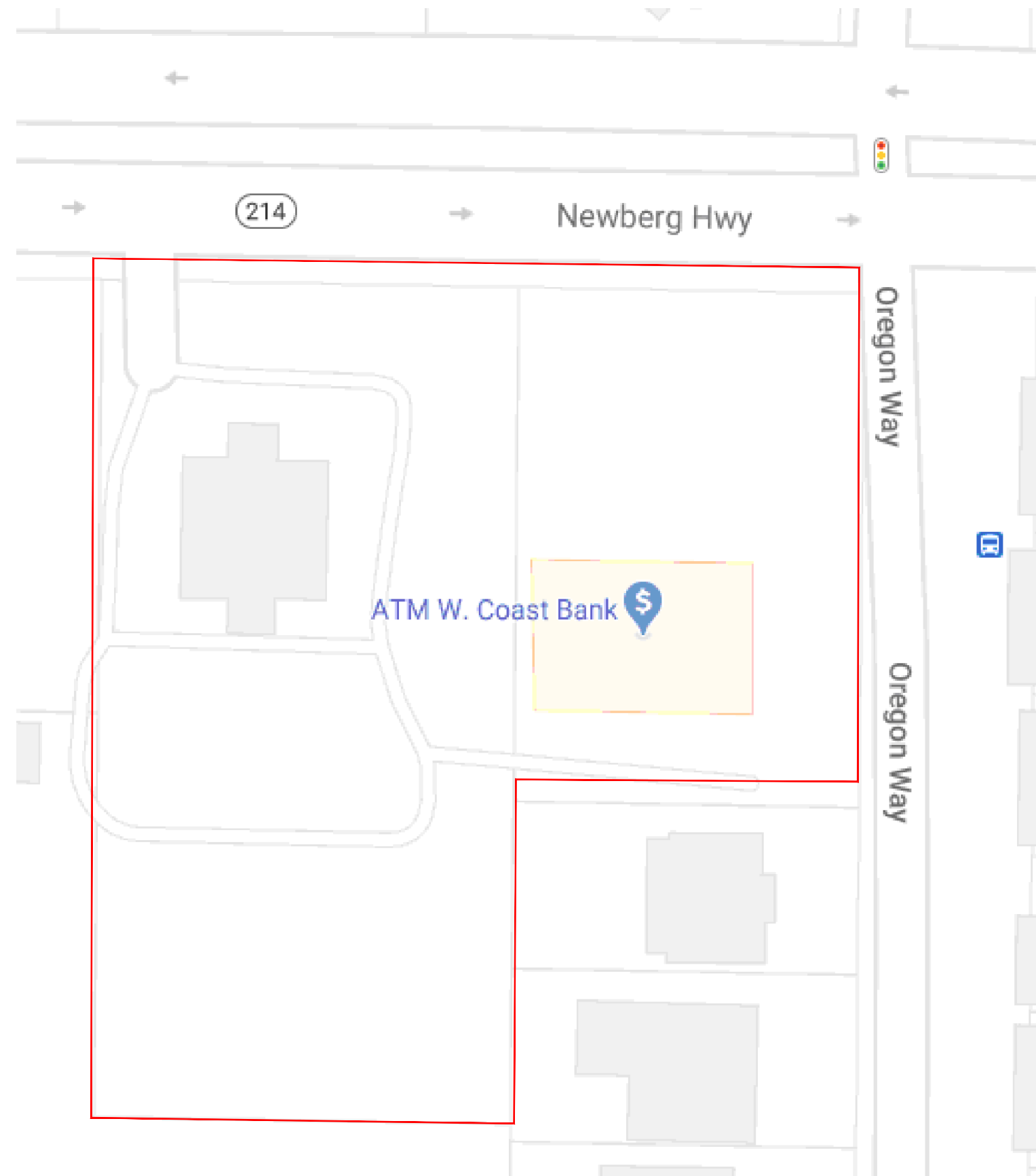
### BIKE PARKING REQ.

**3.05.03 Off-Street Parking**  
 E. All uses that are required to provide 10 or more off-street parking spaces and residential structures with four or more dwelling or living units shall provide a bicycle rack within 50 feet of the main building entrance. The number of required rack spaces shall be one space per ten vehicle parking spaces, with a maximum of 20 rack spaces.

49/10 = 5 REQUIRED  
 6 BIKE PARKING SPACES PROVIDED  
 2 BIKE RACKS (4 BIKE SPACES) PROVIDED AT CONVENIENCE STORE  
 1 BIKE RACK (2 BIKE SPACES) PROVIDED AT SW OFFICE BUILDING  
 (2 BIKE PER RACK)

## DRAWING INDEX

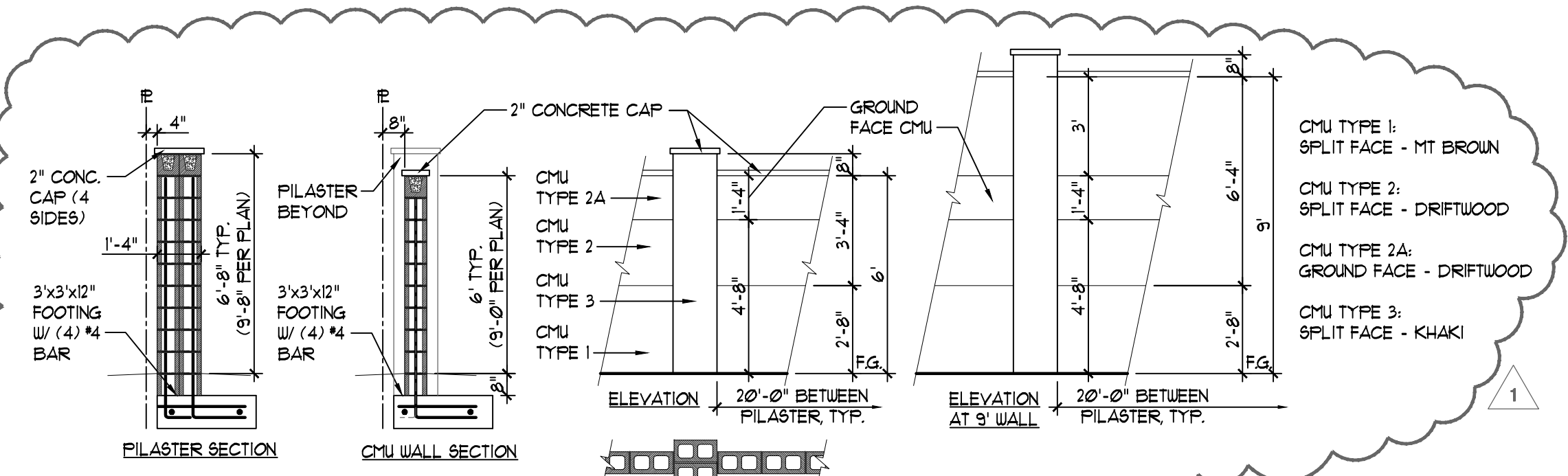
- A1.0 COVER PAGE
- A1.1 SITE PLAN
- A1.2 EXISTING SITE & DEMO PLAN
- A1.3 FIRE ACCESS PLAN
- C1.1 GRADING PLAN
- C1.2 UTILITY PLAN
- E1.1 LIGHTING PLAN
- L1.1 LANDSCAPE PLAN
- L1.2 IRRIGATION PLAN
- A3.1 BLDG ELEVATIONS & RENDERINGS



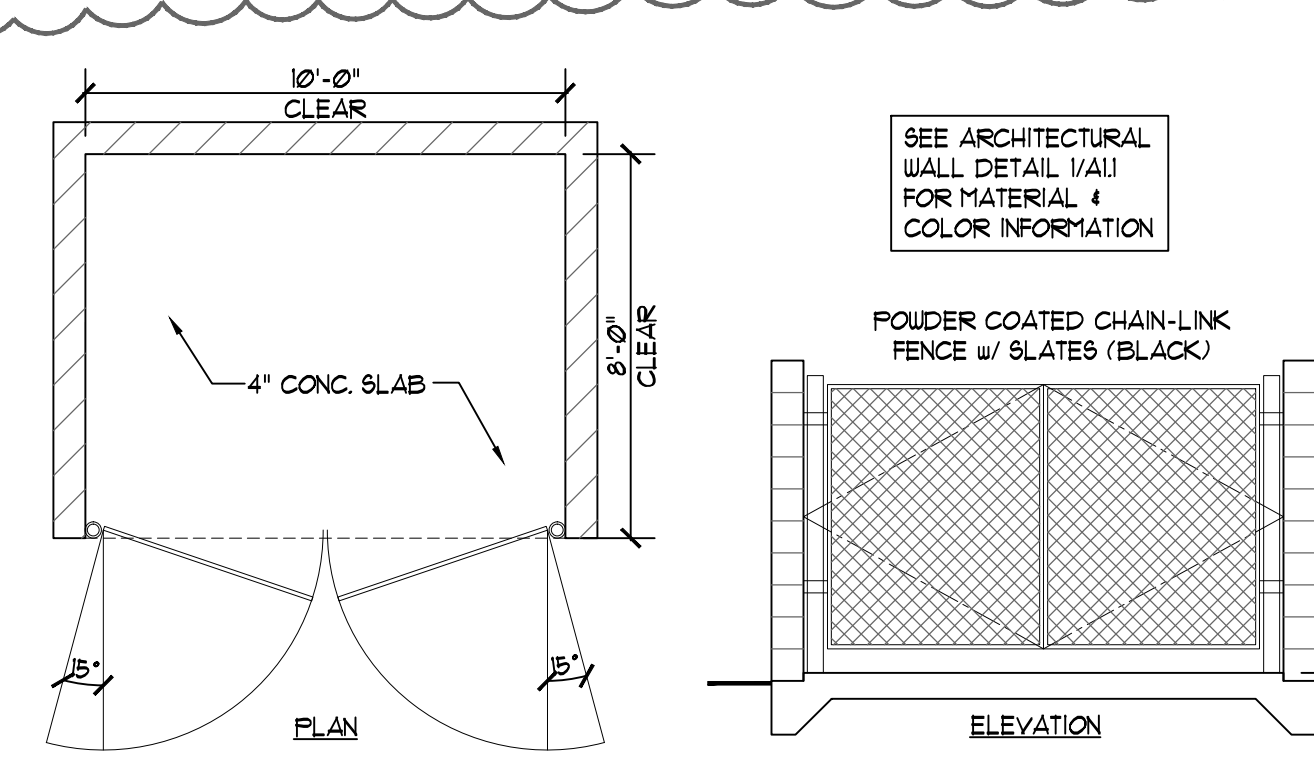
**VICINITY MAP**  
 SCALE: NTS



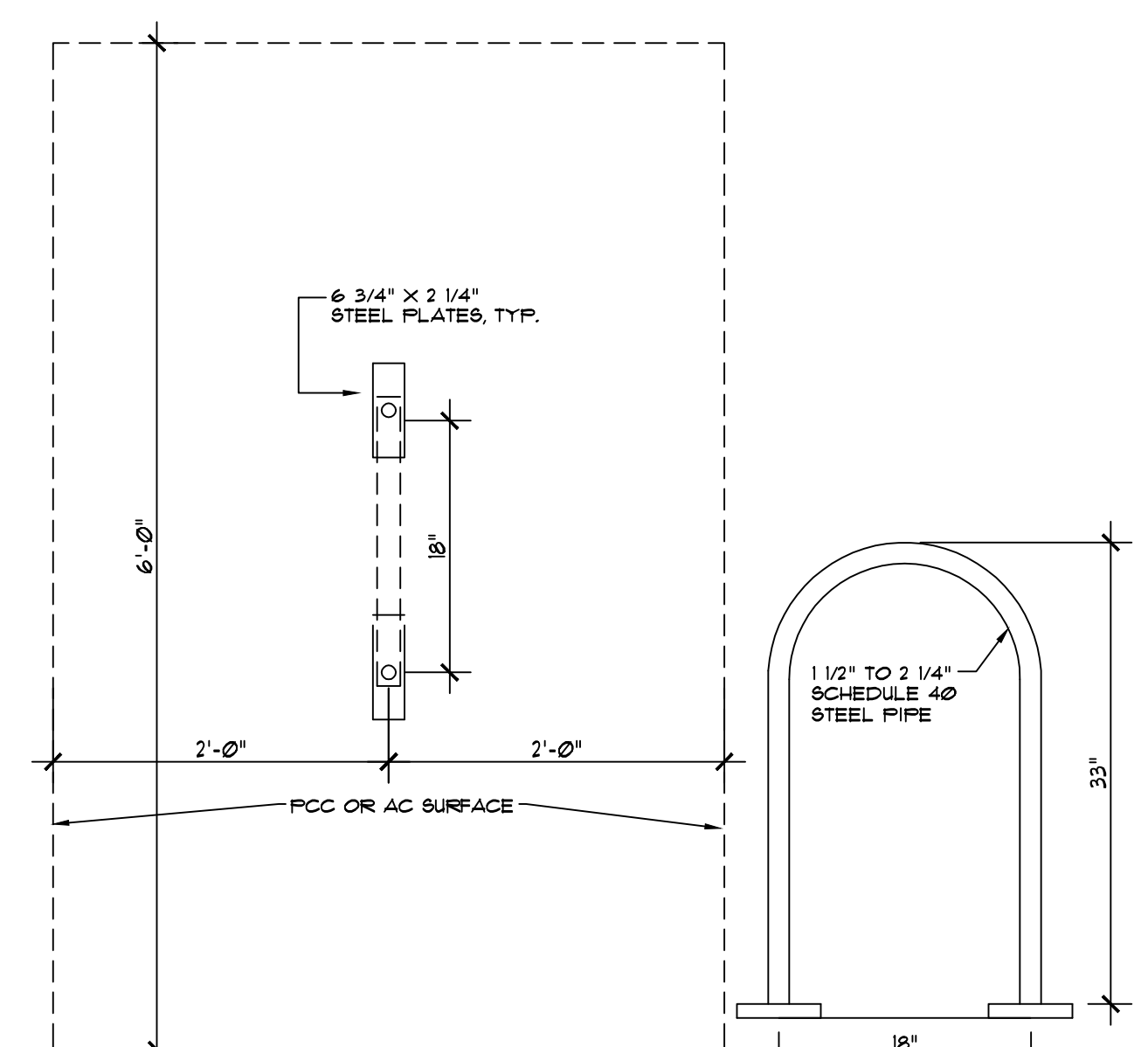
- 1 DESIGN REVIEW COMMENTS 4/1/24 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5/14/24 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6/12/24 - REVISION 3



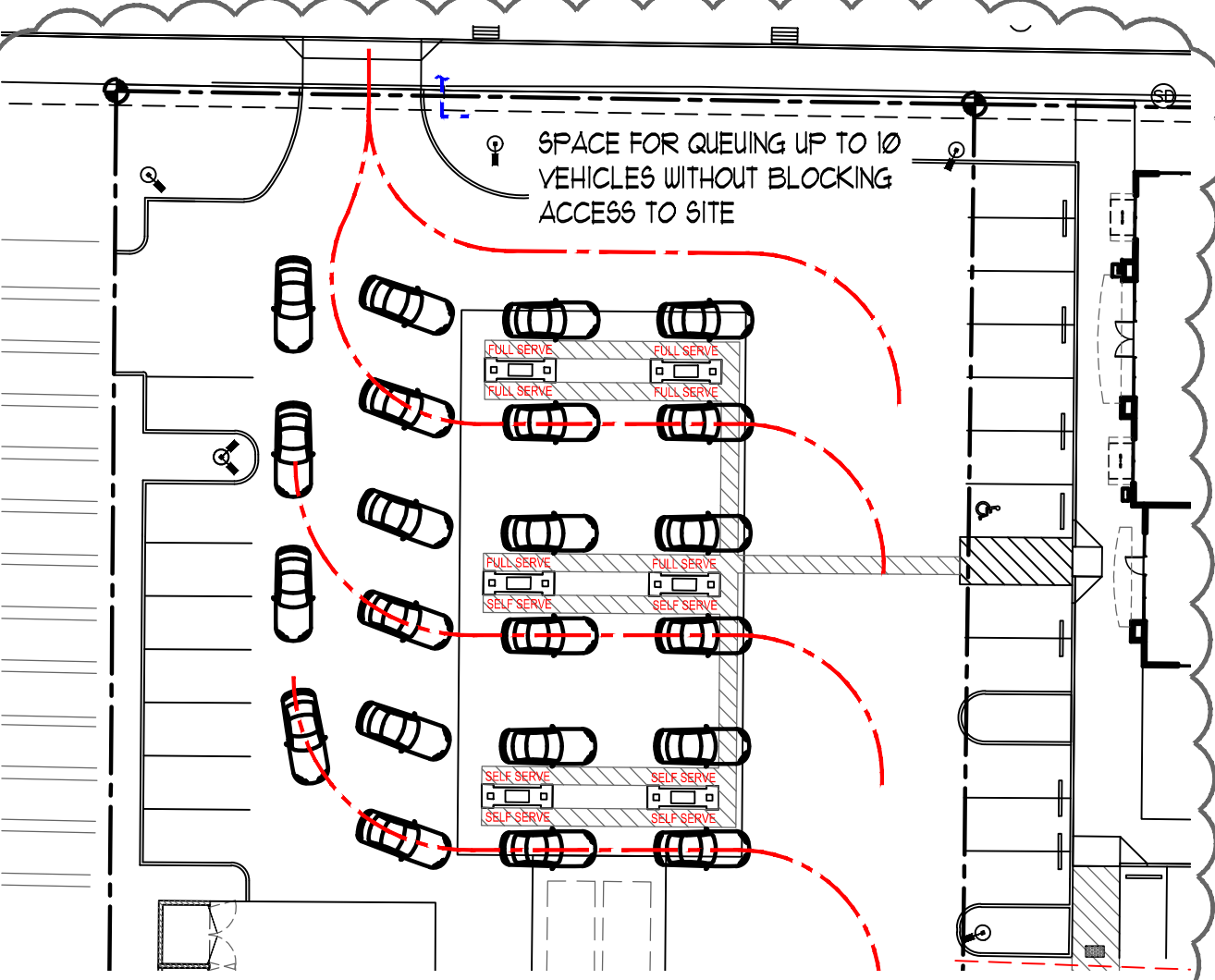
**1 CMU WALL DETAIL ARCHITECTURAL SCREEN WALL**  
 SCALE: 1/4" = 1'-0"



**2 TRASH ENCLOSURE**  
 SCALE: 1/4" = 1'-0"



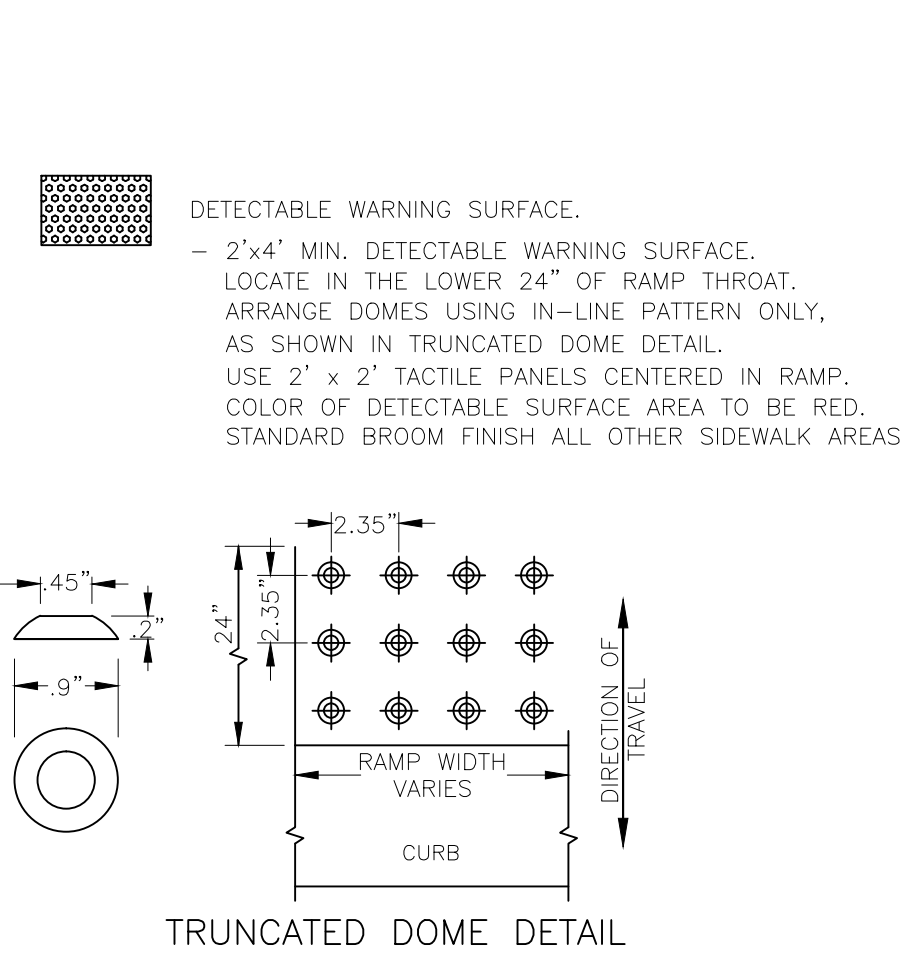
**3 BICYCLE PARKING RACK DETAIL**  
 SCALE: 1" = 1'-0"



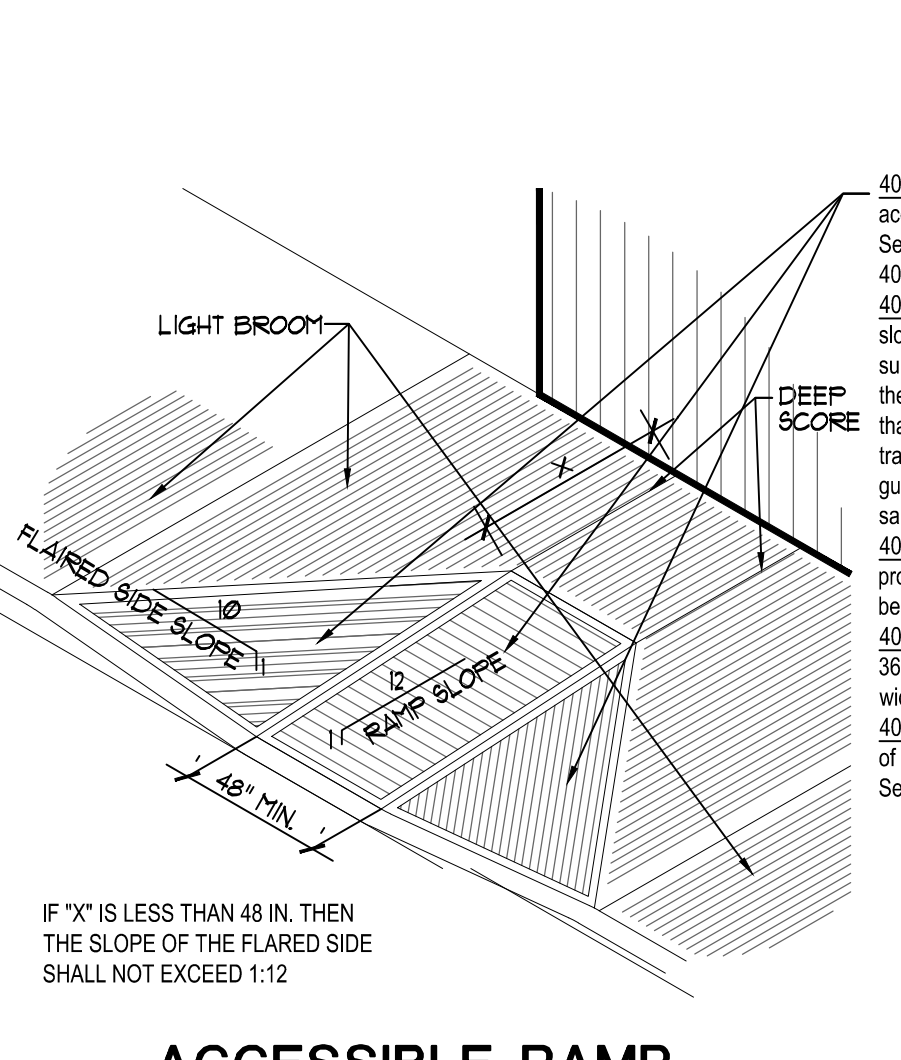
**4 QUEUEING PLAN**  
 SCALE: 1" = 30'



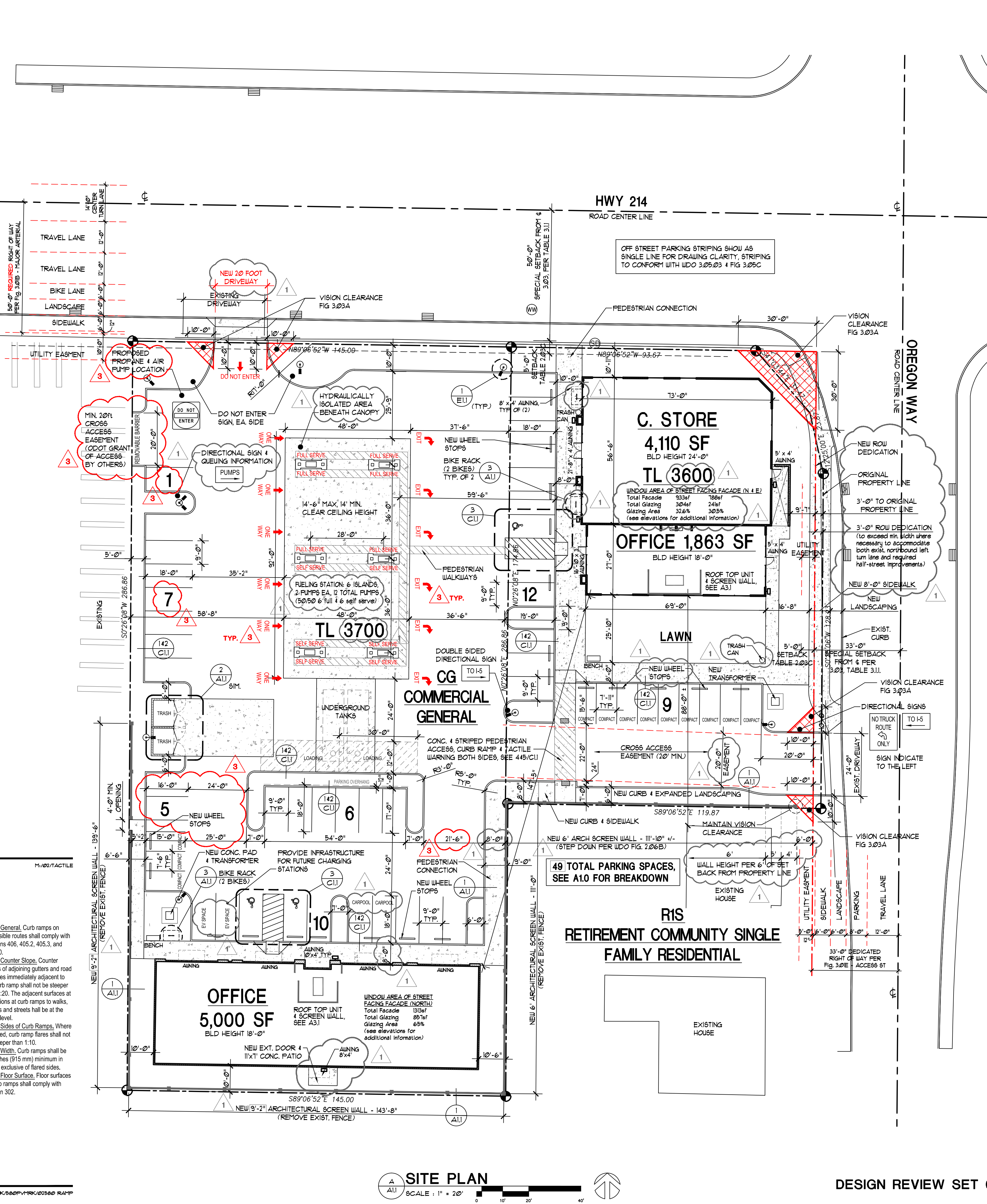
**5 TACTILE WARNING**  
 SCALE: 1" = 1'-0"



**6 ACCESSIBLE RAMP**  
 SCALE: 1/4" = 1'-0"



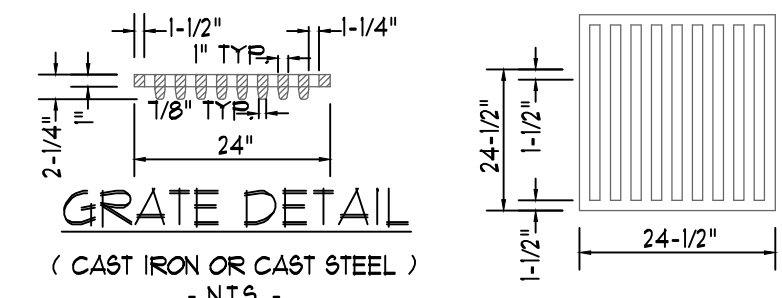
**7 TRUNCATED DOME DETAIL**  
 SCALE: 1" = 1'-0"



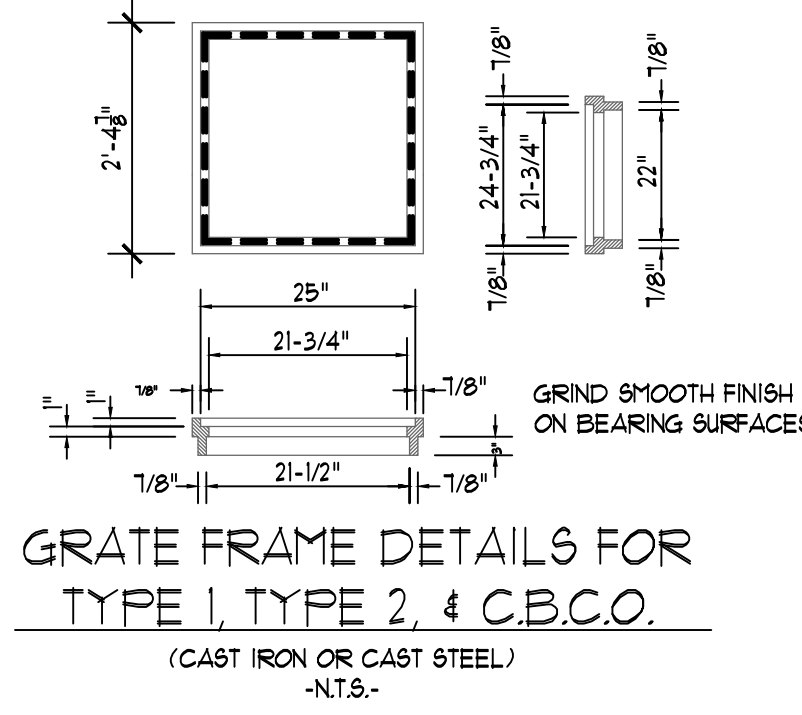
**8 SITE PLAN**  
 SCALE: 1" = 20'



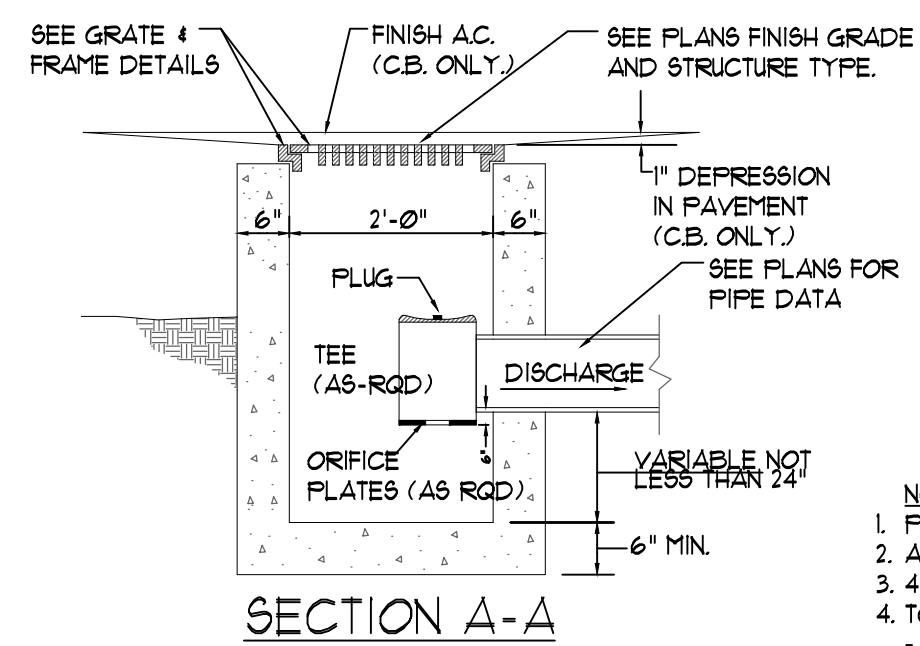
- NOTES:
- ALL CASTINGS SHALL CONFORM TO ASTM A 48 (AASHTO M 105) FOR GRAY IRON CASTINGS, CLASS 30, OR (AASHTO M 193 CLASS 10) FOR CAST STEEL.
  - ROUNDS, FILLETS, TAPERS AND OTHER MINOR MODIFICATIONS TO THE DIMENSIONS SHOWN FOR CASTINGS MAY BE MADE TO CONFORM TO COMMON SHOP PRACTICES.
  - GRATES AND FRAMES MAY BE OF CAST OR WELDED CONSTRUCTION, AT THE CONTRACTOR'S OPTION.
  - STEEL FOR WELDED GRATE 4 FRAME SHALL BE ASTM A-1 OR ASTM A-313.



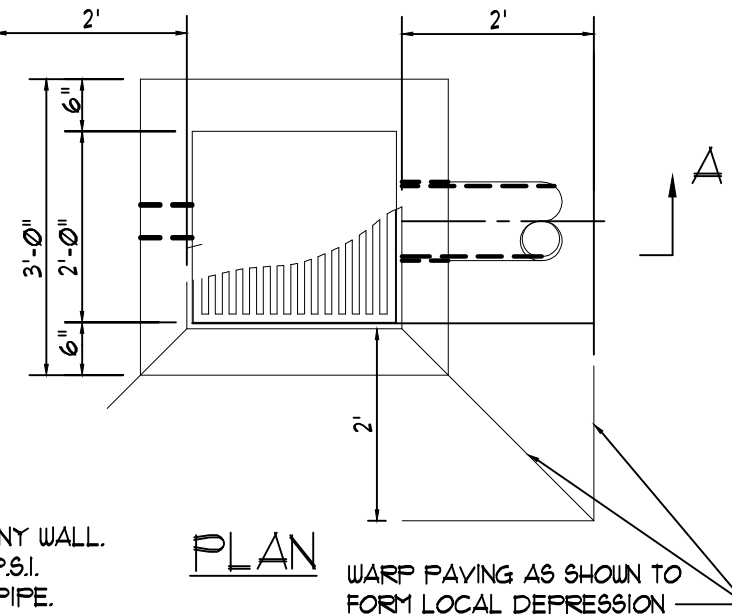
CATCH BASIN HAS GRATE (SEE DTL.)  
CATCH BASIN CLEANOUT HAS SOLID COVER (SEE NOTE NO. 4 BELOW).



GRATE FRAME DETAILS FOR TYPE 1, TYPE 2, & C.B.C.O.  
(CAST IRON OR CAST STEEL)  
-N.T.S.-



- NOTES:
- PIPE(S) CAN BE PLACED IN ANY WALL.
  - ALL CONCRETE TO BE 3300 P.S.I.
  - 4" DRAINS TO BE CONCRETE PIPE.
  - TO CONSTRUCT CATCHBASIN CLEANOUT - REPLACE GRATE WITH 1'-3 1/2" x 1'-1 1/2" STEEL PLATE 3/4" THICK, DRILL 1" DIA. LIFT HOLE NEAR ONE END OF PLATE.



PLAN  
WARF PAVING AS SHOWN TO FORM LOCAL DEPRESSION

**1 STANDARD CATCHBASIN AND CATCH BASIN CLEANOUT**

SCALE: 1/2" = 1'-0"

**Submittal Sheet**

Approvals and Listings maintained by:  
Campus Industries Ltd.  
Canada: 1-800-461-5300 USA: 1-888-461-5307

Part Description: **3" Gray Endura 50 Gallons Per Minute (GPM) 100lbs Grease Interceptor**

Part Number: **3950A03**

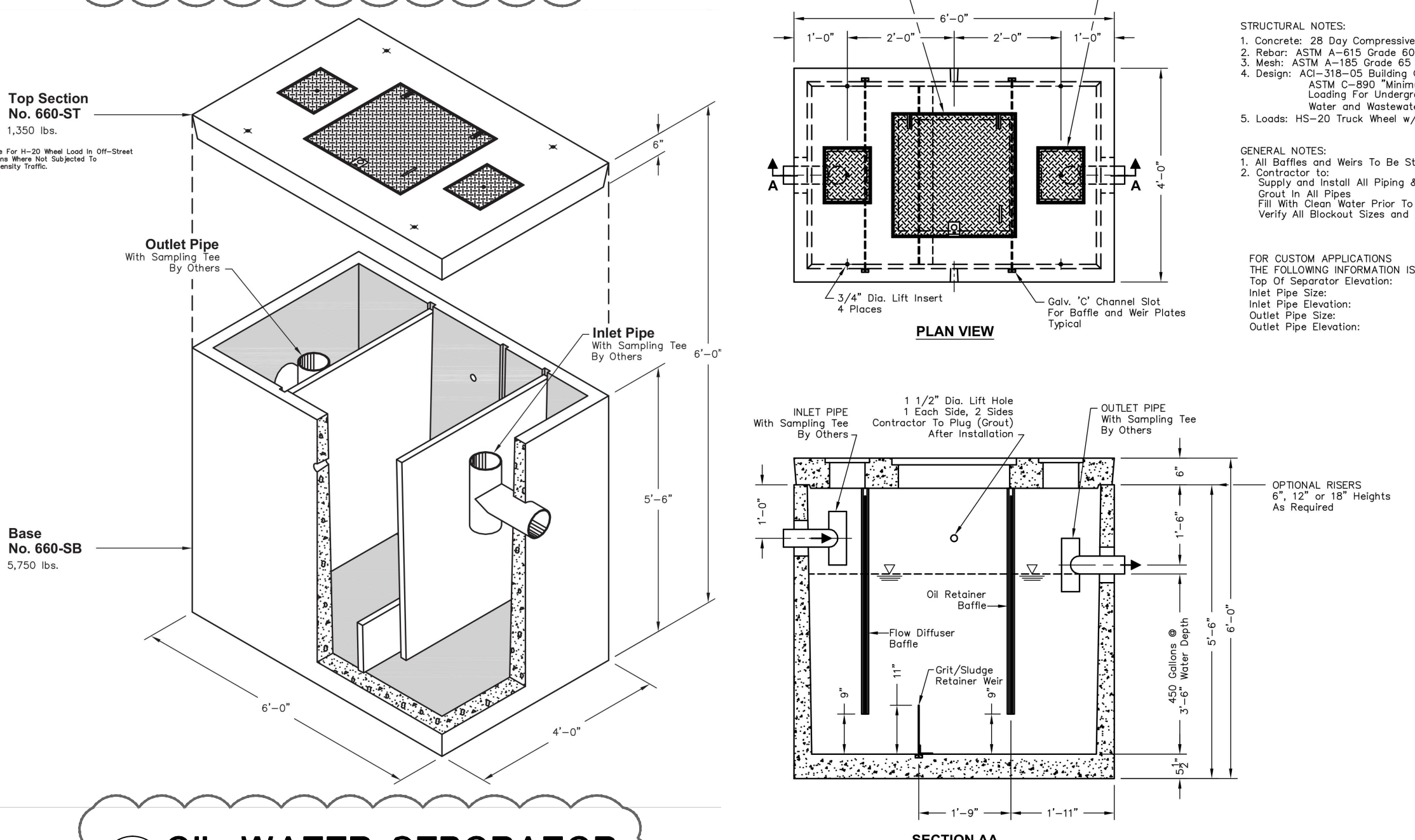
GREASE INTERCEPTOR LOAD			
FIXTURE	#	EA.	TOTAL
SINK	2	2	4
KITCHEN SINK	2	3	6
MOP SINK	1	3	3
TOTAL FIXTURE UNITS: 13			

50 GPM ADEQUATE FOR 20 DFU PER TABLE 1014.21

Part #	Part UPC	Size (Inches)	Ctn Qty	Ctn Bar Code	Ctn. Wt (Kgs)	Ctn. Wt (Lbs)	Skid Cubic (m)	Skid Cubic (ft)	Ctns/Skid
3950A03	662671390110	3X3	1	10662671390117	29.41	64.70	1.63	97.50	4

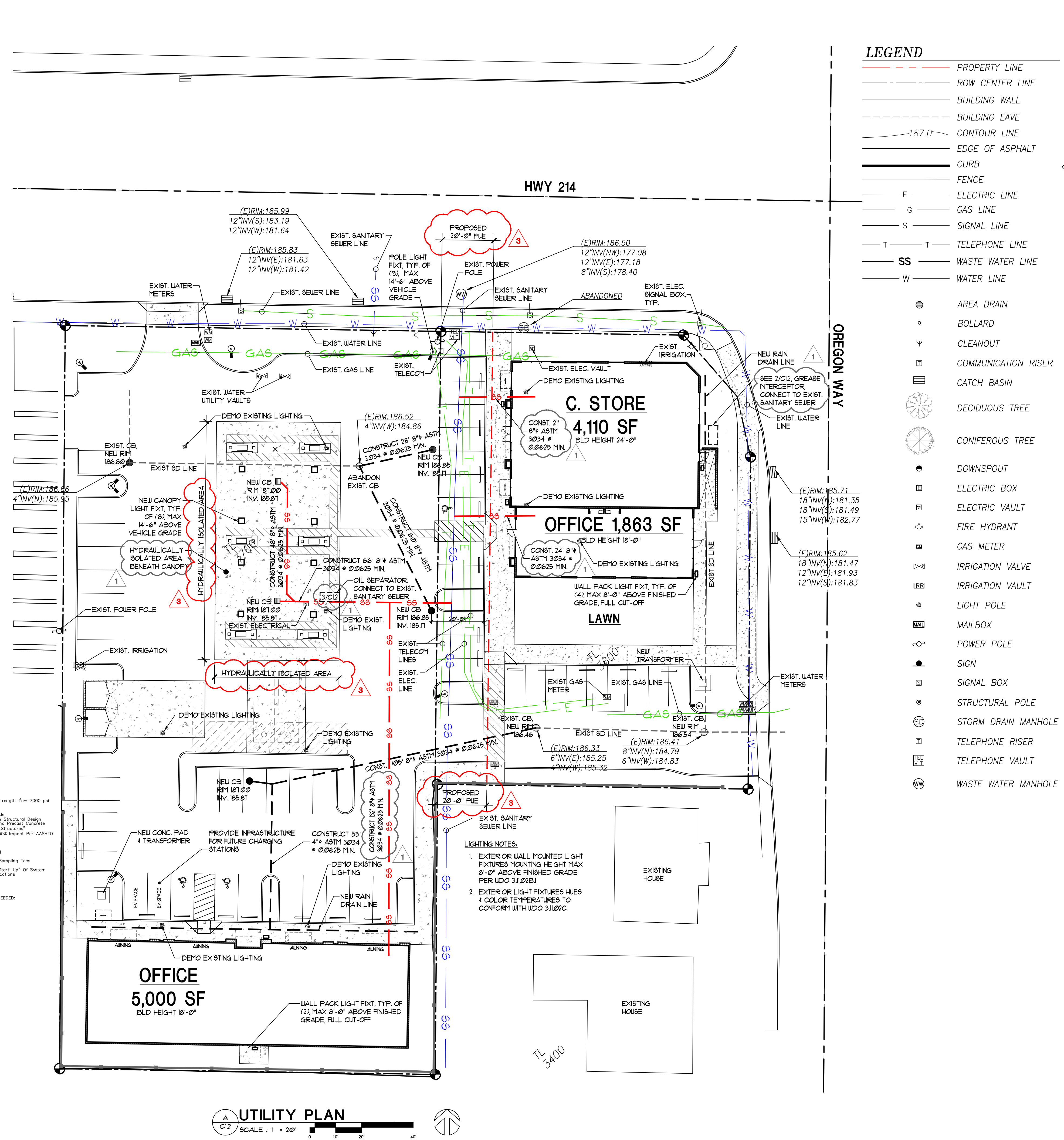
**2 GREASE INTERCEPTOR**

SCALE: NOT TO SCALE



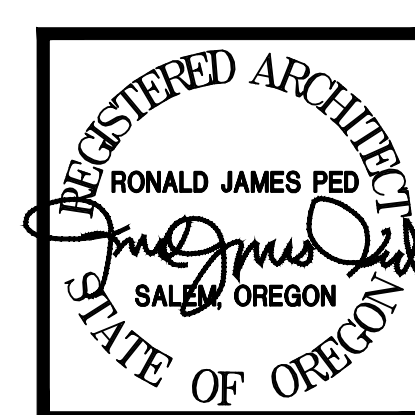
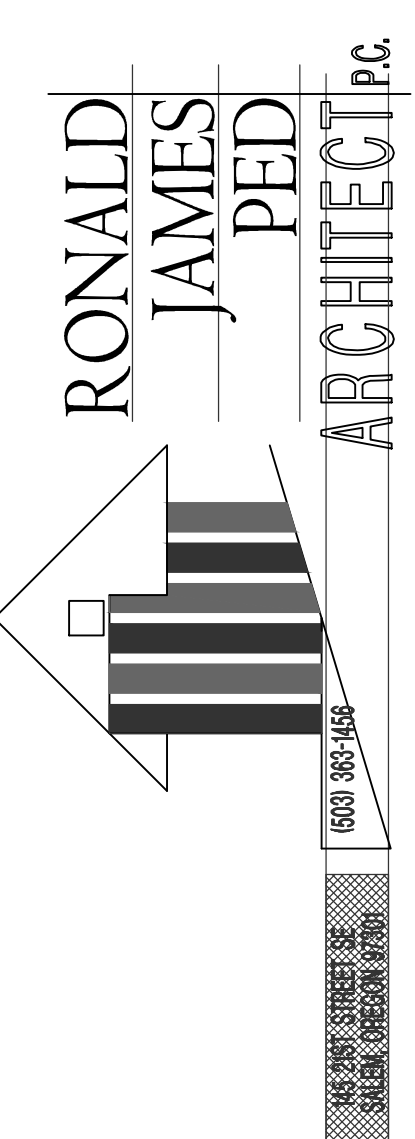
**3 OIL WATER SEPARATOR**

SCALE: NOT TO SCALE



- LEGEND**
- PROPERTY LINE
  - ROW CENTER LINE
  - BUILDING WALL
  - BUILDING EAVE
  - CONTOUR LINE
  - EDGE OF ASPHALT
  - CURB
  - FENCE
  - E ELECTRIC LINE
  - G GAS LINE
  - S SIGNAL LINE
  - T TELEPHONE LINE
  - SS WASTE WATER LINE
  - W WATER LINE
- AREA DRAIN
  - BOLLARD
  - CLEANOUT
  - COMMUNICATION RISER
  - CATCH BASIN
  - DECIDUOUS TREE
  - CONIFEROUS TREE
  - DOWNSPOUT
  - ELECTRIC BOX
  - ELECTRIC VAULT
  - FIRE HYDRANT
  - GAS METER
  - IRRIGATION VALVE
  - IRRIGATION VAULT
  - LIGHT POLE
  - MAILBOX
  - POWER POLE
  - SIGN
  - SIGNAL BOX
  - STRUCTURAL POLE
  - STORM DRAIN MANHOLE
  - TELEPHONE RISER
  - TELEPHONE VAULT
  - WASTE WATER MANHOLE

**UTILITY PLAN**  
SCALE: 1" = 20'

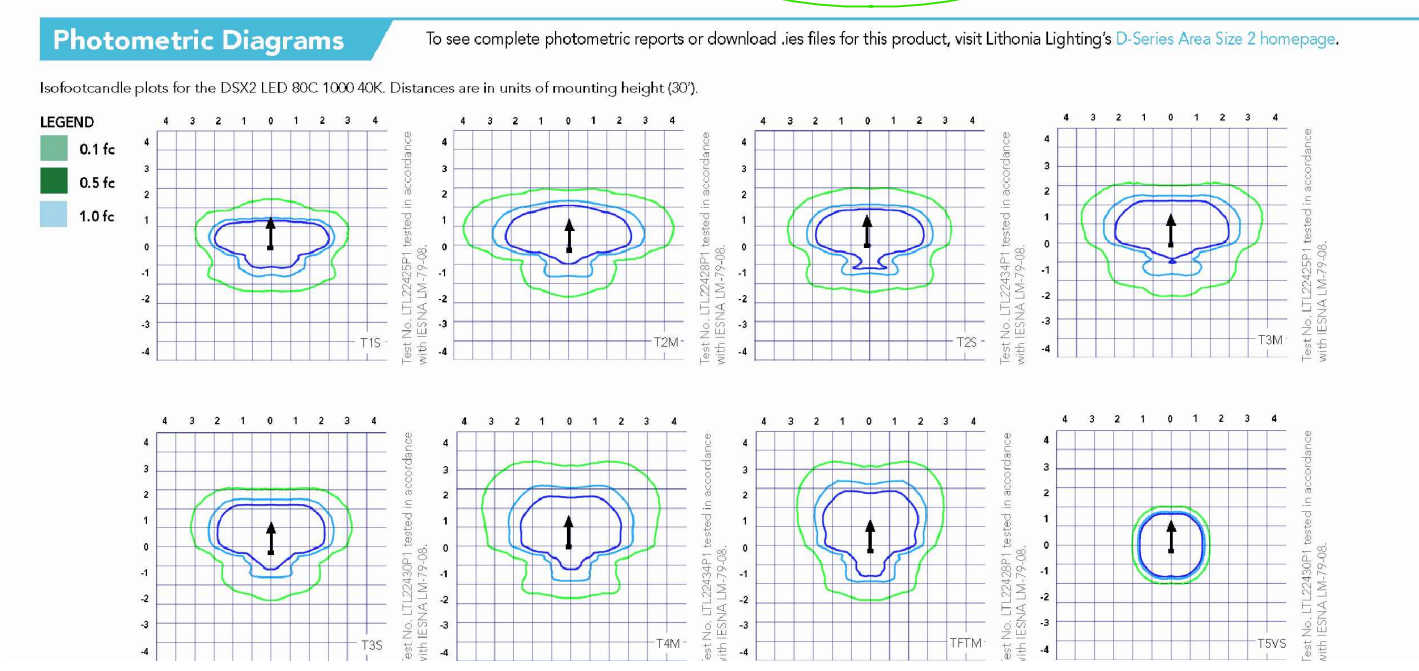
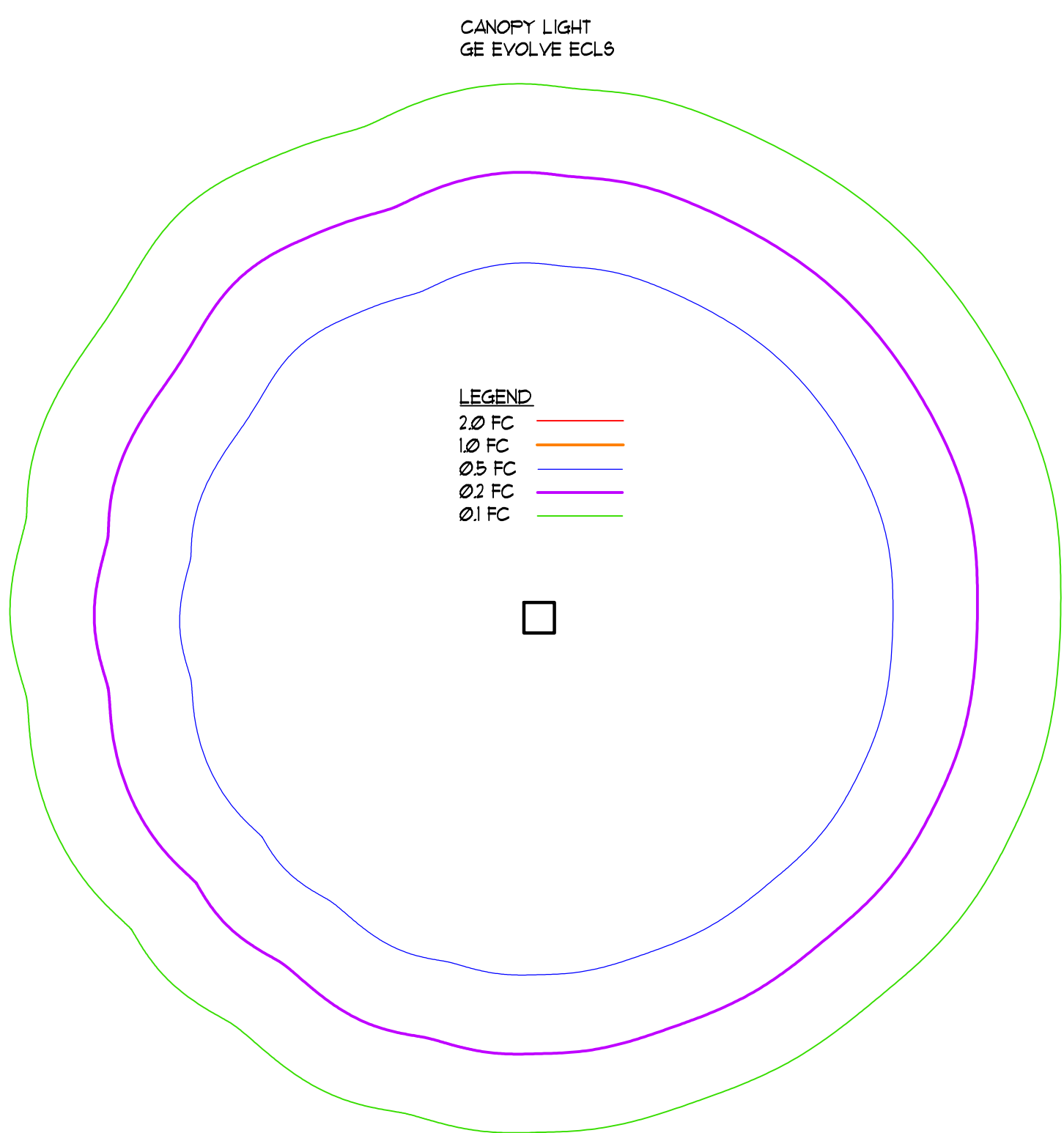
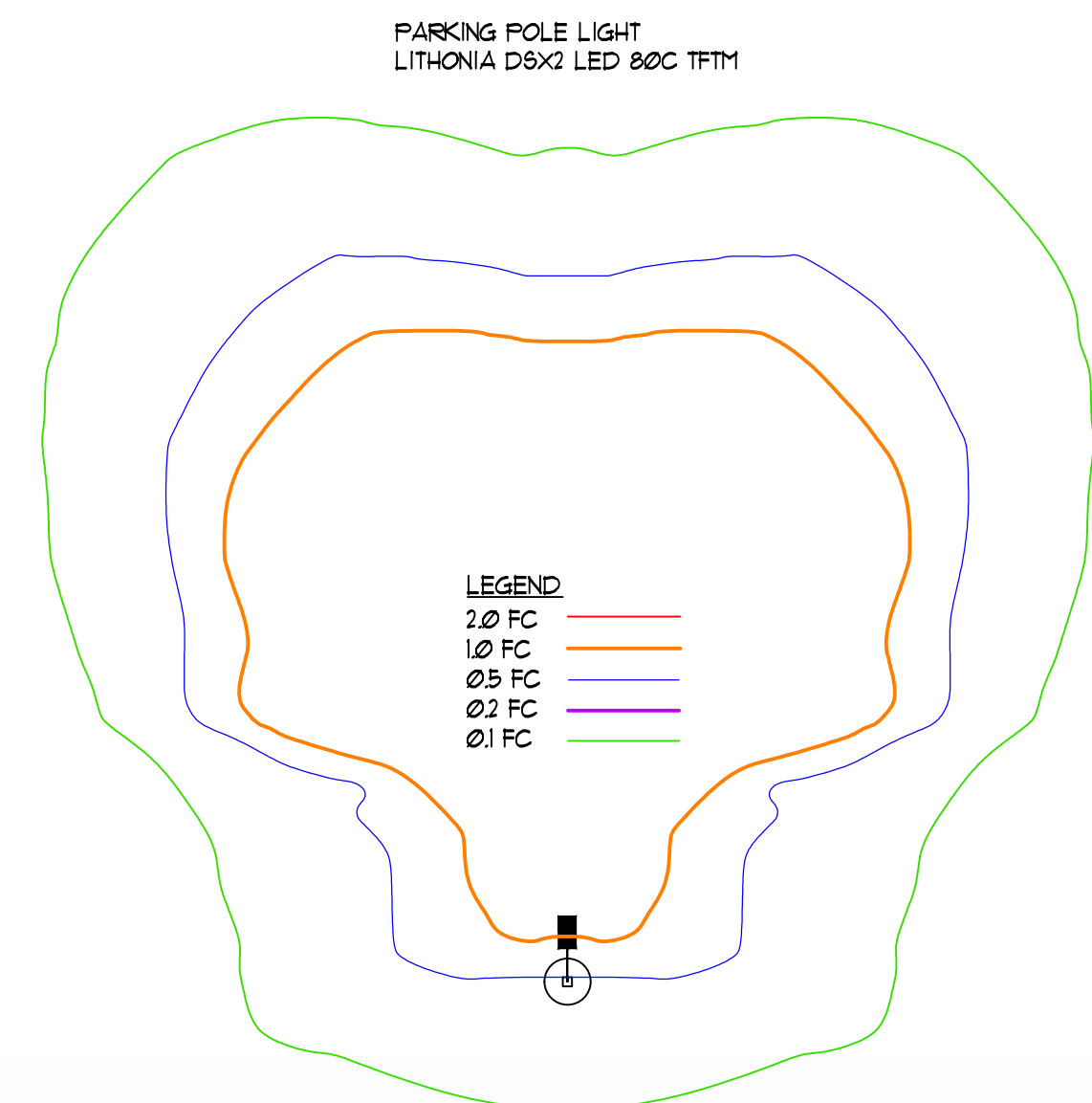
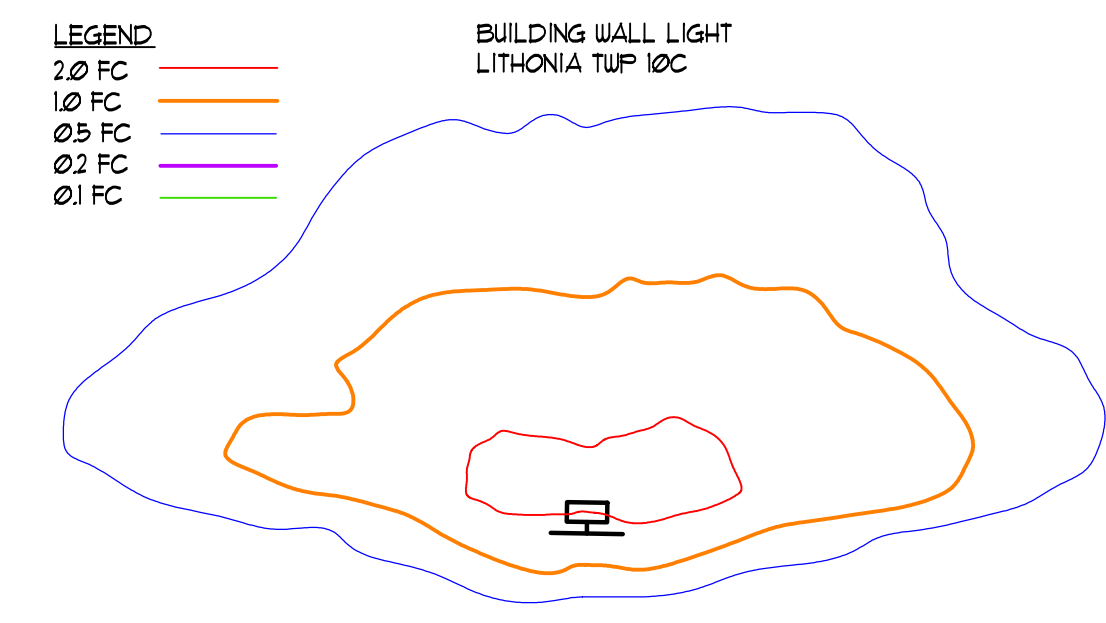
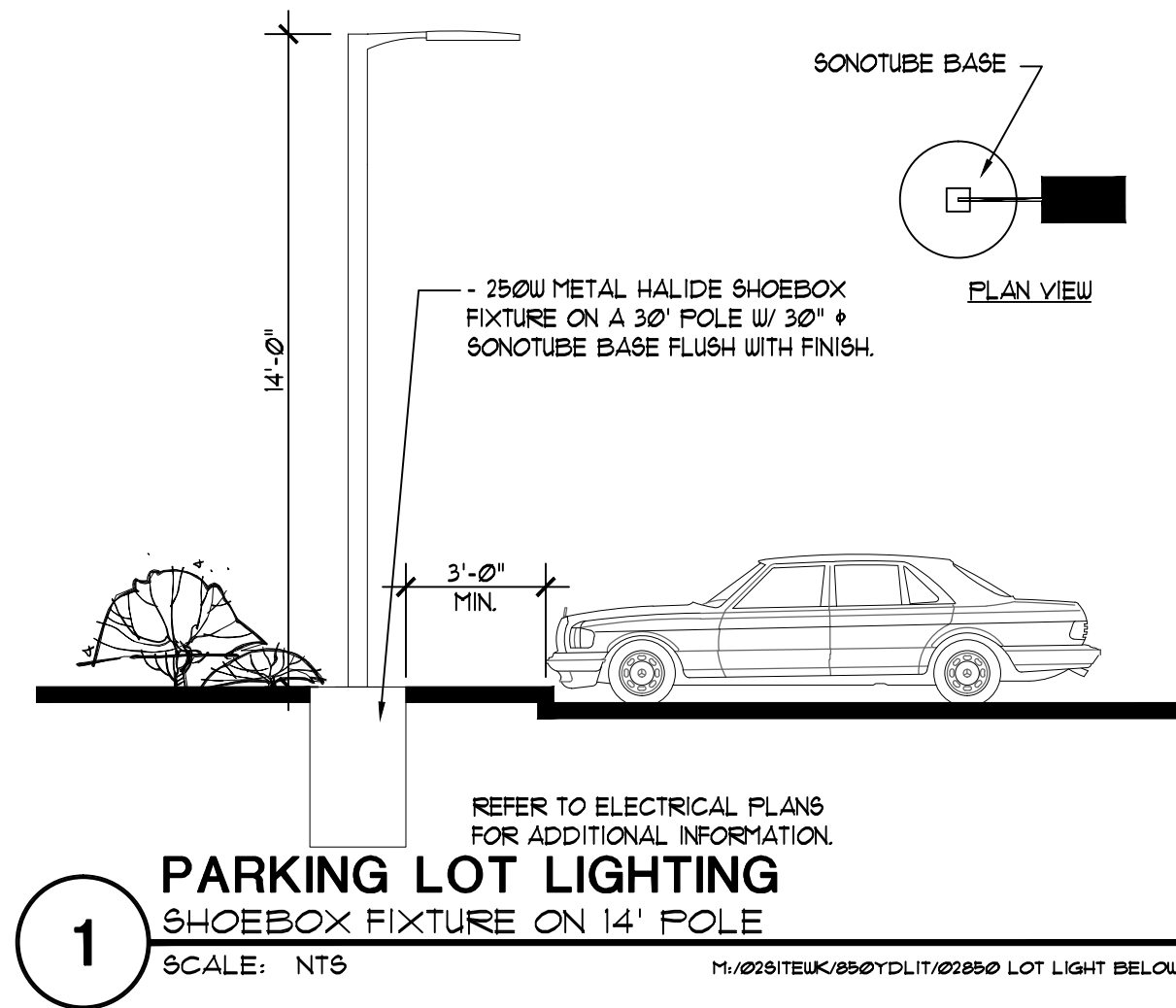


- 1 DESIGN REVIEW COMMENTS 4.12.4 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5.14.24 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6.12.4 - REVISION 3

NEW OFFICE, RETAIL AND GAS STATION  
**US MARKET**  
 2600 NEWBERG HIGHWAY WOODBURN OREGON  
 DATE: DEC. 1, 2020  
 DRAWN: AK / KDS  
 JOB NO.: 19064  
**C1.2**  
 REVISION SHEET NUMBER

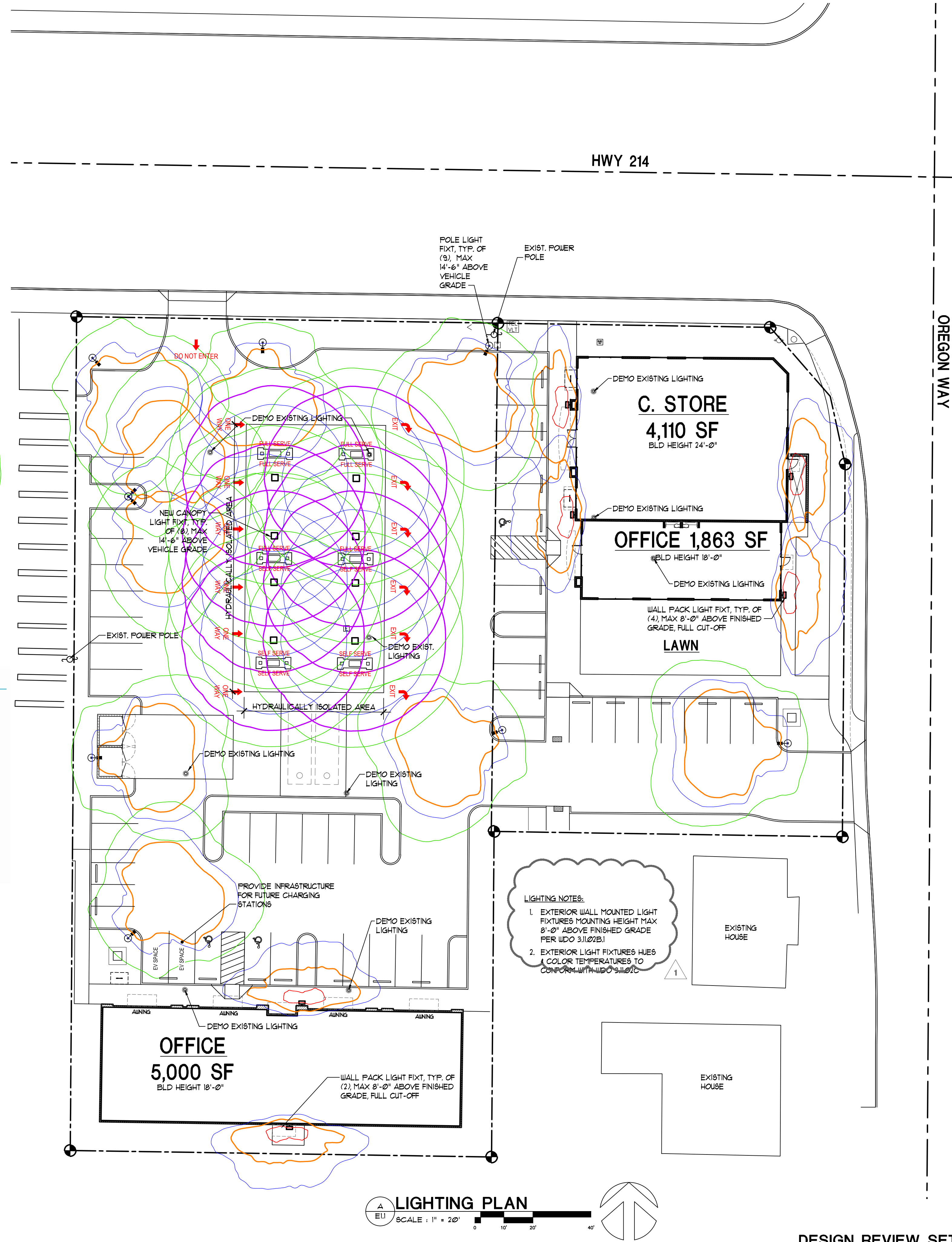
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LAST SAVED: Mon, 10 Jun 2024 - 12:17 pm LOCATION: C:\Users\kevin\AppData\Local\Temp\AcPublish\_9164\A1.1 Updated Site 2.1.24.dwg E1.1  
 PRINTED: Mon, 10 Jun 2024 - 01:45 pm PRINTED BY: kevin



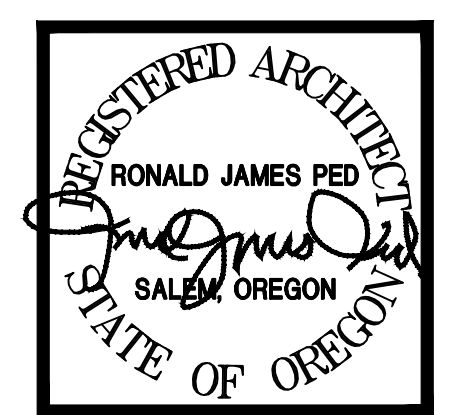
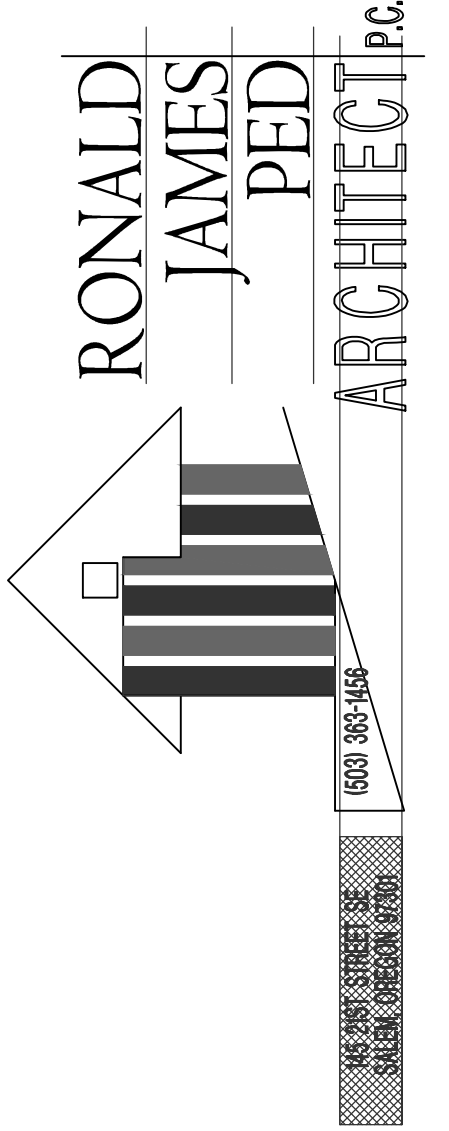
**LIGHTING SCHEDULE**

- PARKING POLE LIGHT  
LITHONIA DSX2 LED 80C TFM
- CANOPY LIGHT  
LITHONIA CAY LED P0
- BUILDING WALL LIGHT  
EATON Lumark WP WAL-PACK w/ FULL CUTOFF
- EXISTING PARKING POLE LIGHT



**LIGHTING NOTES:**

- EXTERIOR WALL MOUNTED LIGHT FIXTURES MOUNTING HEIGHT MAX 8'-0" ABOVE FINISHED GRADE PER IBC 9.01.2.1
- EXTERIOR LIGHT FIXTURES HUES & COLOR TEMPERATURES TO CONFORM WITH IBC 9.01.2.2



- 1 DESIGN REVIEW COMMENTS 4/1/24 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5/14/24 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6/12/24 - REVISION 3

NEW OFFICE, RETAIL AND GAS STATION  
**US MARKET**  
 2600 NEWBERG HIGHWAY WOODBURN OREGON

DATE: DEC. 1, 2020  
 DRAWN: GLM / KDG  
 JOB NO.: 1984

**E1.1**

DESIGN REVIEW SET 02.05.24

### SITE SUMMARY

PROPERTY SIZE	= 62,120 SF. (1.43 AC)
TOTAL BUILDING AREA	= 10,913 SF.
TOTAL PAVED AREA	= 40,601 SF.
TOTAL LANDSCAPE AREA	= 10,540 SF. (16%) <span style="color: red;">3</span>

### PLANT LIST

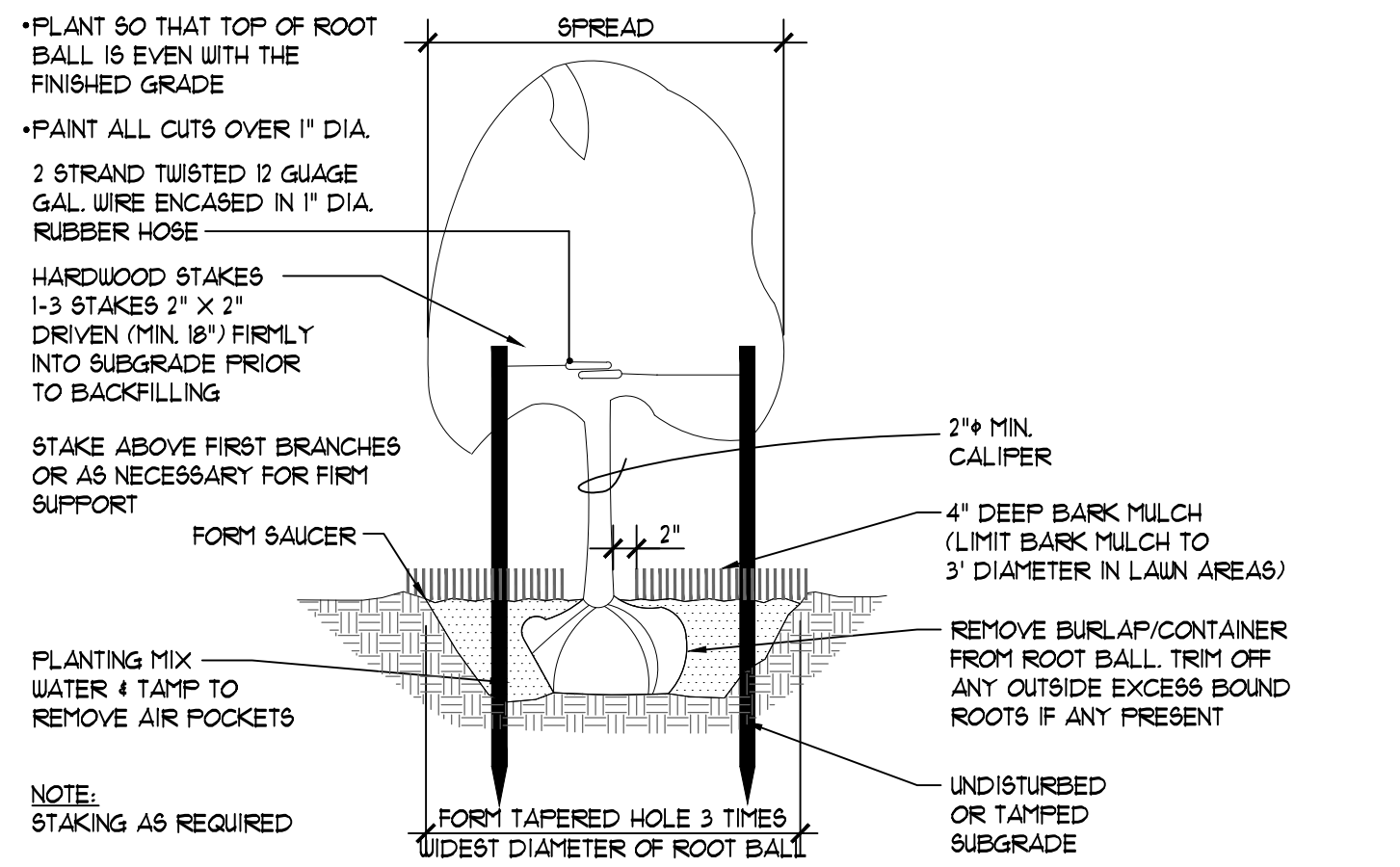
STREET TREES	COMMON NAME/BOTANICAL NAME	SIZE	COMMENTS	MATURE SIZE
	T-ASH	ASH, RAYWOOD	7-8" CALIPER	AVG. 30'-40'
	T-LIN	LINDEN	7-8" CALIPER	60'-10'
	T-MAP ARM	ARMSTRONGS MAPLE	7-8" CALIPER	40'-60'
	T-MAP RED	ACER rubrum / RED MAPLE	7-8" CALIPER	40'-60'
	T-DOUG FIR	DOUGLAS FIR / <i>Pseudotsuga menziesii</i>	7-8" CALIPER	AVG. 30'-80'
	T-DOUG	DOUGLAS FIR / <i>Pseudotsuga menziesii</i>	10" CALIPER	MAX. 300'
ORNAMENTAL TREES	COMMON NAME/BOTANICAL NAME	SIZE	COMMENTS	
	T-JAPO	CRYPTOMERIA JAPONICA 'ELEGANS'	7-8" 2" MIN CALIPER	5 FU
	T-TAMA	CRYPTOMERIA JAPONICA 'TAISHO TAMA' (TAISHO TAMA JAPANESE CEDAR)	4-6' 2" MIN CALIPER	5 FU
	T-BLA	CRYPTOMERIA JAPONICA 'BLACK DRAGON'	4-6' 2" MIN CALIPER	5 FU
	T-MAP VINE	VINE MAPLE / ACER <i>circinatum</i>	7-8" 2" MIN CALIPER	2 FU
	T-CRAB	CRABAPPLE / MALUS 'AMERICAN BEAUTY'	7-8" 2" MIN CALIPER	2 FU
	T-ORY	CRYPTOMERIA JAPONICA 'SEKKEN-SUGI'	6' 2" MIN CALIPER	5 FU
	T-CUP	CUPRESSUS SEMPERVIRENS ITALIAN CYPRRESS 'STRICTA'	6' 2" MIN CALIPER	5 FU
	T-CHA	CHAMAECYPARIS OBTUSA HINOKI FALSE CYPRRESS 'GRACILIS'	6' 2" MIN CALIPER	5 FU

SIZE	SHRUBS	COMMON NAME/BOTANICAL NAME	COMMENTS
1 gal. 3 gal.	S-HYB.	HYDRANGEA <i>Hydrangea sylvatica</i> ROSE OF SHARON 'MINERVA' 'AZURRI SATIN'	1 FU 1 gal / 2 FU 3 gal
	S-STRA.	DEUTZIA x hybrid 'STRAWBERRY FIELDS'	1 FU 1 gal / 2 FU 3 gal
	S-ABE.	ABELIA grandiflora 'EDWARD GOUCHER' (EVERGREEN)	1 FU 1 gal / 2 FU 3 gal
	S-VIBD.	VIBURNUM Japonicum (EVERGREEN)	1 FU 1 gal / 2 FU 3 gal
	S-PIE.	PIERIS Japonicum 'LILLY-OF-THE-VALLEY' (EVERGREEN/SHADE)	1 FU 1 gal / 2 FU 3 gal
	S-AUC.	AUCUBA JAPONICA 'JAPANESE AUCUBA' (EVERGREEN/SHADE)	1 FU 1 gal / 2 FU 3 gal
	S-VIB.	VIBURNUM ELLIPTICUM COMMON VIBURNUM	1 FU 1 gal / 2 FU 3 gal
	S-CURR.	RED-FLOWERING CURRANT / Ribes sanguinum	1 FU 1 gal / 2 FU 3 gal

GROUND COVER	BOTANICAL NAME/COMMON NAME	SIZE	COMMENTS
	G-PHL.	PHILOX SUBLATA CREEPING PHLOX	1 gal. 24" SPACING 1 FU
	G-VIN.	VINCA MAJOR PERIWINKLE	1 gal. 24" SPACING 1 FU

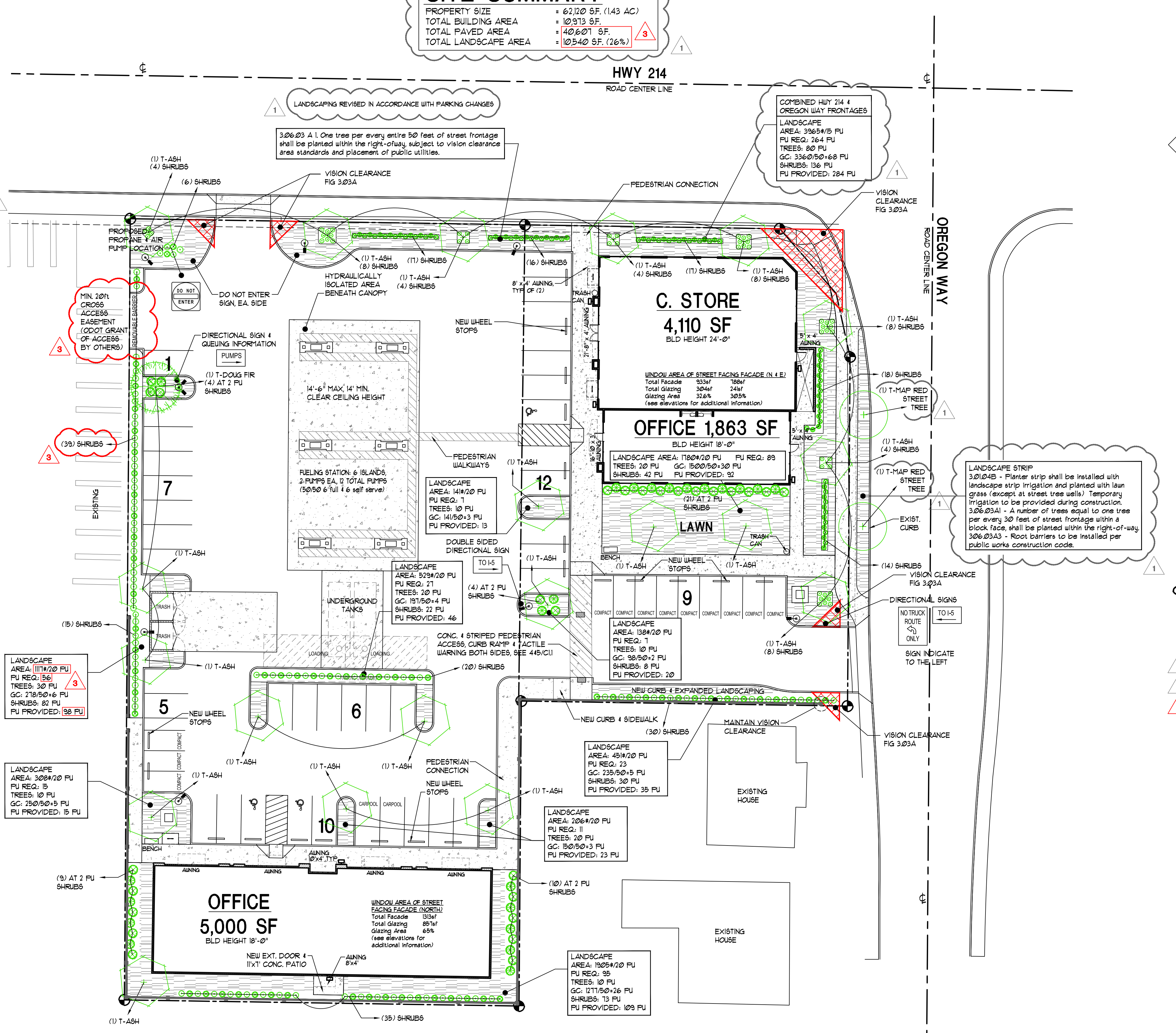
### 1 PLANT LIST

SCALE: N/A  
15/02/18/TEUK/250/PLN/15/02/20/00 PLANT LIST



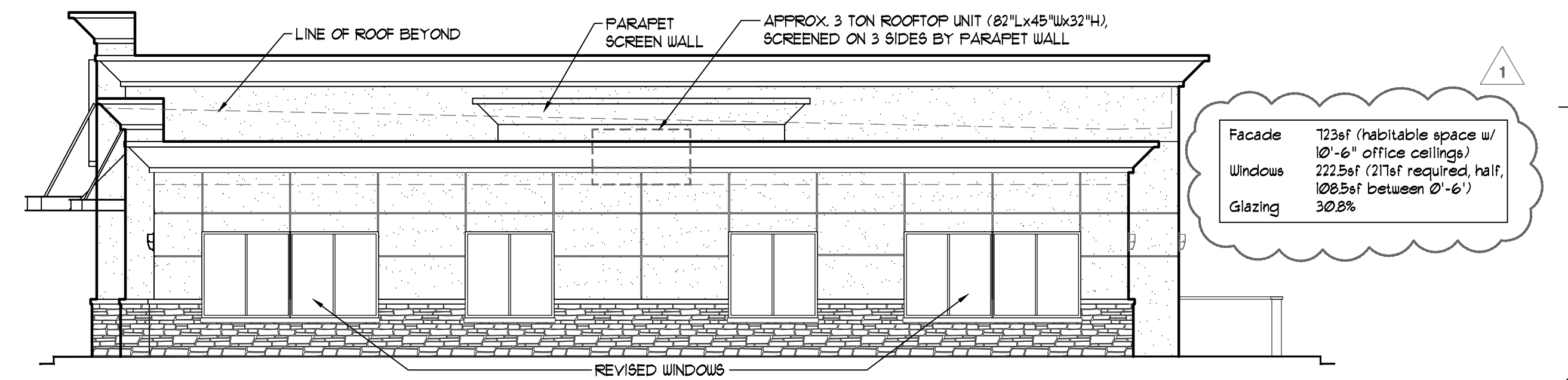
### 2 TREE PLANTING VERTICAL STAKES

SCALE: NTS  
15/02/18/TEUK/250/PLN/15/02/20/00 TREE PLANTING

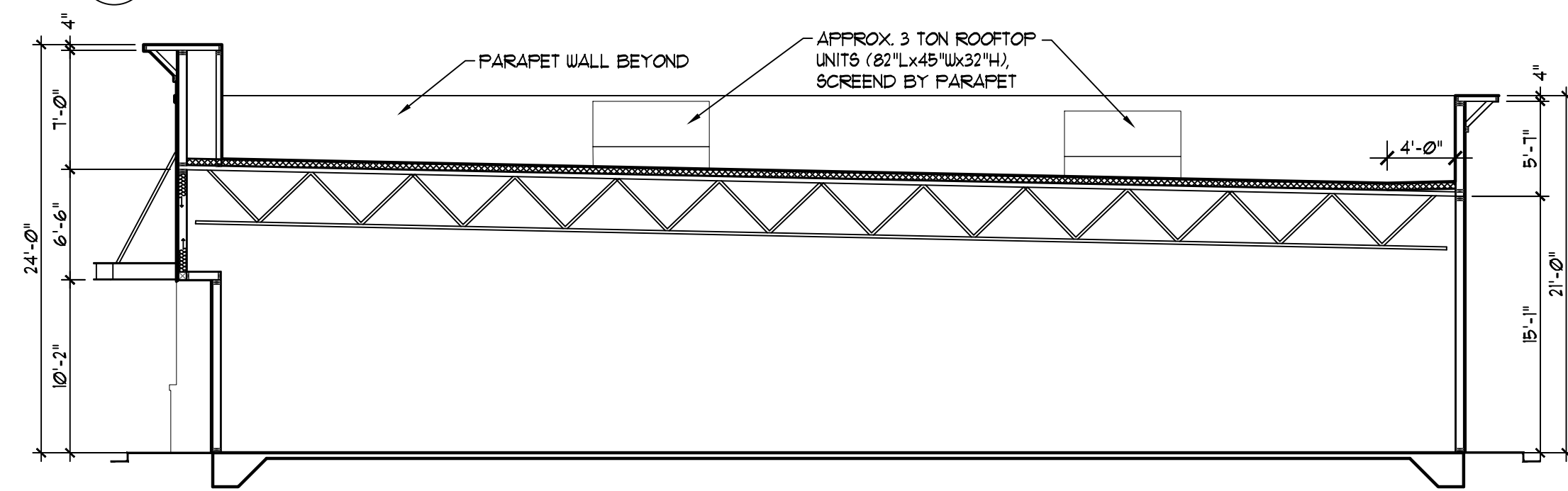


LAST SAVED: Mon, 10 Jun 2024 - 12:17 pm LOCATION: C:\Users\kevin\AppData\Local\Temp\AcPublish\_91641.V1.1 Updated Site 2.1.24.dwg L1.1  
PRINTED: Mon, 10 Jun 2024 - 01:45 pm PRINTED BY: kevin

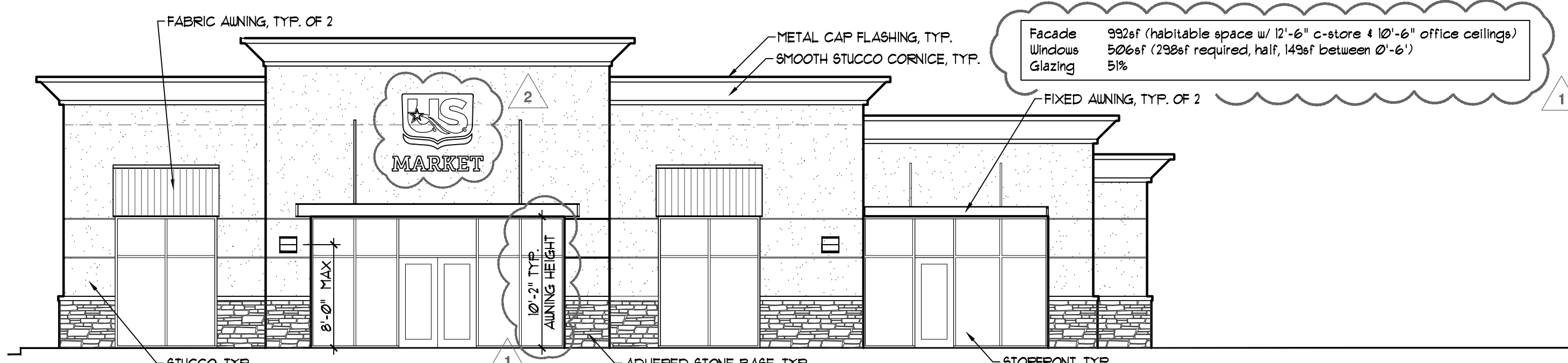
# CONVENIENCE STORE



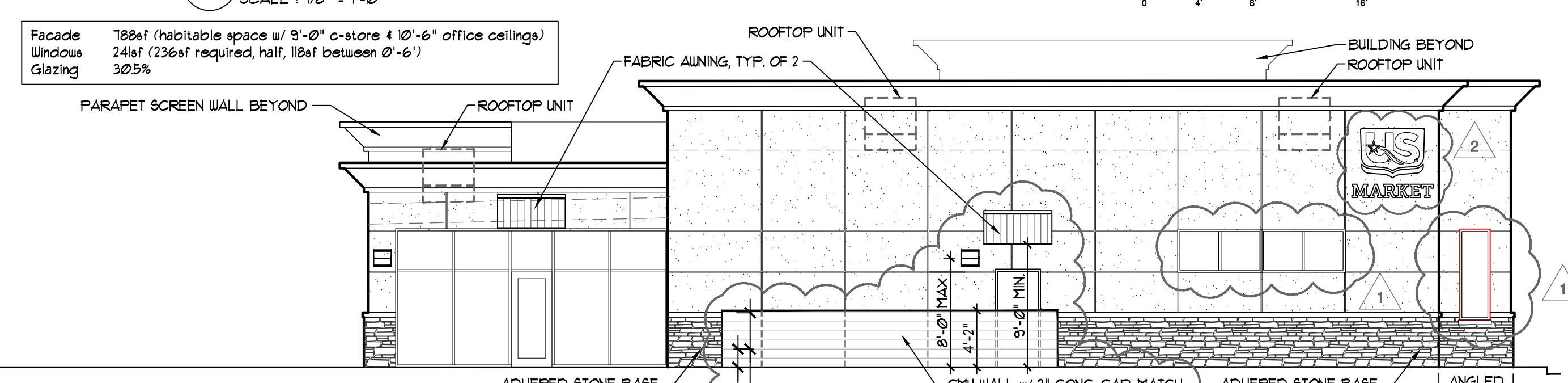
**A CONVENIENCE STORE - SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"



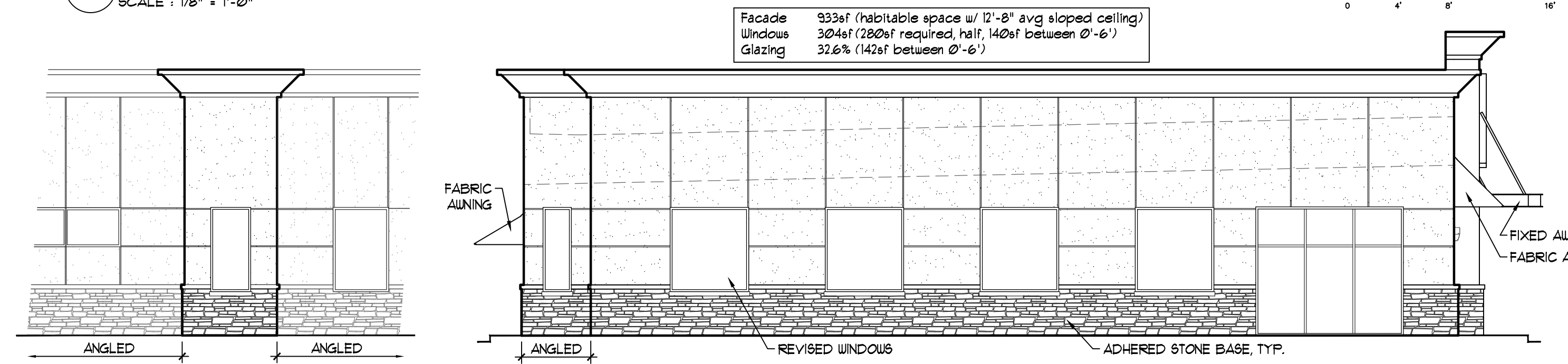
**B CONVENIENCE STORE - CROSS SECTION**  
SCALE: 1/8" = 1'-0"



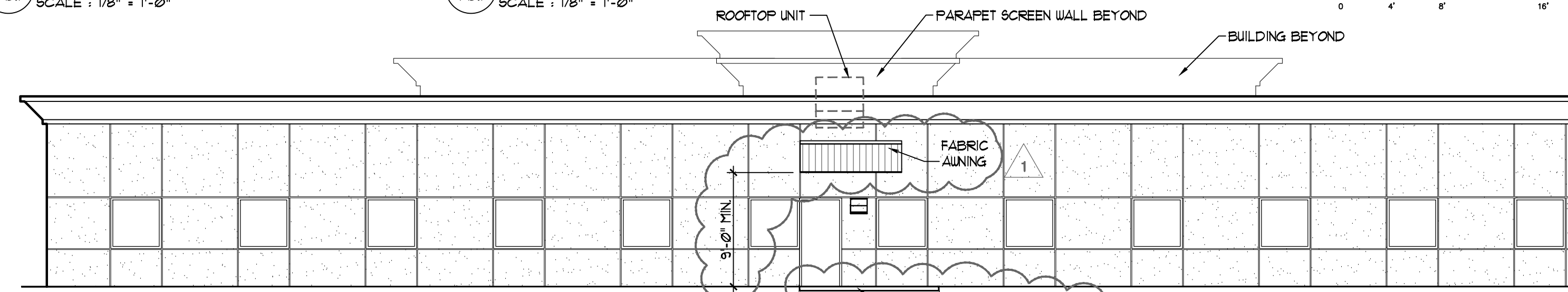
**C CONVENIENCE STORE - WEST ELEVATION**  
SCALE: 1/8" = 1'-0"



**D CONVENIENCE STORE - EAST ELEVATION**  
SCALE: 1/8" = 1'-0"

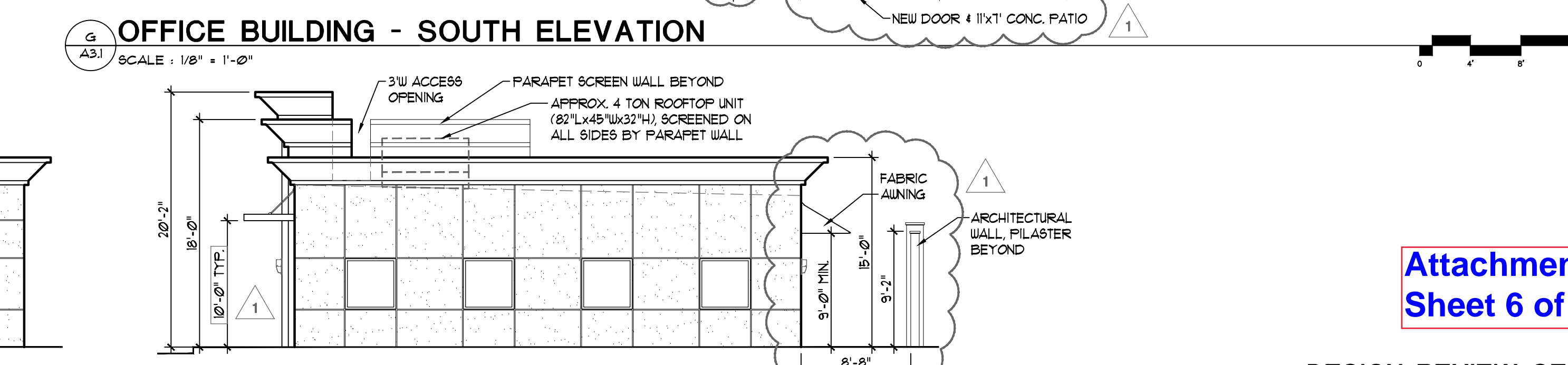


**F CONVENIENCE STORE - NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"

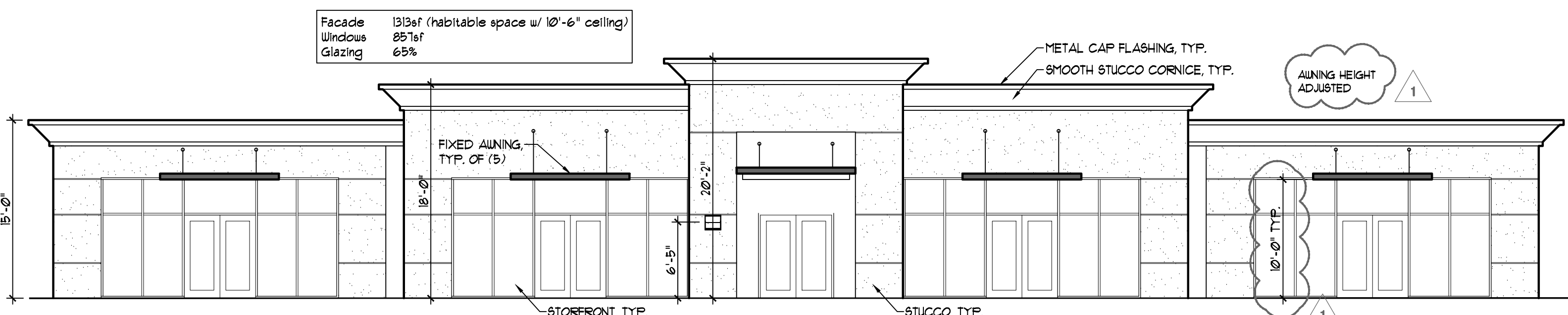


**G OFFICE BUILDING - SOUTH ELEVATION**  
SCALE: 1/8" = 1'-0"

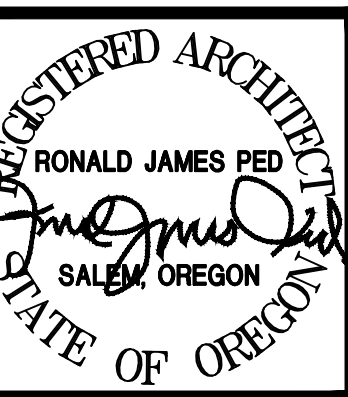
# OFFICE BUILDING



**I OFFICE BLDG - WEST ELEV.**  
SCALE: 1/8" = 1'-0"



**H OFFICE BUILDING - NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"



- 1 DESIGN REVIEW COMMENTS 4.124 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5.1424 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6.124 - REVISION 3

NEW OFFICE, RETAIL AND GAS STATION  
**US MARKET**  
2600 NEWBERG HIGHWAY WOODBURN OREGON

**Attachment 103**  
**Sheet 6 of 6**

DATE: DEC. 1, 2020  
DRAWN: AK / KDB  
JOB NO.: 1984  
**A3.1**

DESIGN REVIEW SET 02.05.24

LAST SAVED: Tue, 14 May 2024 - 12:55 pm LOCATION: C:\Users\kevin\AppData\Local\Temp\AcPublish\_9164\A3.1.1.20.22.dwg A3.1  
 PRINTED: Mon, 10 Jun 2024 - 01:46 pm PRINTED BY: kevin

## **CU 24-02**

2540 & 2600 Newberg Hwy

US Market gas station:

Testimony received

August 23 – September 23,  
2024

From: [samcharitar@gmail.com](mailto:samcharitar@gmail.com)  
Sent: September 5, 2024 1:22 PM  
To: Planning [Planning@ci.woodburn.or.us](mailto:Planning@ci.woodburn.or.us)

Subject: US MARKETS, GAS/LOTS

Good day

My Name is Sam Charitar. I have lived in Woodburn for 25 years . I am writing this plea in behalf of Don Mehar and US MARKET.

I have known Don and the US MARKET Organization for over 20 years . They are a family and organization who cares about their communities and the opportunities that they can bring to the residents and visitors.

With the upcoming growth in population stemming from Amazon and other businesses coming in, it would be very feasible to grant US MARKETS to develop and create more opportunities for local residents to choose from.

We are all very aware of the massive price gauging being committed by ARCO gas station. I have spoken with many many neighbors and residents of our community about bringing in more businesses like markets/gas stations in our area.

I just don't understand why US MARKET/GAS would not be granted to move forward with their development . It makes sense , it will generate more tax dollars for the community, it gives our neighbors more choices, it will definitely eliminate price gouging as well as create decent new jobs.

Thank you for your consideration

Make it a great day

Sam Charitar  
503-710-4051  
Sent from my iPhone

CV24-02  
RECEIVED

SEP 05 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

From: Joyce Barnard <[joycebarnard@me.com](mailto:joycebarnard@me.com)>

Sent: September 5, 2024 3:55 PM

To: Planning [Planning@ci.woodburn.or.us](mailto:Planning@ci.woodburn.or.us)

Subject: Support US Market

Dear Woodburn Planning Dept.,

Please accept this letter as formal support of the proposed US Market/Space Age gas station on the old bank property across the street from KFC.

Currently, we only have one option for gas at that end of town and that's Chevron. The Am/Pm is a joke as they don't even legally post the Per gallon cost of gas and typically they run upwards of \$7 a gallon on good day.

Therefore, this leaves Chevron as a monopoly on the west end of town. It would be great to have competition in that area.

Personally knowing Don Sidhu and his family, I can say he will bring competitive prices, be active in our community (where he lives and raises his family) and have a clean business.

US Markets are superior to any convenience market and gas station. This would be a great asset to our city.

Don has put a lot of time, money and effort to make this protect respectful to the neighbors. No matter what goes in on that lot, there will be traffic impact but a gas station is an in and out business. Quick, clean and low noise. Don builds a superior product to many of his competitors.

Thank you for approving his application.

Sincerely,

Joyce Cutsforth

689 Troon Ave

Woodburn, Or 97071

[Joycebarnard@me.com](mailto:Joycebarnard@me.com)

503-807-5571

CU 24-02  
RECEIVED

SEP 05 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

From: Sonya Darling <[sonya@woodburn.net](mailto:sonya@woodburn.net)>

Sent: September 5, 2024 10:56 AM

To: Planning Planning@ci.woodburn.or.us

Subject: US Market gas; bank lots

Good morning,

We are writing in support of the proposed station near the I-5 Woodburn exit. Having lived in Woodburn for the past 16+ years, finding gas has been difficult and extremely inconvenient. The two stations currently available are exorbitantly priced. Thus we have been forced to find our gas elsewhere.

The addition of a U.S. Market station would be beneficial for the following reasons:

- \* Revenue would be added to the city of Woodburn
- \* A reasonably priced purchasing alternative would be available to Woodburn residents
- \* Increased commerce (i.e. Amazon distribution center) would also be provided with a reasonably priced alternative

Anyone who has seen and/or visited any US Market stations will agree that these stations are immaculate and maintained to a high standard. This would be a very positive addition to our ever-growing Woodburn.

Sonya Darling and David Milam  
484 Troon Ave

Sent from my iPad

CV24-02  
RECEIVED  
SEP 05 2024  
COMMUNITY DEVELOPMENT  
DEPARTMENT



From: [katy@fesslernursery.com](mailto:katy@fesslernursery.com)  
Sent: September 5, 2024 11:14 AM  
To: Planning Planning@ci.woodburn.or.us

Subject: US Market Gas, Bank Lots

Good morning,

It has come to our attention that the city of Woodburn is making a final decision on allowing US Markets to open a business on Newberg Hwy where the old bank lots were.

**Pros:**

Current eyesore removed.  
Current graffiti magnet removed.  
Current litter and garbage dump site eliminated.  
Current possible vagrant camp gone.  
Provide a new, fresh, clean business.  
Provide jobs.  
Provide another affordable snack and quick food option for locals and travelers.  
Provide healthy competition in the fuel market benefiting our citizens and tourists.

Most importantly, take a trauma-ridden corner of our city and turn it into a hopeful, active and free-market enterprise.

**Cons:**

Traffic pattern adjustment or conditions. If Dutch Bros corner traffic was allowed, this should also be allowed.  
More competition for current gas stations. A "con" for them, a plus for the community.  
More traffic on Oregon Way. Traffic through The Estates continues to grow as the community grows. Hayes St. and Astor Way for example.

We are in support of US Markets being allowed to build a business in Woodburn that will be a positive, successful, clean and bright spot on an otherwise sad corner. Hey, I would bet that the owners of US Market would even give their neighbors in The Estates a special deal on a cup of coffee with proof of address. They're good people. They donate thousands to charities. They are a part of our community and will be a huge "plus" to our city.

Sincerely,  
Marvin and Katy Fessler  
12668 Monitor McKee Rd NE  
Woodburn, OR 97071

CV 24-02  
RECEIVED

SEP 05 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

From: Carla Galbraith [carlaagalbraith@yahoo.com](mailto:carlaagalbraith@yahoo.com)  
Sent: September 5, 2024 4:08 PM  
To: Planning [Planning@ci.woodburn.or.us](mailto:Planning@ci.woodburn.or.us)

Subject: US Market Gas, Bank Lots

Dear Woodburn Planning Committee,

I am in support of the above referenced company building their business in Woodburn on the bank lots on Newberg Hwy and Oregon St.

I believe in free enterprise. At the meeting last month a gentleman who had all the gas station experience is against US Markets developing these bank lots. He didn't mention he owns the Chevron gas station on Newberg Hwy he doesn't want competition. Also, the attorneys against the development are working for this gentleman. It seemed a little bit unscrupulous to fight another business that would give him direct completion and act like he's a regular citizen of Woodburn. He has a vested interest to be against US Markets.

At the meeting was only a small part of Woodburn demographic represented. A whole segment of people weren't represented. The families who would benefit weren't represented. Lots of younger people on strict budgets and time restraints would love gas at a more reasonable price and to be located by the interstate.

The older generation represented at the meeting were acting like having more money in our pockets is no big deal. They have the time to travel all over looking for good gas prices. Young families have limited time and finances to travel all over looking for better fuel prices. They could use more money to feed and house their families

The Sidhu family cares about the communities their businesses are in. They are always beautifully kept. The USMarkets has made a lot of concessions to do business in Woodburn.

For some reason other gas stations are open 24 hours 7 days a week in Woodburn but US markets has reduced their hours of operation. US markets are going to beautify the streets. These empty ugly lots need to have a business that cares about community and has pride of ownership.

Has the city done a traffic study to qualify the statement that traffic will be "horrific" if the gas station is built. It seems like there was a lot of dramatic statements without evidence to support them as being true.

Please allow Woodburn to be a community that welcomes free enterprise and competition.

Thank you for your consideration,  
Carla Galbraith  
590 Troon Ave  
Sent from my iPhone

CU 24-02  
RECEIVED

SEP 05 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

From: Debbie Holland <[debholland1956@gmail.com](mailto:debholland1956@gmail.com)>  
Sent: September 5, 2024 1:54 PM  
To: Planning [Planning@ci.woodburn.or.us](mailto:Planning@ci.woodburn.or.us)

Subject: US Market Gas/Bank Lots

Good Afternoon -

We are writing to you today in support of the proposed US Market on Hwy 214 in Woodburn.

Since moving to Woodburn 8 years ago, we have been continually disappointed and frustrated by the lack of infrastructure, services, and options available. In fact, almost daily, we leave Woodburn for grocery shopping, gas, and decent restaurants. These are dollars that could and should be spent in our own community. However, with no reasonable alternatives here, we venture out and spend our dollars in Salem, Wilsonville, Tualatin and Lake Oswego. In speaking with other Woodburn residents, we are clearly not alone.

Along with the new Amazon Distribution Center, there are currently a considerable number of housing developments and apartments being built in Woodburn. We see no evidence that the City is making any effort to bolster the infrastructure, expand available services or attract new businesses.

As the ARCO station is grossly overpriced, Woodburn residents on the West side of town realistically only have one gas option. The proposed US Market would provide another option, as well as provide additional revenue to the City of Woodburn.

In our travels, we have frequented other US Markets and have always found them to be meticulous maintained and very well run. Allowing US Market to build at this location would only be a positive to the City of Woodburn. As such, we encourage you to approve this project.

Sincerely,

Mike and Debbie Holland  
405 Troon Avenue  
Woodburn, Oregon 97071

CV 24-02  
RECEIVED

SEP 05 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

From: Christina J Mealue <ninamealue@icloud.com>

Sent: September 5, 2024 10:38 AM

To: Planning Planning@ci.woodburn.or.us

Subject: US Market Gas Lot

Good morning,

I am writing in regards to the proposal of having a US Market go in on the bank lot! Our town is expanding and we need this to help support the people moving to this area. We also need a good gas station that will provide good service and bring in more funds to help with the growth of this town. I am seeing many needs to help with a growing town. We need new growth. I believe that people opposing this don't have the best interest of the people who live here. Please approve this as we the citizens of this town need to see growth and improvement going forward to meet the needs of the people of Woodburn

We also need more grocery stores

Best regards

Christina J Mealue  
2856 Olympic st  
Woodburn OR 97071  
503-949-9585

Sent from my iPhone

CV 24-02  
RECEIVED

SEP 05 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

From: Lisa Nelson <[maddiesophie@hotmail.com](mailto:maddiesophie@hotmail.com)>

Sent: September 5, 2024 11:14 AM

To: Planning [Planning@ci.woodburn.or.us](mailto:Planning@ci.woodburn.or.us)

Subject: Don Sidhu Gas Station

To whom it may concern

We are writing this email to express our support and recognition of the importance of having a gas station that gives fair and competitive pricing in Woodburn.

US Market Gas will do that. They have purchased land in a great spot that is convenient for many.

Please support their business

Thank you

Todd and Lisa Nelson

17280 BOONES Ferry RD NE

WOODBURN

[maddiesophie@hotmail.com](mailto:maddiesophie@hotmail.com)

Lisa Nelson

CV 24-02  
RECEIVED

SEP 05 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

From: Rosa Reyes <reyro5@aol.com>  
Sent: September 5, 2024 11:50 AM  
To: Planning [Planning@ci.woodburn.or.us](mailto:Planning@ci.woodburn.or.us)

Subject: US MARKET GAS / BANK LOTS

HELLO.

My name is Rosa Reyes my address is 692 TROON AVE. WOODBURN, OR 97071

The bank lots as they currently are, are a magnet for homeless people potentially setting up camp there. My family is in favor of US Market bringing in real gas competition into woodburn. They are a great company who's stores and gas stations are beautiful and very clean safe areas. They take pride in their business. As I sat in the hearing that took place on Aug.22.24 ( I did not speak, I simply observed and heard both sides). Several community members that live around Oregon Way, suggested they wanted an Applebees or some sort of similar restaurant to be built on the lots... Well traffic was clearly not their real concern. As I observed the council members, as they are suppose to have an unbiased judgement or opinion about the matter. I couldn't help but notice council member Merri Berlin visually express her opinion on the matter. She was visually annoyed anytime anyone got up to the stand to testify in favor. She kept rolling her eyes and body language was speaking volumes in agreeing with the people who are not in favor. This might be a serious issue when it comes to having an " Unbiased opinion on the matter." Because she clearly has her mind made up.

In favor of US Market Gas bringing in real competitive gas pricing to our area, jobs and tax dollars. Woodburn has grown rapidly and expanding exponentially, with amazon alone bringing in about 5000 jobs into that side of town of course another gas station is needed its only logical that more cars are going to be in that area.

As you are well aware Arco is always scamming people at \$7-\$9 a gallon minimum and Chevron knows that Arco is not a threat to the business so therefore, Chevron has a complete hold of that corner. The need for real gas competition is needed, Chevron has almost a monopoly on that side of town for gas.

Chevron has also fueled the fire between the neighborhood that runs along Oregon Way and the bank lots. Chevron and their attorneys have planted a seed of fear into that neighborhood because they know if US market gas comes in there, there will be real competition on that end of town at the moment Chevron has almost a Monopoly on that end of town.

We the people need competitive gas. Those bank lots are not benefiting the community as they sit empty.

Thank you for your time,

Rosa Reyes  
503-989-9897

CV 24-02  
RECEIVED

SEP 05 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

From: Alma Shevchenko <almashevy@gmail.com>

Sent: September 5, 2024 10:48 AM

To: Planning Planning@ci.woodburn.or.us

Subject: US Market and Space Age- APPROVAL REQUEST

Hi, My name is Alma Shevchenko, 489 Turnberry Ave Woodburn OR 97071.

Please approve the US Market Gas on the Bank lots.

My family and I look forward to cheaper gas in our area.

I have 3 children that drive a lot and gas here in our area is very expensive.

I usually go all the way to Brooks to fill up, but this way it's much closer to my home.

I do look forward to having a nice convenience store nearby. I personally visited multiple US Markets locations and EVERY one of them are well nicely built and taken care of. I always felt safe around their locations.

The products they carry in all of their stores are high quality. I can tell that the owner put a lot of thought and effort into his stores.

Kindly take my request into consideration. Being part of the Woodburn community, I am proud to have my voice heard and considered.

Respectfully,

Alma Shevchenko

503-936-6748

CV 24-02

RECEIVED

SEP 05 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

To whom it may concern,

I am writing to express my full support for the proposed new gas station, Space Age in Woodburn in Newberg highway. I believe that this project will bring significant benefits to our community, including:

- **Economic Growth:** The development will create new jobs and stimulate local businesses, contributing to the overall economic vitality of our area.
- **Increased Property Values:** The development is expected to increase property values in the surrounding neighborhood, benefiting homeowners and investors alike.
- **Community connection:** Don and Rosa live in and work within our community.

Don is a well-known business man with integrity and heart. Not only is this a business to him and his family, but it's a way for him to help others. The Sidhu's live in this same community where their kids go to school and attend St. Luke's church, where they have been members for well over 15 years. There is no better business owner to have, than the one who knows the community.

Please consider this New development. The stores well kept and the food selection is great. There are no price hikes. Don always tries to keep them as low as he can!

Kindly,  
Lorena Silva  
Lorna8735@gmail.com

CU 24-02  
RECEIVED

SEP 05 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT



City Council Woodburn Oregon

I live at 950 Evergreen Rd # 206, Woodburn, Oregon. I own my condo and have lived here about twelve years. I have seen the traffic increase on Highway 214 and also on Evergreen Rd. Part of the increase on Evergreen is because Walmart has no access to the freeway short of coming down to Evergreen & out to 214. Trucks are larger than they used to be and Evergreen is a residential street so it continues to be a problem and accidents are frequent.

Now another group wants to build a gas station & convenience store on the vacant lot that adjoins the property I live on. Highway ~~214~~ 214 can not accommodate such a business. The traffic is already extremely heavy on 214 day & night coming from the outlet stores across the freeway etc. The light and noise raised by these businesses would affect the lives of Sanon residents where I live. Convenience stores staying open late at night also increase the rate of crime - The traffic increase would become a nightmare. I am opposed to this proposal most strongly.

Sincerely Carolyn Shendlesbower

CU 24-02  
RECEIVED

SEP 06 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

September 22, 2024

Woodburn City Planning Commission  
Attention: Chris Kerr  
AICP, Community Development Director  
270 Montgomery Street  
Woodburn, OR 97071

Subject: **CU 24-02 US Market Gas Station, 2540-2600 Newberg Hwy.**

To Woodburn Planning Commissioners:

As Secretary of the Board of Directors of the Panor 360 Homeowners Association, I am attaching a copy of the petition signed by Panor residents in opposition to the appeal made by Woodburn Petroleum LLC, Ronald James Ped, and Don Sidhu. This is in regard to allowing a gas station, convenience store, and an office building at the corner of Newberg Highway and Oregon Way.

We have no objections to the office building. We do, however, object to having the gas station and convenience store right next to us, bringing noise, gas fumes, increased crime and most of all increased traffic in an already-congested area. There are already two gas stations and convenience stores near us.

The intersection of Newberg Highway and Oregon Way is not a good place for high volume ingress and egress. Newberg Highway has a lane divider and that would inevitably result in drivers heading west using Oregon Way (a residential street) as an entrance, even if it were marked as exit only. Also, exiting tanker truck would have to exit on Oregon Way.

We realize Woodburn is growing and more commercial building will be developed near the freeway, but we urge the Planning Commission to consider a less intrusive development at the corner of Newberg Highway and Oregon Way. This area is particularly sensitive to us because it is our home, and we consider it our neighborhood. We strive to keep a healthy, safe and secure place to live our lives to the fullest.

Therefore, we respectfully request your careful consideration in this matter.

Thank you,

  
Rosalie Carman, Secretary  
Panor 360 Homeowners Association  
950 Evergreen Road, Apt. #204  
Woodburn, OR 970871

Attachment: 71 Signatures in Opposition

c: Patrick Clancy, Panor 360 Board of Directors, President  
Jean Britton, Panor Manger

CU 24-02  
RECEIVED

SEP 23 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

**Panor 360 Condominium – 950 Evergreen Road, Woodburn, Oregon**

A developer has requested a zoning variance in order to build a gas station, convenience store, and office building on the vacant bank property on the northeast side of our property. Woodburn City Council has denied the developer's request for several reasons previously in 2022. By signing this petition, Panor residents are expressing our opposition to the developer's plan. CU24-02 2540 & 2600 Newberg Hwy. (214)

Name	Unit #	Date
		Sept 20, 2024
	101	
Rose Williams	102	9-20-24
William L. Dreamfield	103	9-20-24
John B. Boone	"	9-20-24
Deanna Beizer	104	9-21-24
	105	
Christina Morn?	106	9/20/24
Kari May	107	9-20-24
Shirley Anderson	108	9-20-24
Bill Melia	109	9-21-24
	110	
	111	
Condel TITTLE	112	9-20-24
	"	
Grace Ashland-Burr	113	Sept. 20, 2024
		CU24-02 RECEIVED

SEP 23 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

**Panor 360 Condominium – 950 Evergreen Road, Woodburn, Oregon**

A developer has requested a zoning variance in order to build a gas station, convenience store, and office building on the vacant bank property on the northeast side of our property. Woodburn City Council has denied the developer's request for several reasons, so the developers plan to appeal to the Oregon Land Use Board of Appeals. By signing this petition, Panor residents are expressing our support for the City's decision and our opposition to the developer's plan.

Name	Unit #	Date
Josmie Estandore	114	9/20/2024
Mary Estandore		9/20/2024
Laura Parsons	115	9-20-24
Mary J. Schulz	116	9-20-24
	117	
	118	
Esther Crossley	119	9-20-24
John Skipt	120	9-20-24
Patricia A. Skene	121	9-20-24
<del>John A. Skene</del>	122	09/20/2024
Jan Tessner	123	9-20-24
A. J. Howard	125	9-21-24
T. J. [Signature]	125	9/21/24
Helen Shaffer	126	9-20-24
	127	
	128	

CU 24-02  
RECEIVED

SEP 23 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

**Panor 360 Condominium - 950 Evergreen Road, Woodburn, Oregon**

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Name	Unit #	Date
<i>Stacy J. Maloy</i>	129	9/20/24
<i>Lee Ann Maloy</i>	"	9/20/24
<i>[Signature]</i>	201	09.20.24
<i>[Signature]</i>	202	9/20/24
<i>Elizabeth O'Shea</i>	203	9/20/24
<i>Rosalee Cannon</i>	204	9/20/24
<i>Rebecca L Hayes</i>	205	9/20/24
<i>Carolynn Shredlowen</i>	206	9-20-24
	207	
<i>Varman Anderson</i>	208	9-20-24
	209	
	210	
<i>Michelle Giffney</i>	211	9/20/24
<i>Randy Giffney</i>	"	9/20/24
<i>Jean Britton</i>	212	9-20-24

CU 24-02  
RECEIVED

SEP 23 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

**Panor 360 Condominium – 950 Evergreen Road, Woodburn, Oregon**

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Name	Unit #	Date
Curt & Cassie Jones	213	9-20-24
	"	
EUGENE HAZEL	214	9-20-2024
Maureen Orourke	215	9/21/2024
Tammie Hysby	216	9/21/2024
Tara L Buckley	217	9/20/2024
Mary Lou Kobb	218	9-20-24
	219	
	"	
Beth Theer	220	9-21-24
Louise R Reisser	221	9/20/24
Mayorie C. Sharp	222	9/21/24
David H Sharp Jr	"	9/21/24
	223	
<del>Jackie VanReenen</del>	224	9/20/24
	225	

2024-02  
RECEIVED  
SEP 23 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT



**Panor 360 Condominium – 950 Evergreen Road, Woodburn, Oregon**

A developer has requested a zoning variance in order to build a gas station, convenience store, and office building on the vacant bank property on the northeast side of our property. Woodburn City Council has denied the developer's request for several reasons, so the developers plan to appeal to the Oregon Land Use Board of Appeals. By signing this petition, Panor residents are expressing our support for the City's decision and our opposition to the developer's plan.

Name	Unit #	Date
R Johnson	301	9-20-24
	302	
Wahne Edwards	303	9-20-24
	304	
	305	
	306	
Quincy Smith	307	9-20/24
	308	
	311	9/20/24
Rosemary Puccio	312	9/20/24
Fran Higgins	313	9/20/24
Harlene DeLoze	314	9/20/24
James DeLoze	"	9/20/24
Cara Lynn Skumaker	315	9/21/24
Resi Stockman-Hind	316	9/20/2024
	318	

RECEIVED C024-02

SFP 23 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT



**Panor 360 Condominium – 950 Evergreen Road, Woodburn, Oregon**

A developer has requested a zoning variance in order to build a gas station, convenience store, and office building on the vacant bank property on the northeast side of our property. Woodburn City Council has denied the developer's request for several reasons, so the developers plan to appeal to the Oregon Land Use Board of Appeals. By signing this petition, Panor residents are expressing our support for the City's decision and our opposition to the developer's plan.

Name	Unit #	Date
<i>Delinda Royce</i>	319	9/20/24
<i>Karlagh Maise</i>	520	9/20/24
	521	
<i>Ann O'Connell</i>	322	9-20
<i>Fordy J. Johnson</i>	323	9-20-24
<i>Berniece Kaiser</i>	324	9-20-24
<i>Alma Lerma</i>	325	09/20/2024
	326	
+	327	
	328	
<i>Alice L. Bennett</i>	329	9/20/24
<i>Rollin Bennett</i>	"	9/20/24
<i>Babara Anderson</i>	330	9-20-24
<i>Joekia Carpenter</i>	327	9-21-24

CU24-02  
RECEIVED

SFP 23 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT



September 20, 2024

VIA ELECTRONIC MAIL: [Cassandra.martinez@ci.woodburn.or.us](mailto:Cassandra.martinez@ci.woodburn.or.us)

Planning Commission  
c/o Planning Division  
City of Woodburn  
270 Montgomery St  
Woodburn, OR 97071-4730

RE: Open Record Request to Supplement CU24-02 Case Record with CU21-22 Case Materials (US Market Gas Station 2540 & 2600 Newberg Hwy)  
Our File No: 43690-00001

Dear Honorable Planning Commissioners:

The Applicant, Ronald (“Ron”) James Ped, as President of Ronald James Ped Architect PC, an Oregon professional corporation, (the “**Applicant**”) and Woodburn Petroleum LLC, an Oregon limited liability company, the owner of the above referenced property (herein “**Property Owner**” and/or my “**Client**”) do hereby request that the City of Woodburn (the “**City**”) supplement the current CU24-02 case record with the City’s CU21-22 case record, as found on the City’s fileshare service page (<https://www.woodburn-or.gov/dev-planning/project/conditional-use-cu-21-02-us-market-gas-station-2540-2600-newberg-hwy>) which includes the following documents:

1. [CU 21-02 City Council Final Decision - US Market Gas Station \(Denial\) Signed](#);
2. [CU 21-02 US Market Gas Station Notice of Final Decision \(August 15, 2022\)](#);
3. [CU 21-02 Appeal AP 22-01 \(June 21, 2022\)](#);
4. [CU 21-02 Final decision \(June 9, 2022\)](#);
5. [CU 21-02 Traffic impact analysis \(TIA\)](#);
6. [CU 21-02 Traffic impact analysis \(TIA\) Revised May 26, 2022](#);
7. [CU 21-02 Design Review site plans \(Option 1; February 9, 2022\)](#);
8. [CU 21-02 Design Review site plans \(Option 2; April 26, 2022\)](#); and
9. [CU 21-02 Civil Drawings \(Option 1; February 9, 2022\)](#), (collectively, the “**2021 Record Materials**”).

Park Place, Suite 200  
250 Church Street SE  
Salem, Oregon 97301  
Post Office Box 470  
Salem, Oregon 97308

tel 503.399.1070  
fax 503.371.2927  
[www.sglaw.com](http://www.sglaw.com)

September 20, 2024  
Honorable Planning Commissioners  
Page 2

Please confirm this written request to supplement the CU24-02 record as expressly stated herein has sufficiently met the City's record submission requirements for the above referenced case, and confirm that the 2021 Record Materials will be expressly made a part of the CU24-02 record.

If our office needs to adhere to any other practices or procedures in order for the City to effectively incorporate the 2021 Record Materials into the CU24-02 local case record, please have City staff advise no later than 9am on Monday, September 23<sup>rd</sup>, 2024, on the additional steps/directions that our office must take to ensure the deliverables referenced above are entered into the CU24-02 record.

If you have any further questions or concerns regarding this request, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Alan Sores". The signature is written in a cursive, flowing style.

ALAN M. SOREM  
asorem@sclaw.com  
Voice Message #303

AMS:hst  
cc: Applicant  
Client  
Colin Cortes  
Chris Killmer



September 23, 2024

**VIA ELECTRONIC MAIL: [Cassandra.martinez@cfi.woodburn.or.us](mailto:Cassandra.martinez@cfi.woodburn.or.us)**

Planning Commission  
c/o Planning Division  
City of Woodburn  
270 Montgomery St  
Woodburn, OR 97071-4730

RE: Open Record Response Submittal (CU24-02)  
US Market Gas Station 2540 & 2600 Newberg Hwy  
Our File No: 43690-00001

Dear Honorable Planning Commissioners:

The Applicant, Ronald (“Ron”) James Ped, as President of Ronald James Ped Architect PC, an Oregon professional corporation, (the “**Applicant**”) and Woodburn Petroleum LLC, an Oregon limited liability company, the owner of the above referenced property (herein “**Property Owner**” and/or my “**Client**”) does hereby submit the following documents into the record for CU24-02 case:

1. The following exhibits from Ronald James Ped Architect PC:
  - a. Sign Maneuvering Plan;
  - b. Sensory Considerations;
  - c. Site Sections- Noise Analysis;
  - d. McMinnville Example; and
2. Memorandum by Joe Bessman, PE of Transight Consulting, LLC.

Park Place, Suite 200  
250 Church Street SE  
Salem, Oregon 97301  
Post Office Box 470  
Salem, Oregon 97308

tel 503.399.1070  
fax 503.371.2927  
[www.sglaw.com](http://www.sglaw.com)

September 23, 2024  
Honorable Planning Commissioners  
Page 2

Please confirm that the enclosed submittal items have been incorporated into the record prior to 5pm, on September 23, 2024.

Sincerely,



ALAN M. SOREM  
asorem@sglaw.com  
Voice Message #303

AMS:hst

cc: Applicant

Client

Colin Cortes

Chris Killmer

Enclosures:

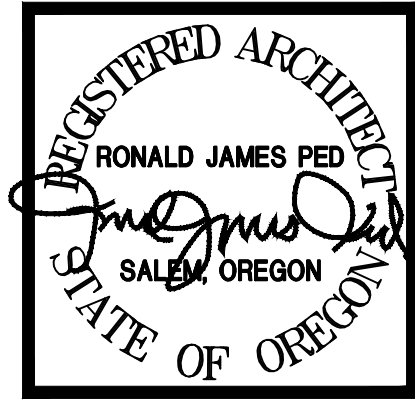
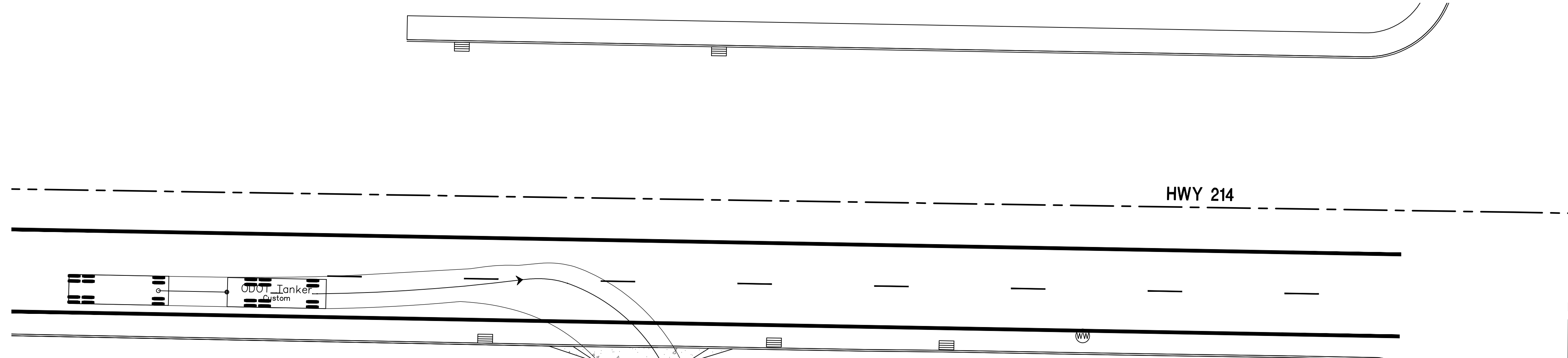
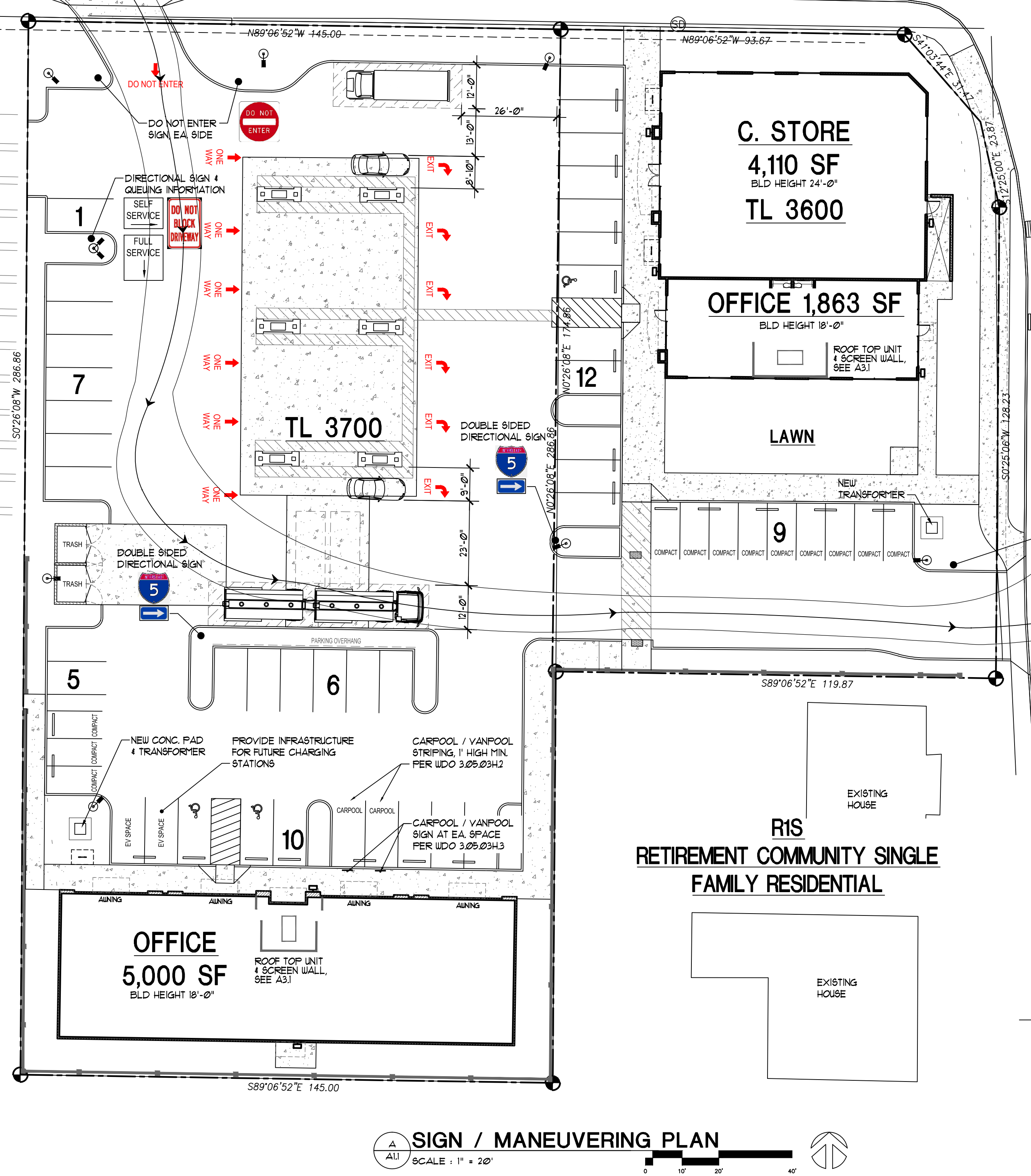
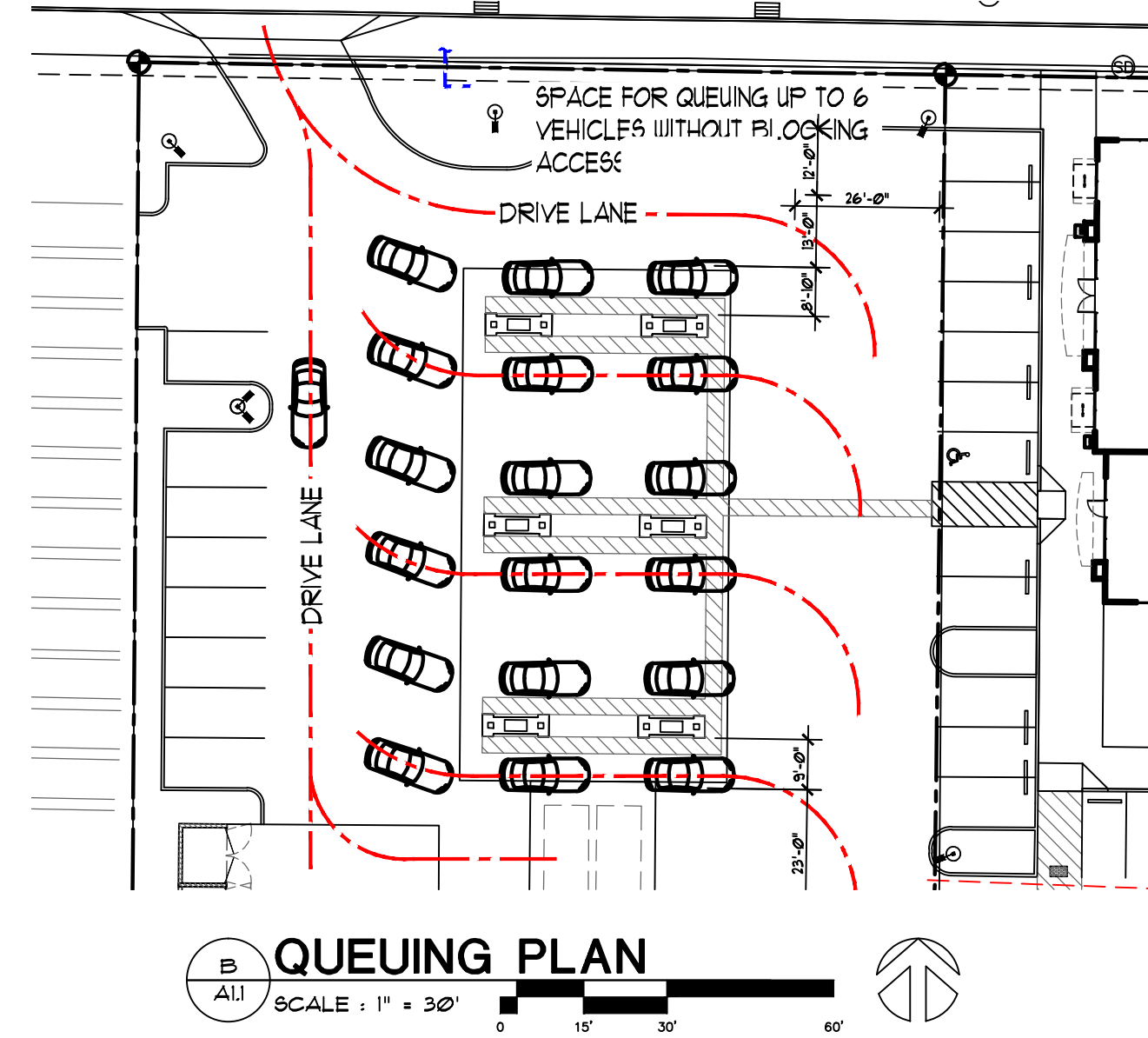
Sign Maneuvering Plan

Sensory Considerations

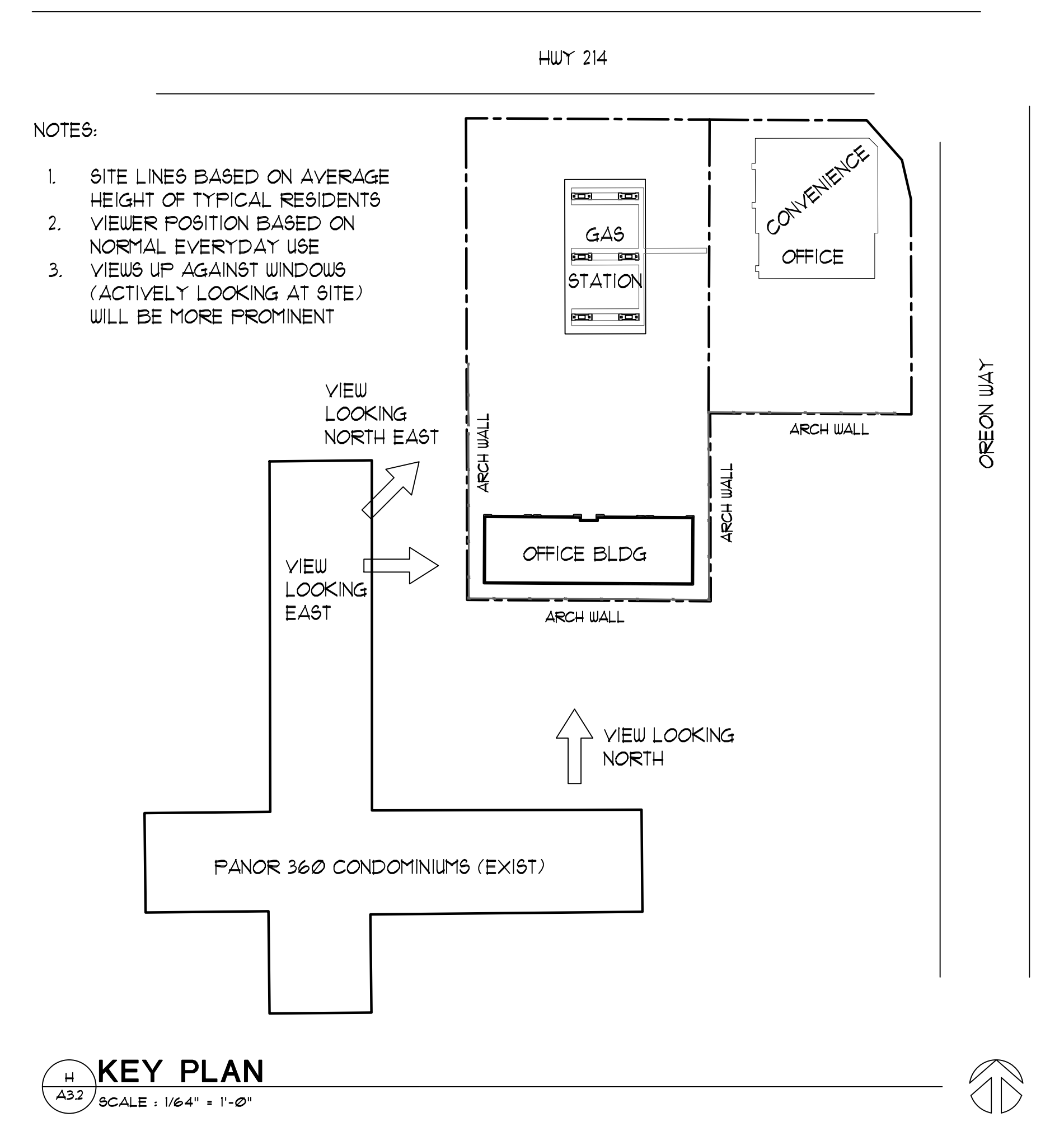
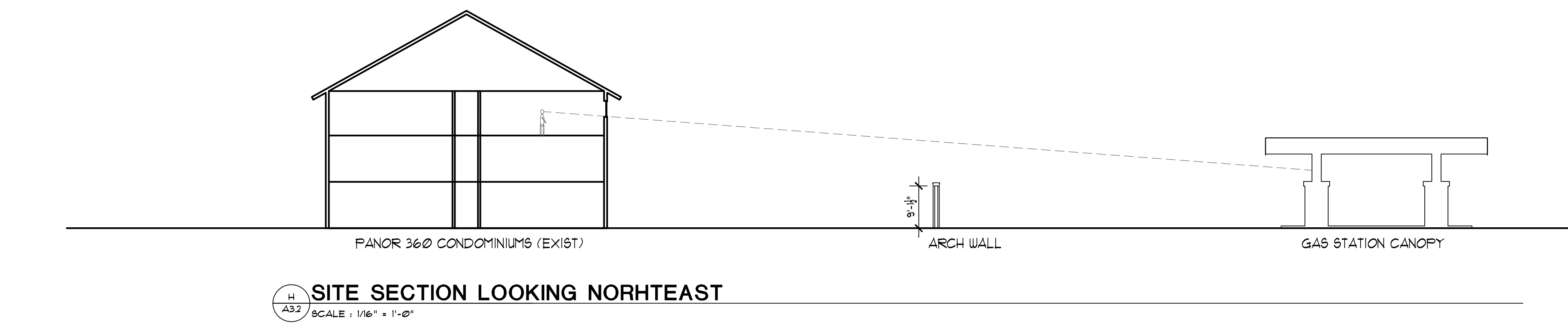
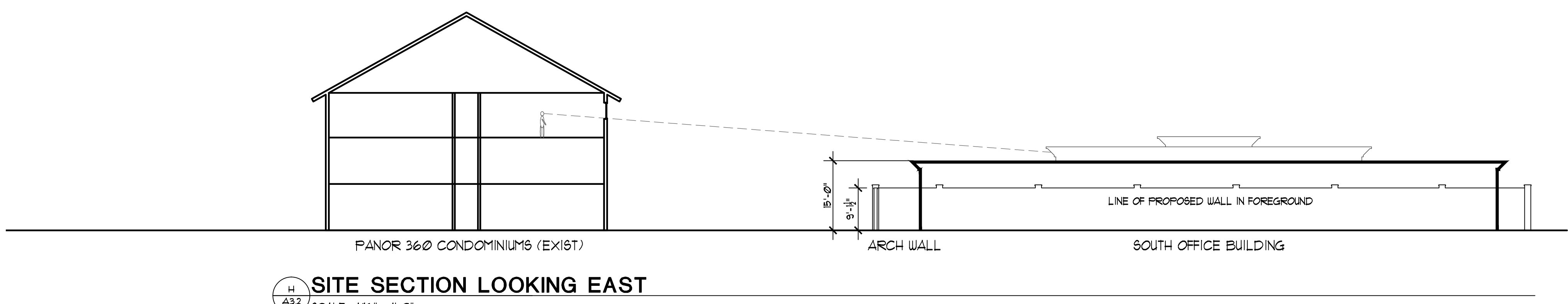
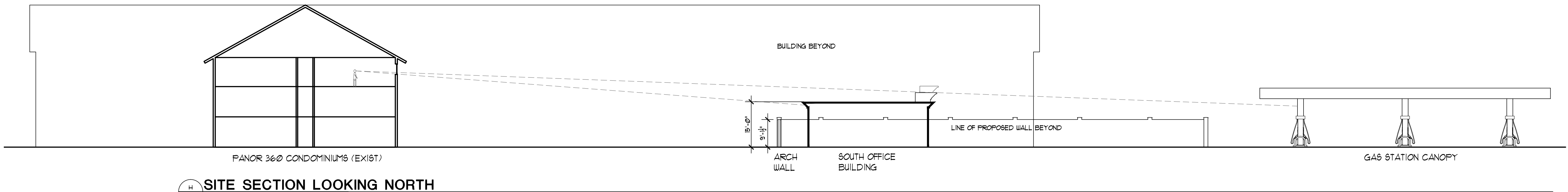
Site Sections- Noise Analysis

McMinnville Example

Memorandum by Joe Bessman, PE of Transight Consulting, LLC



- 1 DESIGN REVIEW COMMENTS 4.12.24 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5.14.24 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6.12.24 - REVISION 3



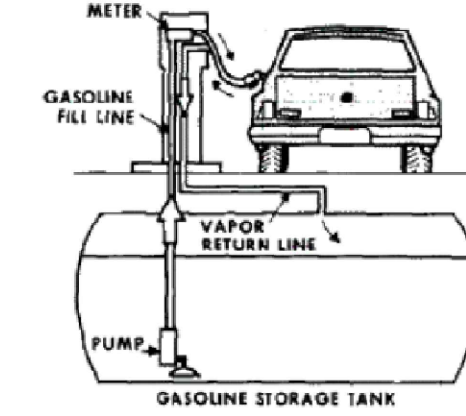
- NOTES:
1. SITE LINES BASED ON AVERAGE HEIGHT OF TYPICAL RESIDENTS
  2. VIEWER POSITION BASED ON NORMAL EVERYDAY USE
  3. VIEWS UP AGAINST WINDOWS (ACTIVELY LOOKING AT SITE) WILL BE MORE PROMINENT

**ODOR & AIR QUALITY ASSESSMENT**



Gasoline vapor recovery systems are categorized under two stages. Stage I gasoline vapor recovery systems capture vapors expelled from underground storage tanks at gas stations when being refilled by tank trucks. Stage II systems capture gasoline vapors that would otherwise be vented during individual vehicle refueling at gas stations. Stage I and stage II systems can reduce air pollution, save money by conserving gasoline that would be lost into the air and protect public health by reducing inhalation of toxic gasoline vapors. The effectiveness of the vapor recovery program, and ultimately the quality of the air, depends on correct use and functioning of both stage I and stage II gasoline vapor recovery systems.

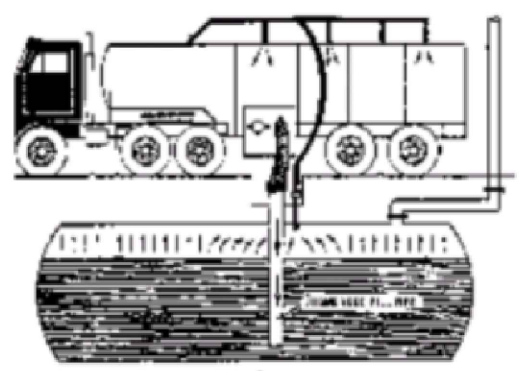
**Typical Stage II Vapor Recovery**



Stage II systems include installation of special fuel dispensing nozzles at the pump. Some nozzles have a rubber boot that forms an airtight seal against the vehicle's gasoline filler opening. Other systems use a more convenient "blow-less" (or "bootless") nozzle. During refueling, vapors are pushed out of the vehicle's gas tank by the incoming fuel. The vapors are then captured by the special nozzle and directed into the underground storage tanks, where they are stored until a bulk delivery is made.

Stage I works in much the same way. Fumes captured and stored by stage II systems during individual vehicle refueling are directed back to the tank truck during refilling of the underground storage tanks. From there, the vapors captured in the tank truck are returned to the bulk-dispensing terminal where they are either recycled or destroyed.

**Typical Stage I Vapor Recovery**



**Stage I and Stage II Gasoline Vapor Recovery Systems in Oregon**

<https://www.oregon.gov/deq/aa/programs/pages/gasoline-vapor-recovery-stages.aspx>

**STAGE I VAPOR RECOVERY:** TRANSFER OF FUEL FROM DELIVERY TRUCK TO UNDERGROUND TANKS (OAR Chapter 340, Division 244, Rules 0232 through 0252, Emission Standards for Gasoline Dispensing Facilities)  
**STAGE II VAPOR RECOVERY:** TRANSFER OF FUEL FROM UNDERGROUND TANKS TO MOTOR VEHICLE PHASED OUT DUE TO REQUIRED ONBOARD REFUELING VAPOR RECOVERY SYSTEMS (ORVR) IN NEWER VEHICLES.



**Guidance on Removing Stage Two Gasoline Vapor Control Programs from State Implementation Plans and Assessing Comparable Measures**

This guidance document provides both technical and policy recommendations to states and local areas on how to develop and submit an approvable State Implementation Plans (SIP) revision seeking to remove or phase-out an existing State Two program. This guidance introduces methods and equations that could be used to calculate the emissions consequences of discontinuing State Two control programs for purposes of demonstrating compliance with specific Clean Air Act (CAA) provisions in sections 110(l) and 193 governing EPA approval of SIP revisions.

- [Guidance on Removing Stage Two Gasoline Vapor Control Programs from State Implementation Plans and Assessing Comparable Measures](#)

**Final Rule Waives Requirements for Gas Pump Vapor Recovery**

May 16, 2012 - EPA has determined that the systems used at gas station pumps to capture harmful gasoline vapors while refueling cars can be phased out. Modern vehicles are equipped to capture those emissions. Beginning later this year, states may begin the process of phasing out vapor recovery systems at the pump.

<https://www.epa.gov/ground-level-ozone-pollution/ozone-stage-two-vapor-recovery-rule-and-guidance>

**SOUND IMPACT ASSESSMENT**

EXISTING SOUND LEVEL AT PANOR 360 CONDOMINIUMS BASED ON NOISE FROM HWY 214 + I-5

DISTANCE	SOUND LEVEL
Hwy 214 400ft	63dB
I-5 1500ft	55dB
TOTAL	63.6dB

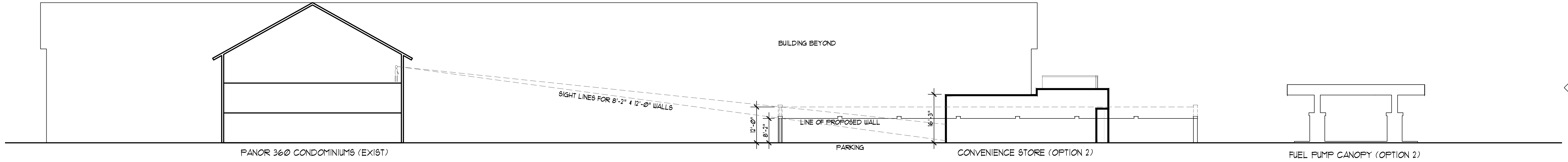
ESTIMATED SOUND LEVEL OF PROPOSED USE

Metro area (avg)	65dB
Suburban area (avg)	47dB
TOTAL	56dB

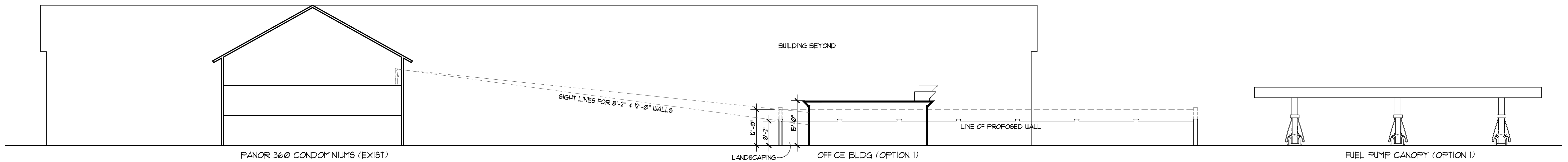
ESTIMATED NEW SOUND LEVEL  
 63.6dB (existing) + 56dB (new) = 64.3dB  
 (less than 1dB increase, insignificant, almost imperceptible)

CONCLUSION: The proposed use will be no louder than some of the existing surrounding uses and the increase in sound level will be barely perceptible. With the increased mitigation provided by the proposed 8ft high wall at the perimeter of the property no further action is needed.

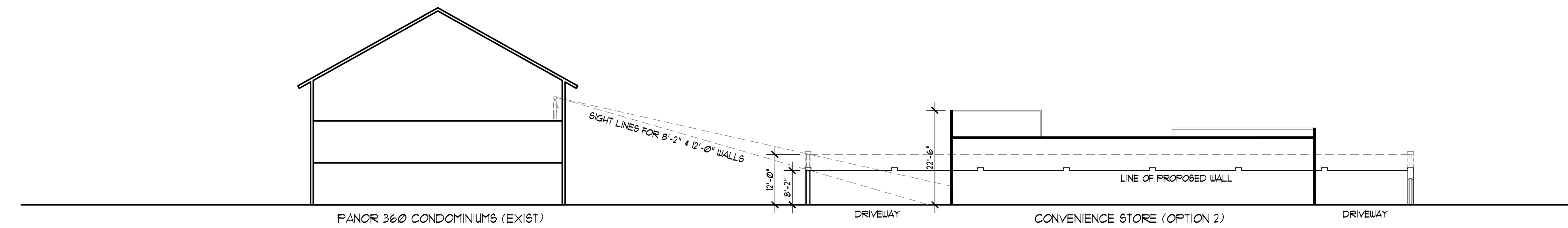
1.  $L = 10 \log_{10} \left( \sum_{i=1}^n 10^{(L_i/10)} \right)$
2. Existing sound level is likely to be higher due to noise from adjacent uses not factored into this assessment
- SOURCES 1 - Doelling, Robert & Popper, Arthur. (2007). The Effects of Highway Noise on Birds.  
 2 - NoiseMeters.com  
 3 - U.S. Environmental Protection Agency 1978



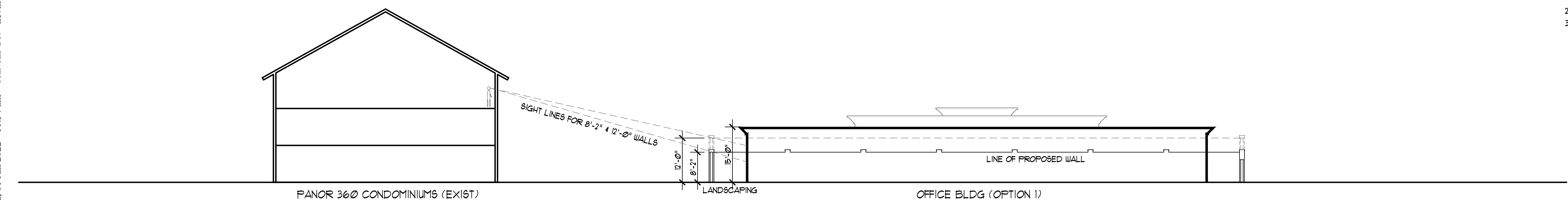
**SITE SECTION LOOKING WEST (OPTION 2)**  
 SCALE: 1/16" = 1'-0"



**SITE SECTION LOOKING WEST (OPTION 1)**  
 SCALE: 1/16" = 1'-0"



**SITE SECTION LOOKING WEST (OPTION 2)**  
 SCALE: 1/16" = 1'-0"



**SITE SECTION LOOKING NORTH (OPTION 1)**  
 SCALE: 1/16" = 1'-0"

**SOUND IMPACT ASSESSMENT**

EXISTING SOUND LEVEL AT PANOR 360 CONDOMINIUMS BASED ON NOISE FROM HWY 214 4 1-5

	DISTANCE	SOUND LEVEL
Hwy 214	400ft	63dB
1-5	1500ft	55dB
TOTAL		63.6dB

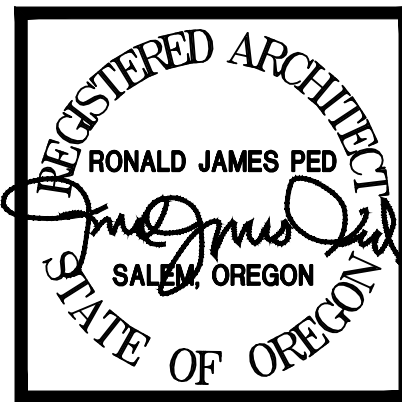
ESTIMATED SOUND LEVEL OF PROPOSED USE

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CONCLUSION: The proposed use will be no louder than some of the existing, surrounding uses and the increase in sound level will be barely perceptible. With the increased mitigation provided by the proposed 8ft high wall at the perimeter of the property no further action is needed.

- 1  $L = 10 \log_{10} \left( \sum_{i=1}^n 10^{L_i/10} \right)$
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- SOURCES
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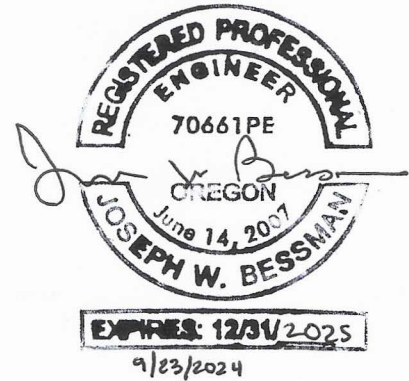


P:\1964 Woodburn C-Store 26000\SITE REDESIGN 4.8.22\A3.1 REDDESIGN 4.25.22.dwg Site Sections  
 LAST SAVED: Mon, 16 May 2022 - 01:00 pm LOCATION: P:\1964 Woodburn C-Store 26000\SITE REDESIGN 4.8.22\A3.1 REDDESIGN 4.25.22.dwg  
 PRINTED: Wed, 01 Jun 2022 - 11:54 am PRINTED BY: kevin





McMinnville Example



Date:	September 23, 2024
To:	Colin Cortes, AICP City of Woodburn
From:	Joe Bessman, PE
Project Reference No.:	1584
Project Name:	Woodburn US Market

The purpose of this memorandum is to provide information into the record during the open record review period, and to address public comments received on the US Market proposal located at the OR 214/Oregon Way intersection in Woodburn, Oregon. Key findings and recommendations of this open record review include the following:

- In response to public comments related to traffic on Oregon Way, the team is proposing to fund the construction of two speed humps on this street. It is recommended that this treatment be provided in lieu of the contemplated truck channelization as it would avoid potential residential driveway impacts, and could prevent right-turning movements for local residents. Addition of traffic calming also addresses concerns with sight lines on Oregon Court, cut-through travel, and residential compatibility. It is recommended that signage indicating no right-turns for trucks should be installed on the exit.
- As part of the City's next scheduled periodic maintenance it is recommended that Oregon Way be restriped to replace the dashed-center line with double yellow markings, consistent with the City's standard *Access Street* section.
- A preliminary access design has been provided in response to ODOT's conditional OR 214 access approval. Additional coordination on this design will occur with ODOT and the City to ensure that the right-in only movement restrictions from OR 214 can be enforced.
- The proposed fuel center is a conditional use within the commercial zoning due to the presence of nearby residential uses. This report shows that more traffic-intense uses could be permitted outright within this property.
- Additional information is presented on the Woodburn Street Adjustments.
  - For OR 214 this highlights that the side-by-side left-turn lanes between Oregon Way and Evergreen Avenue extend beyond the City's typical five-lane section and ROW, supporting the operational needs of the adjacent traffic signals.
  - Parking along the Oregon Way frontage adjacent to the traffic signal would not be recommended for safety and functionality reasons, and the ample on-site parking supply adequately mitigates this issue.
- Additional clarifying information and revisions to truck turning templates, on-site loading accommodations, and internal circulation are also provided within this document.

Overall, the information presented shows that the layout of the proposed US Market site not only addresses Woodburn Development Ordinance requirements, as agreed by all parties, but provides a safe and functional site layout that can support deliveries, employees, and site patrons. The layout of the site improves on the older design of surrounding fuel centers, with separate loading, fueling, and parking areas.

**PUBLIC COMMENTS**

**Comment #1:** The Woodburn Planning Commission requested information on the scheduling of trucks for the fuel center and convenience market.

**Response:** The developers of the US Market site own and operate several other locations within the northwest and have provided the typical vendor delivery information shown in Table 1. Vendor deliveries to US Market are scheduled to occur only during off peak late morning hours. Vendor scheduling allows the Applicant to both avoid conflicts with AM or PM peak trips and avoid simultaneous on-site deliveries with other food or drink vendors or fuel deliveries. Bulk fuel deliveries occur once every other day (unless sales dictate additional needs), with a maximum of one fuel delivery per day.

**Table 1. Summary of US Market Vendor Deliveries**

Time	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
6-7A							
7-8A							
8-9A				Pepsi	Western Bev		
9-10A	Maletis	Coco Cola	Coremark	Columbia			
10-11A	Dairy	Frito Lay			Frito Lay		
11-12P			Southern Glaciers				
12P-9P							

**Comment #2:** Neighbors state that operating speeds on Oregon Way commonly exceed the posted speed of 25 miles per hour.

**Response:** Oregon Way is classified as an *Access Street* (which is a functional classification designed and intended to accommodate greater traffic volumes than unclassified local street), serving as one of only three traffic signals onto OR 214 between the I-5 ramps and N Settlemier Avenue. The traffic signal forms the eastern border of the commercially-zoned lands surrounding the I-5 interchange and provides a through route to W Hayes Street. South of the site, the road provides a two-lane curbed section with a dashed yellow centerline throughout its length. This section does not include sidewalks. The 34-foot pavement width includes direct residential driveway access and prohibits through trucks. On-street parking is permitted but was not observed to be utilized by the adjacent residents.

No traffic speed measurements were obtained south on Oregon Way through the residential area as part of the traffic study. However, as a connection between the highway and Hayes it is likely that the route is used as a cut-through. Such traffic is more likely to occur during periods of higher congestion along the parallel Evergreen Avenue route.

As a potential mitigation measure to address increased speeds and traffic volumes using this route, installation of traffic calming measures could be effective. The posted speed of 25 miles per hour would be supportive of typical traffic calming features such as speed humps, which provide lower noise and a less obtrusive treatment than a conventional speed bump, with typical installations shown in Figures 1 and 2.



Figure 1. Example of a Speed Hump. Source: ITE Traffic Calming Fact Sheets.



Figure 2. Example of a Speed Hump. Source: ITE Traffic Calming Fact Sheets.

In addition to speed humps, the current “skip striping” along Oregon Way could also be modified (see Figure 3), to help transform the feel of this road away from a rural design that implies that passing is legal. Installation of a double yellow would be a more appropriate treatment and would also comply with the City’s typical section for this classification of facility.



Figure 3. Existing skip striping along Oregon Way.

Provision of traffic calming north of Oregon Court and south of the commercial site could be helpful in maintaining the posted travel speed, particularly given the other concerns noted related to sight lines, use of golf carts, and shared use of the street pavement by cyclists and pedestrians. If deemed appropriate by the City’s Public Works department the development is willing to construct this traffic calming mitigation as part of its initial infrastructure. *See attached Traffic Calming Fact Sheet..*

**Comment #3:** During the public meeting there were comments about vehicles racing and driving recklessly along OR 214, particularly during late-night off-peak hours.

**Response:** As a State Highway the City and Applicant have limited options to address these types of issues outside of increased traffic enforcement and monitoring, particularly as the issues appear to occur outside of the typical operating hours of the US Market and occurs today without the development proposal. Expected contributing factors that are not related to the proposed development include: access-controlled section of OR 214, highway width, lack of traffic control signals east of Oregon Way, limited development on the south side of the highway, and proximity to I-5. Field observation noted that there is a concrete block sound wall along OR 214 east of Oregon Way to shield the adjacent residents, as well as street trees with overhanging canopies that help to narrow the perceived width and cobra-head luminaires for safety.

The planned addition of vegetation and the building frontage near the highway will provide a different development pattern than the setback buildings that are present to the east that may help, but increased enforcement will be the most effective treatment of this pre-existing condition.

**Comment #4:** There are limited sight lines turning from Oregon Court onto Oregon Way, with visibility limited by the slight horizontal curvature toward the north. This condition is worsened by the elevated travel speeds.

**Response:** See Comment #2. If supported by the City's Public Works department, the addition of traffic calming along Oregon Way could provide an effective means of managing the 25 mile per hour travel speed along this segment. One of the more critical locations for traffic calming would be north of the Oregon Court intersection. As shown in Figures 4 and 5, sight lines are somewhat limited from this connection by the horizontal curvature, and ensuring motorists comply with the posted speed through traffic calming would improve safety for vehicles turning from Oregon Court.



Figure 4. View from Oregon Court facing north.



Figure 5. View from Oregon Court facing south.

**Comment #5:** Opposition traffic consultant review comments filed from David Petersen dated August 20, 2024 listing Wayne Kittelson, PE as the engineer of record state “We found the analysis approach and findings to be reasonable and consistent with the applicable City policies and concur with the findings and recommendations of the study.”

**Response:** Comments from the City, the City’s transportation reviewing consultant (DKS Associates, Inc.), ODOT, and the opposition engineer all agree that the analysis approach and findings are reasonable and appropriate. This comment indicates that all parties agree that the governing Woodburn Development Ordinance 3.04.05 are adequately satisfied.



In response to public comments and concerns raised within the public hearing, the following should be noted:

- With the available trip credits from the demolished banks the project does not trigger a formal Transportation Impact Analysis (TIA) per the City’s adopted trip generation thresholds. However, the project was elevated to require a formal TIA both to address ODOT access requirements per Division 051 and in response to the safety issues present on the OR 214 corridor.
- Due to the safety issues present along the corridor, the City has established a funding mechanism for both traffic signal timing improvements and safety improvements, as detailed within Attachment 202 of the staff report. These fees are imposed as site mitigation requirements and will provide additional studies to identify traffic signal timing and phasing strategies that can further benefit area safety.
- The recommendations of the TIA were to restrict OR 214 access to right-in movements only in response to safety concerns. If outbound right-turns were permitted, motorists could weave across both through lanes to enter the left-turn bay within a short distance, then making a U-turn to return to I-5. The revised configuration requires that all outbound traffic utilize Oregon Way to access the traffic signal and make a left-turn to return to OR 214. This was recommended to improve safety on the highway, which was raised as a concern by the Woodburn City Council.
- ODOT manages access to OR 214. The western parcel had been approved for right-in, right-out access onto the highway, but the eastern parcel was precluded from accessing the highway or any location other than along its southeastern boundary onto Oregon Way, where ODOT ended its access control. We requested modifications to these restrictions which have been conditionally approved by ODOT to allow both parcels to utilize the shared inbound-only access onto OR 214 and both parcels are allowed full turning movements onto Oregon Way.
- Oregon Way is designated as a “No Truck” route. Per Oregon Revised Statute (ORS) 811.450, this means that through trucks are not permitted to use this route. Local deliveries without other viable access options are permitted to use Oregon Way, which does allow fuel and vendor delivery vehicles to exit onto Oregon Way and return northbound toward OR 214.

In summary, the TIA addresses the applicable requirements within City Code, and the findings of the study were reviewed and agreed to by the City’s transportation consultant, ODOT, and the opposition traffic engineer.

**Comment 6:** Opposition traffic consultant review comments further state “We also agree with the conclusion that the proposed fueling center, convenience market, and office will result in more vehicular trips on Oregon Way than was predicted in the previous 2022 application.”

**Response:** The trip generation was slightly modified within the revised application based on modifications to building sizes but the general rate and approach remains consistent with the prior materials and methodology that had also been reviewed and deemed appropriate by all review parties.

For clarification, while the 2022 application had shown seven fewer net new weekday p.m. peak hour trips than the trip generation potential of the prior banks, the revised application now shows five additional weekday p.m. peak hour trips (12 more weekday p.m. peak hour trips than the prior application). The reason for this change related to modifications to the site plan:

- 204 square-foot reduction in the convenience store size
- No change in the number of fueling positions
- 3,214 additional square-feet of office space

The additional office space was provided within this modified application to further buffer the residential uses from the fuel center, with office located on the southern portion of the convenience market and along the southern edge of the property adjacent to the convenience market.

Again, due to safety reasons the revised layout includes elimination of the right-out onto OR 214, which requires all outbound trips (and westbound inbound trips) use Oregon Way. This configuration was provided in direct response to safety concerns with the right-in, right-out access to the highway. ODOT has conditionally approved this configuration.

**Comment 7:** The opposition traffic consultant provides several “comments for consideration” related to internal circulation.

**Response:** These comments provided by the opposition engineer do not respond to Woodburn Development Ordinance requirements; however, they were reviewed to identify whether there are modifications to the site layout that could provide improved site functionality. Our team considers public safety to be paramount, and we are open to suggestions that would further improve safety. In terms of experience, I have personally been involved with the design, review, and layout of numerous fuel centers throughout the northwest, ranging from the design of truck stops, big-box fuel centers, stand-alone fuel centers, and integrated convenience markets with fuel centers for more than twenty years.

In addition to my experience with other similar fuel centers, the US Market team who assisted in developing this layout owns, operates, and manages other similar sites in the region. Accordingly, the layout of the site reflects provisions and accommodations for the types of vehicles and circulation that occurs in fuel centers, with the site designed in a manner that will make the site efficient to operate long-term. In fact, many of the comments from the opposition imply a need for site design elements absent from their own facilities.

**Comment 7a:** The opposition traffic consultant states that “safety or operational issues *will occur*”

I find that Mr. Kittelson’s statements are exaggerated and misleading. As detailed herein, there are numerous aspects of the proposed site that improve on the design of surrounding fuel centers, such as clear and separate walking routes, separation of fueling and loading areas, suitable on-site parking, and the improvements to the ingress/egress design. While the nearby Arco and Chevron sites omit even these basic design components, there is no record of any current or historical safety issues within either site. The enhancements made to the proposed US Market improves on the internal circulation of these sites and includes an access route that will better support safe and efficient access onto OR 214.

**Comment 7b.** Design of the site access onto OR 214 does not prevent outbound right-turns.

**Response:** Our team agrees with this comment based on the preliminary site plan, and we have been in discussion with Casey Knecht, PE, the ODOT Region 2 Access Management Engineer, to identify suitable designs for the right-turn only access to enforce the inbound-only movement restriction. The proposed driveway includes a concrete “dustpan” driveway apron to maintain priority for pedestrians along the OR 214 sidewalks, and ODOT does not have a standard drawing for this specific access configuration.

An example treatment identified by ODOT was at the Rite-Aid pharmacy in McMinnville (address of 448 OR 99W). The project civil team has reviewed this design and incorporated similar channelization into the revised site plan. This design has also been reviewed to ensure that it is compatible with the turning radii of fuel trucks, as shown in the drawing. As ODOT manages the design of access onto OR 214 (and all work within the ODOT ROW) we will continue to coordinate with ODOT to ensure that the design appropriately

restricts turning movements and complies with ODOT’s permit requirements. In addition, signage and striping will be installed (as required by the City’s approval conditions) to alert motorists of the movement restrictions. The current layout is shown in Figure 6 and remains preliminary subject to City and ODOT design review and approval.

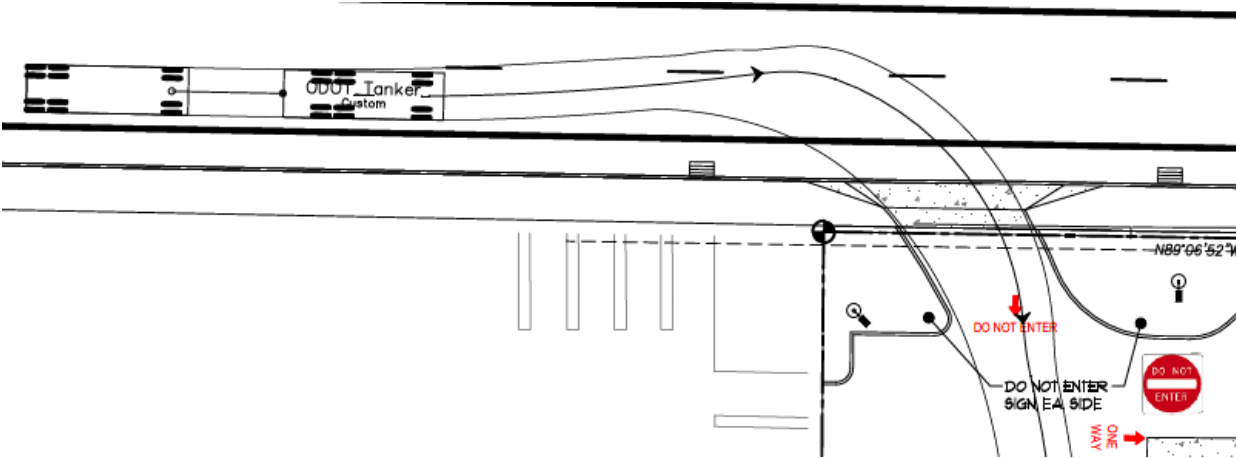


Figure 6. Preliminary access drawing reflecting the right-in only channelization required by ODOT’s conditional approach permit.

As a suitable design supporting the turning movement restrictions will be imposed through ODOT’s driveway permitting and approval process, no additional conditions of approval will be required by the City of Woodburn. The conditional grant of access requires that “Traffic movements for the private approach at the subject location shall only allow right turns off Hillsboro-Silverton Highway [OR 214]. All other traffic movements shall be restricted.” However, to provide assurance to the City that these restrictions are imposed, a condition of approval could be added as follows:

*“The Design of the OR 214 access shall include appropriate signing, striping, and channelization to enforce the right-in only restrictions. As a permitted access onto a State facility the design will be subject to ODOT’s review and approval.”*

**Comment 7c.** The northernmost fueling positions result in limited on-site queue storage space.

**Response:** The proposed fuel center layout provides 65 feet from the center of the northwesternmost fueling position to the back of sidewalk, or about 50 feet of queue storage space (room for two passenger vehicles) if a vehicle was situated within this fueling position. While not labeled, the diesel fuel pumps are located in the southernmost portion of the site so that longer vehicles (pick-up trucks, RVs, or passenger vehicles towing boats) will be provided additional queue storage space. This site does not cater to commercial truck fueling, and the fuel demands at US Market are not similar to those at a Costco or other high-demand locations. The site can readily accommodate 18 simultaneous fueling and queued vehicles.

**Comment 7d.** The cross-access easement may affect off-site operations and safety.

**Response:** A cross-access easement is situated along the western edge of the site as required by the City of Woodburn. The City has required that this connection omit any curbing. While accommodations for a future connection are provided as required, a connection is not proposed and will not occur with this development. Any future cross-access connection will be subject to further analysis and evaluation by the City (and ODOT) at the time of redevelopment of the eastern properties. This will include a formal site

plan review that will allow public notice and comment. The City's intent of requiring this cross-access easement is to limit circulation between adjacent uses from using the highway to travel between adjacent businesses. With OR 214 access limited to right-in access only, the location identified in the plans provides suitable spacing from OR 214 (there will be no outbound queues due to the movement restriction) and no modifications to the location of the easement are necessary.

In discussions with the team, it was recommended that the cross-access easement not only be provided in the location shown in the plan, but the cross-access easement should extend along the entire western length of the property. As future redevelopment of the subject property or those adjacent occur in the future this will provide flexibility to locate inter-parcel circulation routes where they make the most functional sense. At this time, no connection to properties to the west is provided or supported by the conditionally approved ODOT permit.

**Comment 7e.** Parking stalls directly adjacent to the fueling positions will interfere with internal circulation.

**Response:** The layout of the fuel center provides a one-way circulation pattern that will avoid conflicts between the parking stalls adjacent to the convenience market and the fueling positions. The parking stalls along the western boundary will experience low utilization (serving more as overflow parking) as convenience market patrons tend to park within the closest stalls near the store entrance. Based on discussions with the owners/managers of the US Market these stalls could be designated for employees to provide more capacity within the closer stalls. No conflicts are anticipated with the design given the available queue storage and number of fueling dispensers provided.

**Comment 7f.** Trucks making fuel and goods deliveries will cause safety and operational issues...fuel trucks are unable to enter without going beyond the curblines...similar results will occur with other truck-trailer combinations delivering goods to the store.

**Response:** Per comment #7b, the design of the entrance has been modified from the original plan to restrict movements to inbound only access (as required by ODOT) and support delivery trucks from OR 214.

In addition to bulk fuel deliveries, other types of vendor trucks will also visit the site. Most of these are smaller single-unit box trucks that typically travel between stores, but semi-trucks could occasionally also enter the site. Space is available within the northern edge of the site for smaller trucks to park and load (with loading typically occurs via hand truck), with secondary delivery space co-located with fuel deliveries to accommodate larger semi-trucks. Additional details, including turning movement diagrams, on service vehicle and fuel deliveries are included within the attachments. Overall, the maneuvers within a fuel center parking lot occur at low speeds, with drivers expecting to yield to fuel attendants, other patrons, and delivery vehicles.

As previously provided, the scheduled vendor trips to the US Market have been developed to avoid multiple trucks loading simultaneously. These trips occur outside of peak hours in the late morning to reduce impact on nearby residential areas. The provision of two separate loading areas will also help to ensure that customers, office tenants, and employees are provided safe routes between parking areas, building entrances, fueling positions, and loading points.

**Comment 7g.** The opposition engineer overlaid assumed delivery routes on top of the conceptual queuing figure, indicating that delivery vehicles cannot enter the site if there are 24 vehicles fueling at once.

**Response:** The submitted architectural queuing plan is an illustrative figure demonstrating that more than adequate queue storage space is available within this site. This figure was developed by placing vehicle icons onto the site plan, showing that numerous passenger vehicles can easily fit within the site’s queue storage area (which also included generous spacing between queued vehicles). This was not an engineering diagram and does not reflect actual vehicular positioning, nor is it intended to represent actual fuel center demands. A revised (and more representative) graphic is provided within Figure 7, showing storage space for 18 vehicles while maintaining a clear two-way aisle. This storage space will be suitable to meet peak demands, as well as to accommodate the occasional larger vehicle.

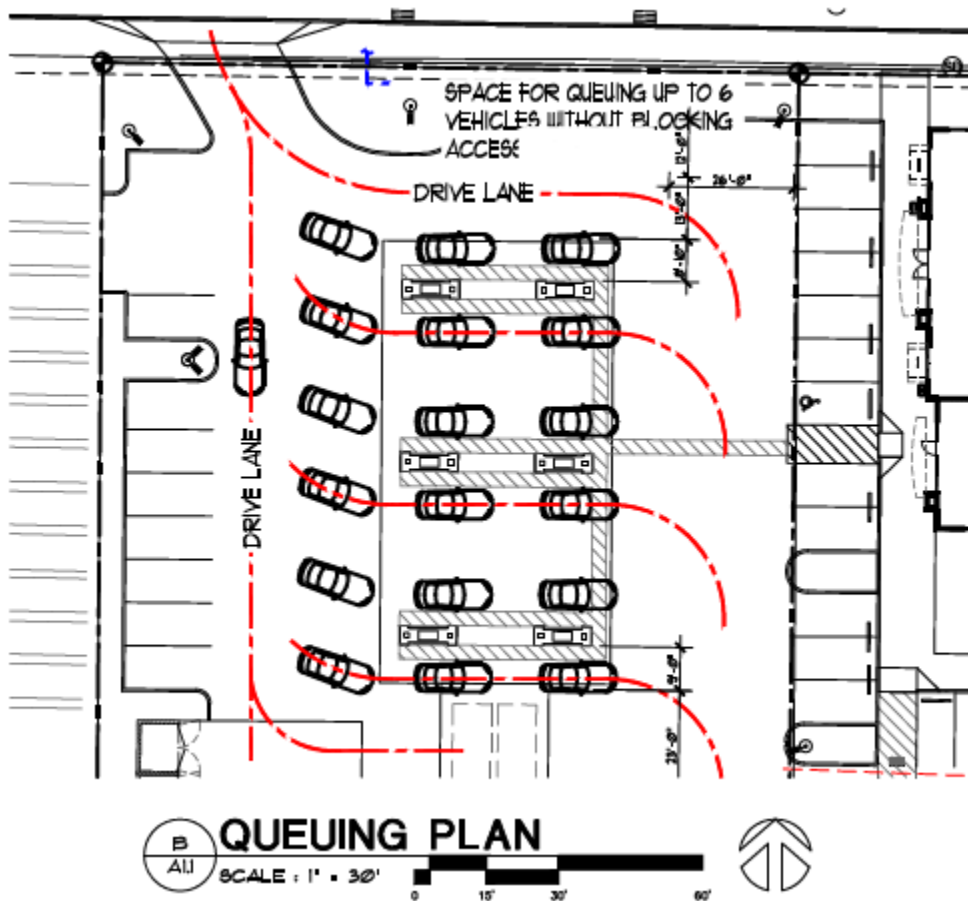


Figure 7. Revised Queuing Plan (only one-way eastbound flow permitted). *Source: Ronald James Ped Architect.*

A review was provided of the nearby Chevron and Arco fueling stations to further identify how the layout of the site improves on the circulation design of these older nearby sites.

#### Chevron Field Review

Field review was conducted at the nearby Chevron on September 12, 2024. This site is a 0.81-acre parcel, which is which is approximately 40% smaller than the US Market properties and provides only 16 parking stalls. Access to the site is provided from a single 40-foot width driveway onto Lawson Avenue; while the driveway permits full turning movements, Lawson Avenue is restricted to right-in, right-out movements

at its connection to OR 214. With the wide driveway and circulation patterns many vehicles do not align perpendicular with the access prior to making turning movements (see Figure 8).

Pedestrian access from OR 214 occurs in the northeast corner near the Lawson Avenue crosswalks, but orients pedestrians into the fueling canopy without a designated route to the convenience market entrances. The southern pedestrian entrance from Lawson Avenue is more direct, but orients pedestrian behind the dumpsters.

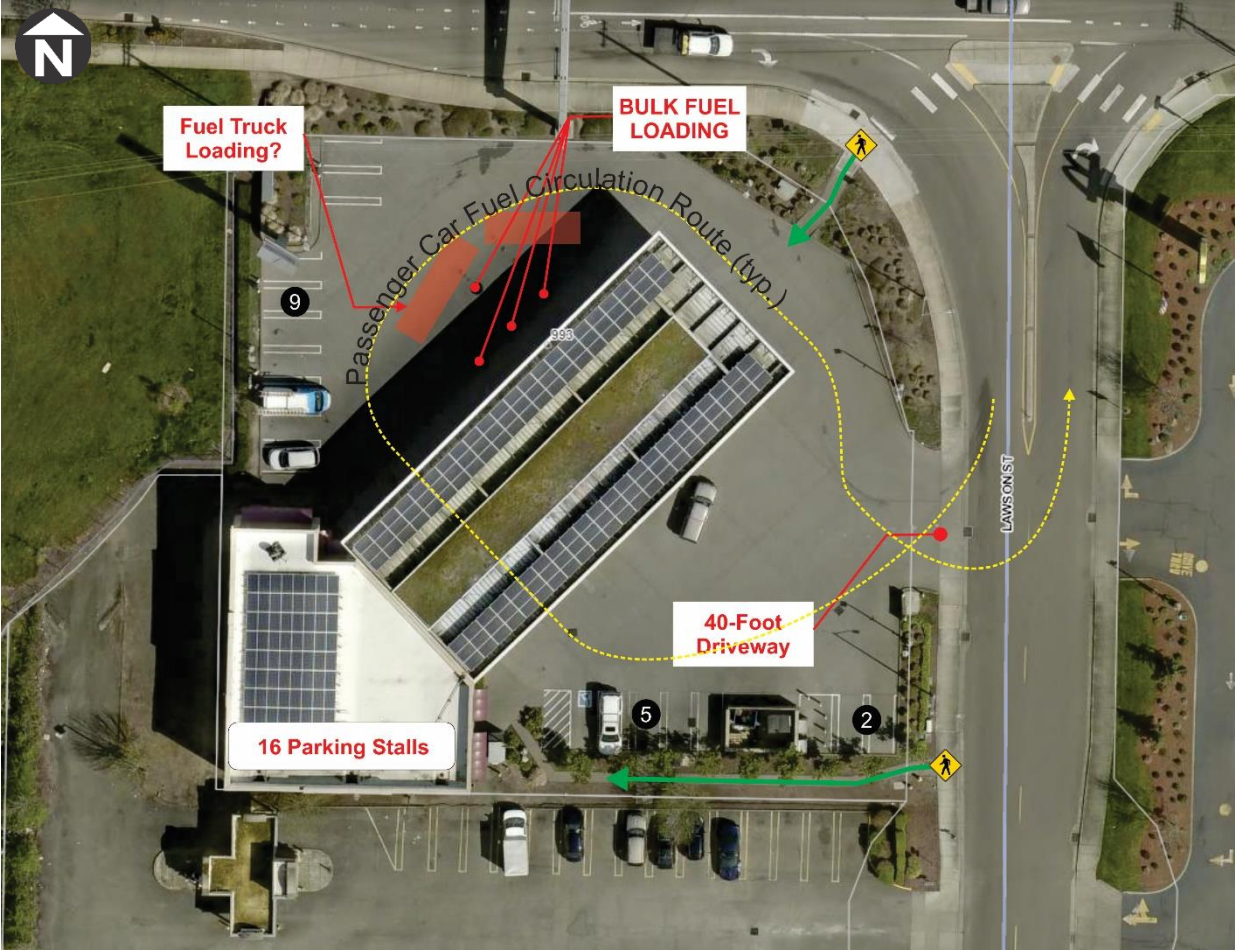


Figure 8. Chevron facility layout. Aerial Source: Marion County GIS.

As part of the evening peak hour field review we observed a vendor semi-truck (WB-67) entering the Chevron site from the south (blocking the southbound Lawson Avenue travel lane to enter the site diagonally), circling around the entire perimeter past the front doors, and parking along the southern boundary (adjacent to the parking) to unload (see Figures 9 through 11). There did not appear to be a designated loading area within the Chevron site to prevent conflicts between this vehicle and customer parking, and with the single access point this type of maneuver will be necessary for any large truck. We also noted that the bulk fuel loading point is directly west of the pumps, and it was unclear how fuel drops occur while maintaining site operations (this condition was not observed).

To address these design issues, within the proposed US Market site we have provided dedicated loading space, increased the on-site parking to prevent parking spillover (the proposed site includes about three times the parking supply of the Chevron), and provided a dedicated loading space for smaller single-unit delivery vehicles in an area separate from the fuel loading and situated closer to the building entrance.

The two points of access also support through truck maneuvers and prevent the need for internal U-turns or truck backing maneuvers, and provide access to the parking while deliveries occur. While motorists will still be required to yield to trucks maneuvering within the site, this design separation will reduce conflict points and blind spots for trucks. The layout of the US Market site also ensures that site circulation occurs within a low-speed environment with open and clear sight lines.



Figure 9. Semi-truck entering the Arco at a shallow angle through the southbound Lawson Avenue travel lane to avoid driving over curbs



Figure 10. Motorist required to yield to inbound semi-truck at the nearby Chevron site.



Figure 11. Truck maneuvering around the perimeter of the fuel islands, then past the convenience market entrance prior to parking along the southern boundary.



As shown in the photos, the ability for vendor trucks to circle around the parking lot and fuel pumps would not be possible at the nearby Chevron site if all the fueling positions were in use, let alone if there were queued vehicles at each fueling position. Of course, no conflicts were observed at the Chevron when the truck entered the site, as the evening commute period photos indicate, actual fuel center demands during this evening peak hour delivery were only six vehicles.

We also noted that there were no observed markings indicating a single fueling direction at this site, but most vehicles directly entered the site from Lawson Avenue and faced toward the northwest. The exit from the fueling positions is where the Chevron fuel tanks are located, and while bulk fueling was not observed it appears that a fuel tanker would need to park at the fueling position exit aisle, blocking the circulation route of several of the fuel islands.

Provisions within the proposed US Market site to address these observations:

- ✓ The proposed site includes directional markings to provide a “one-way” fueling circulation, reducing confusion, congestion, and backing maneuvers near the fueling positions.
- ✓ The access design requires that vehicles exit onto Oregon Way in a perpendicular manner, optimizing sight lines and preventing overlapping paths.
- ✓ The proposed US Market includes a separate truck loading area suitable for accommodating vendor and bulk fuel deliveries. This space is adequately designed for a semi-truck.
- ✓ A separate smaller vendor loading area is provided in the northern portion of the parking lot for single-unit vendor deliveries.
- ✓ With the proposed layout, access to the loading areas do not require that semi-trucks circulate adjacent to the fueling positions or building entrances.
- ✓ The proposed access design for the US Market will include a “dustpan” driveway apron similar to the Chevron access, highlighting pedestrian priority along the public OR 214 and Oregon Way sidewalks. The driveway will be narrowed to reduce the conflict area with pedestrians.
- ✓ The separation of the bulk fuel delivery area at the US Market site will better accommodate fuel deliveries while maintaining fueling, convenience market, and office operations.
- ✓ The proposed US Market site includes direct pedestrian connections from the adjacent sidewalks along OR 214 and Oregon Way that maintains separation from the fueling area. The sidewalk system connects to each building entrance, with a marked crossing of the single conflict point with the egress route.

### Arco Field Review

Observed demands at the nearby Arco site showed that this site generated far less trips than the Chevron, likely because it is located farther from the I-5 corridor. The Arco is a 24-hour fuel center and includes a carwash, fueling positions, and convenience market within a 0.82-acre parcel (the subject properties are 1.42 acres for comparison). This fuel center contains space for fuel trucks adjacent to its single diesel dispenser along its western boundary, which would require closure of the diesel pump when any type of delivery truck is present. A separate stall is adjacent to the dumpsters that could support single-unit vendor trucks.

This site appears to have space for about 16 fueling vehicles to simultaneously queue without blocking circulation (the proposed US Market could accommodate 18) and 15 parking stalls, and contains a one-way southbound queuing pattern facing toward the convenience market, similar to the layout of the proposed site but with a narrower separating drive aisle between the fuel exit and the convenience market parking (see Figure 12).

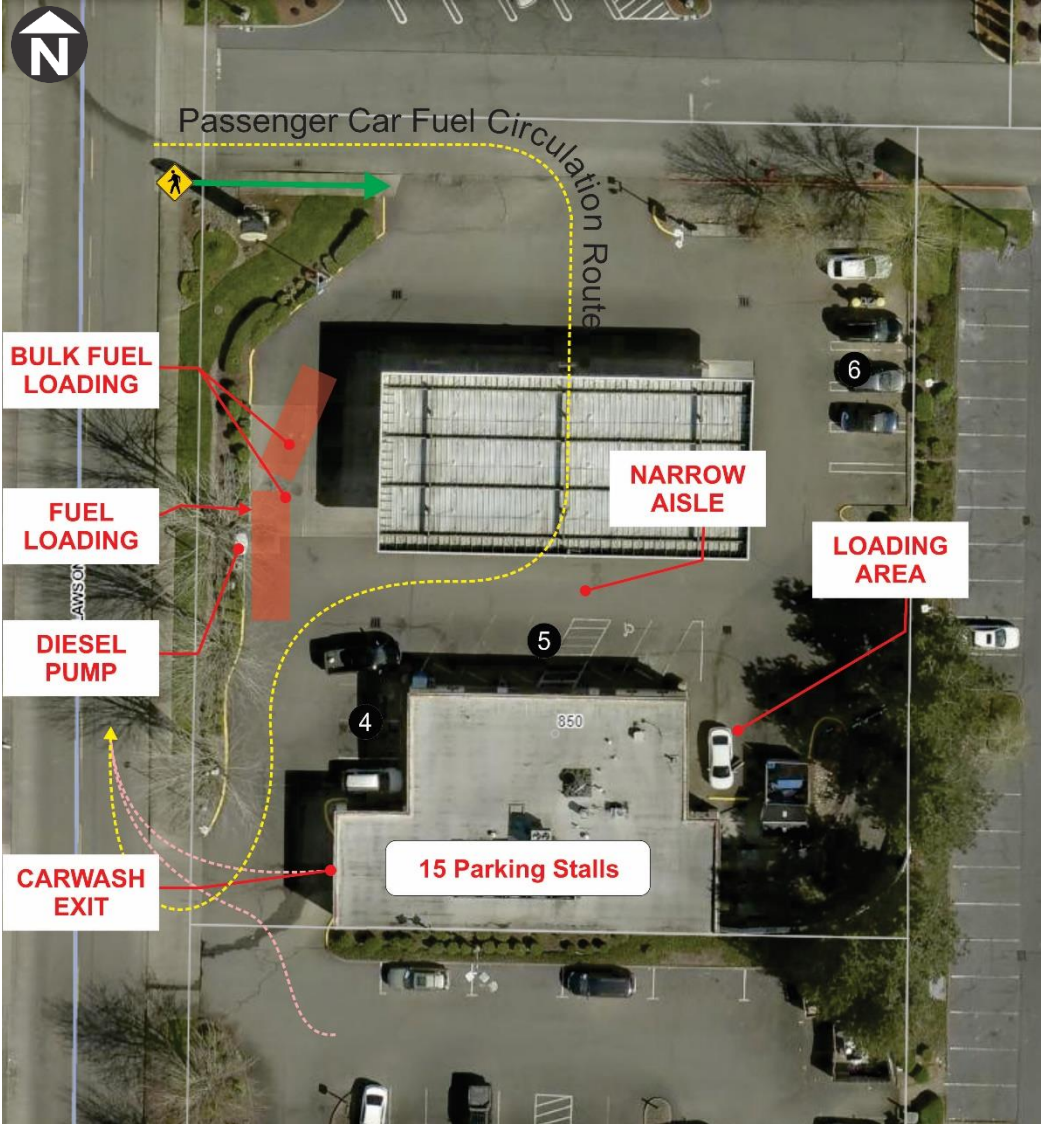


Figure 12. Arco facility layout. Aerial Source: Marion County GIS.

The southern shared access serves the fuel patrons, carwash exit, and shared access from the parcel to the south. The short driveway throat depth results in varied vehicular positioning at the exit, and it would require larger vehicles headed back toward OR 214 to swing wide (into the southbound Lawson Avenue lanes) to make the U-turn.

The layout of the site does not include any pedestrian connections; the sidewalks terminate along the shared drive to the north leaving pedestrians between the fueling islands and convenience store.

Provisions within the proposed US Market site to address Arco field observations:

- ✓ The US Market site provides expanded fuel queue storage space with a similar one-way circulation layout.
- ✓ On-site parking within the proposed US Market site is expanded to avoid spillover.
- ✓ The US Market layout allows motorists to access the provided diesel pumps while bulk fuel deliveries are received. The designated space for vendor trucks and semi-trucks will improve circulation and operations.
- ✓ The proposed site has been designed with a narrowed entry to the public streets, reducing the potential lineal conflict area along sidewalks in comparison to the Arco site.
- ✓ The proposed access onto Oregon Way includes an extended driveway throat depth that will allow trucks to appropriately position before entering the public right-of-way.
- ✓ There is a clear pedestrian route through the US Market site to building entrances, and the convenience market is located adjacent to sidewalks.
- ✓ The egress design of the US Market allows all exiting vehicles to appropriately position in a 90-degree angle to Oregon Way, optimizing sight lines at the driveway.

The proposed US Market site has been designed to incorporate current “best practice,” and has been designed to meet the needs of the managing team based on their insights and experience with their other owner/operator fuel centers. The larger US Market site has accommodations for delivery vehicles (semi-trucks and single-unit trucks), separate pathways for pedestrians to the building entrances, and improved access points that will better support safe and efficient turning movements.

**Comment 7g.** Fuel trucks must maintain a protective safety zone when delivering fuel, which could impact circulation.

**Response:** The site layout includes a dedicated space for fuel trucks to park during bulk fuel deliveries. With the available circulation routes within the site, and the 36-foot spacing between fueling dispensers, there are multiple options for passenger cars to circulate around the fuel truck while this loading occurs. Commonly, at locations where fuel trucks create conflicts with the safe use of dispensers, these dispensers can be temporarily closed while the loading occurs (many fueling facilities require closure of specific dispensers for refilling the tanks, including the nearby fuel centers – the fuel point for the Chevron is located directly in front of the fueling positions, and the Arco requires closure of its only diesel pump).

These types of temporary fueling position closures do not appear necessary with the layout of the US Market site given the separation of the space from the fueling positions. As shown in Figure 13, there is approximately 23-feet of spacing within the drive aisle between the fueling point and the nearest dispenser. However, if the fuel delivery technician found temporary closure of the nearby fueling positions necessary this could occur with no impact on site circulation given the redundant travel options (see Figure 14). The site could continue to operate acceptably with 10 of its 12 dispensers operational.

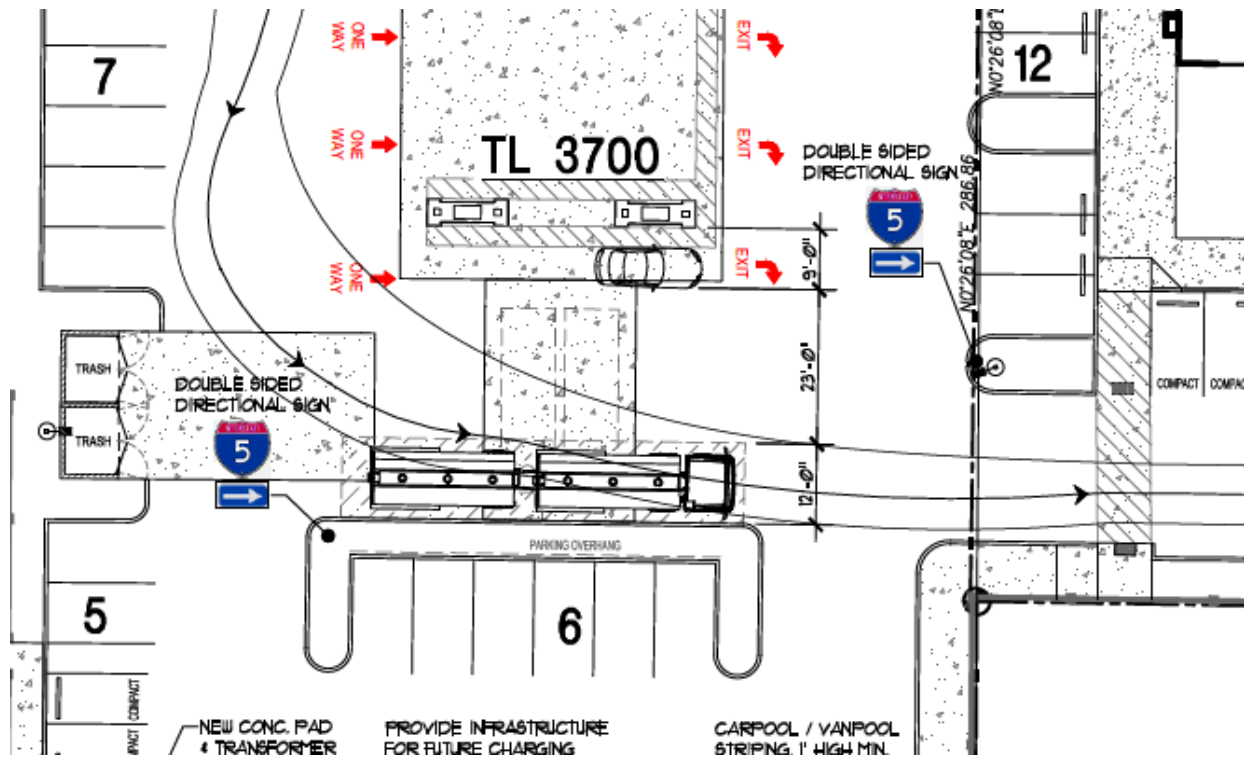


Figure 13. Layout of the site showing the location of a fuel truck within the designated delivery area.

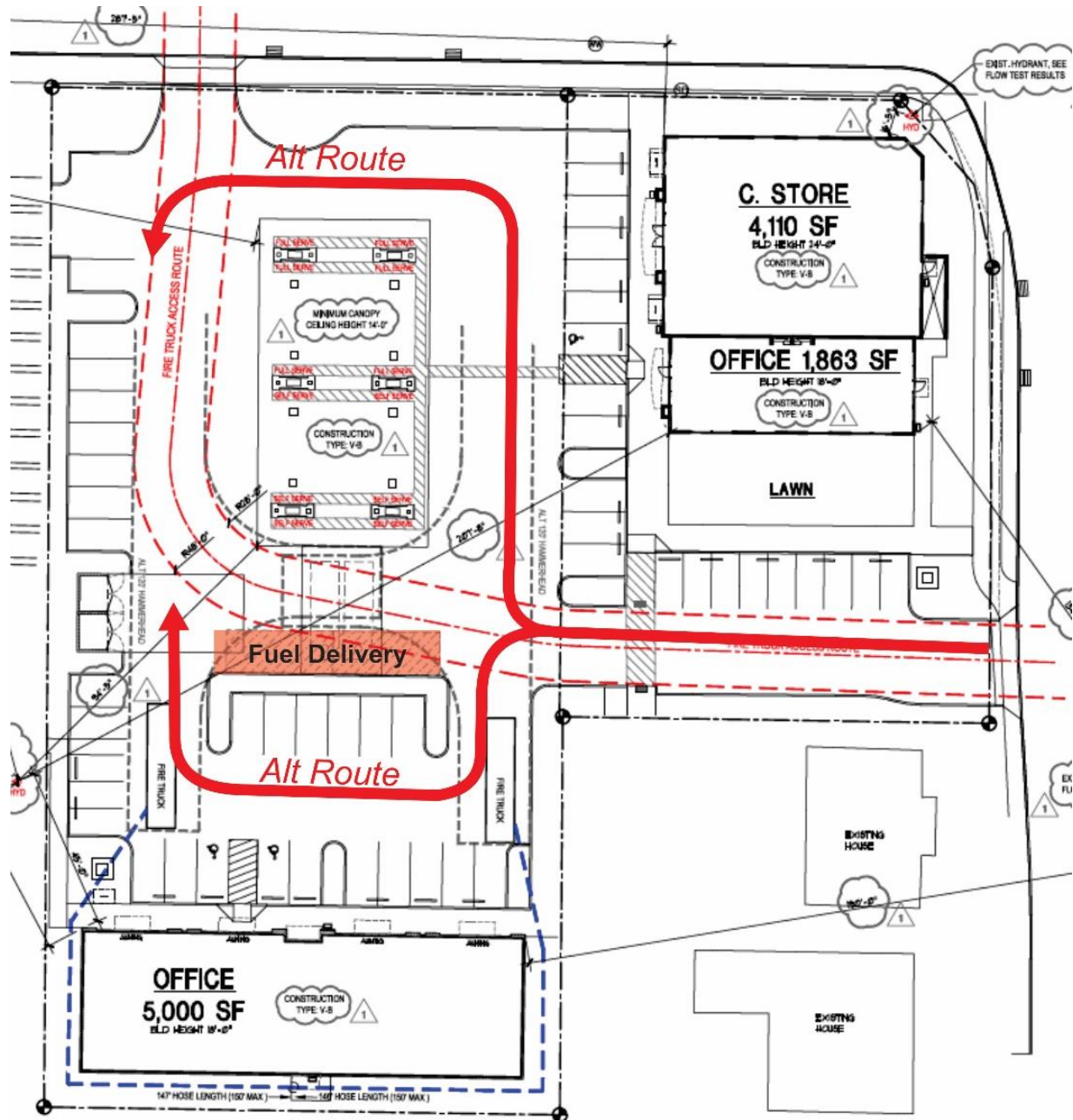


Figure 14. Potential use of the Alternative Routes if a fuel delivery blocked access.

**Comment 8.** Mr. Petersen argues that the application makes traffic worse with the right-in only access.

**Response:** The modification to right-in only access was proposed by our team to ODOT in response to comments received at the prior public hearings and in review of the historical safety issues along OR 214. The safety review prepared within the traffic study, and reviewed by multiple agencies, highlighted the elevated safety risk associated with turning movements at the Evergreen Avenue and Oregon Way traffic signals, which was due both to the prior permissive signal phasing and the allowance of U-turns. In fact, prior comments from Mr. Petersen and his opposition traffic engineer also recommended this movement restriction within the prior application.

Accordingly, this modification of access directly responds to the prior concerns within the opposition's June 21, 2022 letter stating that weaving maneuvers from a right-turn onto OR 214 could exacerbate the existing safety issue at Oregon Way. This modification of the application directly addresses the safety concerns previously raised, and now includes ODOT's specific approval and support for this modification following their review of the revised plan.

We recognize and acknowledge that the revisions to site circulation will increase travel on Oregon Way north of the driveway location. From the prior application, we listened to staff concerns and understand the Council's priority for overall safety. This configuration addresses the primary concerns that were raised. It is supported by the City and ODOT, specifically in responding to the safety concerns along the highway.

**Comment 9.** Mr. Petersen states that “unlike the two nearby gas stations located closer to Interstate-5, within the city's interchange management area, this site would be bounded by properties that are used solely for residential purposes.”

**Response:** To clarify Mr. Petersen's arguments, the proposed development is a commercially-zoned property that is seeking conditional approval due to the adjacent residential uses south of the site (buffered by the office building) and to the east across Oregon Way. The submitted Transportation Impact Analysis includes a literature review of the I-5 Interchange Area Management Plan (IAMP), and highlights within Figure 5 (TIA pages 4 and 5) that the subject US Market property is part of the Interchange Management Area Overlay District, but not subject to the specific trip allocations as the properties that were identified within the Overlay Area.

Because the subject properties were already developed with the two banks at the time the IAMP was prepared in 2005, it was excluded from some of the more restrictive measures that undeveloped properties are subject to. The streets serving the existing fuel centers on either side of the interchange do not comply with ODOT's access spacing standards; the IAMP was prepared to help protect the State's investment despite the close proximity of these commercial lands and accesses, which led to the right-turn restrictions at Lawson Avenue.

**Comment 10.** Mr. Petersen states that Oregon Way “is a local street” and “The secondary access to the site would be along a local residentially-classified street”, and “Oregon Way (a local, residential street)”

**Response:** Mr Petersen's citations of Oregon Way as a local street are incorrect. Per the City's adopted September 2019 Transportation System Plan (which was prepared by Mr. Petersen's opposition traffic engineer), Oregon Way is an *Access Street* (and a *Major Collector* per the Federal Classification system), not a *Local Street*. This classification of facility is defined by Woodburn within its Transportation System Plan as shown in Figure 15:

- Access Streets – Primary function is to connect residential neighborhoods with service collectors or arterials. On-street parking and access to adjacent properties is prevalent. Slower speeds should be provided to ensure community livability and safety for pedestrians and cyclists. In many cases, cyclists can “Share the road” with motor vehicles because of low traffic volumes and speeds. Sidewalks or pathways should be provided for pedestrians.

Figure 15. TSP Definition of Access Streets. *Source: 2019 Woodburn Transportation System Plan*

In contrast, the primary role of *local streets* is to provide direct access to adjacent land uses. Therefore, an access street, (i.e., Oregon Way), is intended to serve higher traffic volumes to a higher number of uses as compared to a local street. Interestingly, Lawson Avenue, which serves the Chevron and Arco sites, is a local street serving commercial uses. Lawson Avenue also provides access to the Arco. The higher functional designation of Oregon Way recognizes its role in connecting Hayes Street with OR 214, the traffic signal control at the OR 214 intersection that supports full turning movements, and its adjacency to commercially-zoned lands. The adopted functional classification of Oregon Way (which is equivalent to a type of *Collector*) balances the facility’s elevated connectivity role with the access and livability needs of the adjacent residential uses.

The proposed traffic calming measures identified within this report (e.g., speed humps and modifications to centerline striping) will help ensure that the functional role of this facility remains unchanged yet compatible with its dual roles.

**Comment 11.** Mr. Petersen argues that the proposed site plan cannot reasonably accommodate the traffic that the project will generate.

**Response:** As noted within the comments from the City, the City’s consultant reviewer, ODOT, and Mr. Petersen’s opposition traffic engineer, “the analysis approach and findings...reasonable and consistent...concur with the findings and recommendations of the study.” The opinions posited by Mr. Petersen appear to relate to concerns with the site layout and truck maneuvering.

Related to truck movements, as is common on all streets, truck maneuvers can require travel within adjacent travel lanes. For example, a fuel semi-truck exiting the site onto Oregon Way will swing wide through the northbound left- and right-turn lane with its front passenger-side cab wheel positioned near the eastern curbline before heading north, limiting the trailer tracking within the opposing travel lane. Turning into the site from OR 214 is no different; most semi-truck drivers will either hug the inside eastbound travel lane line if a vehicle is adjacent to their vehicle, or if outside of more congested periods will encroach into the median-side through lane to turn into the site. As trucks are wider and longer than passenger vehicles this type of maneuvering is common; however, it only occurs with semi-trucks. Single-unit delivery vehicles used by most vendors contain a wheelbase more similar to large passenger vehicles. This type of maneuvering is common in commercial properties, and as documented within these responses, is occurring to a greater degree at the nearby fuel centers due to site design issues.

Mr. Petersen also cites queuing on OR 214 as a concern. As shown in Figure 18 of the TIA, the 95<sup>th</sup> percentile queue during the peak fifteen minutes of the summertime evening commute hour can extend beyond the Oregon Way driveway location. ODOT’s signal timing provides priority to through travel along

the highway, resulting in fairly long cycle lengths for the Oregon Way approaches. However, once the traffic signal turns green these queues clear, and motorists can then maneuver unimpeded. Similar conditions occur along OR 214 at the Chevron station, with the Evergreen Avenue queue extending past and blocking the right-out access from Lawson Avenue (see Figure 16), which clears with the green cycle and allows vehicles to maneuver (see Figure 17).



Figure 16. View from the southeast quadrant of OR 214/Lawson Avenue toward I-5 showing that eastbound OR 214 queues commonly extend beyond Lawson Avenue.





Figure 17. View of Lawson Avenue at its connection to OR 214. The standing queue quickly cleared following the green signal cycle at Evergreen Avenue.

Field review conducted on September 12, 2024 (following the start of the school year) between 4:00 and 5:00 p.m. observed a maximum queue on Oregon Way of three vehicles, which fully cleared during each signal cycle and did not extend to the driveway location. This is not the maximum possible queue, but shows *typical conditions*, which are readily accommodated at this site (see Figure 18) and will allow patrons to directly turn onto Oregon Way.



Figure 18. Maximum observed northbound queue on Oregon Way.  
*Observations conducted on September 12, 2024 between 4:00 and 5:00 p.m.*

**Comment 12.** Mr. Petersen expresses concern with inbound circulation from Oregon Way, and the ability for these motorists to access the fuel pumps or convenience market.

**Response:** This comment appears to relate to the original queuing figure which has been revised (see Figure 7 within Comment 7g). Motorists entering from Oregon Way or from OR 214 will enter the fueling positions from the west side of the site, and using the one-way (eastbound) circulation will fuel, and then head toward the Oregon Way egress. The width of the drive aisle on either side of the fueling station is 36- to 38-foot wide, which can accommodate backing and parking maneuvers without encroaching into the vehicles that are fueling. As addressed within the field review in Comment 7g, the proposed layout improves on many of the circulation, queuing, and loading issues present at the nearby Arco and Chevron sites.

The provision of 12 fueling positions at the US Market will help reduce customer wait times and queues, and unlike high-volume fuel distributors (like Costco) the US Market typically operates with no more than a single vehicle in queue. This is similar to conditions observed at the nearby Chevron and Arco; the layout

supports 18 total vehicles being fueled or queued, which is more than would be expected at this fueling center.

Mr. Petersen’s comment about the potential fuel dispenser location on the vehicle’s passenger side is simplified with a one-way circulation pattern. Vehicles with a driver-side fueling position will use the southern row within the island, whereas those with a passenger-side fueling cap will typically fuel on the northern position. Commonly, smaller vehicles can be fueled from either side of the island using the longer hose lengths that are now common.

Mr. Petersen also expressed concern with the fuel center and parking near the convenience market conflicting. This is the same configuration as the nearby Arco, and there are no historical records indicating any type of safety issue present. Patrons moving from a stopped position, whether exiting the fueling positions or exiting a parking stall, will be required to yield before moving, following conventional parking lot driving rules as contained within the Oregon’s Drivers Manual (see Figure 19). This is a common layout at fuel centers throughout the country (including the nearby Arco, see Figure 20). It is unclear what specific concerns with this layout Mr. Petersen may have from the comments that have been submitted.



Figure 19. Parking and stopping guidance. *Source: 2024/2025 Oregon Driver Manual, page 66.*



Figure 20. View of the Lawson Street Arco and AM/PM layout with the fueling positions immediately adjacent to the convenience market parking area.

**Comment 13.** Mr Petersen argues that a proposed median on Oregon Way cannot restrict only trucks (and not cars) and has not been illustrated in the site plan.

**Response:** The traffic study does not recommend a raised median along Oregon Way and a design has not been provided by the City to understand how this will impact access and turning movements. This condition is not necessary to meet the City’s Development Ordinance, but was raised by the City as a means of assuring residents that through truck trips will not be increased along Oregon Way. It is our understanding that the City is contemplating some type of raised median along Oregon Way that would prevent larger vehicles from turning right.

While we support the City’s desire to restrict through trucks from using Oregon Way, we are concerned that this type of design could conflict with residential driveways on the east side of Oregon Way or would otherwise prevent local residents using an RV or towing a boat from safely making the [legal] right-turn maneuver.

Instead of a condition that could be difficult for passenger vehicles with boats or RVs to maneuver around (including those that may live on Oregon Way or nearby), it is instead recommended that the City allow the applicant to fund installation of speed humps on Oregon Way, and at the exit the applicant has proposed installation of signage indicating that trucks are not permitted to turn right at the egress. This overall approach will be more effective in managing through trucks and will avoid impacts on nearby residential driveways located immediately south of the driveway.

As we have not seen the City’s proposed design for this channelization we remain open to working with the City to craft a suitable condition that provides flexibility for the truck restriction or the applicant to fund the City installation of speed humps in lieu of the truck restriction on Oregon Way. Based on the

comments received from the neighbors there may be additional benefits of the traffic calming related to sight lines, livability, and speed compliance on Oregon Way.

**CONDITIONAL USE PROVISIONS**

The proposed fuel center is a conditional use within the commercial zoning because of the proximity to residential uses; the office and convenience market are both permitted outright within the zoning. One of the conditional use criteria relates to vehicular traffic. This section is provided to convey the potential impacts of other types of use that are more intense than the fueling center based on the number of driveway trips (excluding pass-by trips to better convey the impacts on nearby residences along Oregon Way).

Each of these land uses would be allowed outright within the Commercial zoning, and each could result in more intense land use scenarios than the proposed fueling center with a convenience market and office space. Table 2 shows the cumulative weekday daily and weekday p.m. peak hour trip rates on a square-footage basis. Note that this includes two office tenants; the site could include entirely retail uses (e.g., convenience market, fast food restaurant(s), bank, etc.) that would generate more trips than those in the proposed layout.

**Table 2. Trip Generation Comparison (Total Driveway Trips)**

Land Use	Weekday Daily Trip Rate	Weekday PM Peak Hour Trip Rate	Higher Than Proposed Uses?
<b>Proposed Site Uses</b>			
Small Office	14.8 Trips/1,000 SF	2.24 Trips/1,000 SF	n/a
Convenience Store/ Gas Station	187.6 Trips/1,000 SF (64 Trips/Fuel Pos.)	16.54 Trips/1,000 SF (5.67/Fuel Pos.)	n/a
<b>Outright Allowed Retail Uses</b>			
Convenience Market (Without Fuel)	762.28 Trips/1,000 SF	49.11 Trips/1,000 SF	Yes
Fast Food Restaurant with Drive-Through	467.48 Trips/1,000 SF	33.03 Trips/1,000 SF	Yes
Coffee/Donut Shop w/ Drive-Through	533.57 Trips/1,000 SF	38.99 Trips/1,000 SF	Yes
Fast Food/No Drive- Through	450.49 Trips/1,000 SF	33.21 Trips/1,000 SF	Yes
Coffee/Donut No Drive-Through	No Data	32.29 Trips/KSF	Yes
<b>Outright Allowed Office Uses</b>			
Medical Office Building	36.0 Trips/KSF	3.93 Trips/KSF	Yes
Post Office	103.94 Trips/KSF	11.21/KSF	Yes

Table 2 shows that there are outright permitted uses that are more intense on a square-footage basis than a fuel center (some of these are two or three times as intense as the proposed fuel center), and there are also more intense office types that would similarly be permitted on this site. While the fuel center is

a conditional use, and traffic is one of the conditional use criteria, this shows that other uses that generate more traffic would not be subject to this same conditional use criteria.

## ADJUSTMENT TO STREET IMPROVEMENT REQUIREMENTS

As part of the application, the proposed US Market has requested a deviation from the City's street standards that are based on the designated functional classification within the Woodburn Transportation System Plan. Each of these street sections are addressed below.

### Oregon Highway 214 Streetscape

OR 214 is a State Highway that is classified by the City of Woodburn as a *Major Arterial*. The identified cross-section for this street includes 100-feet of ROW (50-feet from centerline) with a five-lane roadway section, six-foot bicycle lanes, 6-foot landscape strip, and 6-foot sidewalk. The current highway frontage includes a curb-tight sidewalk, which is generally consistent with the design throughout the adjacent commercial portion of this corridor toward I-5 and lacks a planter strip and street trees. The frontage of OR 214 actually includes a six-lane section, as there are side-by-side left-turn lanes between Oregon Way and Evergreen Avenue, resulting in an approximately 88-foot wide pavement section that provides limited additional right-of-way.

There are six-foot wide sidewalks present today, and landscaping will be provided at the back of these sidewalks within the site. This design allows the existing sidewalks to remain free of the overhead utility poles and signal poles, providing a clear and unobstructed walkway configuration.

**Criterion 1:** *The estimated extent, on a quantitative basis, to which the rights-of-way and improvements will be used by persons served by the building or development, and whether the use is for safety or convenience;*

**Response:** The proposed US Market includes an auto-centric fuel center and office buildings, which like other nearby highway-oriented commercial uses provides limited reliance on the sidewalk system. The current sidewalks exceed this dimensional requirement but are curb-tight.

Data from the census bureau shows that the City of Woodburn contained a walking share of its commute transportation of less than one percent, with about 87% of residents driving and 11% of residents working from home (see Figure 21). The specific walk share was identified as 0.382%, though this metric only relates to commute trips and there are certainly other trip purposes (retail, recreation, entertainment, etc.). Ultimately, the percentage of users of the proposed US Market fuel center, convenience market, and office space will be low. The use of sidewalks is for convenience goods and services in its location adjacent to the proposed US Market.

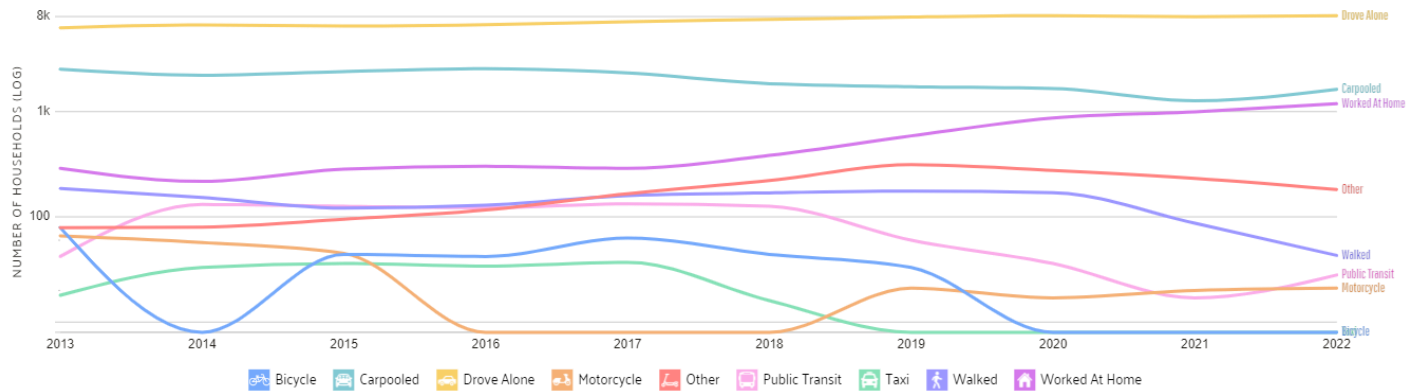


Figure 21. Woodburn Census Data. <https://datausa.io/profile/geo/woodburn-or#civics>

Traffic counts collected in April, 2023 show that there were three total pedestrians observed along the frontage between 4:30 and 5:30 p.m. along the south side of OR 214, or approximately one pedestrian every twenty minutes.

**Criterion 2:** *The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;*

**Response:** The existing sidewalks meet the functional needs of pedestrian activity along OR 214, readily supporting the current (limited) pedestrian levels and those of the proposed auto-oriented site.

**Criterion 3:** *The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights-of-way and improvements will be a part;*

**Response:** The proposed convenience-commercial uses within the site will have limited impact on the sidewalks. There will be few walking trips to the commercial site, and the trips that do occur can be accommodated within the existing curb-tight sidewalk.

**Criterion 4.** *The estimated level, on a quantitative basis, of rights-of-way and improvements needed to mitigate the estimated impact on the public infrastructure system.*

**Response:** As the sidewalks provide a suitable walking area to support demands, the landscape area will be provided behind the back of curb within the site. No other mitigation should be necessary.

**Criterion 5.** *The application is not based primarily on convenience for a developer or reducing civil engineering or public improvements construction costs to a developer.*

**Response:** The purpose for the street adjustment is to maintain a consistent streetscape with the adjacent corridor and reflect the constrained right-of-way that results from the side-by-side left-turn lanes. Constructing the road to City standards would remove one of the left-turn lanes thereby providing space for the landscape strip. If the project were to build a property-tight sidewalk it would be required to meander back to a curb-tight design to avoid the overhead utility pole and meander again at the OR 214/Oregon Way corner (to avoid the traffic signal pole). Maintaining the current streetscape design provides a consistent corridor that is suitable for its purpose and function, and adjusts the section to accommodate the side-by-side left-turn lanes on the highway.

**Criterion 6.** *The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.*

**Response:** Similar to the adjacent properties, the design of the highway (whether the side-by-side left-turn lanes along the subject property frontage, or the presence of right-turn deceleration lanes on abutting properties) results in a wider pavement section than the typical section. This is common surrounding signalized intersection, where the section conforms to the capacity needs. The Street Adjustment is not based on the non-conformance of the adjacent properties, rather it recognizes that OR 214 is wider than the City's typical section and requires a modified cross-section to fit within the highway right-of-way.

Unlike the adjacent properties that were designed to a prior standard, the proposed development will conform with City setbacks and current landscape requirements that will improve the separation of the on-site parking areas from the sidewalks. Similar utility constraints exist within the adjacent parcels, and these adjacent sidewalks also provide a clear sidewalk unencumbered with signs, poles, or other utilities.

**Criterion 7.** *Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.*

**Response:** Narrowing of the right-of-way is not proposed; it is requested through this street adjustment that the highway right-of-way remain as-is, which conforms with City requirements.

**Criterion 8.** *A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such.*

**Response:** Discussions with the City have indicated that a Street Adjustment is appropriate along with a fee in lieu for the planter strip and street trees, which could not fit within the standard ROW. This will provide a customized cross-section for the adjacent highway section and mitigation for the lack of these features.

In summary, the overall streetscape revisions for OR 214 are requesting that the cross-section remain in its current configuration. The side-by-side left-turn lanes between Evergreen Avenue and Oregon Way do not allow the typical section to fit within the available right-of-way width, resulting in the curb-tight sidewalk design. If additional ROW was dedicated and the sidewalks were rebuilt to a property-tight design they would then be impacted by the overhead utility pole and signal pole, at best providing a meandering design. Given the low use of the pedestrian system and the sufficiency of the current sidewalks, a fee in-lieu payment is requested to address typical frontage requirements.

## Oregon Way Streetscape

Typical requirements for an Access Street include provision of on-street parking, a landscape strip with street trees, and 6-foot sidewalks. The proposed design fully omits on-street parking along the Oregon Way frontage. Even if on-street parking were desired, it would not be recommended within the project frontage given the proximity to the traffic signal, and the addition of parking would be subject to ODOT approval. ODOT has access control along Oregon Way extending to the driveway, and while this is typically interpreted as restricting access across the right-of-way boundary, on-street parking is a form of access. The addition of any on-street parking within ODOT's access control limits should be provided for their review, as well as the review of the City. With the elevated crash experience on OR 214, adding on-street parking near a traffic signal would not be recommended. Parallel on-street parking requires that motorists



stop within the travel lane to back into stalls, which would not be an expected maneuver for following vehicles. Exiting the parking stall would not provide adequate sight lines and would also be unexpected.

On-street parking is generally avoided within the queue storage bay of suburban traffic signals (to the south edge of the driveway), as any parking maneuvers within this section would be unexpected for following motorists, could result in queuing through the traffic signal, and exiting maneuvers would provide limited time for motorists focused on the traffic signal indication to react. Parking adjacent to the access driveway should also be prohibited to maintain clear Sight Triangles and corner clearance dimensions for vehicles exiting the site.

The City's cross-section standards are not intended to be applied to streets adjacent to a traffic signal. Within the influence area of a traffic signal safety and operational needs dictate the design configuration, which is the case at Lawson Avenue (which does not allow on-street parking) and Evergreen Avenue (which contains a unique cross-section). Not only would the on-street parking not be supported if it were desired, but the site provides more than the required on-site parking to prevent any spillover onto the street, which serves as mitigation for the parking.

**Criterion 1:** *The estimated extent, on a quantitative basis, to which the rights-of-way and improvements will be used by persons served by the building or development, and whether the use is for safety or convenience;*

**Response:** The proposed US Market includes an auto-centric fuel center and office buildings. On-street parking on Oregon Way is not needed given that the site exceeds the City's parking requirements. Specific to on-street parking, the quantitative establishment of need would be City Code requirements, which are fully met (and exceeded) within the on-site parking supply. Field observation did not identify any current demand for on-street parking within this area, and it was further noted that parking along the frontage would impede the southbound travel lane.

**Criterion 2:** *The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;*

**Response:** Current design plans show more parking spaces than required by City Code. The sufficiency of the Code-based parking would address the expected need, but this surplus on-site parking fully mitigates for any lack of parking.

**Criterion 3:** *The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights-of-way and improvements will be a part;*

**Response:** No impact will result from the lack of on-street parking. Prohibition of on-street parking within the Oregon Way queuing area will provide a safer transportation system and will be consistent with driver expectations near a signalized intersection. Prohibition of this on-street parking should be required of the project.

**Criterion 4:** *The estimated level, on a quantitative basis, of rights-of-way and improvements needed to mitigate the estimated impact on the public infrastructure system.*

**Response:** Improvements needed to mitigate this issue are being addressed on-site. The presence of suitable on-site parking supply eliminates the need for any on-street parking. If on-street parking is identified within the City standards to help serve as a traffic-calming treatment, the proposed contributions toward traffic calming will mitigate this function of the streetscape.

**Criterion 5.** *The application is not based primarily on convenience for a developer or reducing civil engineering or public improvements construction costs to a developer.*

**Response:** The purpose for the street adjustment is to conform to the context of this site, which is within an area with ODOT access control, within the queue storage area on the signal approach, and in the influence area of a highway traffic signal. On-street parking should be prohibited along the site frontage for safety and operational purposes.

**Criterion 6.** *The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.*

**Response:** On-street parking is allowed to the south along Oregon Way, and is only recommended to be prohibited within the striped storage area (which extends across the entire frontage to the driveway). The parking restriction should only encompass the area impacted by the three-lane section, which is also not a typical section for an access street, but reflects the operational needs of the traffic signal.

**Criterion 7.** *Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.*

**Response:** Narrowing of the right-of-way is not proposed. The widening of the street to provide separate turn lanes at the traffic signal would require further widening if on-street parking were suitable.

**Criterion 8.** *A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such.*

**Response:** The design of the traffic signal provides the justification for the alternative street section. The parking prohibition through the traffic signal queuing area is not a section that should be continued south of the access driveway.

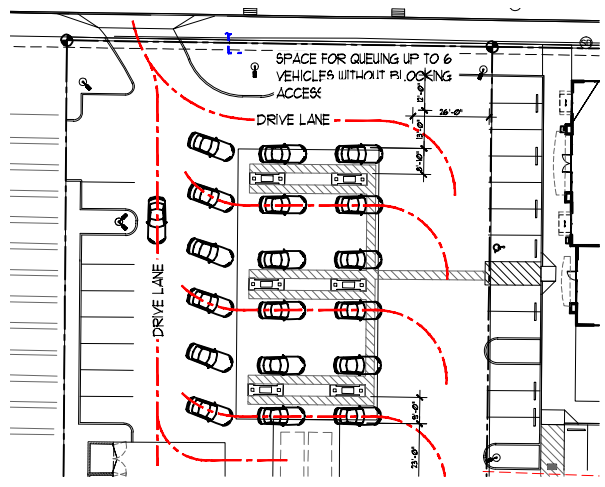
In summary, the City's typical cross-section standards do not apply within the influence area of a traffic signal, where operational and safety needs dictate the design. The presence of parking maneuvers within this area would introduce new and unexpected conflicts, and could result in queuing impacts with traffic extending back onto the highway. Provision of on-street parking along the US Market frontage is not recommended, and it is doubtful that ODOT (or the City) would allow its installation even if it were desired by the applicant. The applicant's on-street parking exceeds City standards, and provides a suitable amount of parking to prevent overflow. This on-site accommodation provides a safer overall design, and serves as effective mitigation for this typical streetscape element.

## NEXT STEPS

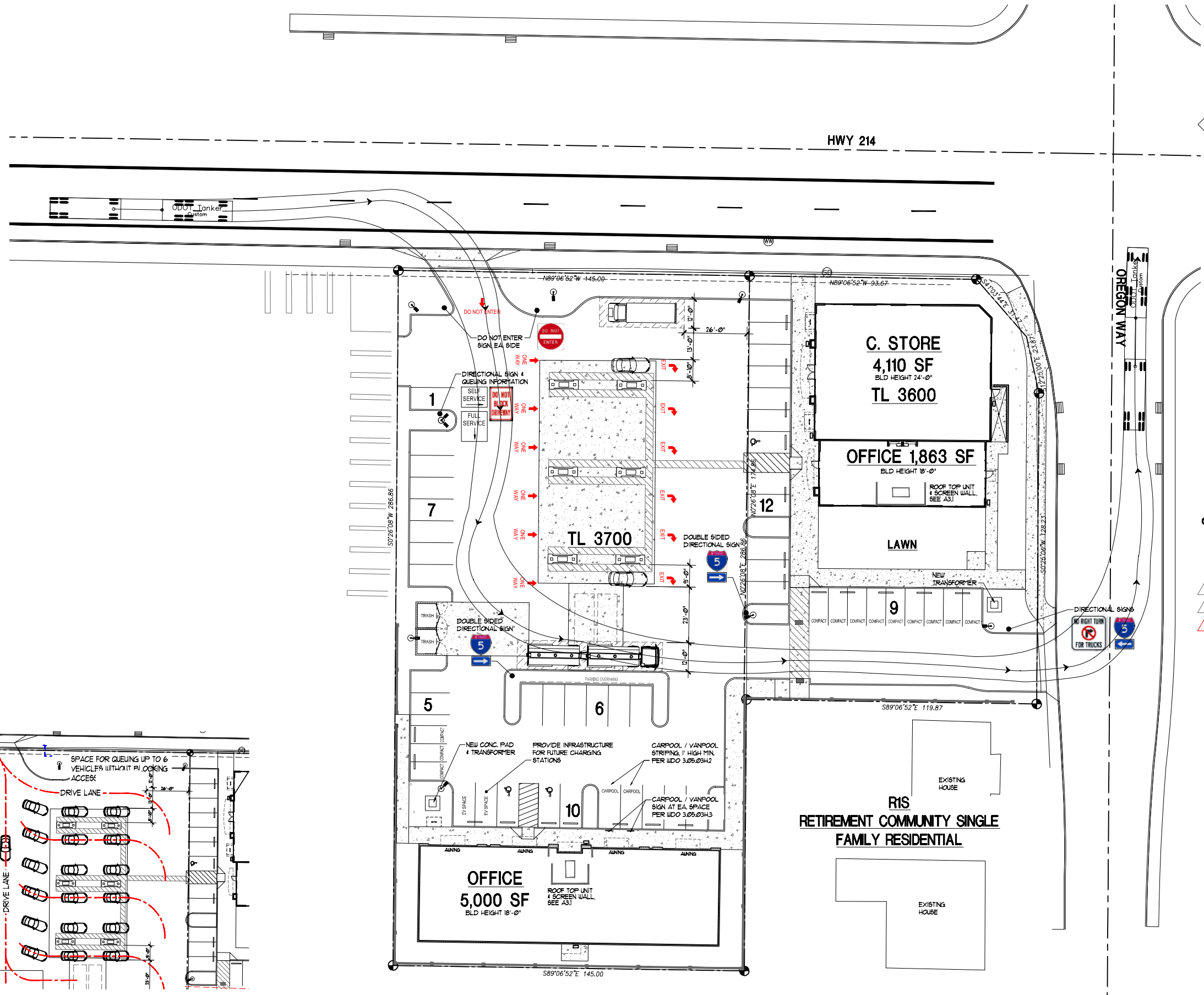
I appreciate the opportunity to provide this supplemental information as part of the US Market application. Thank you for the opportunity to provide this additional evidence and responses to public comments. If you have any questions I can be reached at (503) 997-4473 or via email at [joe@transightconsulting.com](mailto:joe@transightconsulting.com).

Attachments:

- Revised Site Layout
- ITE Traffic Calming Fact Sheet: Speed Hump
- Correspondence with Casey Knecht, ODOT RAME
- ODOT Conditional Grant of Access



**QUEUING PLAN**  
SCALE: 1" = 30'



**SIGN / MANEUVERING PLAN**  
SCALE: 1" = 20'



- 1 DESIGN REVIEW COMMENTS 4.12.24 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5.14.24 - REVISION 2
- 3 DESIGN REVIEW COMMENTS 6.12.24 - REVISION 3

RONALD  
JAMES  
PED  
ARCHITECT P.C.  
600 385-906

NEW OFFICE, RETAIL AND GAS STATION  
US MARKET  
2600 NEWBERG HIGHWAY WOODBURN OREGON  
DATE: DEC. 1, 2020  
DRAWN: AK / KDB  
JOB NO.: 1864  
A1.4

## Speed Hump

### Description:

- Rounded (vertically along travel path) raised areas of pavement typically 12 to 14 feet in length
- Often placed in a series (typically spaced 260 to 500 feet apart)
- Sometimes called road humps or undulations

### Applications:

- Appropriate for residential local streets and residential/neighborhood collectors
- Not typically used on major roads, bus routes, or primary emergency response routes
- Not appropriate for roads with 85<sup>th</sup>-percentile speeds of 45 mph or more
- Appropriate for mid-block placement, not at intersections
- Not recommended on grades greater than 8 percent
- Work well in combination with curb extensions
- Can be used on a one-lane one-way or two-lane two-way street



(Source: City of Boulder, Colorado)



(Source: PennDOT Local Technical Assistance Program)

**ITE/FHWA Traffic Calming EPrimer:** [https://safety.fhwa.dot.gov/speedmgt/traffic\\_calm.cfm](https://safety.fhwa.dot.gov/speedmgt/traffic_calm.cfm)

### Design/Installation Issues:

- ITE recommended practice - "Guidelines for the Design and Application of Speed Humps"
- Typically 12 to 14 feet in length; other lengths (10, 22, and 30 feet) reported in practice in U.S.
- Speed hump shapes include parabolic, circular, and sinusoidal
- Typically spaced no more than 500 feet apart to achieve an 85<sup>th</sup> percentile speed between 25 and 35 mph
- Hump heights range between 3 and 4 inches, with trend toward 3 - 3 ½ inches maximum
- Often have associated signing (advance warning sign before first hump in series at each hump)
- Typically have pavement markings (zigzag, shark's tooth, chevron, zebra)
- Taper edge near curb to allow gap for drainage
- Some have speed advisories
- Need to design for drainage, without encouraging means for motorists to go around a hump

### Potential Impacts:

- No impact on non-emergency access
- Average speeds between humps reduced between 20 and 25 percent
- Speeds typically increase approximately 0.5 to 1 mph midway between humps for each 100 feet Beyond the 200-foot approach and exit of consecutive humps
- Traffic volumes diversion estimated around 20 percent; average crash rates reduced by 13 percent

### Emergency Response Issues:

- Impacts to ease of emergency-vehicle throughput
- Approximate delay between 3 and 5 seconds per hump for fire trucks and up to 10 seconds for ambulances with patients

### Typical Cost (2017 dollars):

- Cost ranges between \$2,000 and \$4,000

## Joe Bessman

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**From:** KNECHT Casey <Casey.KNECHT@odot.oregon.gov>  
**Sent:** Thursday, August 22, 2024 3:26 PM  
**To:** Joe Bessman  
**Subject:** RE: Channelized Right-in Only

I don't know that I've seen a standard drawing for it. There is a pretty good example of a channelized right-in right-out with curb-tight sidewalk at the Rite Aid in McMinnville ([streetview](#) and [aerial](#)). Curbing has been the most effective for showing the channelization.

**Casey Knecht, P.E.**  
Region Access Management Engineer  
ODOT Region 2

---

**From:** Joe Bessman <Joe@transightconsulting.com>  
**Sent:** Thursday, August 22, 2024 12:29 PM  
**To:** KNECHT Casey <Casey.KNECHT@odot.oregon.gov>  
**Subject:** Channelized Right-in Only

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.

Good afternoon Casey,  
We have the hearing for the Woodburn fuel center on OR 214 tonight, I wanted to reach out and see if there's a standard drawing (or even a good example) of a channelized right-in only private access that does not include a decel lane? I didn't see one in the standard drawings – we can use the truck templates if needed to develop something that could provide the appropriate channelization, just was curious if you had anything specific in mind!

Thanks,  
Joe

Joe Bessman, PE  
*(Licensed in OR, WA, ID)*  
Principal, Owner

Transight Consulting, LLC  
Bend, Oregon  
cell: (503) 997-4473  
email: [joe@transightconsulting.com](mailto:joe@transightconsulting.com)



# Oregon

Tina Kotek, Governor

Department of Transportation  
Engineering & Technical Services  
4040 Fairview Industrial Drive SE, MS1  
Salem, Oregon, 97302-1142  
Phone: (503) 986-3305

Ronald James Ped, Architect, PC  
6850 Burnett Street SE  
Salem, Oregon 97317

on behalf of Lai Sidu  
Woodburn Petroleum, LLC  
1038 Broadway St. NE  
Salem, Oregon 97301

FILE CODE: 30-24

Subject: **Conditional Approval of Grant of Access**  
Hillsboro-Silverton Highway No. 140 (OR-214), MP 37.09 R (Sta. 522+80)  
CHAMPS No. 093457  
City of Woodburn

Dear Mr. Ped,

The Oregon Department of Transportation (ODOT) has reviewed your application for a Grant of Access at the subject location. Tax Lot 3600 currently does not have access to Hillsboro-Silverton Highway. A Grant of Access is required to allow Tax Lot 3600 to use the existing private approach at the subject location.

ODOT reserves the right to grant access to a state highway for a private approach when all the conditions of Oregon Administrative Rule (OAR) 734-051-2020(3) are met. A key condition is whether the Grant of Access will benefit the state highway system. ODOT has determined that the Grant of Access can benefit the state highway system if traffic movements for the private approach are restricted to only allow right turns off Hillsboro-Silverton Highway, prohibiting right turns onto the highway.

Based on the above finding, a Grant of Access can be approved provided you agree to the following conditions:

1. Traffic movements for the private approach at the subject location shall only allow right turns off Hillsboro-Silverton Highway. All other traffic movements shall be restricted.
2. Traffic from Tax Lot 3700 shall be allowed to cross Tax Lot 3600 to access Oregon Way.
3. Decisions regarding the character or type of traffic control devices to be used on the subject highway are subject to the delegated authorities of the State Traffic Engineer according to OAR 734-020-0410.

When a Grant of Access is conditionally approved, it is necessary for the applicant to purchase the appraised value of the Grant of Access in accordance with OAR 734-051-2020(12).

To complete the process and move ahead with the Grant of Access, please contact Casey Knecht at 503-507-2023 to confirm acceptance of the grant conditions. The ODOT region and/or district office will work with ODOT's Property Management Unit to convey the Grant of Access. If you have any questions on the process, please contact Casey Knecht at 503-507-2023.

Sincerely,

Michael Kimlinger 2024.01.23  
15:37:47 -08'00'

Michael Kimlinger, P.E.  
Technical Services Manager/Chief Engineer

cc: Casey Knecht, Interim Region 2 Access Management Engineer  
Cole Mullis, District 3 Manager  
Angela Kargel, Interim State Traffic-Roadway Engineer  
Georgine Gleason, State Right of Way Manager

ESL/bj/kbj

Date:	August 13, 2021
To:	Keith Blair, ODOT Dago Garcia, City of Woodburn
From:	Joe Bessman, PE
Project Reference No.:	1584
Project Name:	Woodburn US Market Transportation Impact Analysis



This memorandum provides a formal Transportation Impact Analysis for the proposed fuel center and convenience market in Woodburn, Oregon, along with limited office space. The site is located along the Newberg Highway (OR 214) on the southwest quadrant of the Oregon Way intersection as shown in Figure 1. The proposed plan will demolish two drive-in banks (demolition had already occurred when the July site visit was conducted) and replace this with a 4,500 square-foot convenience market with 1,500 square-feet of attached office space, a 12-position fueling station, and a 5,000 square-foot office building. Figure 2 illustrates the existing site layout and Figure 3 shows the preliminary site layout with demolition of the banks.

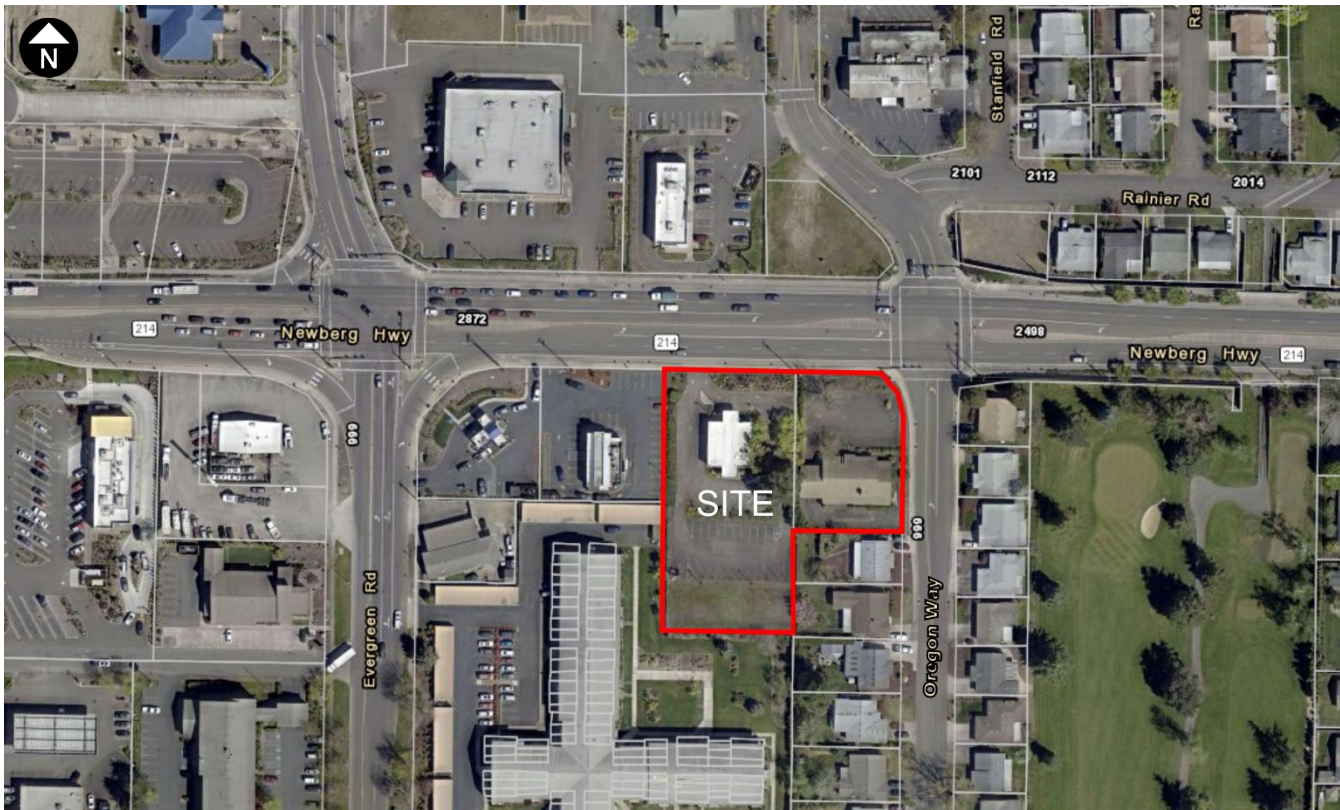


Figure 1. Site Vicinity Map. Source: Marion County Land Use Planning & Zoning GIS



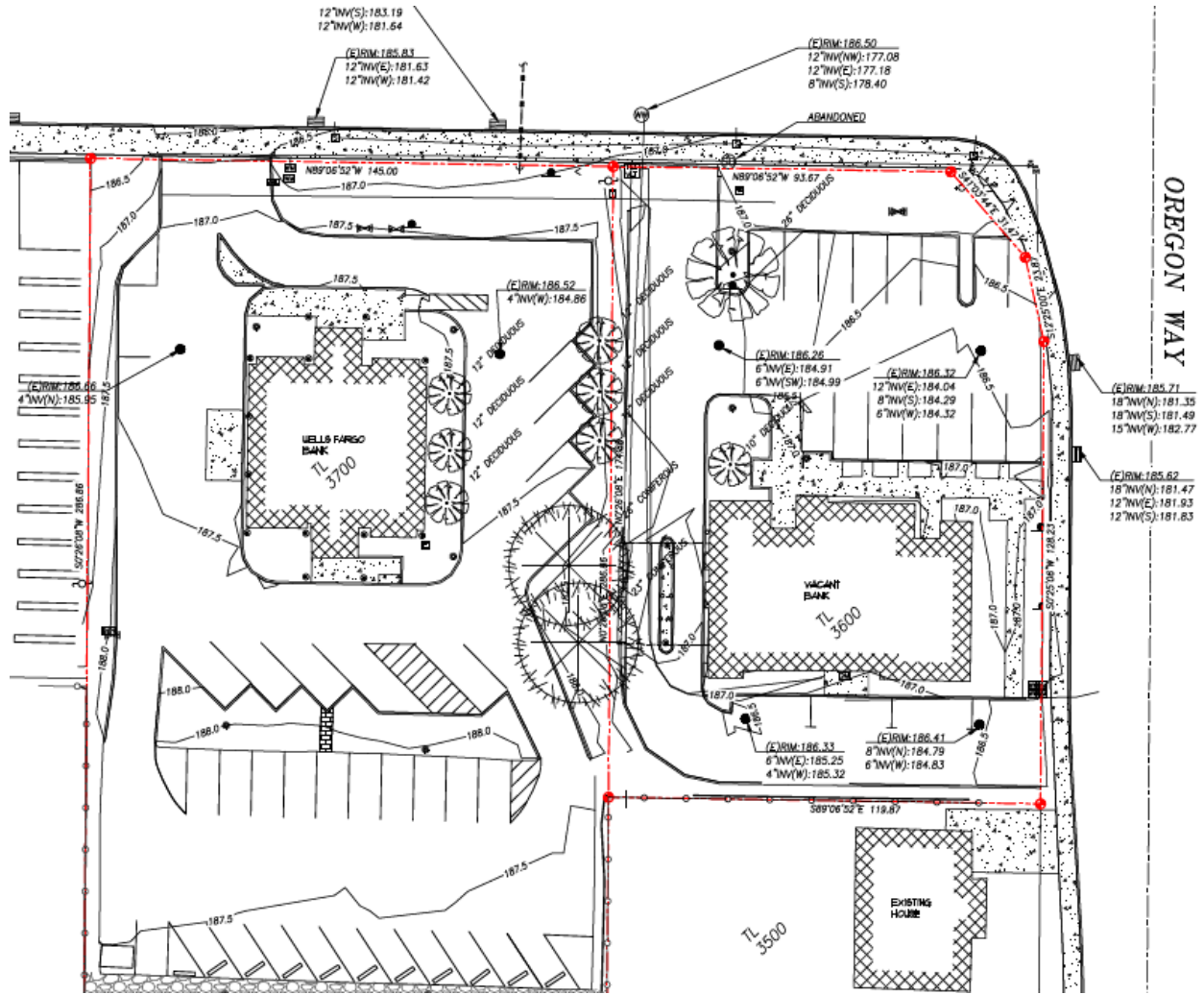


Figure 2. Existing site layout (banks shown have been demolished).

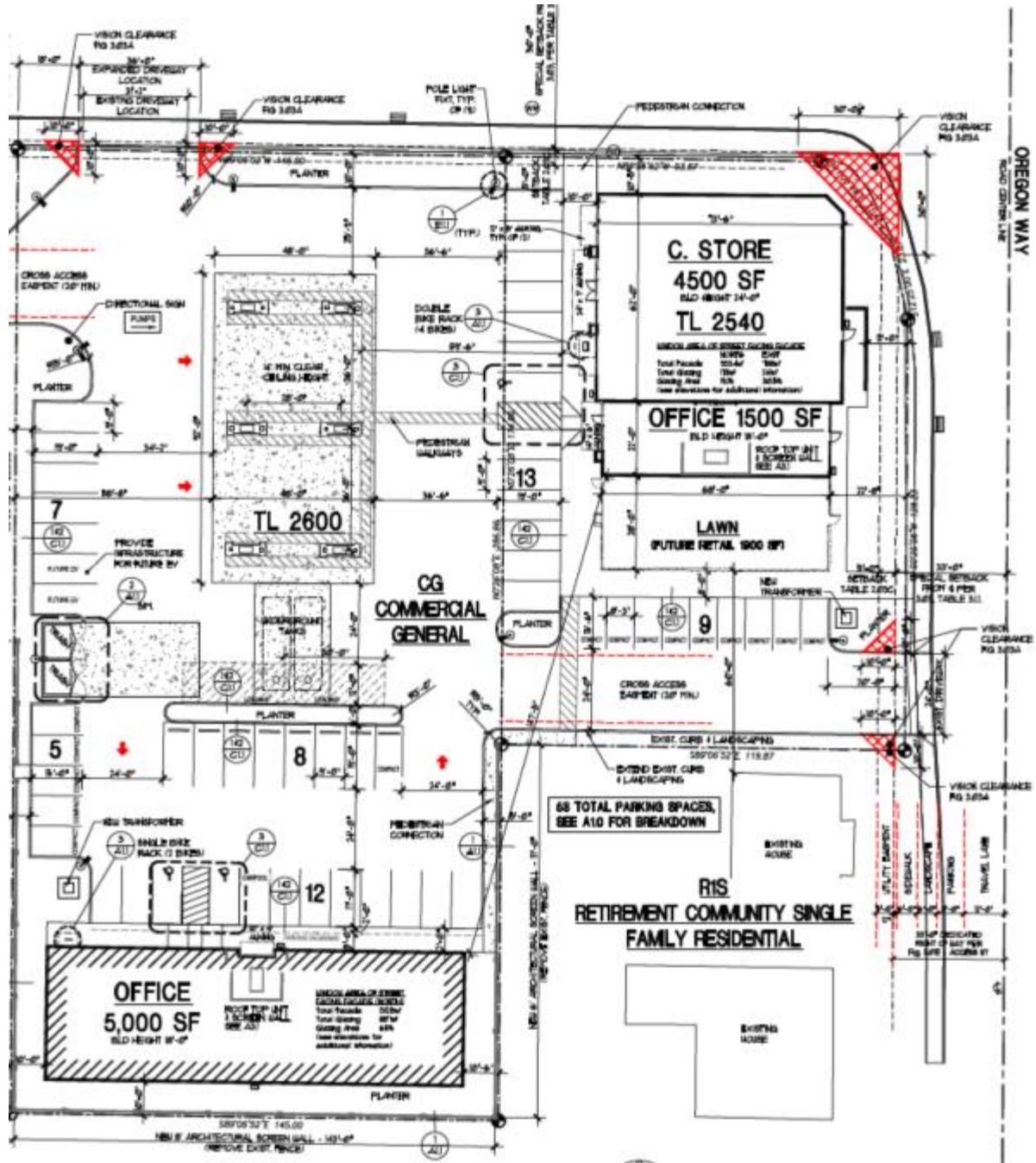


Figure 3. Proposed Site Plan.

### WOODBURN INTERCHANGE AREA MANAGEMENT PLAN AND COORDINATION

The location of the site is just beyond the Woodburn Interchange Area Management Plan Overlay area that was adopted in November 2005, as shown in Figure 4. This plan identified various improvements that would function acceptably through the year 2020 if surrounding development was limited to an allocated trip rate. This plan allocated 33 weekday p.m. peak hour trips per commercial acre, allowing parcels within the boundary to exceed this allocation in accordance with Section 2.116.06(B) and subjecting future site plan applications to joint City and ODOT review. Since this plan was premised on build-out of properties that were undeveloped at the time, the developed status of the site with the banks excluded it from further review, and the parcel was not located within the IAMP boundary. As such, the trip budget requirements do not apply to the subject application, but other provisions of the ordinance are applicable as the site is within the Interchange Management Area Overlay District (see Figure 5).

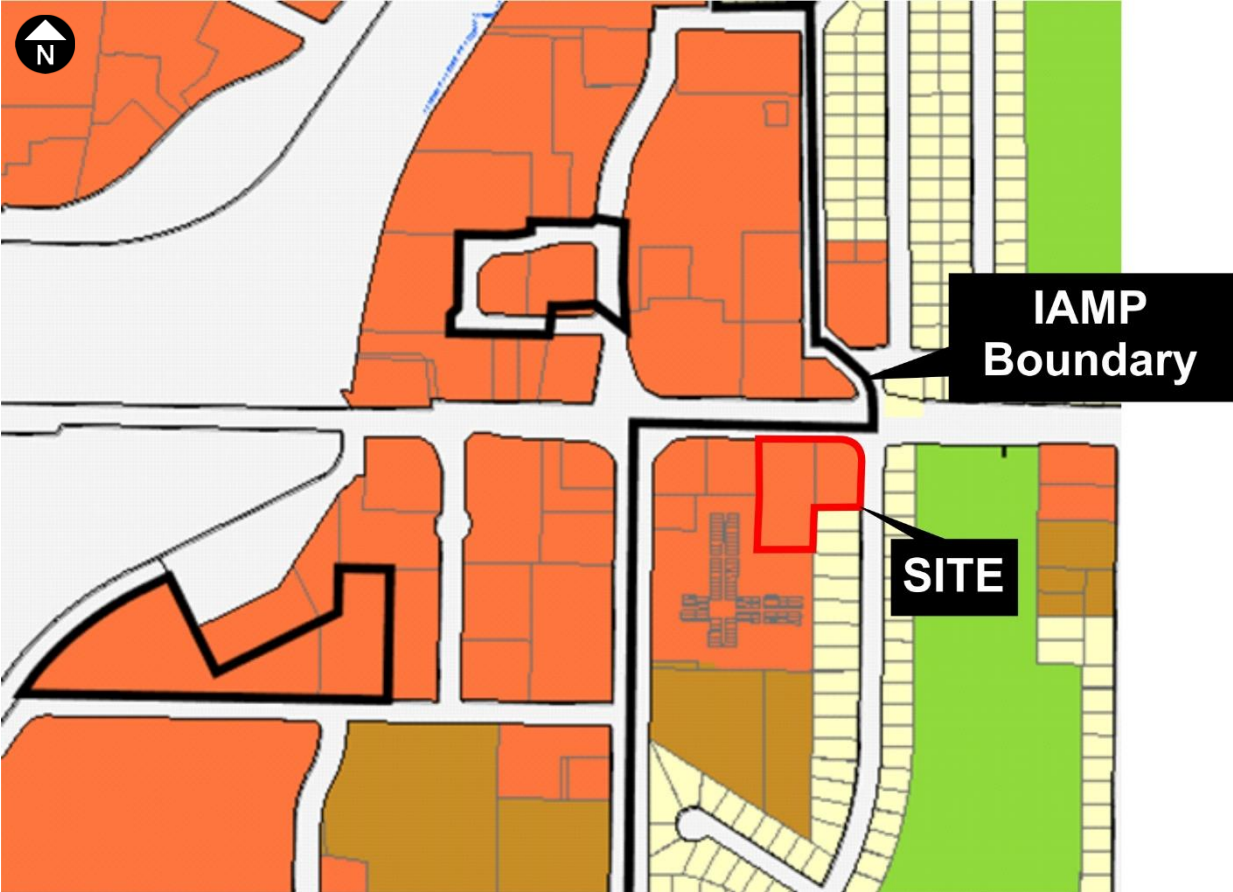


Figure 4. Woodburn Interchange Area Management Plan Overlay (shown as a Bold Black line).

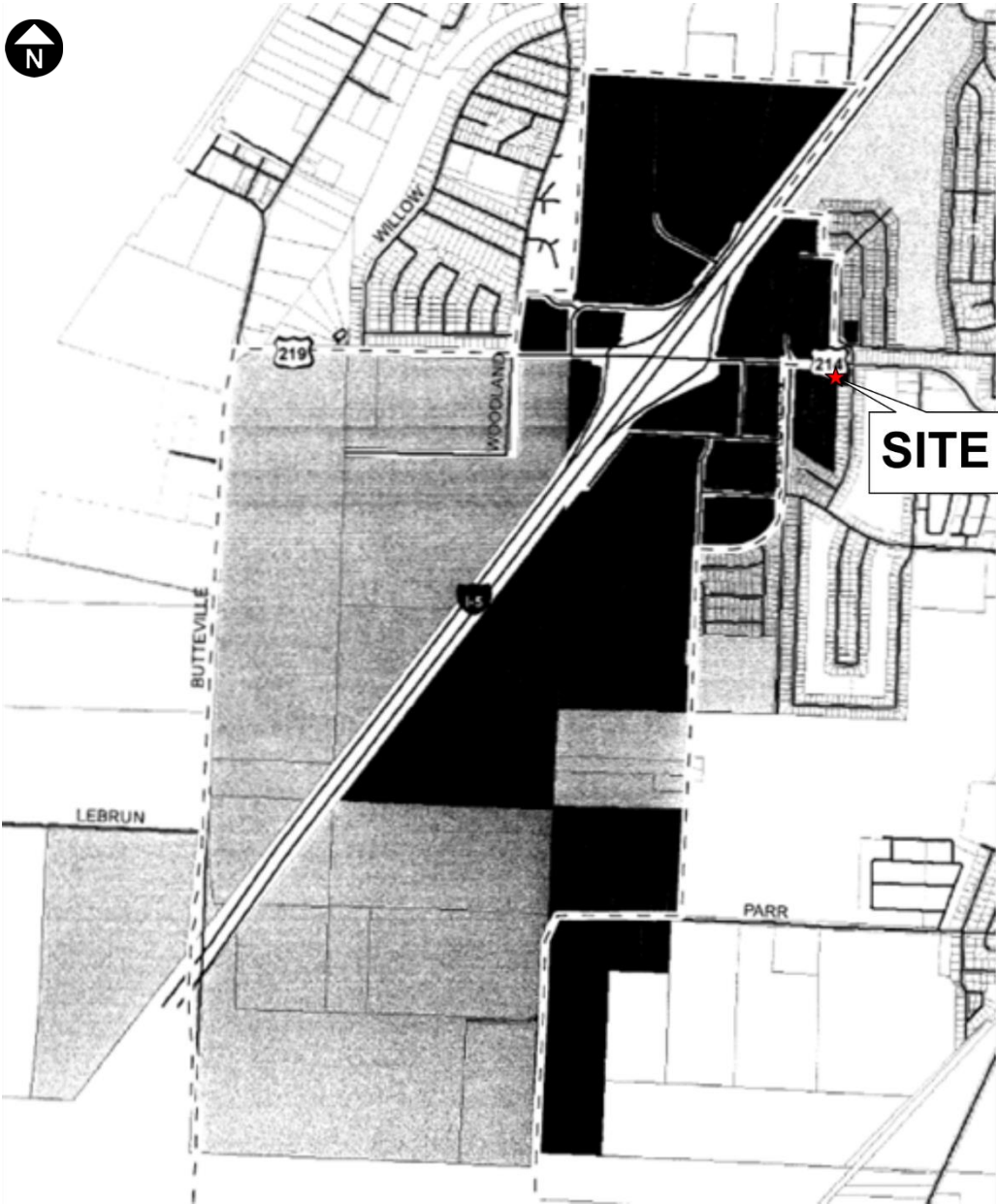


Figure 5. Interchange Management Area Overlay District.

### AREA CONTEXT

The subject property is zoned for Commercial General (CG) uses, similar to other surrounding properties in the area that surround the interchange. The zoning transitions into *Retirement Community Single Family Residential* (R1S) immediately south, with *Medium Density Residential* (RM) farther south within the block.

The proposed site is located along Oregon Way, with primary access shown along the southernmost portion of the parcel and along the lowest-classified adjacent street (“Access Street”) at an existing curb cut. Oregon Way contains a 25 mile per hour posted speed, and the location of the access maximizes the available spacing from the traffic signal. Access is also available onto the Newberg Highway at a right-in,

right-out connection that is enforced with a raised concrete median. The existing right-in, right-out curb cut is located nearly midway between the Evergreen Road and Oregon Way intersection.

Land uses immediately south of the project site transition into residential, with the Panor360 condominiums and single-family homes. A Dutch Bros. coffee shop and Dairy Queen drive-through fast-food restaurant are also located on the same block face.

The City’s recently adopted Transportation System Plan identifies a planned project at the OR 214/Oregon Way intersection to improve the signal timing and coordination in collaboration with ODOT (TSP Project R11). The site also borders the Woodburn City Transit Loop, with a bus stop located along the Oregon Way frontage.

## EXISTING TRAFFIC CONDITIONS

### Existing Transportation Facilities

The proposed redevelopment will retain the existing right-in/right-out access on the Newberg Highway and the full access on Oregon Way. Table 1 summarizes the existing area roadways included in this study and the pertinent characteristics and the major adjacent roadway facilities are described below.

**Table 1. Existing Transportation Facilities**

Roadway	Jurisdiction	Functional Classification	Cross Section	Speed	Shoulder /Bicycle Lanes	Sidewalk	On-Street Parking
I-5 Ramps	ODOT	Freeway Ramps	1-3 lanes	20-45 mph	Paved shoulder	No	No
Newberg Highway (OR 214)	ODOT	District Highway/ Major Arterial	4 lanes	30 mph	Yes	Yes	No
Evergreen Road	City of Woodburn	Minor Arterial	2-3 lanes	25 mph	Partial	Partial	No
Oregon Way	City of Woodburn	Access Street	2 lanes	25 mph	No	Partial	Yes

Interstate 5 connects the City of Woodburn south to Salem and north to Portland and the surrounding suburbs. It carries approximately 97,800 vehicles per day within the vicinity of the interchange. At the interchange with the Newberg Highway the ramps form a partial cloverleaf with both ramp terminals controlled by traffic signals. The ramps are a single lane in width that widen to three lanes on the off ramps to accommodate additional turn lanes. Advisory speeds range from 20 mph in the cloverleaf to 45 mph on the northbound off-ramp.

The Newberg Highway (OR 214) provides a major east-west route through the City connecting I-5 and Highway 99E and is also identified as a Truck Route in the City’s Transportation System Plan. ODOT classifies the highway as a *District Highway* while the City’s TSP classifies it as a *Major Arterial*. Within the study area it is a four-lane divided highway. It widens to six lanes over I-5 to accommodate right-turn lanes for the on-ramps and narrows to a three-lane section east of the study area. Bicycle lanes and sidewalks are provided throughout with a posted speed of 30 miles per hour.

Evergreen Road, a *Minor Arterial*, is oriented north-south and connects to multiple residential areas to the south providing a connection between these areas and the commercial areas near the Newberg Highway. The City’s Transportation System Plan shows a future plan to extend Evergreen Road to the south to Parr Road, which will eventually connect to a future *Major Arterial* on the south side of the City. Evergreen Road generally has a three lane cross-section with a small segment of two-lane between Stacy Allison Way and W Hayes Street. Sidewalks are nearly complete on both sides of the road with the exception of the east side between Stacy Allison Way and W Hayes Street. Bicycle lanes are provided south of W Hayes Street. The posted speed is 25 miles per hour.

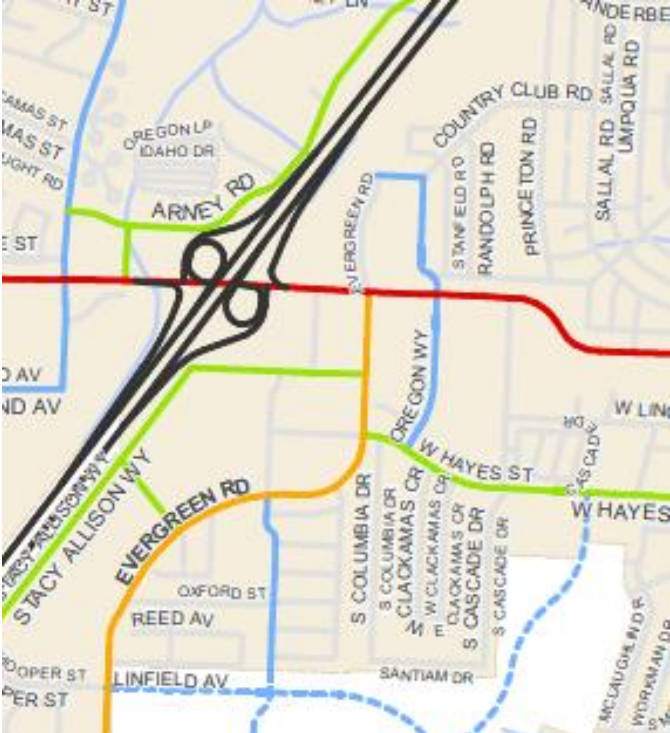


Figure 6. Functional Classification Map.  
Black: Freeway. Red: Major Arterial. Orange: Minor Arterial.  
Green: Service Collector. Blue: Access Street.

Oregon Way is an approximately 1,400-foot long roadway connecting to the Newberg Highway to the north and W Hayes Street to the south. It is classified as an *Access Street* and has a posted speed of 25 miles per hour. Oregon Way has a two-lane cross-section with sidewalks for the first 275 feet from the Newberg Highway. The remaining length does not have any separate pedestrian or bicyclist facilities. On-street parking is permitted throughout most of Oregon Way with the exception of near the signalized intersection with the Newberg Highway.

Transit Service

The City of Woodburn no longer has fixed route transit but does offer an Express Loop that services the most frequented stops. The bus route starts at the Downtown Transit Center and heads clockwise through the City to Walmart, the Wo Memorial Transit Center, then east on the Newberg Highway to BiMart, then south on Highway 99E to circle back around to the Downtown Transit Center. At this point it changes

direction to a counterclockwise loop and heads back to Highway 99E, making a stop at the Goodwill and Safeway, and then heading west on the Newberg Highway to the Mid Valley Plaza, and then it circles to the Wo Memorial Transit Center, Walmart, and back down to the Downtown Transit Center. The closest stop to the site is located at the Wo Memorial Transit Center approximately 0.2 miles from the site. Hourly headways are provided from 9:00 a.m. to 6:00 p.m. on weekdays. Single rides cost \$1.25 and all day passes cost \$3.00. Dial-A-Ride is also an option for people with disabilities and the elderly within the City of Woodburn who are not able to use the fixed route bus. Figure 7 depicts the Express Loop route.

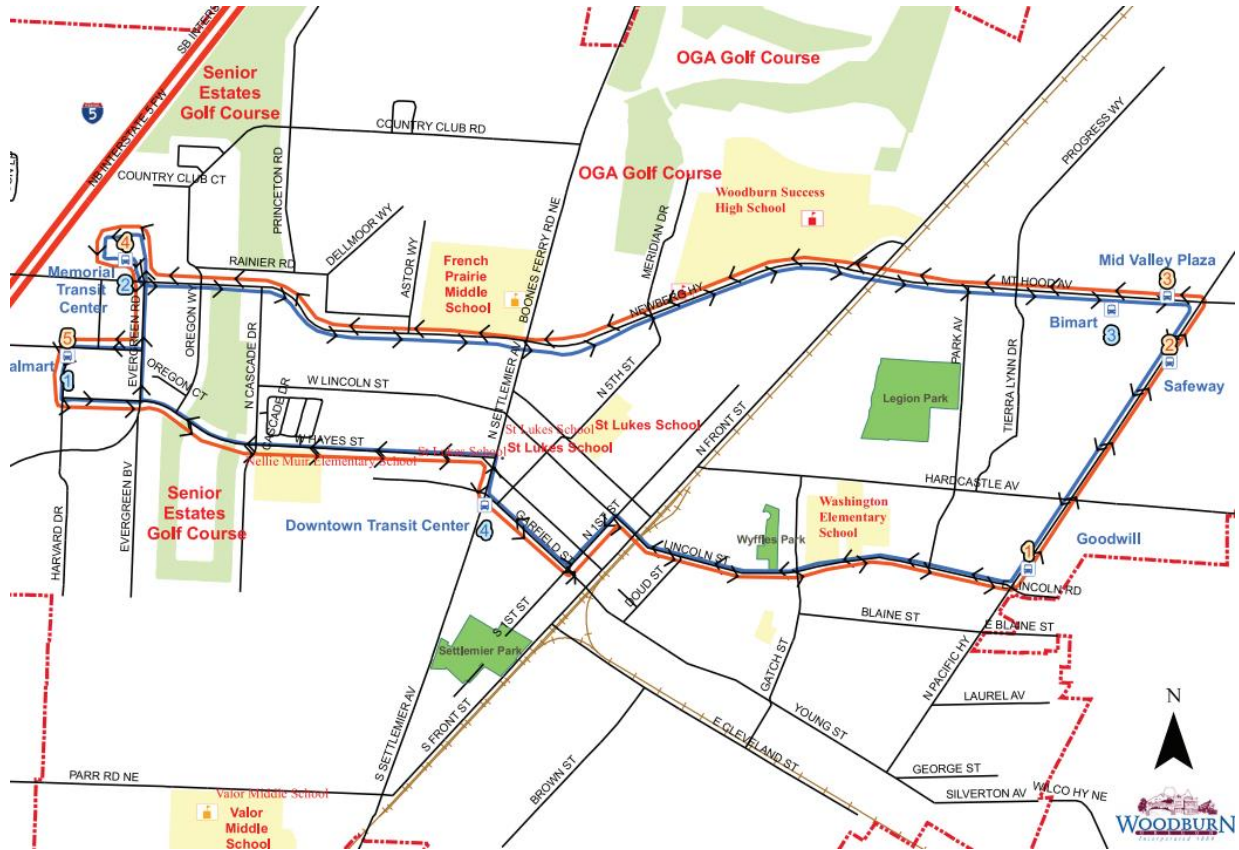


Figure 7. Woodburn Transit System – Express Loop.

## STUDY INTERSECTIONS

Study intersections within the analysis were identified based on discussions with ODOT and City staff. This coordination and review of the site impacts resulted in the inclusion of the following study intersections:

- I-5 Southbound Ramps / Newberg Highway (OR 214)
- I-5 Northbound Ramps / Newberg Highway (OR 214)
- Evergreen Road / Newberg Highway (OR 214)
- Right-In/Right-Out Access / Newberg Highway (OR 214)
- Oregon Way / Newberg Highway (OR 214)
- Oregon Way / Full Access

## TRAFFIC OPERATIONS

The traffic operations analysis was prepared using Synchro 10 software and Highway Capacity Manual 6<sup>th</sup> Edition and 2000 operations methods. All traffic operations within this report reflect peak fifteen-minute conditions during the peak hour. The study intersections are under the jurisdiction of ODOT and the City of Woodburn.

All of the study intersections along the Newberg Highway are under the jurisdiction of ODOT. Intersections under ODOT jurisdiction require compliance with the Oregon Highway Plan mobility targets based on Action 1F. Table 6 of the OHP summarizes the relevant ODOT mobility targets outside the Portland Metropolitan area; ODOT performance standards vary by location of the facility (urban vs. rural), State Functional Classification, and posted speed. Based on this table, intersections on the Newberg Highway have a target v/c ratio less than or equal to 0.95 in the City of Woodburn. Where there are interchange ramps, the maximum v/c ratio is 0.85. This can be increased to 0.90 in urban areas if it can be determined that 95<sup>th</sup> percentile queues would not extend onto the mainline and an adopted Interchange Area Management Plan is in place.

The City of Woodburn requires that signalized intersections operate at a level of service “E” or better. All intersections should operate with a v/c ratio of less than 1.00 regardless of the level of service. In addition, critical movements at unsignalized intersections should have a v/c ratio of less than 0.90 provided the queues can be accommodated.

## EXISTING TRAFFIC OPERATIONS

The existing year 2021 traffic conditions reflect the current operations throughout the study area during the weekday a.m. and p.m. peak hour. This analysis is used to calibrate operational models to field conditions, and in conjunction with historical safety information, is intended to help understand and prioritize transportation system improvement needs.

All of the study intersections were assessed during the weekday a.m. and p.m. peak periods which is when traffic volumes are highest on the arterial roadways. Traffic counts were collected on June 30<sup>th</sup> of 2019 during the weekday morning (7:00 – 9:00 a.m.) and evening (4:00 – 6:00 p.m.) peak periods. This time period reflects typical midweek commute period conditions during near-peak season conditions and the continued impact of COVID-19. Within the commute periods the weekday morning peak hour (the single hour with the highest total entering volume) was found to occur between 7:10 and 8:10 a.m. and the weekday p.m. peak hour was found to occur between 4:00 and 5:00 p.m.

To account for seasonal variations at the study intersections on the Newberg Highway, ODOT’s Automatic Traffic Recorders at Station 03-011 (located on I-5, 1.38 miles south of Wilsonville-Hubbard Highway) and Station 24-001 (located on Highway 99E, 0.11 miles south of NE Belle Passi Road) were reviewed for the past five years. It showed that June traffic counts should be increase by 1% to reflect peak August conditions on I-5 and peak July conditions on Highway 99E. A seasonal adjustment of 1% was applied to all Newberg Highway study intersections.

In addition, the data collected on I-5 between 2019 and 2021 was reviewed to identify the impact of COVID-19 on traffic patterns. The most recent published report, *Observed Statewide Traffic Volume Patterns: Related to COVID-19 Monitoring* dated July 9, 2021 reports the average weekday traffic volume on I-5 for the week of June 28<sup>th</sup> to July 4<sup>th</sup> to have increased 13% over 2020 volumes and is greater than



2019 traffic volumes. Traffic volumes on I-5 do not appear to have been impacted by COVID-19 during the collection of traffic counts. Therefore, no adjustment was made to the traffic counts for COVID-19 impacts.

The resulting turning movement counts from the weekday a.m. and p.m. peak hours are summarized and shown in Figure 8 and applied throughout all analysis scenarios. A summary of the existing conditions analysis is presented in Table 2. As shown in the table, all study intersections currently meet the applicable standards.

**Table 2. Summary of Existing Traffic Conditions**

Intersection	Jurisdiction	Performance Standard	Critical Movement	Weekday AM Peak Hour			Weekday PM Peak Hour		
				LOS	Delay (sec)	v/c Ratio	LOS	Delay (sec)	v/c Ratio
1: I-5 SB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	15.1	0.38	B	18.3	0.52
2: I-5 NB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	12.5	0.39	B	12.8	0.49
3: Evergreen Rd/ Newberg Hwy	ODOT	$v/c \leq 0.95$		C	20.7	0.41	C	22.9	0.63
4: RIRO Access/ Newberg Hwy	ODOT	$v/c \leq 0.95$	NB R						
5: Oregon Way/ Newberg Hwy	ODOT	$v/c \leq 0.95$		A	7.6	0.31	A	9.6	0.45
6: Oregon Way/ Access	City of Woodburn	$v/c \leq 0.90$	EB LR						

## SAFETY REVIEW

The safety review included field review of the area, review of historical crash data, and field verification of intersection sight distance at the accesses to the Newberg Highway and Oregon Way.

### Historical Crash Records

Crash records were obtained for all of Marion County from the ODOT crash database between January 2015 and December 2019, which reflects the most recent five-years of data available. Crashes required for reporting during this period include those involving any level of personal injury or property damage exceeding \$1,500 before 2018 or \$2,500 after 2018.

Table 3 summarizes the number and severity of reported crashes at each of the study area intersections. The table also provides a crash rate per million entering vehicles, which is often used to assess whether a geometric or traffic control deficiency is present when the crash rate is greater than 1.0 per million entering vehicles. ODOT also provides crash rates separated by control type and the number of approaches, which better distinguish between varying intersection forms and are provided for reference.



**Weekday AM Peak Hour**

**Weekday PM Peak Hour**

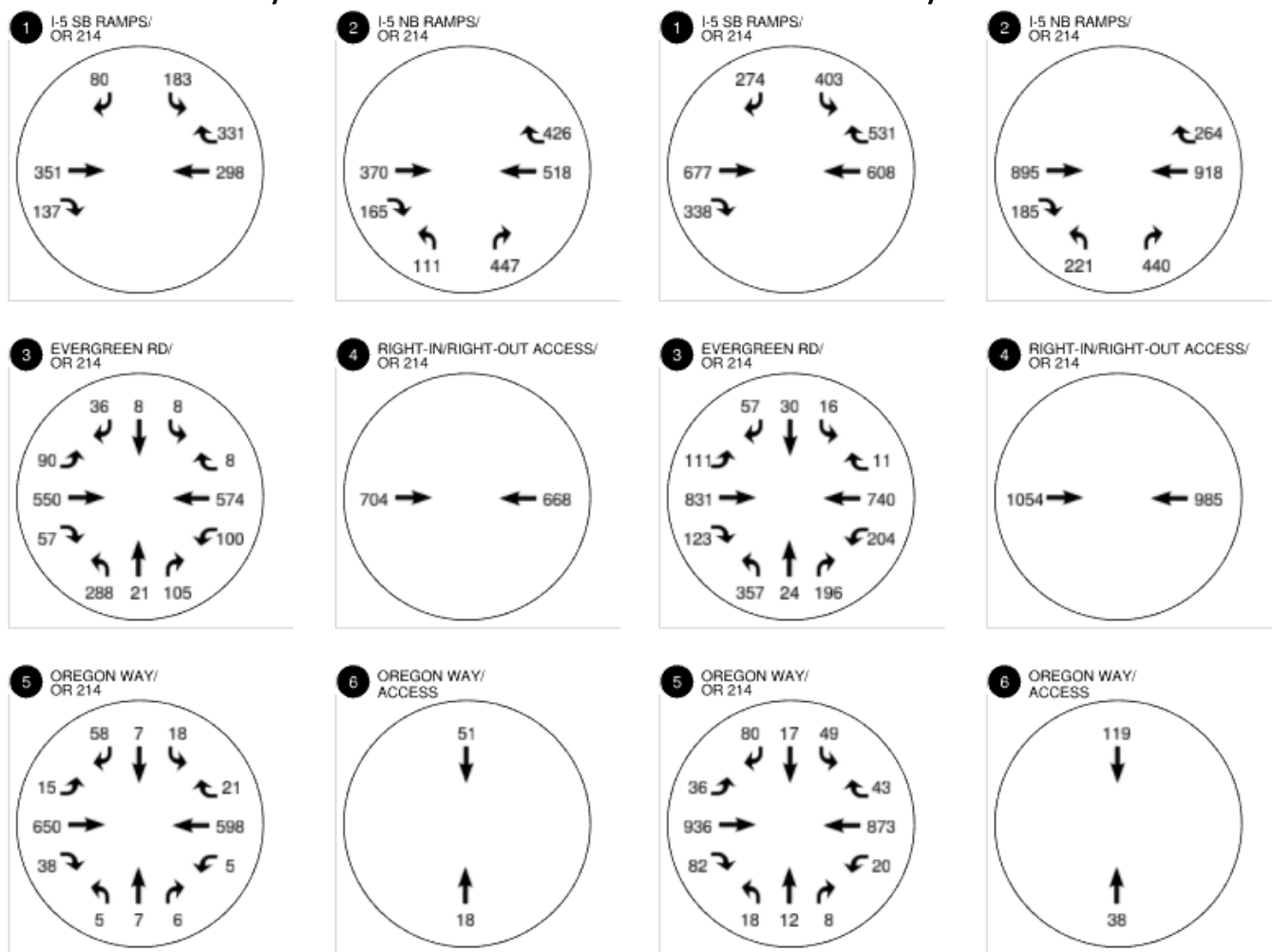


Figure 8. 2021 Existing Traffic Volumes, Weekday AM and PM Peak Hour.

**Table 3. Intersection Crash Summary (January 2015 to December 2019)**

Intersection	# of Crashes	Severity			Crash Rate per MEV	ODOT 90 <sup>th</sup> % Rate
		Fatal	Injury	Non-Injury		
1: I-5 SB Ramps/ Newberg Hwy	48	0	35	13	0.93	3SG: 0.509 <i>Urban</i>
2: I-5 NB Ramps/ Newberg Hwy	48	0	27	21	0.90	3SG: 0.509 <i>Urban</i>
3: Evergreen Rd/ Newberg Hwy	67	0	39	28	1.36	4SG: 0.860 <i>Urban</i>
4: RIRO Access/ Newberg Hwy	1	0	0	1	0.05	Right-In/ Right-Out
5: Oregon Way/ Newberg Hwy	43	0	30	13	1.08	4SG: 0.860 <i>Urban</i>
6: Oregon Way/ Access	0	0	0	0	0.00	3ST: 0.293 <i>Urban</i>

3SG: Three-legged signalized, 4SG: Four-legged signalized, 3ST: Three-legged stop-controlled

As shown in Table 3, all of the signalized intersections on the Newberg Highway within the study area experienced a crash rate greater than ODOT's 90<sup>th</sup> percentile crash rates for similar intersections. Table 4 summarizes the types of collisions that occurred at the study intersections.

**Table 4. Reported Collision Types (January 2015 through December 2019)**

Intersection	Turning/ Angle	Rear-End	Fixed Object	Head-On	Pedestrian	Side- swipe	Non- Collision	Backing
1: I-5 SB Ramps/ Newberg Hwy	6	36	1	1	0	3	1	0
2: I-5 NB Ramps/ Newberg Hwy	26	17	4	0	0	0	0	1
3: Evergreen Rd/ Newberg Hwy	49	15	1	0	0	1	1	0
4: RIRO Access/ Newberg Hwy	0	1	0	0	0	0	0	0
5: Oregon Way/ Newberg Hwy	39	4	0	0	0	0	0	0
6: Oregon Way/ Access	0	0	0	0	0	0	0	0

#### I-5 Southbound Ramps / Newberg Highway

The I-5 southbound ramps at the Newberg Highway have experienced 48 crashes over the five-year study period. This results in a crash rate greater than ODOT's 90<sup>th</sup> percentile rate for similar, signalized intersections. The majority of the crashes were rear-end collisions that occurred consistently across each year with the exception of 2016. Most of these occurred on the southbound off-ramp.

### I-5 Northbound Ramps / Newberg Highway

Forty-eight crashes were reported at the I-5 northbound ramp/Newberg Highway intersection. This resulted in a crash rate of 0.90 crashes per million entering vehicles, exceeding the state's 90<sup>th</sup> percentile rate for similar intersections. This intersection experienced a mix of turning, rear-end, fixed object, and backing collisions with turning collisions being the predominant crash type.

### Evergreen Road / Newberg Highway

Over the five-year review period 67 crashes were reported at this intersection resulting in a crash rate of 1.36. Of these crashes 42 were turning collisions with the predominant movements involved being the westbound left-turn and eastbound through movements with 25 crashes. Eight crashes involved the opposing eastbound left-turn and westbound through movements. Five turning crashes involved westbound through vehicles and vehicles in the eastbound left-turn lane making a U-turn maneuver.

The eastbound and westbound left-turn movements at this traffic signal are controlled by protected-permissive phasing. U-turns are permitted in the eastbound and westbound direction for passenger vehicles. The cross-section of the Newberg Highway at this intersection is four lanes with a paved median, providing adequate space for U-turn maneuvers. The westbound left-turn volume during the weekday p.m. peak hour is nearly double that of the eastbound left-turn volume, which would help account for the higher number of crashes involving the westbound left-turn movement. However, it is not clear why the crashes involving the westbound left-turn are three times as high as the opposing movement. It is recommended that ODOT monitor this intersection for continued crash patterns.

### Oregon Way / Newberg Highway

Forty-three crashes were reported at this intersection, which resulted in 30 injury crashes and 13 non-injury crashes. This resulted in a crash rate of 1.08, which is greater than ODOT's 90<sup>th</sup> percentile crash rate. The majority of crashes, 34, were turning collisions. Seventeen of these crashes involved westbound left-turning vehicles and eastbound through while 13 involved eastbound left-turning vehicles and westbound through. The east and westbound left-turn movements are controlled by protected-permissive phasing.

### SPIS Sites

The Safety Priority Index System (SPIS) is updated annually by ODOT and is a scoring method used to identify potential safety problems on state highways through a review of crash frequency, crash rate, and crash severity. The top 15% SPIS Groups list for year 2019 was reviewed for the Newberg Highway (OR 219 and OR 214). Table 5 summarizes the finding of the locations identified within the study area. As shown in the table, the site frontage and existing access are within the 95% SPIS segment.

**Table 5. 2019 ODOT SPIS Site in Study Area**

Highway	Beginning Milepoint	End Milepoint	Segment	SPIS Percent
Newberg Highway/OR 219 140 Hillsboro-Silverton	36.69	36.82	West of I-5 SB ramp to west of I-5 NB ramp	90%
Newberg Highway/OR 219 140 Hillsboro-Silverton	36.77	36.90	East of I-5 SB ramp to east of I-5 NB ramp	85%
Newberg Highway/OR 214 140 Hillsboro-Silverton	36.95	37.12	Lawson Ave to east of Evergreen Rd	95%
Newberg Highway/OR 214 140 Hillsboro-Silverton	37.04	37.23	East of Evergreen Rd to east of Oregon Way	95%

### Intersection Sight Distance

Intersection sight distance was reviewed to ensure an adequate view of conflicting traffic is provided to drivers at the existing connection to the Newberg Highway and at the full access on Oregon Way. Standard engineering practice is to apply the minimum recommended sight distance criteria based on the standard reference *A Policy on Geometric Design of Highways and Streets, 7<sup>th</sup> Edition* published by the American Association of State Highway and Transportation Officials (AASHTO) in 2018 (commonly referred to as the *Green Book*).

### Intersection Sight Triangles

For minor-street stop-control intersections, intersection sight triangles are based on guidance cited within Conditions B1 (left-turn from minor road) and B2 (right-turn from minor road) of the *Green Book*. All distances are measured from a vertex point located 14.5 feet from the major-road travel way along the center of the approaching travel lane, accounting for comfortable positioning distance from the travel way (6.5 feet) and the distance from the front of the vehicle to the driver eye (8.0 feet). The assumed eye height is 3.5 feet above the departing road for passenger vehicles. The object height is also 3.5 feet above the major road, providing enough space on the approaching vehicle to recognize it.

There are no horizontal or vertical alignment concerns along this portion of the Newberg Highway or Oregon Way to impede or limit sight distance for the existing accesses. Figure 9 illustrates the recommended minimum dimensions for the existing right-in/right-out access on the Newberg Highway. Figure 10 illustrates the recommended minimum dimensions for the existing full access on Oregon Way.

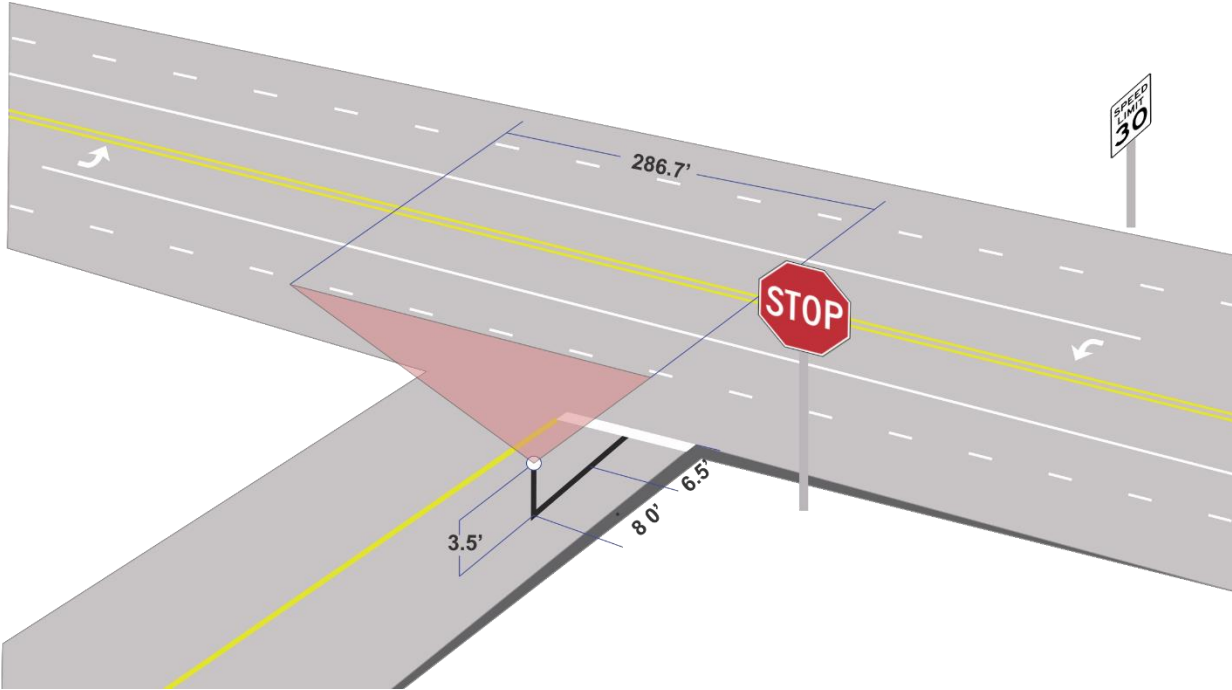


Figure 9. Recommended Intersection Sight Distance Measurements for Right-in/Right-out Access on Newberg Highway.

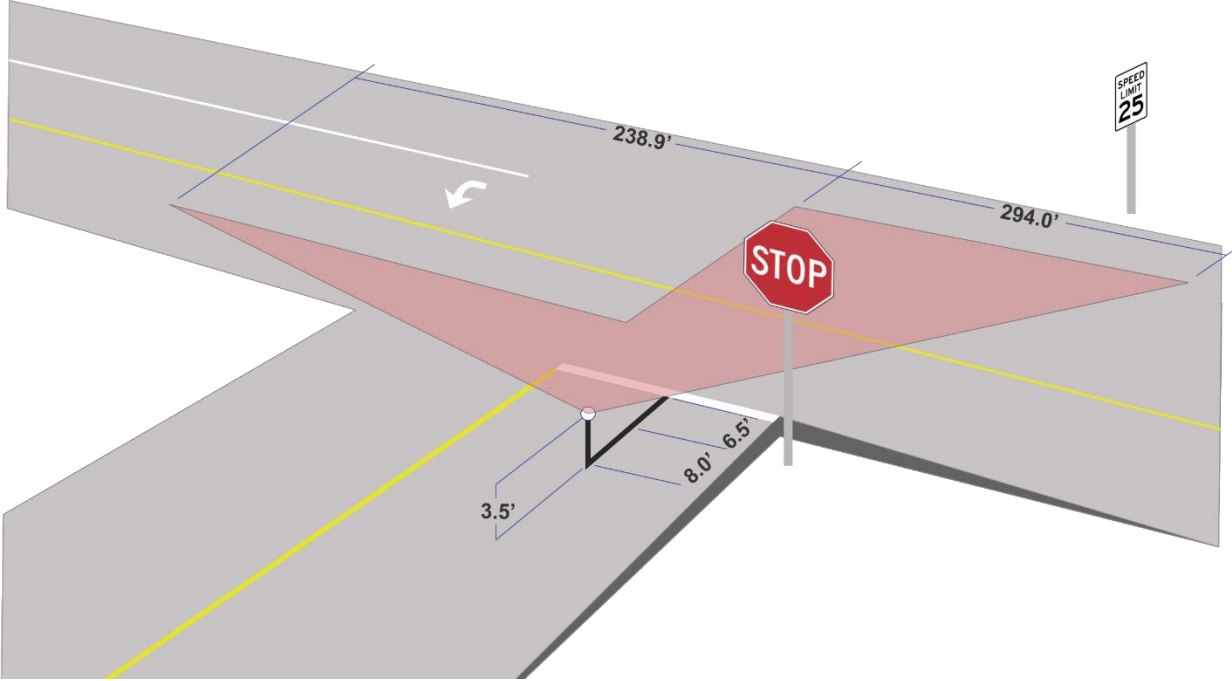


Figure 10. Recommended Intersection Sight Distance Measurements for Oregon Way Access.

The existing accesses were visited to ensure that no sight distance obstructions were present that would prevent these sight distances from being achieved. Figures 11 through 14 illustrate the available sight distance at the right-in/right-out and full access. These photos show that the area surrounding the site is flat with adequate sight distance available at both driveways. Vegetation along Oregon Way should be removed as already shown in the site plans.



Figure 11. Newberg Highway right-in, right-out access facing east highlighting the straight and flat topography (to highlight potential pedestrian conflicts at the access).



Figure 12. Newberg Highway right-in, right-out access facing west toward oncoming traffic.



Figure 13. Oregon Way access facing south.



Figure 14. Oregon Way access facing north toward the Newberg Highway.



Analysis Periods

It is anticipated that full build out will occur in year 2023. Therefore, all study intersections are analyzed for the future 2023 conditions. In addition, this report includes a 10-year planning horizon analysis.

YEAR 2023 BACKGROUND TRAFFIC OPERATIONS

Background traffic conditions identify conditions in the future year that the proposed development will be fully built-out but without the trips associated with the site. This scenario is presented to provide the basis for comparison to “with-site” conditions. This provides an understanding of area transportation needs that are attributable to the proposed development. These conditions consider the regional traffic growth and specific approved developments.

Growth Forecasts

ODOT forecasts future year volumes on their facilities throughout the state. This data is developed from the ODOT Transportation Volume Tables and travel demand models, where available. Based on the volumes 0.10 miles east and west of I-5 on the Newberg Highway, ODOT’s Future Volumes Table shows that traffic volumes on the highway are expected to grow on average 0.3- to 0.4-percent per year. This is based on a travel demand model for the City.

Higher growth is expected on City streets. A review of the adopted Woodburn TSP shows existing 2017 and forecast 2040 traffic volumes at major intersections around the City. These volume forecasts are based on the information in the Woodburn travel demand model and anticipated land uses and planned transportation improvements in the area. A review of traffic forecasts at the Evergreen Road and Oregon Way intersections with the Newberg Highway show that traffic volumes are expected to grow an average of 1.7-percent per year on Evergreen Road and Oregon Way.

Table 6. Forecast Growth (2017 to 2040)

Location	Year 2017 Base Two-Way Volume Weekday PM Peak Hour	Year 2040 Future Two-Way Volume Weekday PM Peak Hour	Annual Growth
Evergreen Rd North of Newberg Hwy	245	244	-0.02%
Evergreen Rd South of Newberg Hwy	895	1,435	2.6%
Oregon Way Rd North of Newberg Hwy	360	499	1.7%
Oregon Way Rd South of Newberg Hwy	94	148	2.5%
<b>Average</b>			<b>1.7%</b>

The year 2023 traffic forecasts were developed by applying a 0.4-percent annual growth rate to the Newberg Highway and 1.7-percent annual growth rate to Evergreen Road and Oregon Way, along with inclusion of approved development trips.

Approved Development Trips

Based on discussions with the City, multiple developments were identified for inclusion in the background volumes based on information from the City’s online current project list. These are summarized in Table 7 along with the estimated level of development assumed in the analysis.

**Table 7. Approved Development Trip Assumptions**

Development	Size	Trip Generation		Estimated Level of Development		
		Weekday AM Peak Hour	Weekday PM Peak Hour	2021	2023	2033
Schultz Farm	154 units	114	152	0%	100%	100%
Woodburn Urgent Care	4,000 sf	11	14	0%	100%	100%
Allison Way Apartments	586 units	211	258	0%	30%	100%
Smith Creek Development	808 units	543	712	0%	30%	100%

The regional growth was applied to the existing traffic volumes and approved developments were added to forecast year 2023 “No-Build” conditions within the site vicinity. The resulting volumes are shown in Figure 15. The analysis results are summarized in Table 8.



**Weekday AM Peak Hour**

**Weekday PM Peak Hour**

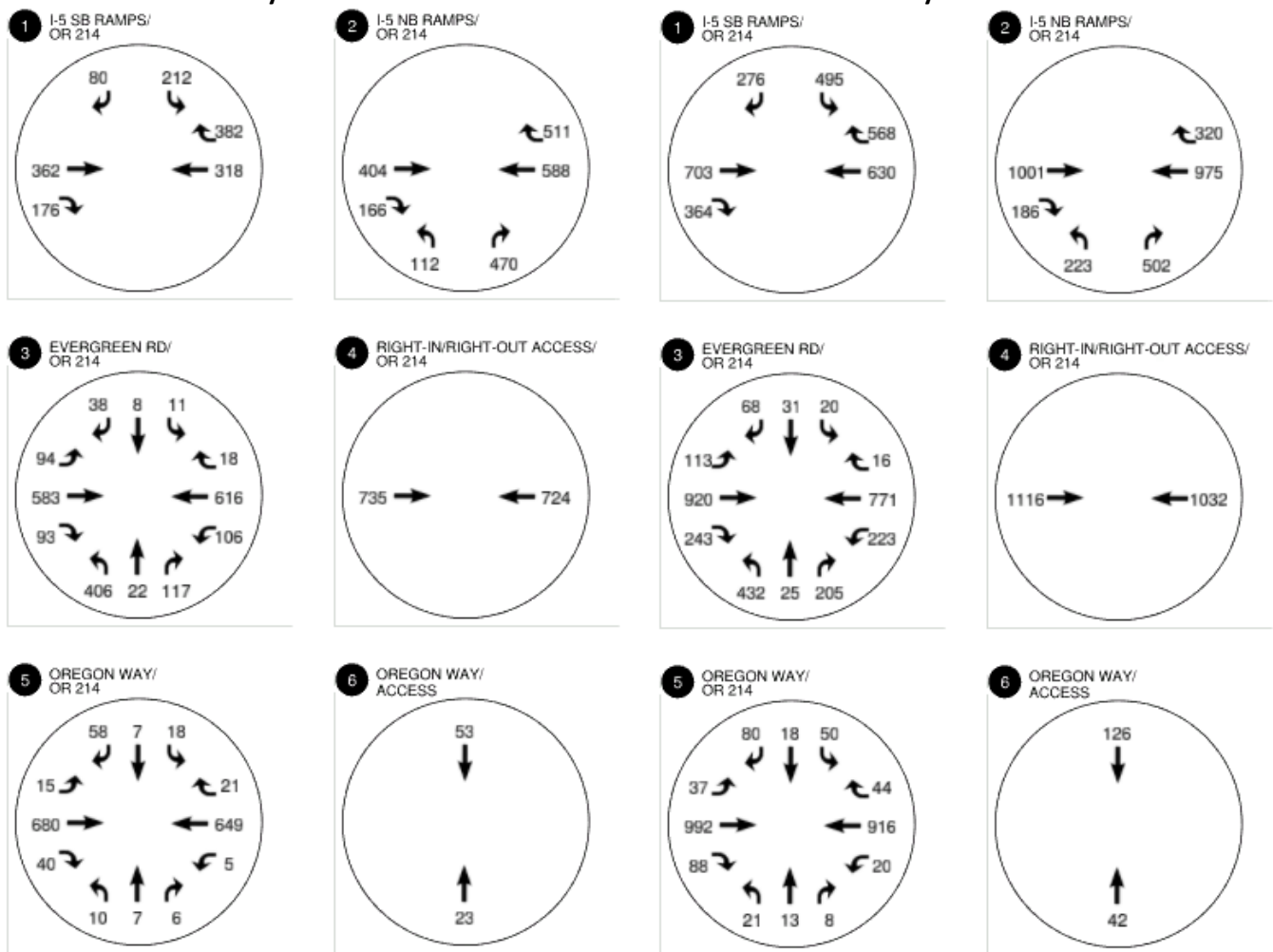


Figure 15. 2023 Background Traffic Volumes, Weekday AM and PM Peak Hour.

**Table 8. Summary of 2023 Background (No Build) Traffic Conditions**

Intersection	Jurisdiction	Performance Standard	Critical Movement	Weekday AM Peak Hour			Weekday PM Peak Hour		
				LOS	Delay (sec)	v/c Ratio	LOS	Delay (sec)	v/c Ratio
1: I-5 SB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	15.4	0.43	B	19.2	0.56
2: I-5 NB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	12.2	0.46	B	14.0	0.55
3: Evergreen Rd/ Newberg Hwy	ODOT	$v/c \leq 0.95$		C	23.7	0.49	C	28.9	0.74
4: RIRO Access/ Newberg Hwy	ODOT	$v/c \leq 0.95$	NB R						
5: Oregon Way/ Newberg Hwy	ODOT	$v/c \leq 0.95$		A	8.0	0.33	B	10.9	0.48
6: Oregon Way/ Access	City of Woodburn	$v/c \leq 0.90$	EB LR						

As shown in Table 8, all study intersections currently meet standards during the weekday a.m. and p.m. peak hours.

## PROPOSED DEVELOPMENT PLAN

The proposed site plan from Figure 3 shows that the project includes the construction of a fueling center and 4,500 square-foot convenience market with 1,500 square-foot of attached office space, and a separate 5,000 square-foot office building. The site will utilize the existing right-in/right-out access to the Newberg Highway and the existing access on the south edge of the site to Oregon Way. A connection is planned between this site and the Dairy Queen site to the west, which will provide an alternate route for the adjacent property. Sidewalks are already provided on the frontage of the site on the Newberg Highway and Oregon Way. Sidewalks and pedestrian crossings are planned adjacent to the new office building and convenience store, which will connect to the street sidewalks.

## TRIP GENERATION

Trip generation estimates were prepared for the site based on the standard reference *Trip Generation, 10<sup>th</sup> Edition*, published by the Institute of Transportation Engineers. There are several types of fuel centers within this reference manual, but with the size of the convenience market and number of fueling positions the most applicable classification is ITE Land Use 960: Super Convenience Market/Gas Station, as defined below.

*ITE Land Use 960: Super Convenience Market/Gas Station – This land use includes gasoline/service stations with convenience markets where there is significant business related to the sale of convenience items and the fueling of motor vehicles. Some commonly sold convenience items include newspapers, freshly brewed coffee, daily-made donuts, bakery items, hot and cold beverages, breakfast items, dairy items, fresh fruits, soups, light meals, ready-to-go and freshly made sandwiches and wraps, and ready-to-go salads. Stores typically also had automated teller machines (ATMs) and public restrooms. The sites included in this land use category have the following two specific characteristics:*

- *The gross floor area of the convenience market is at least 3,000 square-feet*

- The number of vehicle fueling positions is at least 10.

The attached office portion of the building and separate 5,000 square-foot office building were classified using ITE’s *Land Use 710: General Office Building*. This land use is described as follows:

*A general office building houses multiple tenants; it is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers, and tenant services, such as a bank or savings and loan institution, a restaurant, or cafeteria and service retail facilities. A general office building with a gross floor area of 5,000 square feet or less is classified as a small office building (Land Use 712).*

*When the buildings are interrelated (defined by shared parking facilities or the ability to easily walk between buildings) or house one tenant, it is suggested that the total area or employment of all the buildings be used for calculating the trip generation.*

Since the convenience market with fuel center and office will be replacing two banks with drive-in windows the trips for these uses were estimated with ITE’s *Land Use 912: Drive-in Bank*, as defined below:

*A drive-in bank provides banking facilities for motorists who conduct financial transactions from their vehicles; many also serve patrons who walk into the building. The drive-in lanes may or may not provide automatic teller machines (ATMs).*

Table 9 summarizes the trip generation estimates for the existing and proposed site uses.

**Table 9. Trip Generation Estimates (ITE 10<sup>th</sup> Edition)**

Land Use	ITE Code	Metric	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
<b>Existing Uses</b>									
Drive-in Bank	912	5,714 SF	572	54	31	23	117	59	58
<i>Pass-by Trips</i>			-200	-16	-9	-7	-41	-21	-20
<b>Proposed Uses</b>									
General Office Building	710	6,500 SF	63	8	6	2	7	1	6
Super Convenience Market/Gas Station	960	4,500 SF	3,769	374	187	187	312	156	156
<i>Pass-by Trips</i>			-2,337	-232	-116	-116	-193	-97	-96
<b>Total Trips</b>									
Total			3,832	382	193	189	319	157	162
<i>Pass-by</i>			-2,337	-232	-116	-116	-193	-97	-96
<b>Net New</b>			<b>1,495</b>	<b>150</b>	<b>77</b>	<b>73</b>	<b>126</b>	<b>60</b>	<b>66</b>

As shown in Table 9, the proposed super convenience market with office and fueling positions generates more trips than the uses it replaces and will require a formal Transportation Impact Analysis. This - Transportation Impact Analysis will be required to assess ODOT intersections impacted by 50 or more weekday p.m. peak hour trips. Woodburn Development Ordinance 3.04.05 cites City criteria for transportation analyses, and cites projects generating more than 100 weekday p.m. peak hour trips will require a formal TIA.

## TRIP DISTRIBUTION AND ASSIGNMENT

A convenience store with fueling positions is likely to have its traffic oriented toward major nearby travel corridors. With this type of use primary trips (home to business) are less common, particularly with this site near the City's only interchange with I-5 and location along the OR 214 corridors. Figure 6 illustrates the functional classification of the surrounding streets as identified in the City's Transportation System Plan, highlighting the primary travel routes in the site vicinity.

With an Average Annual Daily Traffic flow of about 26,300 vehicles on OR 214 and 97,800 on I-5 south of the interchange these corridors will serve the majority of site trips and will be the primary routes for pass-by trips to the site. With the larger convenience store proposed, nearby residential areas will also access the site for essential goods. Figure 15 illustrates the trip distribution pattern for the site.

Site-generated trips shown in Table 9 were assigned to the transportation network in accordance with the trip distribution pattern. This trip assignment is also provided in Figure 15 and shows the general impact area of the site accounting for the available trip credits from the prior banks<sup>1</sup>.

This figure shows that the impact area of the convenience market and fuel station is limited to the area between the I-5 interchange and the Evergreen Avenue access, with trip impacts beyond this area limited. It is also noted that the median-restricted right-in, right-out access onto OR 214 will experience more than 50 weekday p.m. peak hour trips, triggering ODOT's Change of Use criteria.

## YEAR 2023 TOTAL TRAFFIC CONDITIONS (BUILDOUT)

The total traffic analysis identifies how the study area's transportation system will operate with the inclusion of the proposed development. It includes the traffic volumes from the background and adds in the site-generated trips. The resulting traffic volumes are shown in Figure 16. Table 10 summarizes the resulting traffic operations.

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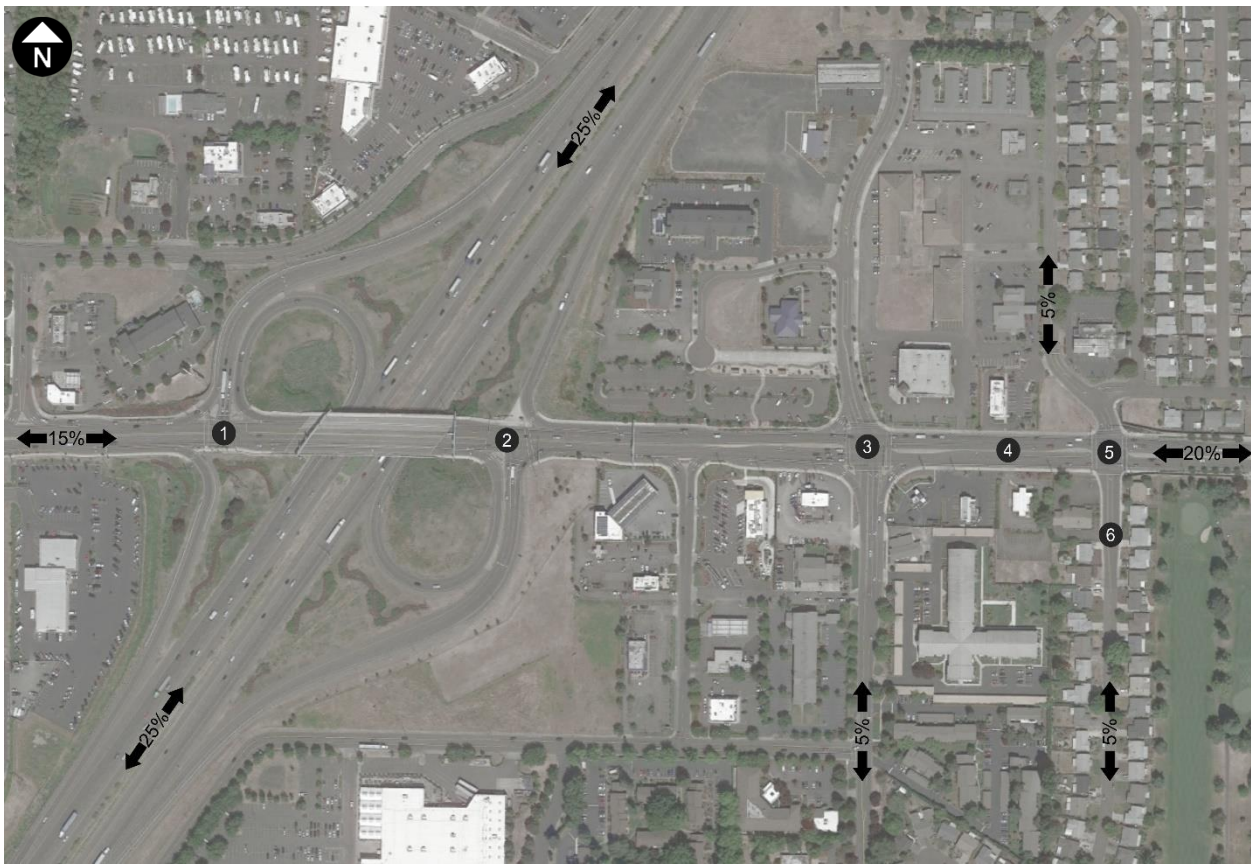
<sup>1</sup> The original traffic studies for the banks were not located, but trip rates for banks were significantly reduced within the newer versions of the ITE manual due to the proliferation of online banking. The vested trips from these older banks likely would have been filed using the older editions of the ITE Trip Generation manual that precede these banking trends.

**Table 10. Summary of Total Traffic Conditions**

Intersection	Jurisdiction	Performance Standard	Critical Movement	Weekday AM Peak Hour			Weekday PM Peak Hour		
				LOS	Delay (sec)	v/c Ratio	LOS	Delay (sec)	v/c Ratio
1: I-5 SB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	16.5	0.49	B	19.7	0.60
2: I-5 NB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	12.7	0.50	B	14.6	0.59
3: Evergreen Rd/ Newberg Hwy	ODOT	$v/c \leq 0.95$		C	23.2	0.54	C	31.0	0.78
4: RIRO Access/ Newberg Hwy	ODOT	$v/c \leq 0.95$	NB R	B	12.0	0.07	B	14.0	0.03
5: Oregon Way/ Newberg Hwy	ODOT	$v/c \leq 0.95$		B	15.4	0.42	B	16.5	0.54
6: Oregon Way/ Access	City of Woodburn	$v/c \leq 0.90$	EB LR	A	9.9	0.17	B	10.3	0.14

**BOLD:** Performance standard not met

As shown in Table 10, the study intersections are expected to continue to meet City and State standards with buildout in 2023.



**Weekday AM Peak Hour**

**Weekday PM Peak Hour**

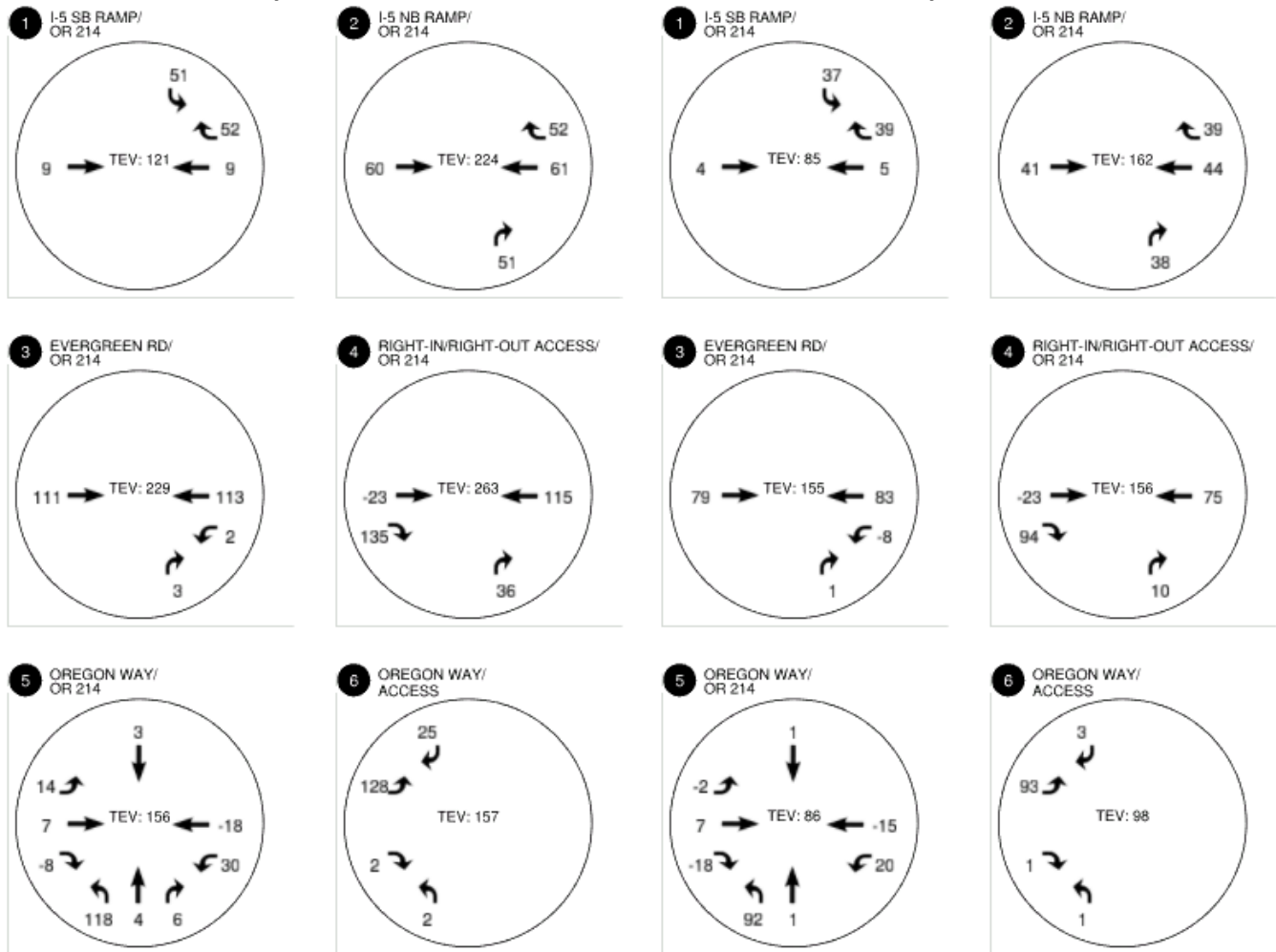


Figure 15. Estimated Trip Distribution and Net New Trip Assignment, Weekday AM and PM Peak Hour  
 Note: Includes existing bank trip credits (net new and pass-by) as well as primary and pass-by trips.





**Weekday AM Peak Hour**

**Weekday PM Peak Hour**

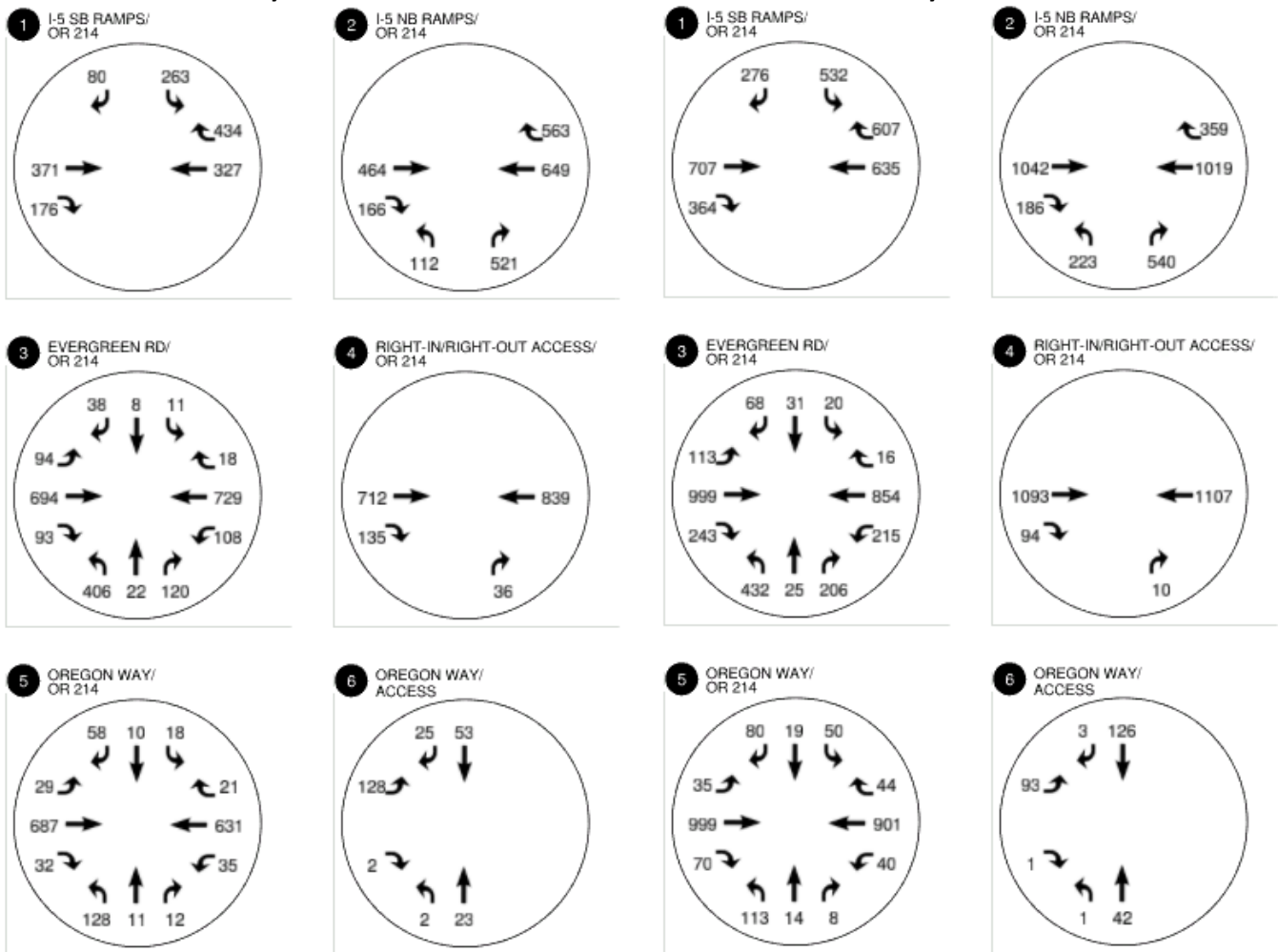


Figure 16. 2023 Total Traffic Volumes, Weekday AM and PM Peak Hour.

## 2033 PLANNING ANALYSIS

The year 2033 planning level analysis identifies how the study area's transportation system will operate in the future both with and without the proposed development. It includes full buildout of the approved developments identified in Table 7 and the application of the annual growth rates (0.4-percent per year on the Newberg Highway and 1.7-percent per year on City streets). Figures 17 and 18 illustrate the forecast background and total traffic volumes in 2033 and Table 11 includes the resulting traffic conditions.

**Table 11. Summary of 2033 Traffic Conditions**

Intersection	Jurisdiction	Performance Standard	Critical Movement	Weekday AM Peak Hour			Weekday PM Peak Hour		
				LOS	Delay (sec)	v/c Ratio	LOS	Delay (sec)	v/c Ratio
<b>Year 2033 Background Traffic Conditions</b>									
1: I-5 SB Ramps/ Newberg Hwy	ODOT	v/c ≤ 0.85		B	16.5	0.54	C	22.4	0.66
2: I-5 NB Ramps/ Newberg Hwy	ODOT	v/c ≤ 0.85		B	12.0	0.62	B	16.5	0.71
3: Evergreen Rd/ Newberg Hwy	ODOT	v/c ≤ 0.95		C	30.1	0.64	E	55.8	0.94
4: RIRO Access/ Newberg Hwy	ODOT	v/c ≤ 0.95	NB R						
5: Oregon Way/ Newberg Hwy	ODOT	v/c ≤ 0.95		A	9.0	0.36	B	12.8	0.53
6: Oregon Way/ Access	City of Woodburn	v/c ≤ 0.90	EB LR						
<b>Year 2033 Total Traffic Conditions</b>									
1: I-5 SB Ramps/ Newberg Hwy	ODOT	v/c ≤ 0.85		B	17.4	0.60	C	22.9	0.69
2: I-5 NB Ramps/ Newberg Hwy	ODOT	v/c ≤ 0.85		B	13.8	0.66	B	17.5	0.75
3: Evergreen Rd/ Newberg Hwy	ODOT	v/c ≤ 0.95		C	30.1	0.70	E	65.8	<b>0.97</b>
4: RIRO Access/ Newberg Hwy	ODOT	v/c ≤ 0.95	NB R	B	12.4	0.07	B	14.8	0.03
5: Oregon Way/ Newberg Hwy	ODOT	v/c ≤ 0.95		B	17.9	0.46	C	23.1	0.59
6: Oregon Way/ Access	City of Woodburn	v/c ≤ 0.90	EB LR	B	10.0	0.18	B	10.6	0.15

**BOLD:** Performance standard not met



**Weekday AM Peak Hour**

**Weekday PM Peak Hour**

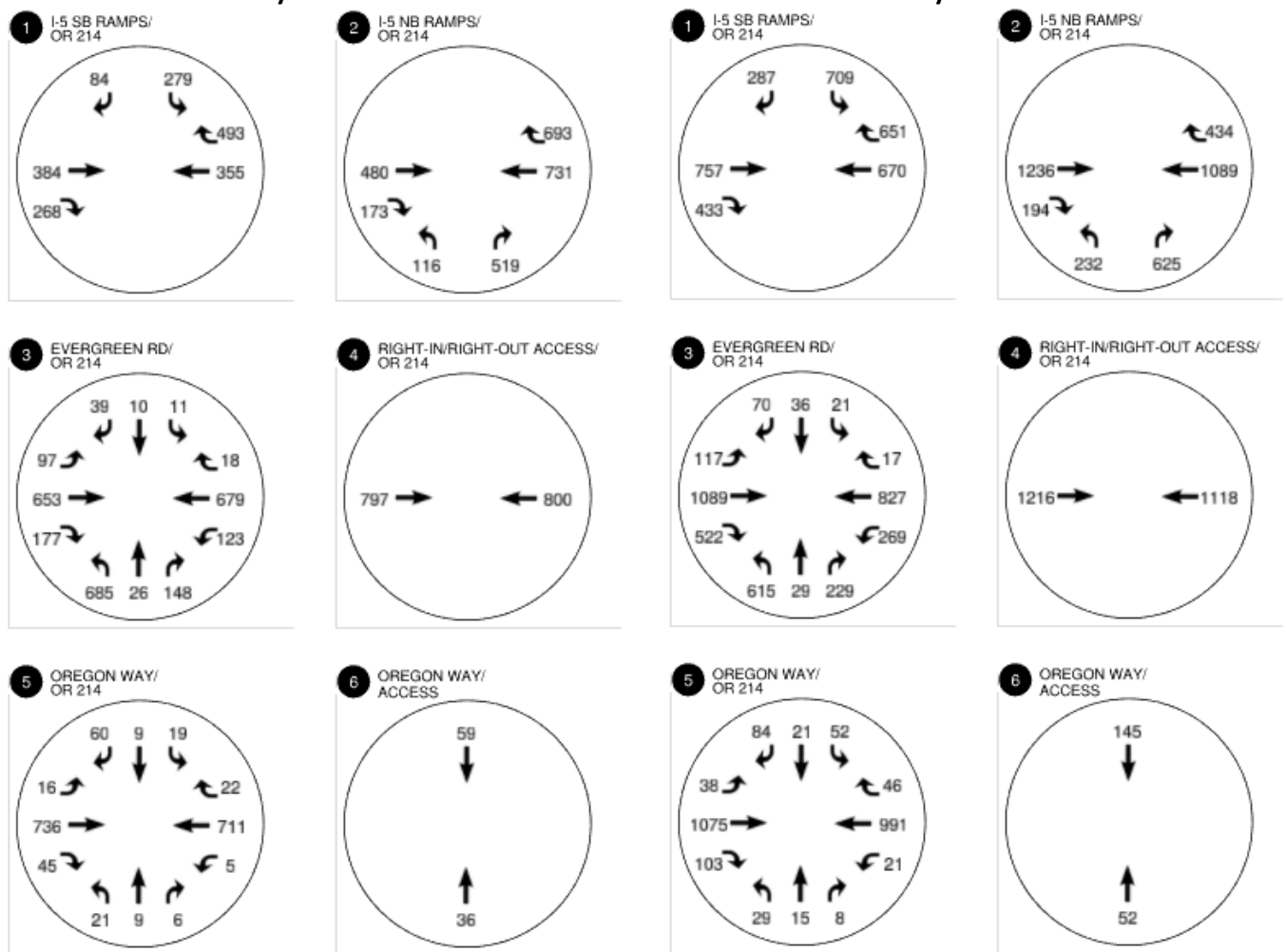


Figure 17. 2033 Background Traffic Volumes, Weekday AM and PM Peak Hour.



**Weekday AM Peak Hour**

**Weekday PM Peak Hour**

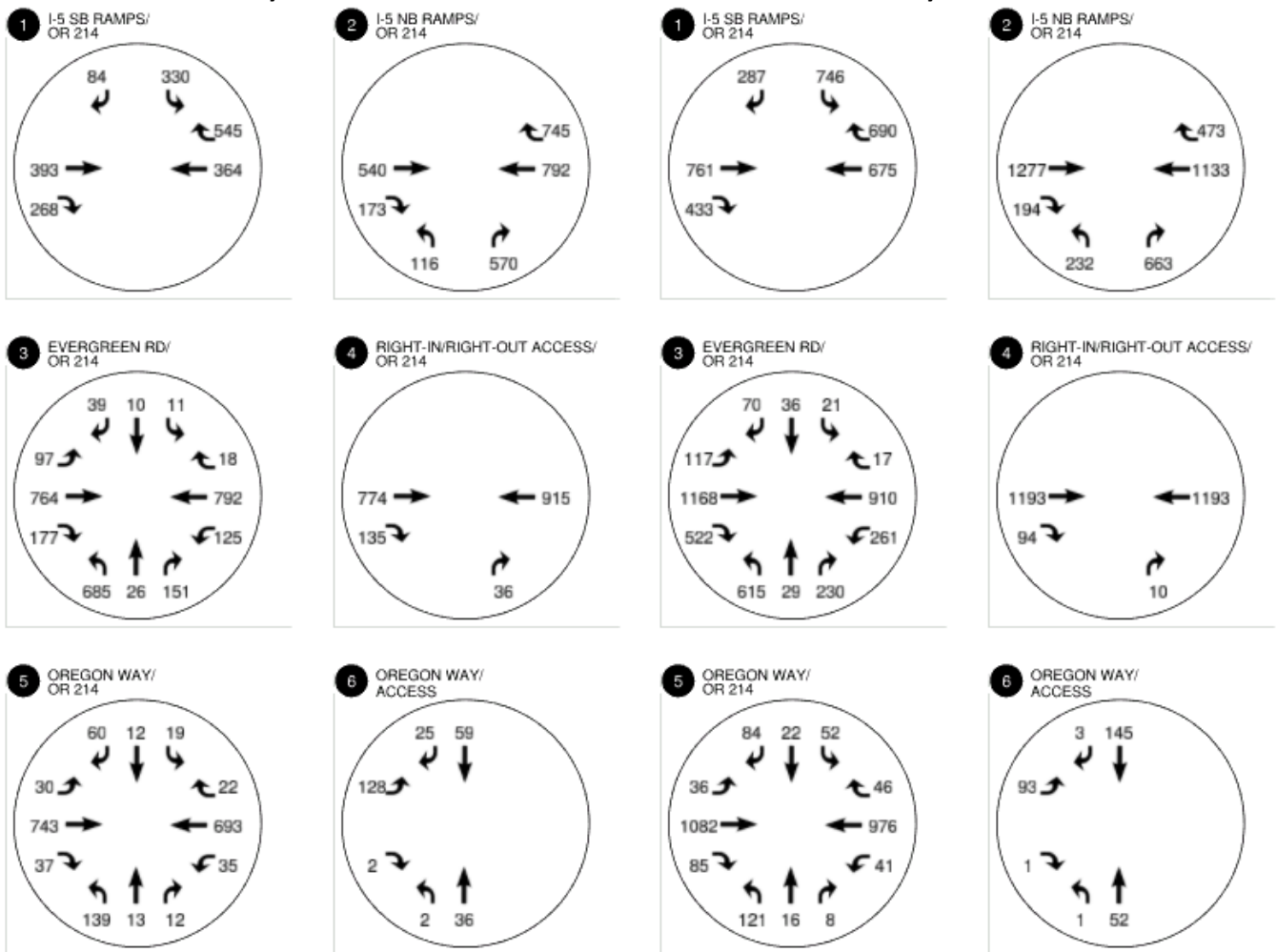


Figure 18. 2033 Total Traffic Volumes, Weekday AM and PM Peak Hour.

As shown in Table 11, all study intersections are expected to meet City and State standards in 2033 with the exception of the Evergreen Road/Newberg Highway intersection. The Evergreen Road/Newberg Highway intersection is expected to be approaching capacity in 2033 during the weekday p.m. peak hour with or without the proposed development. Two significant residential developments were conservatively assumed to have been fully built out by 2033 that are expected to generate a considerable number of trips through this intersection. The Smith Creek Development, an approximately 145-acre residential development, is expected to add 728 weekday p.m. trips to this intersection at full buildout. Allison Way Apartments, an approximately 19-acre multifamily developments, is expected to add 216 weekday p.m. trips to this intersection at full buildout. Both developments add a significant number of trips to the northbound left-turn and eastbound right-turn movements.

The Woodburn Transportation System Plan analyzed the Evergreen Road/Newberg Highway intersection in year 2040 and found that it would operate at a v/c ratio of 1.15 without any mitigation. The *Future Systems Conditions* memo within the Appendix states “As residential areas grow south of OR 214 and east of I-5, additional connections and alternative routing opportunities are likely going to be needed to help disperse this future demand from Evergreen Road while still connecting to the I-5 corridor.” The TSP also includes signal projects at each of the study intersections, as shown in Figure 19. At Evergreen Road, Project R10 is a medium priority project to investigate and modify corridor signal timing for \$15,000.



Figure 19. Transportation System Plan Projects.

## FINDINGS AND RECOMMENDATIONS

The Transportation Impact Analysis prepared for the proposed fuel center and convenience market provides the following findings:

- The site is located outside of the Woodburn Interchange Area Management Plan boundary, but due to its proximity is still subject to agency review as the property appears to be located within the Interchange Management Area Overlay District.
- The proposed 12-position fueling station, 4,500 square-foot convenience market with attached office space, and separate 5,000 square-foot office building are consistent with the Commercial General zoning.
- Accounting for the recent demolition of the two on-site banks, the development is expected to generate 3,793 daily trips, of which 377 are expected during the weekday a.m. peak hour and 316 during the weekday p.m. peak hour.
- The site will utilize the existing right-in/right-out access on the Newberg Highway, which will require a Change of Use with ODOT due to the increased vehicular use of this driveway.
- The site will also use the existing full access on Oregon Way, which is located adjacent to the south property line.
- All study intersections meet State and City standards with buildout in 2023 during the weekday a.m. and p.m. peak hours.
- The Evergreen Road/Newberg Highway intersection will be approaching capacity in 2033 with or without the site during the weekday p.m. peak hour. The TSP did not identify any specific capacity improvements for this intersection, but identified the need to explore alternate routing options and signal timing strategies.

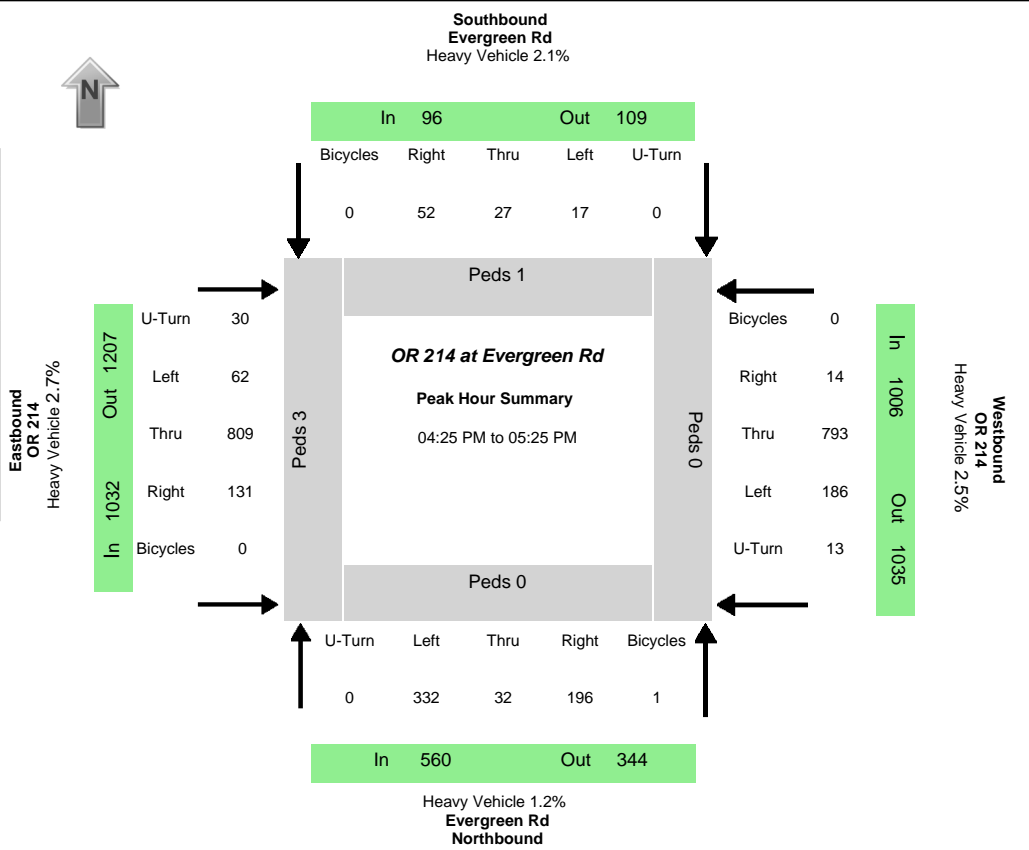
Please let me know if you have any questions or comments on this Transportation impact Analysis at (503) 997-4473 or via email at [joe@transightconsulting.com](mailto:joe@transightconsulting.com).

### Attachments:

- Traffic Count Worksheets
- Crash Summary Sheets
- Year 2021 Existing Conditions LOS Worksheets
- Year 2023 No-Build Conditions LOS Worksheets
- Year 2023 "With Project" Conditions LOS Worksheets
- Year 2033 No-Build Conditions LOS Worksheets
- Year 2033 "With Project" Conditions LOS Worksheets

Data Provided by K-D-N.com 503-594-4224

N/S street	<b>Evergreen Rd</b>
E/W street	<b>OR 214</b>
City, State	Woodburn OR
Site Notes	
Location	45.150989 - -122.875784
Start Date	Wednesday, June 30, 2021
Start Time	04:00:00 PM
Weather	
Study ID #	
<b>Peak Hour Start</b>	<b>04:25:00 PM</b>
<b>Peak 15 Min Start</b>	<b>04:25:00 PM</b>
<b>PHF (15-Min Int)</b>	<b>0.95</b>



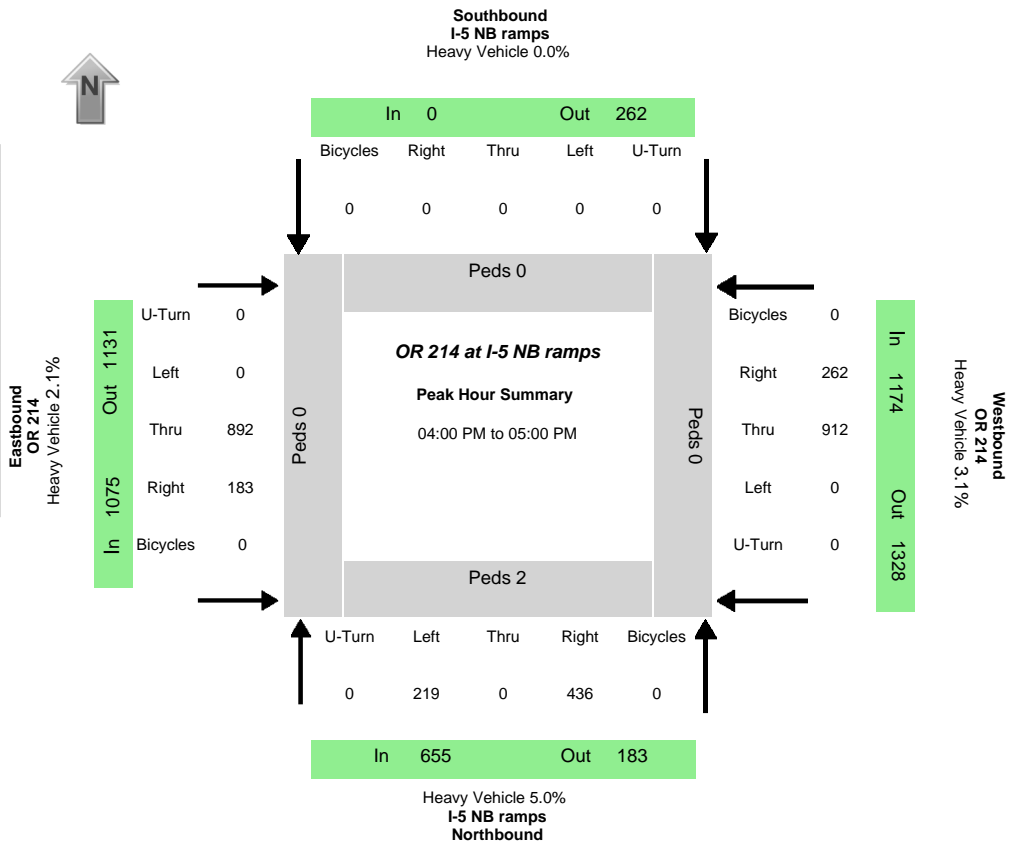
Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
332	32	196	0	17	27	52	0	62	809	131	30	186	793	14	13	560	96	1032	1006	344	108	1207	1035
Percent Heavy Vehicles																							
2.1%	0.0%	0.0%	0.0%	0.0%	0.0%	3.8%	0.0%	0.0%	3.2%	1.5%	0.0%	0.0%	3.2%	0.0%	0.0%	1.3%	2.1%	2.7%	2.5%	0.6%	0.0%	2.8%	2.5%

PHV - Bicycles														PHV - Pedestrians							
Northbound				Southbound				Eastbound				Westbound				in Crosswalk				Sum	
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Sum	NB	SB	EB	WB	Sum
0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	3	0	4

Time	Northbound Evergreen Rd				Southbound Evergreen Rd				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
04:00:00 PM	29	4	18	0	0	2	3	0	5	65	5	0	22	49	0	1		
04:05:00 PM	39	3	20	0	2	3	6	0	7	78	7	4	10	60	0	2		
04:10:00 PM	22	1	16	0	0	5	7	0	8	57	15	4	15	57	2	1	654	
04:15:00 PM	27	1	15	0	1	4	5	0	4	36	12	3	7	57	0	0	623	
04:20:00 PM	34	3	13	0	3	1	5	0	13	63	7	2	20	65	1	1	613	
04:25:00 PM	34	2	19	0	2	1	9	0	8	73	10	4	16	61	0	0	642	
04:30:00 PM	31	1	19	0	3	1	3	0	7	84	9	2	20	69	3	1	723	
04:35:00 PM	24	0	13	0	4	1	5	0	9	65	9	4	11	70	1	2	710	
04:40:00 PM	28	1	18	0	0	4	4	0	6	71	15	2	13	52	0	0	685	
04:45:00 PM	32	3	15	0	0	2	2	0	5	45	12	1	15	57	1	1	623	
04:50:00 PM	27	3	16	0	1	5	3	0	5	68	14	0	19	63	0	2	631	
04:55:00 PM	25	2	12	0	0	1	4	0	5	68	7	2	19	71	3	4	640	2621
05:00:00 PM	35	5	20	0	1	4	4	0	4	61	10	4	13	69	1	0	680	2649
05:05:00 PM	23	5	13	0	2	1	5	0	2	58	7	4	11	90	2	0	677	2631
05:10:00 PM	27	1	18	0	0	5	2	0	4	65	11	1	18	67	1	1	675	2642
05:15:00 PM	20	2	15	0	2	1	10	0	2	67	12	4	14	59	1	1	654	2680
05:20:00 PM	26	7	18	0	2	1	1	0	5	84	15	2	17	65	1	1	676	2694
05:25:00 PM	31	5	10	0	0	2	4	0	4	78	12	3	17	66	0	1	688	2688
05:30:00 PM	24	1	9	0	3	2	6	0	6	59	6	5	8	63	2	0	672	2629
05:35:00 PM	20	3	20	0	2	2	3	0	6	68	8	1	11	58	1	2	632	2616
05:40:00 PM	31	1	10	0	4	3	9	0	6	55	5	4	16	44	3	0	590	2593
05:45:00 PM	23	2	10	0	2	2	1	0	6	61	7	1	9	55	0	1	576	2582
05:50:00 PM	22	0	11	0	2	1	1	0	7	69	12	5	10	57	2	1	571	2556
05:55:00 PM	36	0	17	0	3	3	2	0	7	80	23	1	12	42	2	0	608	2561

Data Provided by K-D-N.com 503-594-4224

N/S street	I-5 NB ramps
E/W street	OR 214
City, State	Woodburn OR
Site Notes	
Location	45.151084 - -122.87928
Start Date	Wednesday, June 30, 2021
Start Time	04:00:00 PM
Weather	
Study ID #	
Peak Hour Start	04:00:00 PM
Peak 15 Min Start	04:05:00 PM
PHF (15-Min Int)	0.94



Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
219	0	436	0	0	0	0	0	0	892	183	0	0	912	262	0	655	0	1075	1174	183	262	1131	1328
Percent Heavy Vehicles																							
4.6%	0.0%	5.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1.3%	6.0%	0.0%	0.0%	2.4%	5.3%	0.0%	5.0%	0.0%	2.1%	3.1%	6.0%	5.3%	2.8%	2.6%

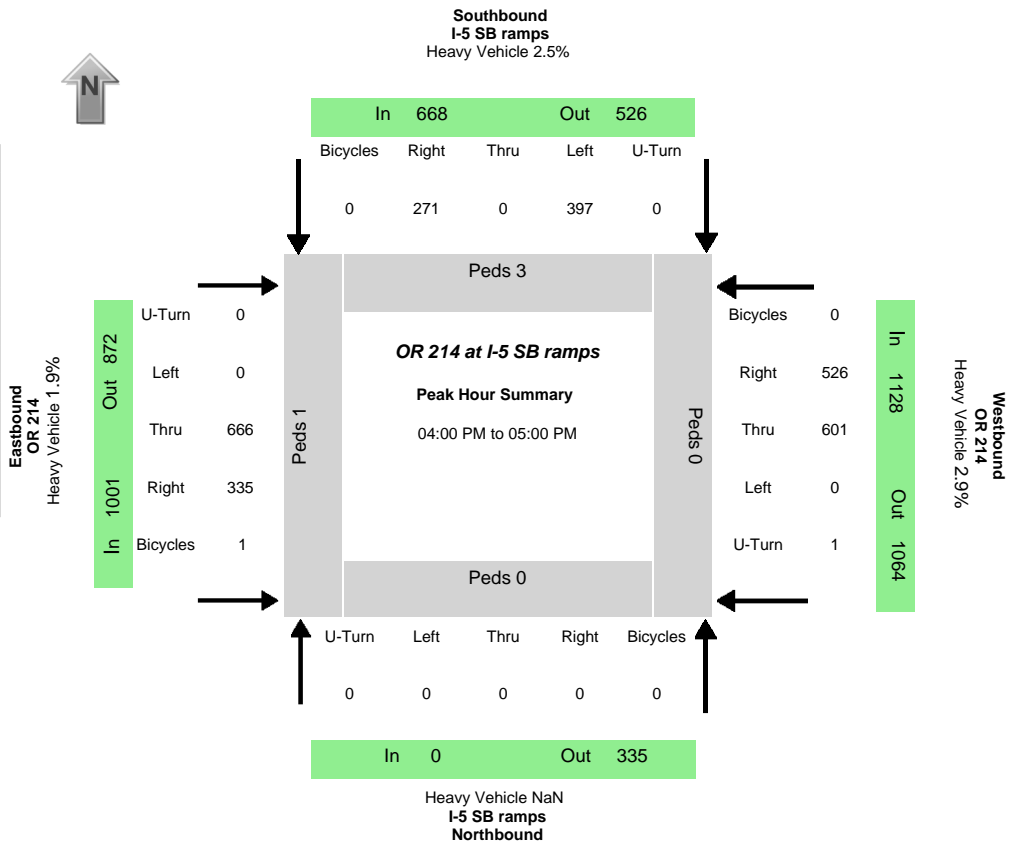
PHV - Bicycles														PHV - Pedestrians							
Northbound				Southbound				Eastbound				Westbound				Sum	in Crosswalk				Sum
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Sum	NB	SB	EB	WB	Sum
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2

Time	Northbound I-5 NB ramps				Southbound I-5 NB ramps				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
04:00:00 PM	23	0	35	0	0	0	0	0	0	87	19	0	0	54	22	0		
04:05:00 PM	21	0	33	0	0	0	0	0	0	84	21	0	0	95	18	0		
04:10:00 PM	18	0	38	0	0	0	0	0	0	73	19	0	0	78	31	0	769	
04:15:00 PM	8	0	48	0	0	0	0	0	0	73	19	0	0	72	21	0	770	
04:20:00 PM	25	0	30	0	0	0	0	0	0	77	15	0	0	83	26	0	754	
04:25:00 PM	15	0	36	0	0	0	0	0	0	66	13	0	0	63	20	0	710	
04:30:00 PM	18	0	33	0	0	0	0	0	0	76	15	0	0	88	22	0	721	
04:35:00 PM	15	0	26	0	0	0	0	0	0	63	15	0	0	77	14	0	675	
04:40:00 PM	14	0	38	0	0	0	0	0	0	74	15	0	0	84	25	0	712	
04:45:00 PM	22	0	35	0	0	0	0	0	0	64	12	0	0	67	17	0	677	
04:50:00 PM	19	0	46	0	0	0	0	0	0	77	9	0	0	84	26	0	728	
04:55:00 PM	21	0	38	0	0	0	0	0	0	78	11	0	0	67	20	0	713	2904
05:00:00 PM	20	0	39	0	0	0	0	0	0	61	15	0	0	64	21	0	716	2884
05:05:00 PM	16	0	28	0	0	0	0	0	0	70	8	0	0	81	21	0	679	2836
05:10:00 PM	22	0	21	0	0	0	0	0	0	78	12	0	0	73	20	0	670	2805
05:15:00 PM	13	0	27	0	0	0	0	0	0	88	14	0	0	84	16	0	692	2806
05:20:00 PM	22	0	22	0	0	0	0	0	0	65	13	0	0	87	22	0	699	2781
05:25:00 PM	13	0	36	0	0	0	0	0	0	69	18	0	0	80	20	0	709	2804
05:30:00 PM	18	0	45	0	0	0	0	0	0	75	15	0	0	64	15	0	699	2784
05:35:00 PM	26	0	31	0	0	0	0	0	0	64	11	0	0	90	23	0	713	2819
05:40:00 PM	15	0	25	0	0	0	0	0	0	66	10	0	0	79	14	0	686	2778
05:45:00 PM	11	0	29	0	0	0	0	0	0	71	15	0	0	58	22	0	660	2767
05:50:00 PM	11	0	34	0	0	0	0	0	0	74	7	0	0	48	15	0	604	2695
05:55:00 PM	13	0	36	0	0	0	0	0	0	60	10	0	0	58	22	0	594	2659



Data Provided by K-D-N.com 503-594-4224

N/S street	I-5 SB ramps
E/W street	OR 214
City, State	Woodburn OR
Site Notes	
Location	45.151084 - -122.882542
Start Date	Wednesday, June 30, 2021
Start Time	04:00:00 PM
Weather	
Study ID #	
Peak Hour Start	04:00:00 PM
Peak 15 Min Start	04:00:00 PM
PHF (15-Min Int)	0.92



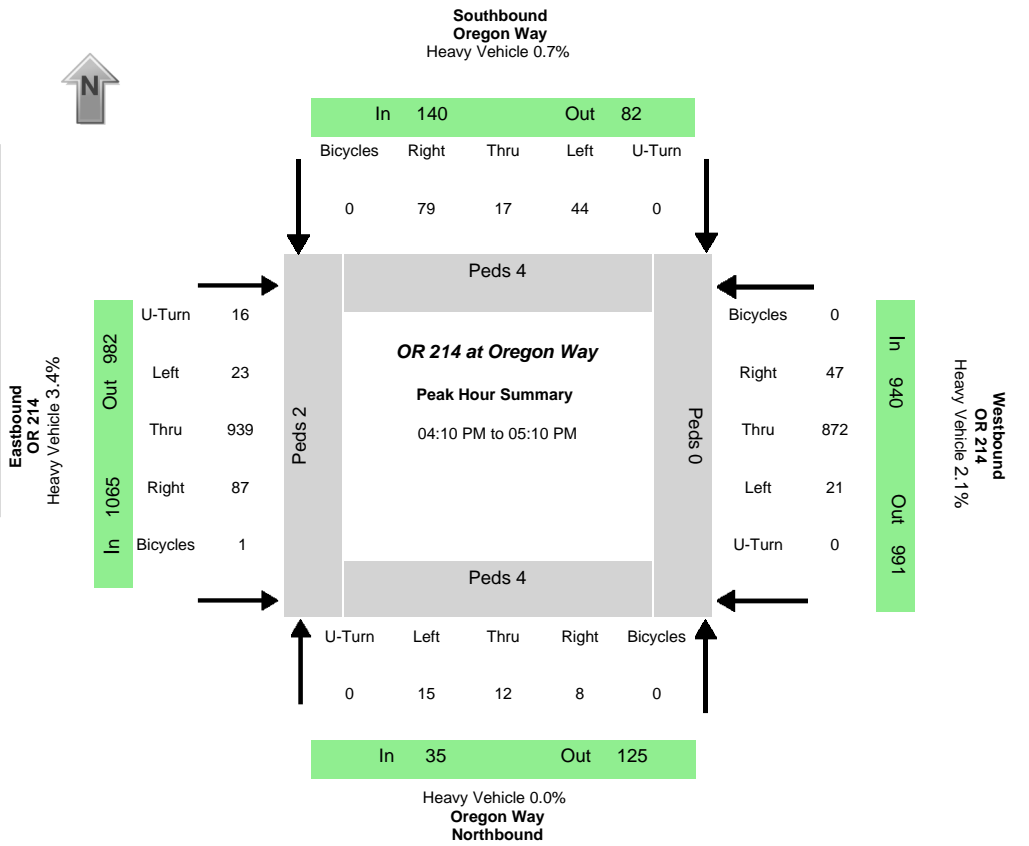
Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
0	0	0	0	397	0	271	0	0	666	335	0	0	601	526	1	0	668	1001	1128	335	526	872	1064
Percent Heavy Vehicles																							
0.0%	0.0%	0.0%	0.0%	2.5%	0.0%	2.6%	0.0%	0.0%	2.0%	1.8%	0.0%	0.0%	2.3%	3.6%	0.0%	NaN	2.5%	1.9%	2.9%	1.8%	3.6%	2.4%	2.2%

PHV - Bicycles														PHV - Pedestrians							
Northbound				Southbound				Eastbound				Westbound				in Crosswalk					
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Sum	NB	SB	EB	WB	Sum
0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	3	1	0	4

Time	Northbound I-5 SB ramps				Southbound I-5 SB ramps				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
04:00:00 PM	0	0	0	0	41	0	30	0	0	67	26	0	0	50	39	1		
04:05:00 PM	0	0	0	0	45	0	23	0	0	58	35	0	0	60	43	0		
04:10:00 PM	0	0	0	0	30	0	21	0	0	58	29	0	0	43	59	0	758	
04:15:00 PM	0	0	0	0	29	0	20	0	0	62	22	0	0	50	38	0	725	
04:20:00 PM	0	0	0	0	30	0	22	0	0	52	28	0	0	58	32	0	683	
04:25:00 PM	0	0	0	0	34	0	19	0	0	57	30	0	0	50	42	0	675	
04:30:00 PM	0	0	0	0	25	0	23	0	0	54	34	0	0	44	51	0	685	
04:35:00 PM	0	0	0	0	29	0	18	0	0	52	22	0	0	56	43	0	683	
04:40:00 PM	0	0	0	0	37	0	19	0	0	44	31	0	0	56	48	0	686	
04:45:00 PM	0	0	0	0	29	0	31	0	0	65	28	0	0	38	46	0	692	
04:50:00 PM	0	0	0	0	29	0	20	0	0	51	22	0	0	52	43	0	689	
04:55:00 PM	0	0	0	0	39	0	25	0	0	46	28	0	0	44	42	0	678	2797
05:00:00 PM	0	0	0	0	32	0	20	0	0	47	22	0	0	47	41	0	650	2752
05:05:00 PM	0	0	0	0	32	0	18	0	0	49	37	0	0	50	43	0	662	2717
05:10:00 PM	0	0	0	0	46	0	20	0	0	61	33	0	0	57	42	0	697	2736
05:15:00 PM	0	0	0	0	27	0	23	0	0	53	28	0	0	41	49	0	709	2736
05:20:00 PM	0	0	0	0	46	0	18	0	0	55	24	0	0	53	52	0	728	2762
05:25:00 PM	0	0	0	0	32	0	18	0	0	46	29	0	0	44	43	0	681	2742
05:30:00 PM	0	0	0	0	32	0	19	0	0	50	30	0	0	41	43	0	675	2726
05:35:00 PM	0	0	0	0	38	0	26	0	0	35	21	0	0	61	42	0	650	2729
05:40:00 PM	0	0	0	0	23	0	17	0	0	57	29	0	0	61	33	0	658	2714
05:45:00 PM	0	0	0	0	36	0	16	0	0	41	30	0	0	38	27	0	631	2665
05:50:00 PM	0	0	0	0	32	0	32	0	0	42	34	0	0	33	19	0	600	2640
05:55:00 PM	0	0	0	0	28	0	15	0	0	45	17	0	0	55	20	0	560	2596

Data Provided by K-D-N.com 503-594-4224

N/S street	<b>Oregon Way</b>
E/W street	<b>OR 214</b>
City, State	Woodburn OR
Site Notes	
Location	45.150928 - -122.873341
Start Date	Wednesday, June 30, 2021
Start Time	04:00:00 PM
Weather	
Study ID #	
<b>Peak Hour Start</b>	<b>04:10:00 PM</b>
<b>Peak 15 Min Start</b>	<b>04:10:00 PM</b>
<b>PHF (15-Min Int)</b>	<b>0.96</b>



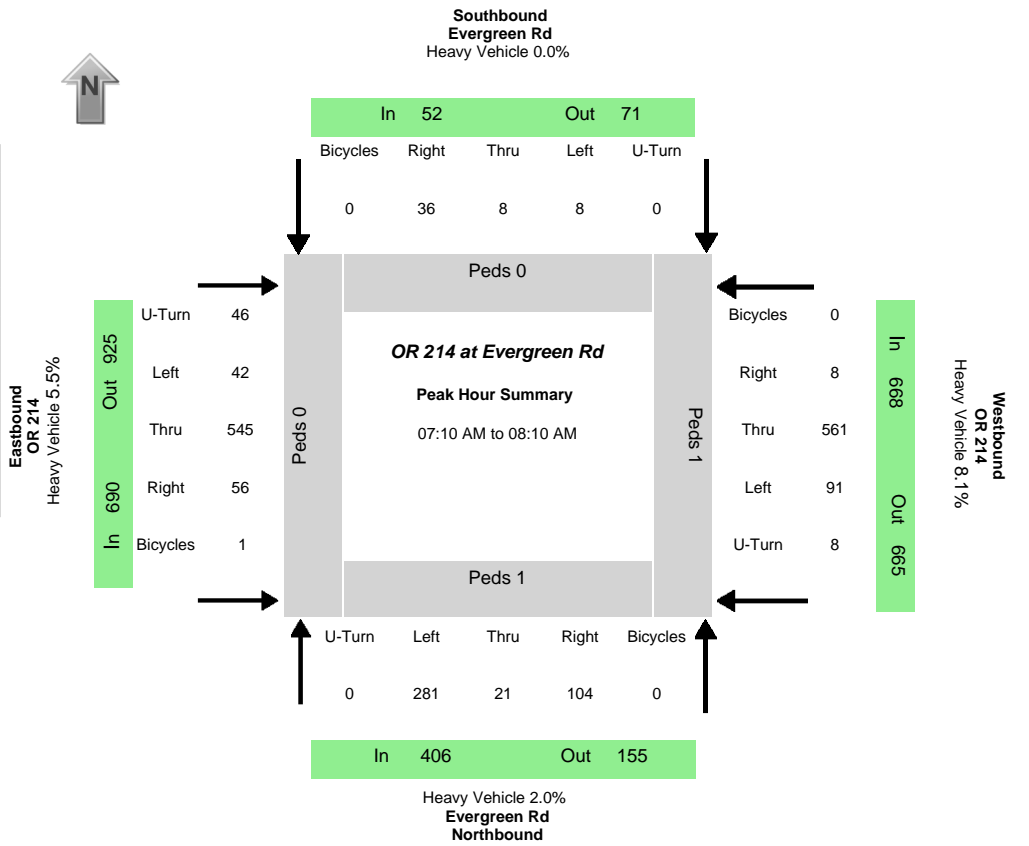
Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
15	12	8	0	44	17	79	0	23	939	87	16	21	872	47	0	35	140	1065	940	125	82	982	991
Percent Heavy Vehicles																							
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1.3%	0.0%	0.0%	3.7%	1.1%	0.0%	0.0%	2.3%	0.0%	0.0%	0.0%	0.7%	3.4%	2.1%	0.8%	0.0%	2.1%	3.5%

PHV - Bicycles												PHV - Pedestrians									
Northbound				Southbound				Eastbound				Westbound				in Crosswalk					
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Sum	NB	SB	EB	WB	Sum
0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	4	4	2	0	10

Time	Northbound Oregon Way				Southbound Oregon Way				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
04:00:00 PM	2	0	2	0	4	1	7	0	2	70	7	0	0	60	5	0		
04:05:00 PM	3	1	0	0	8	2	3	0	1	69	9	1	3	78	0	0		
04:10:00 PM	1	1	0	0	2	4	7	0	1	99	4	1	4	71	6	0	539	
04:15:00 PM	2	0	1	0	4	0	3	0	4	82	12	1	0	77	2	0	567	
04:20:00 PM	1	1	0	0	3	1	7	0	2	81	4	1	1	71	5	0	567	
04:25:00 PM	0	2	1	0	6	1	12	0	5	65	11	4	6	64	4	0	547	
04:30:00 PM	3	0	0	0	2	1	4	0	0	69	11	0	0	76	2	0	527	
04:35:00 PM	3	4	0	0	4	1	8	0	1	62	3	1	1	85	2	0	524	
04:40:00 PM	1	0	0	0	3	1	9	0	3	92	5	3	3	70	3	0	536	
04:45:00 PM	1	2	2	0	4	1	8	0	1	72	6	0	1	77	2	0	545	
04:50:00 PM	0	0	1	0	4	2	6	0	1	89	3	1	1	79	6	0	563	
04:55:00 PM	1	1	1	0	5	2	5	0	1	77	6	1	0	56	6	0	532	2154
05:00:00 PM	0	0	2	0	4	0	5	0	2	71	9	2	3	69	6	0	528	2167
05:05:00 PM	2	1	0	0	3	3	5	0	2	80	13	1	1	77	3	0	526	2180
05:10:00 PM	1	0	0	0	5	1	4	0	3	67	7	4	1	69	4	0	530	2145
05:15:00 PM	0	1	0	0	4	2	8	0	0	78	7	1	1	70	3	0	532	2132
05:20:00 PM	1	0	0	0	2	4	3	0	3	77	11	1	2	69	3	1	518	2131
05:25:00 PM	2	0	0	0	1	0	5	0	0	72	10	1	3	68	4	0	518	2116
05:30:00 PM	0	1	0	0	2	1	8	0	1	72	11	0	1	77	4	0	521	2126
05:35:00 PM	1	1	0	0	4	2	12	0	1	74	2	2	0	72	2	0	517	2124
05:40:00 PM	0	1	0	0	5	1	3	0	0	71	9	0	2	77	5	0	525	2105
05:45:00 PM	0	1	1	0	3	0	5	0	1	83	4	1	0	52	1	0	499	2080
05:50:00 PM	1	2	0	0	3	1	4	0	2	68	8	1	0	48	2	0	466	2027
05:55:00 PM	3	2	0	0	5	2	5	0	2	68	9	0	2	56	6	0	452	2025

Data Provided by K-D-N.com 503-594-4224

N/S street	<b>Evergreen Rd</b>
E/W street	<b>OR 214</b>
City, State	Woodburn OR
Site Notes	
Location	45.150989 - -122.875784
Start Date	Wednesday, June 30, 2021
Start Time	07:00:00 AM
Weather	
Study ID #	
<b>Peak Hour Start</b>	<b>07:10:00 AM</b>
<b>Peak 15 Min Start</b>	<b>07:20:00 AM</b>
<b>PHF (15-Min Int)</b>	<b>0.93</b>



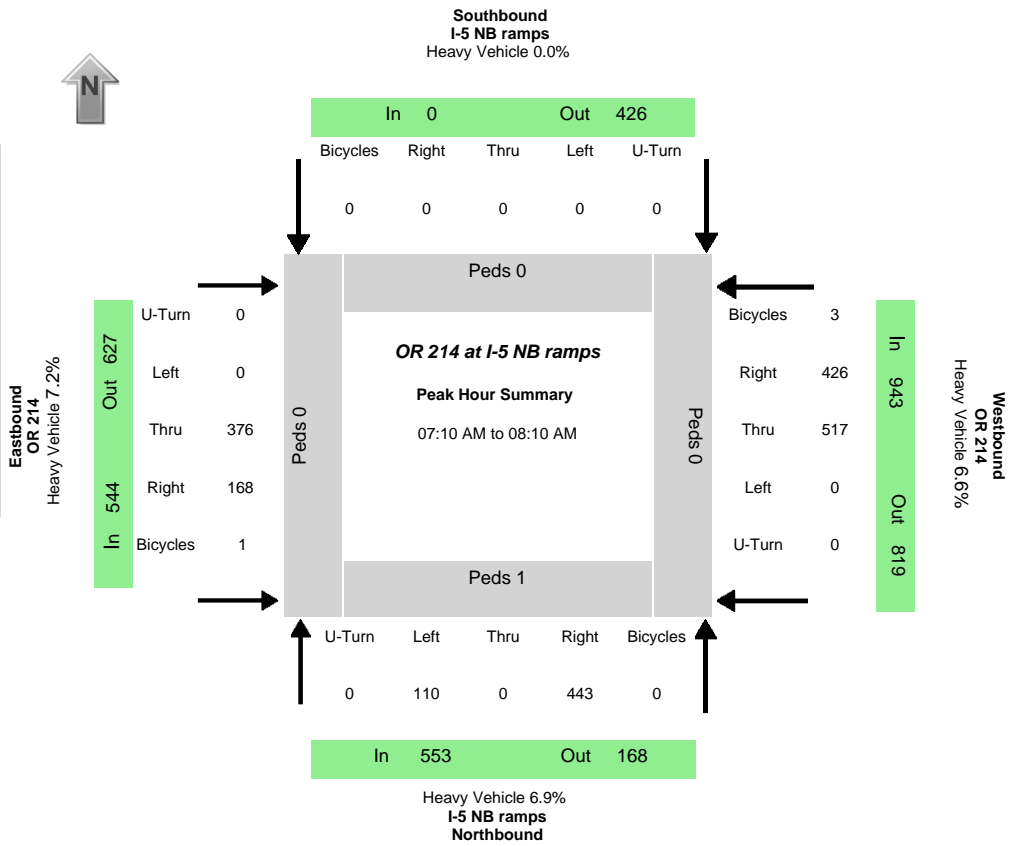
Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
281	21	104	0	8	8	36	0	42	545	56	47	91	561	8	8	406	52	690	668	155	71	925	665
Percent Heavy Vehicles																							
2.5%	0.0%	1.0%	0.0%	0.0%	0.0%	0.0%	0.0%	2.4%	6.2%	3.6%	2.1%	2.2%	9.3%	0.0%	0.0%	2.0%	0.0%	5.5%	8.1%	2.6%	1.4%	6.5%	5.3%

PHV - Bicycles														PHV - Pedestrians							
Northbound				Southbound				Eastbound				Westbound				in Crosswalk					
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Sum	NB	SB	EB	WB	Sum
0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	1	0	0	1	2

Time	Northbound Evergreen Rd				Southbound Evergreen Rd				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
07:00:00 AM	17	0	8	0	0	1	3	0	2	29	1	3	5	52	2	0		
07:05:00 AM	24	2	9	0	0	0	0	0	3	39	1	5	6	38	1	0		
07:10:00 AM	16	1	11	0	0	0	3	0	2	34	3	2	6	45	1	0	375	
07:15:00 AM	27	1	7	0	1	0	3	0	2	39	6	5	2	44	0	0	389	
07:20:00 AM	21	0	7	0	1	3	3	0	1	49	3	3	4	59	0	2	417	
07:25:00 AM	29	2	8	0	0	0	1	0	3	49	6	7	8	53	2	0	461	
07:30:00 AM	29	1	8	0	1	1	2	0	3	55	3	9	5	46	0	2	489	
07:35:00 AM	24	1	7	0	1	0	2	0	4	44	3	1	6	58	0	1	485	
07:40:00 AM	25	2	15	0	0	1	2	0	5	45	4	3	8	51	1	1	480	
07:45:00 AM	24	2	11	0	0	0	1	0	4	55	13	2	13	41	0	0	481	
07:50:00 AM	28	2	10	0	1	1	1	0	6	38	2	7	10	33	1	1	470	
07:55:00 AM	24	0	7	0	1	1	3	0	5	38	7	3	5	37	2	0	440	1756
08:00:00 AM	17	4	8	0	1	1	8	0	3	47	2	2	10	47	0	0	424	1783
08:05:00 AM	17	5	5	0	1	0	7	0	4	52	4	3	14	47	1	1	444	1816
08:10:00 AM	16	0	6	0	1	0	9	0	2	36	6	4	5	37	1	0	434	1815
08:15:00 AM	13	0	6	0	4	2	2	0	5	42	3	1	5	37	0	1	405	1799
08:20:00 AM	21	2	9	0	1	0	2	0	7	40	5	0	10	53	0	0	394	1793
08:25:00 AM	15	1	11	0	1	1	2	0	3	28	5	4	10	33	2	0	387	1741
08:30:00 AM	19	0	4	0	2	3	5	0	4	51	4	2	6	44	0	1	411	1721
08:35:00 AM	19	2	7	0	2	0	2	0	4	44	2	1	10	28	0	1	383	1691
08:40:00 AM	22	1	3	1	1	1	2	0	3	40	2	5	4	41	1	1	395	1656
08:45:00 AM	14	1	13	0	2	1	3	0	5	32	3	2	7	35	2	1	371	1611
08:50:00 AM	15	1	10	0	0	2	3	0	2	45	4	4	8	44	1	0	388	1609
08:55:00 AM	13	0	8	0	1	1	2	0	6	43	7	2	12	31	1	0	387	1603

Data Provided by K-D-N.com 503-594-4224

N/S street	I-5 NB ramps
E/W street	OR 214
City, State	Woodburn OR
Site Notes	
Location	45.151084 - -122.87928
Start Date	Wednesday, June 30, 2021
Start Time	07:00:00 AM
Weather	
Study ID #	
Peak Hour Start	07:10:00 AM
Peak 15 Min Start	07:30:00 AM
PHF (15-Min Int)	0.89



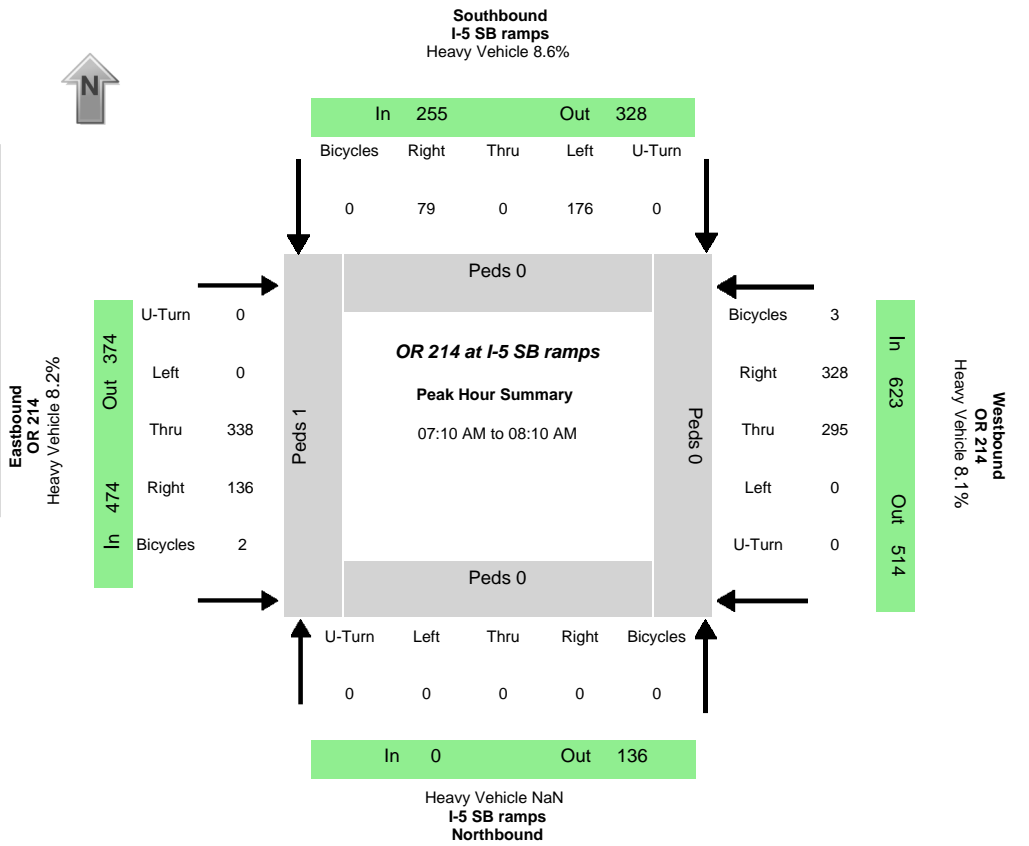
Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
110	0	443	0	0	0	0	0	0	376	168	0	0	517	426	0	553	0	544	943	168	426	627	819
Percent Heavy Vehicles																							
8.2%	0.0%	6.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	5.9%	10.1%	0.0%	0.0%	8.5%	4.2%	0.0%	6.9%	0.0%	7.2%	6.6%	10.1%	4.2%	8.5%	6.2%

PHV - Bicycles														PHV - Pedestrians							
Northbound				Southbound				Eastbound				Westbound				Sum	in Crosswalk				Sum
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		NB	SB	EB	WB	
0	0	0	0	0	0	0	0	0	1	0	0	0	3	0	0	4	1	0	0	0	1

Time	Northbound I-5 NB ramps				Southbound I-5 NB ramps				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
07:00:00 AM	3	0	31	0	0	0	0	0	0	32	5	0	0	36	31	0		
07:05:00 AM	9	0	32	0	0	0	0	0	0	24	9	0	0	30	39	0		
07:10:00 AM	6	0	26	0	0	0	0	0	0	36	15	0	0	28	51	0	443	
07:15:00 AM	7	0	27	0	0	0	0	0	0	32	10	0	0	46	42	0	469	
07:20:00 AM	9	0	31	0	0	0	0	0	0	23	6	0	0	36	43	0	474	
07:25:00 AM	8	0	43	0	0	0	0	0	0	27	7	0	0	36	35	0	468	
07:30:00 AM	9	0	35	0	0	0	0	0	0	21	17	0	0	55	35	0	476	
07:35:00 AM	5	0	39	0	0	0	0	0	0	31	23	0	0	52	56	0	534	
07:40:00 AM	11	0	45	0	0	0	0	0	0	34	27	0	0	42	37	0	574	
07:45:00 AM	16	0	27	0	0	0	0	0	0	32	18	0	0	47	22	0	564	
07:50:00 AM	15	0	55	0	0	0	0	0	0	42	9	0	0	37	23	0	539	
07:55:00 AM	9	0	42	0	0	0	0	0	0	40	14	0	0	41	20	0	509	1994
08:00:00 AM	10	0	28	0	0	0	0	0	0	28	8	0	0	56	28	0	505	2014
08:05:00 AM	5	0	45	0	0	0	0	0	0	30	14	0	0	41	34	0	493	2040
08:10:00 AM	7	0	29	0	0	0	0	0	0	23	6	0	0	30	29	0	451	2002
08:15:00 AM	4	0	19	0	0	0	0	0	0	25	12	0	0	38	31	0	422	1967
08:20:00 AM	8	0	31	0	0	0	0	0	0	29	9	0	0	33	26	0	389	1955
08:25:00 AM	7	0	31	0	0	0	0	0	0	24	8	0	0	30	32	0	397	1931
08:30:00 AM	5	0	27	0	0	0	0	0	0	30	9	0	0	35	28	0	402	1893
08:35:00 AM	8	0	16	0	0	0	0	0	0	44	10	0	0	46	34	0	424	1845
08:40:00 AM	8	0	26	0	0	0	0	0	0	36	11	0	0	42	16	0	431	1788
08:45:00 AM	9	0	18	0	0	0	0	0	0	29	6	0	0	43	29	0	431	1760
08:50:00 AM	8	0	36	0	0	0	0	0	0	35	8	0	0	37	19	0	416	1722
08:55:00 AM	9	0	26	0	0	0	0	0	0	29	5	0	0	48	23	0	417	1696

Data Provided by K-D-N.com 503-594-4224

N/S street	I-5 SB ramps
E/W street	OR 214
City, State	Woodburn OR
Site Notes	
Location	45.151084 - -122.882542
Start Date	Wednesday, June 30, 2021
Start Time	07:00:00 AM
Weather	
Study ID #	
Peak Hour Start	07:10:00 AM
Peak 15 Min Start	07:30:00 AM
PHF (15-Min Int)	0.85



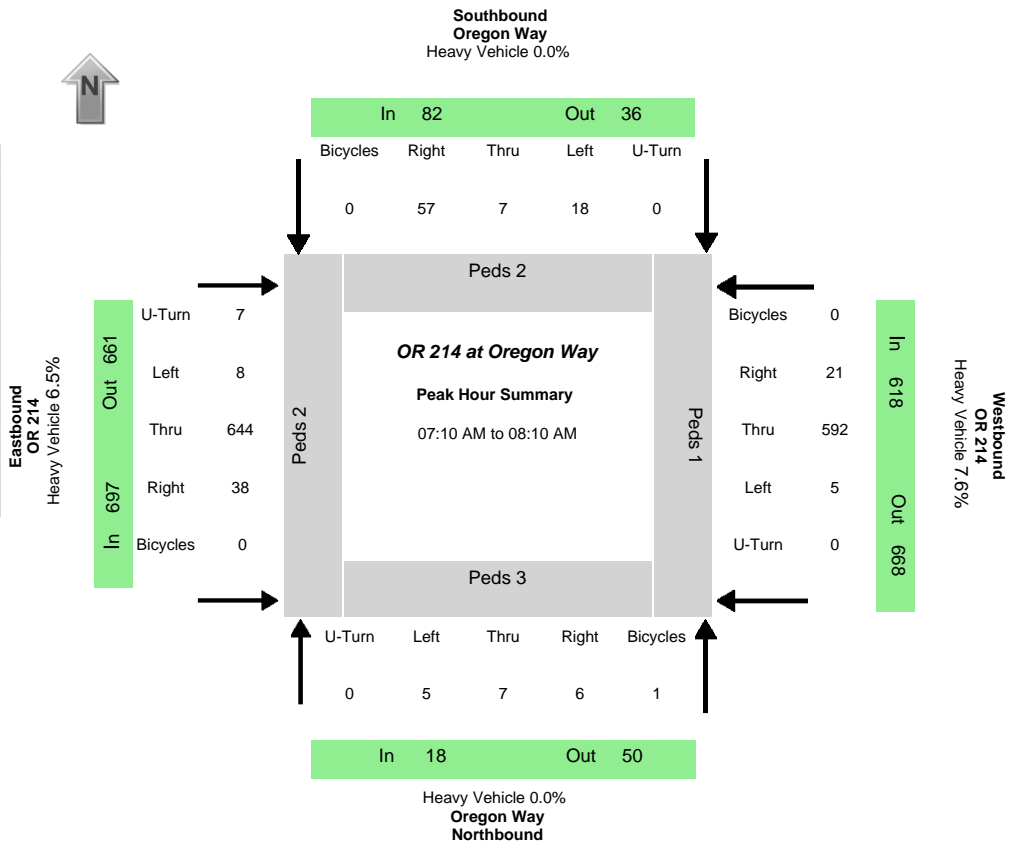
Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
0	0	0	0	176	0	79	0	0	338	136	0	0	295	328	0	0	255	474	623	136	328	374	514
Percent Heavy Vehicles																							
0.0%	0.0%	0.0%	0.0%	7.4%	0.0%	11.4%	0.0%	0.0%	7.1%	11.0%	0.0%	0.0%	3.7%	12.2%	0.0%	NaN	8.6%	8.2%	8.2%	11.0%	12.2%	5.3%	7.2%

PHV - Bicycles												PHV - Pedestrians									
Northbound				Southbound				Eastbound				Westbound				in Crosswalk					
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Sum	NB	SB	EB	WB	Sum
0	0	0	0	0	0	0	0	0	2	0	0	0	3	0	0	5	0	0	1	0	1

Time	Northbound I-5 SB ramps				Southbound I-5 SB ramps				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
07:00:00 AM	0	0	0	0	16	0	5	0	0	25	10	0	0	17	17	0		
07:05:00 AM	0	0	0	0	12	0	11	0	0	25	7	0	0	17	29	0		
07:10:00 AM	0	0	0	0	13	0	6	0	0	36	8	0	0	14	21	0	289	
07:15:00 AM	0	0	0	0	18	0	4	0	0	24	12	0	0	25	26	0	308	
07:20:00 AM	0	0	0	0	11	0	3	0	0	20	3	0	0	24	24	0	292	
07:25:00 AM	0	0	0	0	18	0	9	0	0	17	10	0	0	25	24	0	297	
07:30:00 AM	0	0	0	0	10	0	7	0	0	28	16	0	0	26	41	0	316	
07:35:00 AM	0	0	0	0	10	0	13	0	0	42	17	0	0	18	31	0	362	
07:40:00 AM	0	0	0	0	22	0	2	0	0	38	22	0	0	25	32	0	400	
07:45:00 AM	0	0	0	0	12	0	7	0	0	23	5	0	0	41	24	0	384	
07:50:00 AM	0	0	0	0	22	0	12	0	0	33	8	0	0	31	20	0	379	
07:55:00 AM	0	0	0	0	14	0	7	0	0	25	8	0	0	24	20	0	336	1322
08:00:00 AM	0	0	0	0	14	0	3	0	0	25	14	0	0	28	34	0	342	1350
08:05:00 AM	0	0	0	0	12	0	6	0	0	27	13	0	0	14	31	0	319	1352
08:10:00 AM	0	0	0	0	10	0	9	0	0	22	4	0	0	16	22	0	304	1337
08:15:00 AM	0	0	0	0	16	0	10	0	0	19	5	0	0	15	27	0	278	1320
08:20:00 AM	0	0	0	0	18	0	5	0	0	23	9	0	0	27	15	0	272	1332
08:25:00 AM	0	0	0	0	13	0	15	0	0	26	16	0	0	19	16	0	294	1334
08:30:00 AM	0	0	0	0	17	0	6	0	0	25	6	0	0	20	27	0	303	1307
08:35:00 AM	0	0	0	0	29	0	8	0	0	27	7	0	0	22	26	0	325	1295
08:40:00 AM	0	0	0	0	18	0	13	0	0	24	11	0	0	25	23	0	334	1268
08:45:00 AM	0	0	0	0	9	0	10	0	0	29	9	0	0	30	18	0	338	1261
08:50:00 AM	0	0	0	0	16	0	10	0	0	26	12	0	0	29	16	0	328	1244
08:55:00 AM	0	0	0	0	14	0	10	0	0	20	3	0	0	27	31	0	319	1251

Data Provided by K-D-N.com 503-594-4224

N/S street	<b>Oregon Way</b>
E/W street	<b>OR 214</b>
City, State	Woodburn OR
Site Notes	
Location	45.150928 - -122.873341
Start Date	Wednesday, June 30, 2021
Start Time	07:00:00 AM
Weather	
Study ID #	
<b>Peak Hour Start</b>	<b>07:10:00 AM</b>
<b>Peak 15 Min Start</b>	<b>07:35:00 AM</b>
<b>PHF (15-Min Int)</b>	<b>0.92</b>



Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
5	7	6	0	18	7	57	0	8	644	38	7	5	592	21	0	18	82	697	618	50	36	661	668
Percent Heavy Vehicles																							
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	7.0%	0.0%	0.0%	0.0%	7.9%	0.0%	0.0%	0.0%	0.0%	6.5%	7.6%	0.0%	0.0%	7.1%	6.7%

PHV - Bicycles												PHV - Pedestrians									
Northbound				Southbound				Eastbound				Westbound				in Crosswalk					
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Sum	NB	SB	EB	WB	Sum
0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	3	2	2	1	8

Time	Northbound Oregon Way				Southbound Oregon Way				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
07:00:00 AM	0	0	0	0	0	1	5	0	1	47	2	0	0	39	1	0		
07:05:00 AM	0	0	0	0	1	0	7	0	0	43	1	0	0	62	1	0		
07:10:00 AM	1	0	1	0	1	0	3	0	1	46	0	0	0	52	2	0	318	
07:15:00 AM	2	0	1	0	0	0	2	0	0	50	0	1	0	52	0	0	330	
07:20:00 AM	0	0	2	0	0	0	4	0	1	47	2	1	0	49	0	0	321	
07:25:00 AM	0	0	0	0	2	1	7	0	0	55	3	0	2	52	1	0	337	
07:30:00 AM	0	0	0	0	2	0	6	0	0	38	4	2	0	55	2	0	338	
07:35:00 AM	1	1	0	0	1	0	4	0	1	58	4	0	0	59	3	0	364	
07:40:00 AM	0	1	1	0	2	2	7	0	1	57	4	0	0	49	2	0	367	
07:45:00 AM	0	1	0	0	1	2	3	0	1	57	7	0	0	52	2	0	384	
07:50:00 AM	1	3	0	0	3	0	2	0	0	75	1	0	0	43	3	0	383	
07:55:00 AM	0	0	0	0	2	1	7	0	0	60	5	3	0	41	3	0	379	1401
08:00:00 AM	0	0	1	0	2	0	6	0	1	43	5	0	1	47	2	0	361	1413
08:05:00 AM	0	1	0	0	2	1	6	0	2	58	3	0	2	41	1	0	347	1415
08:10:00 AM	2	0	0	0	2	2	3	0	3	42	2	0	2	44	3	0	330	1413
08:15:00 AM	1	0	0	0	3	0	4	0	0	38	6	1	1	47	1	0	324	1407
08:20:00 AM	1	3	1	0	0	0	7	0	2	37	1	0	0	38	0	0	297	1391
08:25:00 AM	0	1	0	0	2	2	6	0	3	41	5	1	1	43	2	0	299	1375
08:30:00 AM	0	2	1	0	5	1	8	0	0	40	4	1	0	51	0	0	310	1379
08:35:00 AM	0	0	0	0	2	0	6	0	1	47	3	1	1	46	0	0	327	1354
08:40:00 AM	0	2	2	0	1	1	7	0	0	47	2	1	1	31	1	0	316	1324
08:45:00 AM	1	1	0	0	0	1	2	0	1	30	2	1	1	48	1	0	292	1287
08:50:00 AM	0	4	1	0	2	0	3	0	3	57	2	0	0	39	3	0	299	1270
08:55:00 AM	1	1	1	0	1	1	4	0	0	51	1	1	1	41	0	0	307	1252



001: PACIFIC

Highway 001 ALL ROAD TYPES, MP 271.6 to 271.93 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage





001: PACIFIC

Highway 001 ALL ROAD TYPES, MP 271.6 to 271.93 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage

TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT

CONTINUOUS SYSTEM CRASH LISTING

001: PACIFIC

Highway 001 ALL ROAD TYPES, MP 271.6 to 271.93 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage

8 - 9 of 31 Crash records shown.

SER#	S D M	P R J S W DATE	COUNTY	RD# FC CONN#	RD CHAR	INT-TYPE	SPCL USE																				
INVEST	E A U I C O DAY	CITY	COMPNT	FIRST STREET	DIRECT	(MEDIAN)	INT-REL	OFFRD	WTHR	CRASH	TRLR	QTY	MOVE														
RD DPT	E L G N H R TIME	URBAN AREA	MLG TYP	SECOND STREET	LOCTN	LEGS	TRAF-	RNDBT	SURF	COLL	OWNER	FROM	PRTC	INJ	G E	LICNS	PED										
UNLOC?	D C S V L K LAT	LONG	MILEPNT	LRS	(#LANES)	CONTL	DRVWY	LIGHT	SVRTY	V#	TYPE	TO	P#	TYPE	SVRTY	E X	RES	LOC	ERROR	ACT	EVENT	CAUSE					
											02	NONE	0	STOP													
												PRVTE		N -S								011	013,043	00			
													03	PSNG	INJB	02	F					000	000	00			
											02	NONE	0	STOP													
												PRVTE		N -S									011	013,043	00		
													04	PSNG	INJB	05	M					000	000	00			
											03	NONE	0	STOP										011	00		
												PRVTE		N -S									000	000	00		
													01	DRVR	INJB	47	M	OTH-Y				000	000	00			
																		N-RES									
											03	NONE	0	STOP										011	00		
												PRVTE		N -S									000	000	00		
													02	PSNG	INJB	40	F					000	000	00			
											03	NONE	0	STOP										011	00		
												PRVTE		N -S									000	000	00		
													03	PSNG	INJB	12	M					000	000	00			
											03	NONE	0	STOP										011	00		
												PRVTE		N -S									000	000	00		
													04	PSNG	INJB	13	F					000	000	00			
											04	NONE	0	STRGHT										000	00		
												PRVTE		N -S									000	022	00		
													01	DRVR	INJC	44	F	OR-Y				000	000	00			
																		OR<25									
											05	NONE	0	STOP										011	00		
												PRVTE		N -S									000	000	00		
													01	DRVR	INJC	43	F	OTH-Y				000	000	00			
																		N-RES									
											05	NONE	0	STOP										011	00		
												PRVTE		N -S									000	000	00		
													02	PSNG	INJC	44	M					000	000	00			
01823	N N N N	05/15/2019	MARION	1 11		STRGHT		N	N	CLD	S-STRGHT	01	NONE	9	STRGHT										13		
NONE		WE	WOODBURN	MN 0	PACIFIC HY I-5	N	(DIVMD)	UNKNOWN	N	WET	SS-O		N/A		N -S									000	00		
N		5P	WOODBURN UA	271.87	WB EXT0 I-5 SB C4	04			N	DAY	PDO		PSNGR	CAR			01	DRVR	NONE	00	Unk	UNK		000	000	00	
N		45 9 4.76	-122 52 50.51		000100100S00		(06)																		00		
												02	NONE	9	STRGHT										000	00	
													N/A		N -S									000	00		
													PSNGR	CAR			01	DRVR	NONE	00	Unk	UNK		000	000	00	
																									00		
02165	N N N N N N	06/08/2019	MARION	1 11		STRGHT		N	N	CLR	S-STRGHT	01	NONE	0	STRGHT										092	26	
STATE		SA	WOODBURN	MN 0	PACIFIC HY I-5	N	(DIVMD)	UNKNOWN	N	DRY	SS-O		PRVTE		N -S									007	092	26	
N		2P	WOODBURN UA	271.88	WB EXT0 I-5 SB C4	04			N	DAY	INJ		PSNGR	CAR			01	DRVR	NONE	46	M	OTH-Y		045	000	092	26
N		45 9 5.18	-122 52 50.07		000100100S00		(06)																				
																									N-RES		

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001: PACIFIC

Highway 001 ALL ROAD TYPES, MP 271.6 to 271.93 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage



001: PACIFIC

Highway 001 ALL ROAD TYPES, MP 271.6 to 271.93 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage



001: PACIFIC

Highway 001 ALL ROAD TYPES, MP 271.6 to 271.93 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage





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001: PACIFIC

Highway 001 ALL ROAD TYPES, MP 271.6 to 271.93 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage

TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT

CONTINUOUS SYSTEM CRASH LISTING

001: PACIFIC

Highway 001 ALL ROAD TYPES, MP 271.6 to 271.93 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage

29 - 31 of 31 Crash records shown.

SER#	P	R	J	S	W	DATE	COUNTY	RD#	FC	CONN#	RD CHAR	INT-TYPE	SPCL USE	MOVE	A	S	INJ	G	E	LICNS	PED	ERROR	ACT	EVENT	CAUSE						
INVEST	E	A	U	I	C	DAY	CITY	COMPNT	FIRST STREET	DIRECT	(MEDIAN)	INT-REL	OFFRD	WTHR	CRASH	TRLR	QTY	MOVE	PRTC	INJ	G	E	LICNS	PED	ERROR	ACT	EVENT	CAUSE			
RD DPT	E	L	G	N	H	R	TIME	URBAN AREA	MLG	TYP	SECOND STREET	LOCTN	LEGS	TRAF-	RNDBT	SURF	COLL	OWNER	FROM	PRTC	INJ	G	E	LICNS	PED	ERROR	ACT	EVENT	CAUSE		
UNLOC?	D	C	S	V	L	K	LAT	LONG	MILEPNT	LRS	(#LANES)	CONTL	DRVWY	LIGHT	SVRTY	V#	TYPE	TO	P#	TYPE	SVRTY	E	X	RES	LOC	ERROR	ACT	EVENT	CAUSE		
03749	N	N	N	N	N	09/27/2019	MARION	2	11		STRGHT	N	N	FOG	S-STRGHT	01	NONE	0	STRGHT										29		
NO RPT						FR	WOODBURN	MN	0	PACIFIC HY I-5	S	(DIVMD)	UNKNOWN	N	DRY	REAR	PRVTE	S -N									000	00			
N						6A	WOODBURN UA	271.89	EB	EXTO I-5 NB C3	00			N	DAWN	INJ	PSNGR CAR			01	DRVR	INJB	20	M	OR-Y		042	000	29		
N						45 9 4.77	-122 52 48.86			000100200S00		(06)																			
																02	UNKN	0	STRGHT									000	00		
																UNKN		S -N										000	00		
																UNKN				01	DRVR	NONE	00	Unk	UNK		000	000	00		
01058	N	N	N	N	N	03/22/2019	MARION	2	11		STRGHT	N	N	RAIN	S-1STOP	01	NONE	0	STRGHT									013	07,27		
STATE						FR	WOODBURN	MN	0	PACIFIC HY I-5	S	(DIVMD)	UNKNOWN	N	WET	REAR	PRVTE	S -N									000	00			
N						3P	WOODBURN UA	271.89	EB	EXTO I-5 NB C3	05			N	DAY	INJ	PSNGR CAR			01	DRVR	NONE	20	M	OR-Y		043,026,016	038	07,27		
N						45 9 4.75	-122 52 48.88			000100200S00		(06)																			
																02	NONE	0	STOP										011	013	00
																PRVTE		S -N										011	013	00	
																PSNGR CAR				01	DRVR	NONE	22	M	OR-Y		000	022		00	
																03	NONE	0	STOP										011	013	00
																PRVTE		S -N										011	013	00	
																PSNGR CAR				01	DRVR	INJC	19	M	OR-Y		000	022		00	
																04	NONE	0	STOP										011		00
																PRVTE		S -N										011		00	
																PSNGR CAR				01	DRVR	NONE	20	M	OR-Y		000	000		00	
05191	N	N	N	N	N	12/23/2019	MARION	2	11		STRGHT	N	N	CLR	S-STRGHT	01	NONE	0	STRGHT										32,13		
STATE						MO	WOODBURN	MN	0	PACIFIC HY I-5	S	(DIVMD)	UNKNOWN	N	DRY	SS-O	PRVTE	S -N									000	00			
N						7P	WOODBURN UA	271.90	EB	EXTO I-5 NB C3	04			N	DLIT	INJ	PSNGR CAR			01	DRVR	NONE	17	M	OR-Y		052,045	000	32,13		
N						45 9 5.2	-122 52 48.46			000100200S00		(06)																			
																02	NONE	0	STRGHT												
																PRVTE		S -N											000	00	
																PSNGR CAR				01	DRVR	INJC	51	M	OR-Y		000	000		00	

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001: PACIFIC

Highway 001 ALL ROAD TYPES, MP 271.6 to 271.93 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage



140: HILLSBORO-SILVERTON

Highway 140 ALL ROAD TYPES, MP 36.81 to 36.91 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage



TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT

CONTINUOUS SYSTEM CRASH LISTING

140: HILLSBORO-SILVERTON

Highway 140 ALL ROAD TYPES, MP 36.81 to 36.91 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage

6 - 10 of 12 Crash records shown.

SER#	P	R	J	S	W	DATE	COUNTY	RD#	FC	CONN#	RD CHAR	INT-TYPE	SPCL USE	MOVE	A	S	ACT	EVENT	CAUSE												
INVEST	E	A	U	I	C	O	CITY	COMPNT	FIRST STREET	DIRECT	(MEDIAN)	INT-REL	OFFRD	WTHR	CRASH	TRLR QTY															
RD DPT	E	L	G	N	H	R	URBAN AREA	MLG TYP	SECOND STREET	LOCTN	LEGS	TRAF-	RNDBT	SURF	COLL	OWNER	FROM	PRTC	INJ	G	E	LICNS	PED								
UNLOC?	D	C	S	V	L	K	LONG	MILEPNT	LRS		(#LANES)	CONTL	DRVWY	LIGHT	SVRTY	V#	TYPE	TO	P#	TYPE	SVRTY	E	X	RES	LOC	ERROR	ACT	EVENT	CAUSE		
01879	N	N	N	N		05/30/2018	MARION	1	11		INTER	3-LEG	N	N	CLR	ANGL-OTH	01	NONE	0	TURN-L									04		
NO RPT						WE	WOODBURN	MN	0	HILLSBORO-SILV HY	CN		TRF SIGNAL	N	DRY	TURN		PRVTE		S	-W						000	00			
N						1P	WOODBURN UA	36.86		NB EX HILLS-SILV C1	02	0		N	DAY	INJ		PSNGR CAR		01	DRVR	INJC	53	F	OR-Y		097	000	00		
N						45 9 3.79	-122 52 45.74			014000100S00																					
													02	NONE	0	STRGHT		PRVTE		E	-W						000	00			
													PSNGR CAR					PSNGR CAR		01	DRVR	NONE	61	M	OR-Y		097	000	00		
01103	N	N	N	N		03/27/2019	MARION	1	11		INTER	5-LEG	N	N	CLR	ANGL-OTH	01	NONE	9	STRGHT									04		
NO RPT						WE	WOODBURN	MN	0	HILLSBORO-SILV HY	CN		TRF SIGNAL	N	DRY	TURN		N/A		E	-W						000	00			
N						10A	WOODBURN UA	36.86		NB EX HILLS-SILV C1	02	0		N	DAY	PDO		PSNGR CAR		01	DRVR	NONE	00	Unk	UNK		000	000	00		
N						45 9 3.8	-122 52 45.77			014000100S00																					
													02	NONE	9	TURN-L		N/A		SW	-W						000	00			
													PSNGR CAR					PSNGR CAR		01	DRVR	NONE	00	Unk	UNK		000	000	00		
02875	N	N	N	N	N	08/04/2018	MARION	1	11		INTER	3-LEG	N	N	CLR	ANGL-OTH	01	NONE	0	STRGHT									04		
CITY						SA	WOODBURN	MN	0	HILLSBORO-SILV HY	CN		TRF SIGNAL	N	DRY	TURN		PRVTE		W	-E						000	00			
N						7A	WOODBURN UA	36.86		NB EX HILLS-SILV C1	04	0		N	DAY	INJ		PSNGR CAR		01	DRVR	INJC	79	F	OR-Y		097	000	00		
N						45 9 3.79	-122 52 45.74			014000100S00																					
													02	NONE	0	TURN-R		PRVTE		S	-E						000	00			
													PSNGR CAR					PSNGR CAR		01	DRVR	NONE	21	F	OR-Y		097	000	00		
03676	N	N	N	N	N	09/29/2018	MARION	1	11		INTER	3-LEG	N	N	CLR	ANGL-OTH	01	NONE	9	STRGHT									04		
CITY						SA	WOODBURN	MN	0	HILLSBORO-SILV HY	CN		TRF SIGNAL	N	DRY	TURN		N/A		W	-E						000	00			
N						7A	WOODBURN UA	36.86		NB EX HILLS-SILV C1	04	0		N	DAY	PDO		PSNGR CAR		01	DRVR	NONE	00	Unk	UNK		000	000	00		
N						45 9 3.83	-122 52 45.75			014000100S00																					
													02	NONE	9	TURN-L		N/A		SW	-W						000	00			
													PSNGR CAR					PSNGR CAR		01	DRVR	NONE	00	Unk	UNK		000	000	00		
01168	N	N	N	N	N	04/01/2019	MARION	1	11		INTER	3-LEG	N	N	CLD	ANGL-OTH	01	NONE	0	STRGHT									04		
CITY						MO	WOODBURN	MN	0	HILLSBORO-SILV HY	CN		TRF SIGNAL	N	DRY	TURN		PRVTE		W	-E						000	00			
N						4P	WOODBURN UA	36.86		NB EX HILLS-SILV C1	04	0		N	DAY	INJ		PSNGR CAR		01	DRVR	NONE	55	M	OR-Y		020	000	04		
N						45 9 3.79	-122 52 45.74			014000100S00																					
													02	NONE	0	TURN-L		PRVTE		SW	-W						000	00			
													PSNGR CAR					PSNGR CAR		01	DRVR	INJC	24	F	OR-Y		000	000	00		

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirement, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.

140: HILLSBORO-SILVERTON

Highway 140 ALL ROAD TYPES, MP 36.81 to 36.91 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage



140: HILLSBORO-SILVERTON

Highway 140 ALL ROAD TYPES, MP 36.81 to 36.91 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage

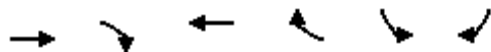


140: HILLSBORO-SILVERTON

Highway 140 ALL ROAD TYPES, MP 36.67 to 36.78 01/01/2018 to 12/31/2019, Both Add and Non-Add mileage

Queues  
1: I-5 SB ramps & OR 214












Woodburn US Market  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	418	163	355	394	218	95
v/c Ratio	0.17	0.12	0.17	0.30	0.60	0.22
Control Delay	3.0	0.2	7.1	0.8	48.1	7.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	3.0	0.2	7.1	0.8	48.1	7.0
Queue Length 50th (ft)	26	0	33	0	69	0
Queue Length 95th (ft)	43	0	52	14	94	30
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)	270		550		650	430
Base Capacity (vph)	2449	1312	2149	1300	1069	536
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.17	0.12	0.17	0.30	0.20	0.18
<b>Intersection Summary</b>						

HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214













Woodburn US Market  
Weekday AM Peak Hour

														
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR		
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗		
Traffic Volume (vph)	0	351	137	0	298	331	0	0	0	183	0	80		
Future Volume (vph)	0	351	137	0	298	331	0	0	0	183	0	80		
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750		
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5		
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00		
Frbp, ped/bikes		1.00	0.98		1.00	0.98				1.00		1.00		
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00		
Frt		1.00	0.85		1.00	0.85				1.00		0.85		
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00		
Satd. Flow (prot)		3107	1312		3197	1300				3014		1340		
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00		
Satd. Flow (perm)		3107	1312		3197	1300				3014		1340		
Peak-hour factor, PHF	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84		
Adj. Flow (vph)	0	418	163	0	355	394	0	0	0	218	0	95		
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	72		
Lane Group Flow (vph)	0	418	163	0	355	394	0	0	0	218	0	23		
Confl. Peds. (#/hr)									1	1				
Confl. Bikes (#/hr)			2			3								
Heavy Vehicles (%)	0%	7%	11%	0%	4%	12%	0%	0%	0%	7%	0%	11%		
Turn Type		NA	Free		NA	Free				Prot		Perm		
Protected Phases		2			6					4				
Permitted Phases			Free			Free						4 5		
Actuated Green, G (s)		78.8	100.0		66.3	100.0				12.2		24.7		
Effective Green, g (s)		78.8	100.0		66.3	100.0				12.2		24.7		
Actuated g/C Ratio		0.79	1.00		0.66	1.00				0.12		0.25		
Clearance Time (s)		4.5			4.5					4.5				
Vehicle Extension (s)		6.0			4.0					2.5				
Lane Grp Cap (vph)		2448	1312		2119	1300				367		330		
v/s Ratio Prot		0.13			0.11					c0.07				
v/s Ratio Perm			0.12			c0.30						0.02		
v/c Ratio		0.17	0.12		0.17	0.30				0.59		0.07		
Uniform Delay, d1		2.6	0.0		6.4	0.0				41.6		28.9		
Progression Factor		1.00	1.00		0.97	1.00				1.00		1.00		
Incremental Delay, d2		0.2	0.2		0.1	0.6				2.2		0.1		
Delay (s)		2.7	0.2		6.3	0.6				43.7		28.9		
Level of Service		A	A		A	A				D		C		
Approach Delay (s)		2.0			3.3			0.0			39.2			
Approach LOS		A			A			A			D			
<b>Intersection Summary</b>														
HCM 2000 Control Delay			9.7									HCM 2000 Level of Service	A	
HCM 2000 Volume to Capacity ratio			0.38											
Actuated Cycle Length (s)			100.0							13.5				
Intersection Capacity Utilization			23.7%										ICU Level of Service	A
Analysis Period (min)			15											
c Critical Lane Group														



HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

Woodburn US Market  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	351	137	0	298	331	0	0	0	183	0	80
Future Volume (veh/h)	0	351	137	0	298	331	0	0	0	183	0	80
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1654	1600	0	1695	1586				1654	0	1600
Adj Flow Rate, veh/h	0	418	0	0	355	0				218	0	95
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84				0.84	0.84	0.84
Percent Heavy Veh, %	0	7	11	0	4	12				7	0	11
Cap, veh/h	0	2554		0	2618					298	0	132
Arrive On Green	0.00	0.81	0.00	0.00	0.81	0.00				0.10	0.00	0.10
Sat Flow, veh/h	0	3226	1356	0	3306	1344				3057	0	1356
Grp Volume(v), veh/h	0	418	0	0	355	0				218	0	95
Grp Sat Flow(s),veh/h/ln	0	1572	1356	0	1611	1344				1528	0	1356
Q Serve(g_s), s	0.0	2.9	0.0	0.0	2.3	0.0				6.9	0.0	6.8
Cycle Q Clear(g_c), s	0.0	2.9	0.0	0.0	2.3	0.0				6.9	0.0	6.8
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2554		0	2618					298	0	132
V/C Ratio(X)	0.00	0.16		0.00	0.14					0.73	0.00	0.72
Avail Cap(c_a), veh/h	0	2554		0	2618					1085	0	481
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(l)	0.00	1.00	0.00	0.00	0.96	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	2.0	0.0	0.0	2.0	0.0				43.9	0.0	43.8
Incr Delay (d2), s/veh	0.0	0.1	0.0	0.0	0.0	0.0				2.6	0.0	5.4
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	0.6	0.0	0.0	0.5	0.0				2.7	0.0	5.2
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	2.2	0.0	0.0	2.0	0.0				46.5	0.0	49.2
LnGrp LOS	A	A		A	A					D	A	D
Approach Vol, veh/h		418	A		355	A					313	
Approach Delay, s/veh		2.2			2.0						47.3	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		85.8		14.2		85.8						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		55.5		35.5		40.5						
Max Q Clear Time (g_c+I1), s		4.9		8.9		4.3						
Green Ext Time (p_c), s		8.0		0.8		3.6						
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay			15.1									
HCM 6th LOS			B									
<b>Notes</b>												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Queues  
2: I-5 NB ramps & OR 214













Woodburn US Market  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	416	185	582	479	112	259	256
v/c Ratio	0.17	0.14	0.25	0.34	0.58	0.68	0.65
Control Delay	2.4	0.2	4.5	0.8	51.7	15.5	12.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	2.4	0.2	4.5	0.8	51.7	15.5	12.8
Queue Length 50th (ft)	17	0	27	0	72	7	0
Queue Length 95th (ft)	33	0	118	0	118	84	68
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2412	1325	2345	1399	666	714	741
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.17	0.14	0.25	0.34	0.17	0.36	0.35
<b>Intersection Summary</b>							

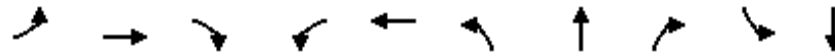
HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

Woodburn US Market  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	370	165	0	518	426	111	0	447	0	0	0
Future Volume (vph)	0	370	165	0	518	426	111	0	447	0	0	0
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	0.98		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3137	1325		3050	1399	1462	1272	1321			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3137	1325		3050	1399	1462	1272	1321			
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Adj. Flow (vph)	0	416	185	0	582	479	125	0	502	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	214	222	0	0	0
Lane Group Flow (vph)	0	416	185	0	582	479	112	45	34	0	0	0
Confl. Peds. (#/hr)	1						1					
Confl. Bikes (#/hr)			1			3						
Heavy Vehicles (%)	0%	6%	10%	0%	9%	4%	8%	0%	7%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		76.9	100.0		76.9	100.0	13.2	13.2	13.2			
Effective Green, g (s)		76.9	100.0		76.9	100.0	13.2	13.2	13.2			
Actuated g/C Ratio		0.77	1.00		0.77	1.00	0.13	0.13	0.13			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2412	1325		2345	1399	192	167	174			
v/s Ratio Prot		0.13			0.19							
v/s Ratio Perm			0.14			c0.34	c0.08	0.04	0.03			
v/c Ratio		0.17	0.14		0.25	0.34	0.58	0.27	0.19			
Uniform Delay, d1		3.1	0.0		3.3	0.0	40.8	39.1	38.7			
Progression Factor		0.64	1.00		1.11	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.2	0.2		0.2	0.6	3.7	0.6	0.4			
Delay (s)		2.1	0.2		3.8	0.6	44.5	39.7	39.1			
Level of Service		A	A		A	A	D	D	D			
Approach Delay (s)		1.5			2.4			40.3			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			12.5				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.39									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			39.4%				ICU Level of Service				A	
Analysis Period (min)			15									
c Critical Lane Group												

Queues  
3: Evergreen Rd & OR 214

Woodburn US Market  
Weekday AM Peak Hour



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	97	591	61	108	626	167	166	113	9	48
v/c Ratio	0.20	0.33	0.07	0.21	0.35	0.69	0.67	0.35	0.07	0.32
Control Delay	8.1	14.7	2.6	8.1	13.6	53.7	52.8	9.6	44.0	23.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	8.1	14.7	2.6	8.1	13.6	53.7	52.8	9.6	44.0	23.8
Queue Length 50th (ft)	15	113	0	24	119	107	106	0	5	5
Queue Length 95th (ft)	57	225	11	47	205	168	167	44	21	40
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	496	1768	836	513	1782	487	493	541	143	166
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.20	0.33	0.07	0.21	0.35	0.34	0.34	0.21	0.06	0.29

Intersection Summary

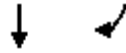
HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

Woodburn US Market  
Weekday AM Peak Hour

Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	47	43	550	57	8	92	574	8	288	21	105	8
Future Volume (vph)	47	43	550	57	8	92	574	8	288	21	105	8
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5			4.0	4.5		4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00			1.00	0.95		0.95	0.95	1.00
Frbp, ped/bikes		1.00	1.00	0.98			1.00	1.00		1.00	1.00	1.00
Flpb, ped/bikes		1.00	1.00	1.00			1.00	1.00		1.00	1.00	1.00
Frt		1.00	1.00	0.85			1.00	1.00		1.00	1.00	0.85
Flt Protected		0.95	1.00	1.00			0.95	1.00		0.95	0.96	1.00
Satd. Flow (prot)		1637	3137	1401			1630	3047		1548	1567	1473
Flt Permitted		0.37	1.00	1.00			0.39	1.00		0.95	0.96	1.00
Satd. Flow (perm)		645	3137	1401			669	3047		1548	1567	1473
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	51	46	591	61	9	99	617	9	310	23	113	9
RTOR Reduction (vph)	0	0	0	28	0	0	1	0	0	0	95	0
Lane Group Flow (vph)	0	97	591	33	0	108	625	0	167	166	18	9
Confl. Peds. (#/hr)		1						1	1			
Confl. Bikes (#/hr)				1								
Heavy Vehicles (%)	2%	1%	6%	4%	2%	2%	9%	0%	2%	0%	1%	0%
Turn Type	D.P+P	D.P+P	NA	Perm	D.P+P	D.P+P	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases	6	6		2	2	2					8	
Actuated Green, G (s)		62.2	54.6	54.6		62.2	55.9		15.7	15.7	15.7	4.6
Effective Green, g (s)		62.2	54.6	54.6		62.2	55.9		15.7	15.7	15.7	4.6
Actuated g/C Ratio		0.62	0.55	0.55		0.62	0.56		0.16	0.16	0.16	0.05
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		463	1712	764		489	1703		243	246	231	76
v/s Ratio Prot		0.01	0.19			c0.02	c0.21		c0.11	0.11		0.01
v/s Ratio Perm		0.12		0.02		0.12					0.01	
v/c Ratio		0.21	0.35	0.04		0.22	0.37		0.69	0.67	0.08	0.12
Uniform Delay, d1		7.8	12.7	10.6		7.8	12.2		39.8	39.7	36.0	45.8
Progression Factor		0.92	0.98	3.44		0.91	0.92		1.00	1.00	1.00	1.00
Incremental Delay, d2		0.2	0.5	0.1		0.2	0.6		7.2	6.5	0.1	0.5
Delay (s)		7.3	13.0	36.4		7.2	11.9		47.0	46.2	36.1	46.3
Level of Service		A	B	D		A	B		D	D	D	D
Approach Delay (s)			14.2				11.2			43.9		
Approach LOS			B				B			D		
<b>Intersection Summary</b>												
HCM 2000 Control Delay			20.7				HCM 2000 Level of Service			C		
HCM 2000 Volume to Capacity ratio			0.41									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)		17.5			
Intersection Capacity Utilization			52.2%				ICU Level of Service		A			
Analysis Period (min)			15									
c Critical Lane Group												

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

Woodburn US Market  
Weekday AM Peak Hour



Movement	SBT	SBR
Lane Configurations	8	36
Traffic Volume (vph)	8	36
Future Volume (vph)	8	36
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.88	
Flt Protected	1.00	
Satd. Flow (prot)	1514	
Flt Permitted	1.00	
Satd. Flow (perm)	1514	
Peak-hour factor, PHF	0.93	0.93
Adj. Flow (vph)	9	39
RTOR Reduction (vph)	37	0
Lane Group Flow (vph)	11	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	0%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	4.6	
Effective Green, g (s)	4.6	
Actuated g/C Ratio	0.05	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	69	
v/s Ratio Prot	c0.01	
v/s Ratio Perm		
v/c Ratio	0.16	
Uniform Delay, d1	45.8	
Progression Factor	1.00	
Incremental Delay, d2	0.8	
Delay (s)	46.6	
Level of Service	D	
Approach Delay (s)	46.6	
Approach LOS	D	
<b>Intersection Summary</b>		

Queues  
5: Oregon Way & OR 214

Woodburn US Market  
Weekday AM Peak Hour



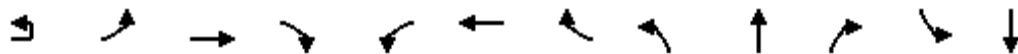
Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	17	748	5	673	5	15	20	71
v/c Ratio	0.03	0.30	0.01	0.27	0.06	0.15	0.19	0.38
Control Delay	3.1	3.7	3.4	5.2	45.8	35.2	47.9	19.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	3.1	3.7	3.4	5.2	45.8	35.2	47.9	19.2
Queue Length 50th (ft)	1	27	0	25	3	5	12	5
Queue Length 95th (ft)	m7	122	4	135	15	25	36	47
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	602	2527	572	2448	100	554	110	551
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.03	0.30	0.01	0.27	0.05	0.03	0.18	0.13

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

Woodburn US Market  
Weekday AM Peak Hour



Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations		↔	↕		↕	↕		↕	↕		↕	↕
Traffic Volume (vph)	7	8	650	38	5	598	21	5	7	6	18	7
Future Volume (vph)	7	8	650	38	5	598	21	5	7	6	18	7
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	0.99		1.00	0.99
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00
Frt		1.00	0.99		1.00	0.99		1.00	0.93		1.00	0.87
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00
Satd. Flow (prot)		1646	3089		1662	3068		1662	1617		1662	1500
Flt Permitted		0.38	1.00		0.35	1.00		0.95	1.00		0.95	1.00
Satd. Flow (perm)		665	3089		618	3068		1662	1617		1662	1500
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	8	9	707	41	5	650	23	5	8	7	20	8
RTOR Reduction (vph)	0	0	2	0	0	1	0	0	7	0	0	58
Lane Group Flow (vph)	0	17	746	0	5	672	0	5	8	0	20	13
Confl. Peds. (#/hr)		3		2	2		3	1		2	2	
Heavy Vehicles (%)	2%	0%	7%	0%	0%	8%	0%	0%	0%	0%	0%	0%
Turn Type	D.P+P	D.P+P	NA		D.P+P	NA		Prot	NA		Prot	NA
Protected Phases	5	5	2		1	6		3	8		7	4
Permitted Phases	6	6			2							
Actuated Green, G (s)		74.8	73.7		74.8	72.6		1.2	5.7		3.0	7.5
Effective Green, g (s)		74.8	73.7		74.8	72.6		1.2	5.7		3.0	7.5
Actuated g/C Ratio		0.75	0.74		0.75	0.73		0.01	0.06		0.03	0.08
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5
Lane Grp Cap (vph)		519	2276		473	2227		19	92		49	112
v/s Ratio Prot		c0.00	c0.24		0.00	0.22		0.00	0.01		c0.01	c0.01
v/s Ratio Perm		0.02			0.01							
v/c Ratio		0.03	0.33		0.01	0.30		0.26	0.09		0.41	0.11
Uniform Delay, d1		3.2	4.6		3.2	4.8		49.0	44.7		47.6	43.1
Progression Factor		0.92	0.84		1.00	1.00		1.00	1.00		1.00	1.00
Incremental Delay, d2		0.0	0.4		0.0	0.3		5.3	0.3		4.0	0.3
Delay (s)		3.0	4.2		3.2	5.2		54.3	45.0		51.6	43.5
Level of Service		A	A		A	A		D	D		D	D
Approach Delay (s)			4.2			5.1			47.3			45.3
Approach LOS			A			A			D			D
<b>Intersection Summary</b>												
HCM 2000 Control Delay			7.6									A
HCM 2000 Volume to Capacity ratio			0.31									
Actuated Cycle Length (s)			100.0								16.5	
Intersection Capacity Utilization			36.3%									A
Analysis Period (min)			15									

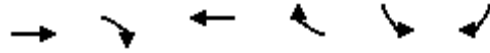
c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	58
Future Volume (vph)	58
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	63
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	1
Heavy Vehicles (%)	0%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

Queues  
1: I-5 SB ramps & OR 214













Existing Traffic Conditions  
Weekday PM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	736	367	661	577	438	298
v/c Ratio	0.31	0.26	0.35	0.40	0.74	0.52
Control Delay	5.9	0.4	14.0	1.0	45.7	16.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	5.9	0.4	14.0	1.0	45.7	16.4
Queue Length 50th (ft)	76	0	134	0	136	76
Queue Length 95th (ft)	124	0	148	13	178	144
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)		270		550	650	430
Base Capacity (vph)	2347	1426	1875	1430	1048	599
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.31	0.26	0.35	0.40	0.42	0.50
Intersection Summary						













HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

Existing Traffic Conditions  
Weekday PM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	677	338	0	608	531	0	0	0	403	0	274	
Future Volume (vph)	0	677	338	0	608	531	0	0	0	403	0	274	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	1.00				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3260	1426		3260	1430				3131		1444	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3260	1426		3260	1430				3131		1444	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	0	736	367	0	661	577	0	0	0	438	0	298	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	93	
Lane Group Flow (vph)	0	736	367	0	661	577	0	0	0	438	0	205	
Confl. Peds. (#/hr)			3	3					1	1			
Confl. Bikes (#/hr)			1										
Heavy Vehicles (%)	0%	2%	2%	0%	2%	4%	0%	0%	0%	3%	0%	3%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		72.0	100.0		57.5	100.0				19.0		33.5	
Effective Green, g (s)		72.0	100.0		57.5	100.0				19.0		33.5	
Actuated g/C Ratio		0.72	1.00		0.58	1.00				0.19		0.34	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2347	1426		1874	1430				594		483	
v/s Ratio Prot		0.23			0.20					c0.14			
v/s Ratio Perm			0.26			c0.40						0.14	
v/c Ratio		0.31	0.26		0.35	0.40				0.74		0.42	
Uniform Delay, d1		5.1	0.0		11.3	0.0				38.1		25.8	
Progression Factor		1.00	1.00		1.13	1.00				1.00		1.00	
Incremental Delay, d2		0.3	0.4		0.1	0.8				4.5		0.4	
Delay (s)		5.4	0.4		12.9	0.8				42.6		26.2	
Level of Service		A	A		B	A				D		C	
Approach Delay (s)		3.8			7.3			0.0			36.0		
Approach LOS		A			A			A			D		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			12.9									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.52										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			44.2%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
 1: I-5 SB ramps & OR 214

Existing Traffic Conditions  
 Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗
Traffic Volume (veh/h)	0	677	338	0	608	531	0	0	0	403	0	274
Future Volume (veh/h)	0	677	338	0	608	531	0	0	0	403	0	274
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1723	1723	0	1723	1695				1709	0	1709
Adj Flow Rate, veh/h	0	736	0	0	661	0				438	0	298
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92				0.92	0.92	0.92
Percent Heavy Veh, %	0	2	2	0	2	4				3	0	3
Cap, veh/h	0	2208		0	2208					743	0	341
Arrive On Green	0.00	0.67	0.00	0.00	0.67	0.00				0.24	0.00	0.24
Sat Flow, veh/h	0	3359	1460	0	3359	1437				3158	0	1448
Grp Volume(v), veh/h	0	736	0	0	661	0				438	0	298
Grp Sat Flow(s),veh/h/ln	0	1637	1460	0	1637	1437				1579	0	1448
Q Serve(g_s), s	0.0	9.4	0.0	0.0	8.2	0.0				12.3	0.0	19.8
Cycle Q Clear(g_c), s	0.0	9.4	0.0	0.0	8.2	0.0				12.3	0.0	19.8
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2208		0	2208					743	0	341
V/C Ratio(X)	0.00	0.33		0.00	0.30					0.59	0.00	0.87
Avail Cap(c_a), veh/h	0	2208		0	2208					1058	0	485
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.88	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	6.8	0.0	0.0	6.6	0.0				33.9	0.0	36.8
Incr Delay (d2), s/veh	0.0	0.4	0.0	0.0	0.1	0.0				0.6	0.0	10.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	3.0	0.0	0.0	2.6	0.0				4.7	0.0	15.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	7.2	0.0	0.0	6.7	0.0				34.5	0.0	47.7
LnGrp LOS	A	A		A	A					C	A	D
Approach Vol, veh/h		736	A		661	A					736	
Approach Delay, s/veh		7.2			6.7						39.8	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		72.0		28.0		72.0						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		57.5		33.5		42.5						
Max Q Clear Time (g_c+I1), s		11.4		21.8		10.2						
Green Ext Time (p_c), s		15.6		1.7		7.2						

Intersection Summary








HCM 6th Ctrl Delay	18.3
HCM 6th LOS	B

Notes

Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.













Queues  
2: I-5 NB ramps & OR 214

Existing Traffic Conditions  
Weekday PM Peak Hour

							
Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	952	197	977	281	211	249	243
v/c Ratio	0.41	0.14	0.43	0.20	0.70	0.74	0.70
Control Delay	6.7	0.2	5.6	0.3	49.0	34.6	31.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	6.7	0.2	5.6	0.3	49.0	34.6	31.9
Queue Length 50th (ft)	60	0	68	0	132	100	90
Queue Length 95th (ft)	215	0	188	0	191	176	161
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2308	1403	2286	1387	565	551	567
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.41	0.14	0.43	0.20	0.37	0.45	0.43
<b>Intersection Summary</b>							

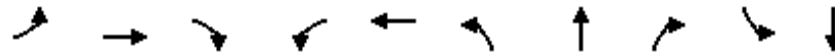
HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

Existing Traffic Conditions  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	895	185	0	918	264	221	0	440	0	0	0
Future Volume (vph)	0	895	185	0	918	264	221	0	440	0	0	0
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	1.00		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3292	1403		3260	1387	1504	1305	1346			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3292	1403		3260	1387	1504	1305	1346			
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	0	952	197	0	977	281	235	0	468	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	78	78	0	0	0
Lane Group Flow (vph)	0	952	197	0	977	281	211	171	165	0	0	0
Confl. Peds. (#/hr)	2					2						
Heavy Vehicles (%)	0%	1%	6%	0%	2%	5%	5%	0%	5%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		70.1	100.0		70.1	100.0	20.0	20.0	20.0			
Effective Green, g (s)		70.1	100.0		70.1	100.0	20.0	20.0	20.0			
Actuated g/C Ratio		0.70	1.00		0.70	1.00	0.20	0.20	0.20			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2307	1403		2285	1387	300	261	269			
v/s Ratio Prot		0.29			c0.30							
v/s Ratio Perm			0.14			0.20	c0.14	0.13	0.12			
v/c Ratio		0.41	0.14		0.43	0.20	0.70	0.65	0.61			
Uniform Delay, d1		6.3	0.0		6.4	0.0	37.2	36.8	36.5			
Progression Factor		0.85	1.00		0.69	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.5	0.2		0.3	0.3	6.8	5.2	3.5			
Delay (s)		5.9	0.2		4.7	0.3	44.0	42.0	40.0			
Level of Service		A	A		A	A	D	D	D			
Approach Delay (s)		4.9			3.7			41.9			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			12.8				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.49									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			54.8%				ICU Level of Service				A	
Analysis Period (min)			15									
c Critical Lane Group												

Queues  
3: Evergreen Rd & OR 214

Existing Traffic Conditions  
Weekday PM Peak Hour



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	121	913	135	224	825	208	210	215	18	96
v/c Ratio	0.33	0.62	0.18	0.59	0.50	0.72	0.72	0.48	0.16	0.58
Control Delay	8.6	20.9	2.3	23.2	14.6	52.0	51.7	8.2	47.1	34.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	8.6	20.9	2.3	23.2	14.6	52.0	51.7	8.2	47.1	34.0
Queue Length 50th (ft)	25	288	10	33	186	132	133	0	11	20
Queue Length 95th (ft)	41	291	13	126	229	196	198	56	34	#82
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	368	1473	754	388	1641	444	450	573	116	165
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.33	0.62	0.18	0.58	0.50	0.47	0.47	0.38	0.16	0.58

Intersection Summary

# 95th percentile volume exceeds capacity, queue may be longer.  
Queue shown is maximum after two cycles.

# HCM Signalized Intersection Capacity Analysis

## 3: Evergreen Rd & OR 214

Existing Traffic Conditions  
Weekday PM Peak Hour

Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	28	83	831	123	15	189	740	11	357	24	196	16
Future Volume (vph)	28	83	831	123	15	189	740	11	357	24	196	16
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	0.98	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1654	3197	1458		1660	3192		1533	1552	1450	1662
Flt Permitted		0.27	1.00	1.00		0.21	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		461	3197	1458		359	3192		1533	1552	1450	1662
Peak-hour factor, PHF	0.92	0.91	0.91	0.91	0.92	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Adj. Flow (vph)	30	91	913	135	16	208	813	12	392	26	215	18
RTOR Reduction (vph)	0	0	0	74	0	0	1	0	0	0	175	0
Lane Group Flow (vph)	0	121	913	61	0	224	824	0	208	210	40	18
Confl. Peds. (#/hr)									1		2	2
Confl. Bikes (#/hr)											1	
Heavy Vehicles (%)	2%	0%	4%	2%	2%	0%	4%	0%	3%	0%	1%	0%
Turn Type	D.P+P	D.P+P	NA	Perm	D.P+P	D.P+P	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases	6	6		2	2	2					8	
Actuated Green, G (s)		58.2	45.2	45.2		58.2	50.5		18.7	18.7	18.7	5.6
Effective Green, g (s)		58.2	45.2	45.2		58.2	50.5		18.7	18.7	18.7	5.6
Actuated g/C Ratio		0.58	0.45	0.45		0.58	0.50		0.19	0.19	0.19	0.06
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		360	1445	659		378	1611		286	290	271	93
v/s Ratio Prot		0.03	c0.29			c0.08	0.26		c0.14	0.14		0.01
v/s Ratio Perm		0.17		0.04		0.27					0.03	
v/c Ratio		0.34	0.63	0.09		0.59	0.51		0.73	0.72	0.15	0.19
Uniform Delay, d1		10.2	21.0	15.7		12.1	16.5		38.3	38.2	34.0	45.0
Progression Factor		0.67	0.82	0.64		1.63	0.74		1.00	1.00	1.00	1.00
Incremental Delay, d2		0.4	2.0	0.3		2.0	1.1		8.4	8.1	0.2	0.7
Delay (s)		7.2	19.1	10.4		21.8	13.3		46.6	46.4	34.2	45.8
Level of Service		A	B	B		C	B		D	D	C	D
Approach Delay (s)			16.9			15.1			42.3			
Approach LOS			B			B			D			
<b>Intersection Summary</b>												
HCM 2000 Control Delay			22.9			HCM 2000 Level of Service			C			
HCM 2000 Volume to Capacity ratio			0.63									
Actuated Cycle Length (s)			100.0			Sum of lost time (s)			17.5			
Intersection Capacity Utilization			71.7%			ICU Level of Service			C			
Analysis Period (min)			15									
c Critical Lane Group												



HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

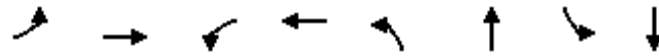
Existing Traffic Conditions  
Weekday PM Peak Hour



Movement	SBT	SBR
Lane Configurations	T	
Traffic Volume (vph)	30	57
Future Volume (vph)	30	57
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.90	
Flt Protected	1.00	
Satd. Flow (prot)	1520	
Flt Permitted	1.00	
Satd. Flow (perm)	1520	
Peak-hour factor, PHF	0.91	0.91
Adj. Flow (vph)	33	63
RTOR Reduction (vph)	59	0
Lane Group Flow (vph)	37	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	4%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	5.6	
Effective Green, g (s)	5.6	
Actuated g/C Ratio	0.06	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	85	
v/s Ratio Prot	c0.02	
v/s Ratio Perm		
v/c Ratio	0.43	
Uniform Delay, d1	45.7	
Progression Factor	1.00	
Incremental Delay, d2	2.5	
Delay (s)	48.2	
Level of Service	D	
Approach Delay (s)	47.8	
Approach LOS	D	
<b>Intersection Summary</b>		

Queues  
5: Oregon Way & OR 214

Existing Traffic Conditions  
Weekday PM Peak Hour



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	38	1071	21	964	19	21	52	102
v/c Ratio	0.09	0.43	0.05	0.39	0.21	0.17	0.50	0.52
Control Delay	4.4	5.6	3.7	7.0	50.7	34.3	62.0	23.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	4.4	5.6	3.7	7.0	50.7	34.3	62.0	23.2
Queue Length 50th (ft)	2	30	1	96	12	8	32	11
Queue Length 95th (ft)	m13	174	10	220	36	30	#79	60
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	440	2486	404	2457	95	547	108	566
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.09	0.43	0.05	0.39	0.20	0.04	0.48	0.18

Intersection Summary

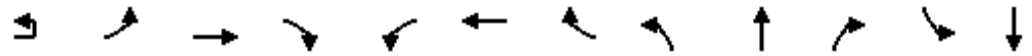
# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

Existing Traffic Conditions  
Weekday PM Peak Hour

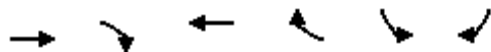


Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	
Lane Configurations		↔	↕		↕	↕		↕	↕		↕	↕	
Traffic Volume (vph)	14	22	936	82	20	873	43	18	12	8	49	17	
Future Volume (vph)	14	22	936	82	20	873	43	18	12	8	49	17	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	0.99		1.00	1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Frt		1.00	0.99		1.00	0.99		1.00	0.94		1.00	0.88	
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1649	3159		1662	3206		1662	1641		1662	1521	
Flt Permitted		0.27	1.00		0.24	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (perm)		465	3159		414	3206		1662	1641		1662	1521	
Peak-hour factor, PHF	0.92	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	
Adj. Flow (vph)	15	23	985	86	21	919	45	19	13	8	52	18	
RTOR Reduction (vph)	0	0	3	0	0	2	0	0	8	0	0	78	
Lane Group Flow (vph)	0	38	1068	0	21	962	0	19	13	0	52	24	
Confl. Peds. (#/hr)		3		3	3		3			2	2		
Confl. Bikes (#/hr)				1									
Heavy Vehicles (%)	2%	0%	4%	1%	0%	3%	0%	0%	0%	0%	0%	0%	
Turn Type	D.P+P	D.P+P	NA		D.P+P	NA		Prot	NA		Prot	NA	
Protected Phases	5	5	2		1	6		3	8		7	4	
Permitted Phases	6	6			2								
Actuated Green, G (s)		74.4	72.1		74.4	70.9		2.2	3.8		5.3	6.9	
Effective Green, g (s)		74.4	72.1		74.4	70.9		2.2	3.8		5.3	6.9	
Actuated g/C Ratio		0.74	0.72		0.74	0.71		0.02	0.04		0.05	0.07	
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5	
Lane Grp Cap (vph)		387	2277		336	2273		36	62		88	104	
v/s Ratio Prot		c0.00	c0.34		0.00	0.30		0.01	0.01		c0.03	c0.02	
v/s Ratio Perm		0.07			0.04								
v/c Ratio		0.10	0.47		0.06	0.42		0.53	0.21		0.59	0.23	
Uniform Delay, d1		3.6	5.9		3.7	6.0		48.4	46.7		46.3	44.0	
Progression Factor		1.23	0.83		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2		0.1	0.6		0.1	0.6		10.2	1.3		8.6	0.8	
Delay (s)		4.5	5.5		3.7	6.6		58.6	47.9		54.9	44.9	
Level of Service		A	A		A	A		E	D		D	D	
Approach Delay (s)			5.4			6.6			53.0			48.2	
Approach LOS			A			A			D			D	
<b>Intersection Summary</b>													
HCM 2000 Control Delay			9.6									HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio			0.45										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	16.5
Intersection Capacity Utilization			49.2%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	80
Future Volume (vph)	80
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.95
Adj. Flow (vph)	84
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Heavy Vehicles (%)	1%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

Queues  
1: I-5 SB ramps & OR 214

Year 2023 Background Conditions  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	431	210	379	455	252	95
v/c Ratio	0.18	0.16	0.18	0.35	0.63	0.22
Control Delay	3.3	0.3	7.1	1.2	47.8	6.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	3.3	0.3	7.1	1.2	47.8	6.7
Queue Length 50th (ft)	30	0	40	0	79	0
Queue Length 95th (ft)	47	0	42	24	106	29
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)	270		550			
Base Capacity (vph)	2414	1312	2113	1300	1069	536
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.18	0.16	0.18	0.35	0.24	0.18
<b>Intersection Summary</b>						













HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

Year 2023 Background Conditions  
Weekday AM Peak Hour

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖		↗	
Traffic Volume (vph)	0	362	176	0	318	382	0	0	0	212	0	80	
Future Volume (vph)	0	362	176	0	318	382	0	0	0	212	0	80	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	0.98				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3107	1312		3197	1300				3014		1340	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3107	1312		3197	1300				3014		1340	
Peak-hour factor, PHF	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	
Adj. Flow (vph)	0	431	210	0	379	455	0	0	0	252	0	95	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	70	
Lane Group Flow (vph)	0	431	210	0	379	455	0	0	0	252	0	25	
Confl. Peds. (#/hr)										1	1		
Confl. Bikes (#/hr)			2			3							
Heavy Vehicles (%)	0%	7%	11%	0%	4%	12%	0%	0%	0%	7%	0%	11%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		77.7	100.0		65.2	100.0				13.3		25.8	
Effective Green, g (s)		77.7	100.0		65.2	100.0				13.3		25.8	
Actuated g/C Ratio		0.78	1.00		0.65	1.00				0.13		0.26	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2414	1312		2084	1300				400		345	
v/s Ratio Prot		0.14			0.12					c0.08			
v/s Ratio Perm			0.16			c0.35						0.02	
v/c Ratio		0.18	0.16		0.18	0.35				0.63		0.07	
Uniform Delay, d1		2.9	0.0		6.9	0.0				41.0		28.0	
Progression Factor		1.00	1.00		0.90	1.00				1.00		1.00	
Incremental Delay, d2		0.2	0.3		0.1	0.7				2.8		0.1	
Delay (s)		3.0	0.3		6.2	0.7				43.8		28.1	
Level of Service		A	A		A	A				D		C	
Approach Delay (s)		2.1			3.2			0.0			39.5		
Approach LOS		A			A			A			D		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			9.8									HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio			0.43										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			24.9%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

Year 2023 Background Conditions  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	362	176	0	318	382	0	0	0	212	0	80
Future Volume (veh/h)	0	362	176	0	318	382	0	0	0	212	0	80
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1654	1600	0	1695	1586				1654	0	1600
Adj Flow Rate, veh/h	0	431	0	0	379	0				252	0	95
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84				0.84	0.84	0.84
Percent Heavy Veh, %	0	7	11	0	4	12				7	0	11
Cap, veh/h	0	2518		0	2580					333	0	148
Arrive On Green	0.00	0.80	0.00	0.00	0.80	0.00				0.11	0.00	0.11
Sat Flow, veh/h	0	3226	1356	0	3306	1344				3057	0	1356
Grp Volume(v), veh/h	0	431	0	0	379	0				252	0	95
Grp Sat Flow(s),veh/h/ln	0	1572	1356	0	1611	1344				1528	0	1356
Q Serve(g_s), s	0.0	3.2	0.0	0.0	2.7	0.0				8.0	0.0	6.7
Cycle Q Clear(g_c), s	0.0	3.2	0.0	0.0	2.7	0.0				8.0	0.0	6.7
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2518		0	2580					333	0	148
V/C Ratio(X)	0.00	0.17		0.00	0.15					0.76	0.00	0.64
Avail Cap(c_a), veh/h	0	2518		0	2580					1085	0	481
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.96	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	2.3	0.0	0.0	2.2	0.0				43.3	0.0	42.7
Incr Delay (d2), s/veh	0.0	0.1	0.0	0.0	0.0	0.0				2.6	0.0	3.4
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	0.7	0.0	0.0	0.6	0.0				3.1	0.0	5.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	2.4	0.0	0.0	2.3	0.0				45.9	0.0	46.1
LnGrp LOS	A	A		A	A					D	A	D
Approach Vol, veh/h		431	A		379	A					347	
Approach Delay, s/veh		2.4			2.3						45.9	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		84.6		15.4		84.6						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		55.5		35.5		40.5						
Max Q Clear Time (g_c+I1), s		5.2		10.0		4.7						
Green Ext Time (p_c), s		8.3		0.9		3.9						
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay				15.4								
HCM 6th LOS				B								
<b>Notes</b>												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Queues  
2: I-5 NB ramps & OR 214

Year 2023 Background Conditions  
Weekday AM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	454	187	661	574	113	272	269
v/c Ratio	0.19	0.14	0.28	0.41	0.57	0.69	0.65
Control Delay	2.7	0.2	5.5	1.1	50.7	15.3	12.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	2.7	0.2	5.5	1.1	50.7	15.3	12.7
Queue Length 50th (ft)	20	0	31	1	71	7	0
Queue Length 95th (ft)	40	0	146	0	120	85	70
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2402	1325	2335	1399	666	720	748
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.19	0.14	0.28	0.41	0.17	0.38	0.36
<b>Intersection Summary</b>							



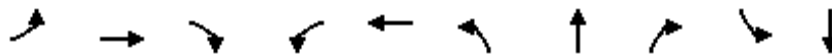
HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

Year 2023 Background Conditions  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↔	↗			
Traffic Volume (vph)	0	404	166	0	588	511	112	0	470	0	0	0
Future Volume (vph)	0	404	166	0	588	511	112	0	470	0	0	0
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	0.98		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3137	1325		3050	1399	1462	1272	1321			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3137	1325		3050	1399	1462	1272	1321			
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Adj. Flow (vph)	0	454	187	0	661	574	126	0	528	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	224	233	0	0	0
Lane Group Flow (vph)	0	454	187	0	661	574	113	48	36	0	0	0
Confl. Peds. (#/hr)	1						1					
Confl. Bikes (#/hr)			1			3						
Heavy Vehicles (%)	0%	6%	10%	0%	9%	4%	8%	0%	7%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		76.6	100.0		76.6	100.0	13.5	13.5	13.5			
Effective Green, g (s)		76.6	100.0		76.6	100.0	13.5	13.5	13.5			
Actuated g/C Ratio		0.77	1.00		0.77	1.00	0.14	0.14	0.14			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2402	1325		2336	1399	197	171	178			
v/s Ratio Prot		0.14			0.22							
v/s Ratio Perm			0.14			c0.41	0.08	0.04	0.03			
v/c Ratio		0.19	0.14		0.28	0.41	0.57	0.28	0.20			
Uniform Delay, d1		3.2	0.0		3.5	0.0	40.6	38.9	38.5			
Progression Factor		0.66	1.00		1.28	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.2	0.2		0.2	0.8	3.3	0.7	0.4			
Delay (s)		2.3	0.2		4.6	0.8	43.8	39.5	38.9			
Level of Service		A	A		A	A	D	D	D			
Approach Delay (s)		1.7			2.9			40.0			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			12.2				HCM 2000 Level of Service					B
HCM 2000 Volume to Capacity ratio			0.46									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)					9.9
Intersection Capacity Utilization			41.4%				ICU Level of Service					A
Analysis Period (min)			15									
c Critical Lane Group												

Queues  
3: Evergreen Rd & OR 214

Year 2023 Background Conditions  
Weekday AM Peak Hour
























Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	102	627	100	114	681	232	229	126	12	50
v/c Ratio	0.25	0.40	0.13	0.26	0.43	0.75	0.73	0.32	0.10	0.34
Control Delay	10.9	19.2	5.1	10.7	18.1	52.0	50.7	7.6	44.9	23.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	10.9	19.2	5.1	10.7	18.1	52.0	50.7	7.6	44.9	23.8
Queue Length 50th (ft)	17	138	3	29	146	148	145	0	7	6
Queue Length 95th (ft)	77	251	26	55	246	213	209	42	25	42
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	417	1553	748	439	1577	487	492	550	141	166
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.24	0.40	0.13	0.26	0.43	0.48	0.47	0.23	0.09	0.30
Intersection Summary										

# HCM Signalized Intersection Capacity Analysis

## 3: Evergreen Rd & OR 214

Year 2023 Background Conditions  
Weekday AM Peak Hour

												
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	47	47	583	93	8	98	616	18	406	22	117	11
Future Volume (vph)	47	47	583	93	8	98	616	18	406	22	117	11
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5			4.0	4.5		4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00			1.00	0.95		0.95	0.95	1.00
Frbp, ped/bikes		1.00	1.00	0.98			1.00	1.00		1.00	1.00	1.00
Flpb, ped/bikes		1.00	1.00	1.00			1.00	1.00		1.00	1.00	1.00
Frt		1.00	1.00	0.85			1.00	1.00		1.00	1.00	0.85
Flt Protected		0.95	1.00	1.00			0.95	1.00		0.95	0.96	1.00
Satd. Flow (prot)		1638	3137	1401			1630	3043		1548	1563	1473
Flt Permitted		0.33	1.00	1.00			0.35	1.00		0.95	0.96	1.00
Satd. Flow (perm)		570	3137	1401			607	3043		1548	1563	1473
Peak-hour factor, PHF	0.92	0.93	0.93	0.93	0.92	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	51	51	627	100	9	105	662	19	437	24	126	12
RTOR Reduction (vph)	0	0	0	51	0	0	1	0	0	0	101	0
Lane Group Flow (vph)	0	102	627	49	0	114	680	0	232	229	25	12
Confl. Peds. (#/hr)		1						1	1			
Confl. Bikes (#/hr)				1								
Heavy Vehicles (%)	2%	1%	6%	4%	2%	2%	9%	0%	2%	0%	1%	0%
Turn Type	D.P+P	D.P+P	NA	Perm	D.P+P	D.P+P	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases	6	6		2	2	2					8	
Actuated Green, G (s)		56.6	48.6	48.6		56.6	50.1		20.0	20.0	20.0	5.9
Effective Green, g (s)		56.6	48.6	48.6		56.6	50.1		20.0	20.0	20.0	5.9
Actuated g/C Ratio		0.57	0.49	0.49		0.57	0.50		0.20	0.20	0.20	0.06
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		392	1524	680		425	1524		309	312	294	98
v/s Ratio Prot		0.02	0.20			c0.02	c0.22		c0.15	0.15		0.01
v/s Ratio Perm		0.13		0.03		0.13					0.02	
v/c Ratio		0.26	0.41	0.07		0.27	0.45		0.75	0.73	0.09	0.12
Uniform Delay, d1		10.4	16.5	13.7		10.4	16.0		37.7	37.5	32.6	44.6
Progression Factor		0.92	0.99	1.29		0.89	0.94		1.00	1.00	1.00	1.00
Incremental Delay, d2		0.3	0.8	0.2		0.2	0.9		9.4	8.2	0.1	0.4
Delay (s)		9.8	17.1	17.8		9.6	16.0		47.0	45.7	32.6	45.0
Level of Service		A	B	B		A	B		D	D	C	D
Approach Delay (s)			16.3				15.1			43.4		
Approach LOS			B				B			D		
<b>Intersection Summary</b>												
HCM 2000 Control Delay			23.7				HCM 2000 Level of Service			C		
HCM 2000 Volume to Capacity ratio			0.49									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)		17.5			
Intersection Capacity Utilization			56.0%				ICU Level of Service		B			
Analysis Period (min)			15									
c Critical Lane Group												

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

Year 2023 Background Conditions  
Weekday AM Peak Hour



Movement	SBT	SBR
Lane Configurations	8	38
Traffic Volume (vph)	8	38
Future Volume (vph)	8	38
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.88	
Flt Protected	1.00	
Satd. Flow (prot)	1513	
Flt Permitted	1.00	
Satd. Flow (perm)	1513	
Peak-hour factor, PHF	0.93	0.93
Adj. Flow (vph)	9	41
RTOR Reduction (vph)	39	0
Lane Group Flow (vph)	11	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	0%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	5.9	
Effective Green, g (s)	5.9	
Actuated g/C Ratio	0.06	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	89	
v/s Ratio Prot	c0.01	
v/s Ratio Perm		
v/c Ratio	0.13	
Uniform Delay, d1	44.6	
Progression Factor	1.00	
Incremental Delay, d2	0.5	
Delay (s)	45.1	
Level of Service	D	
Approach Delay (s)	45.1	
Approach LOS	D	
<b>Intersection Summary</b>		

Queues  
5: Oregon Way & OR 214

Year 2023 Background Conditions  
Weekday AM Peak Hour



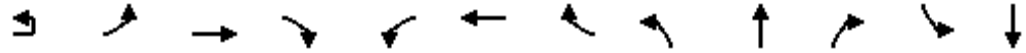
Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	17	782	5	728	11	15	20	71
v/c Ratio	0.03	0.31	0.01	0.30	0.11	0.14	0.19	0.38
Control Delay	3.6	4.3	3.6	5.5	46.8	34.6	47.9	19.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	3.6	4.3	3.6	5.5	46.8	34.6	47.9	19.2
Queue Length 50th (ft)	1	28	0	27	7	5	12	5
Queue Length 95th (ft)	m8	144	4	153	25	25	36	47
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	569	2522	552	2443	104	554	110	551
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.03	0.31	0.01	0.30	0.11	0.03	0.18	0.13

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

Year 2023 Background Conditions  
Weekday AM Peak Hour



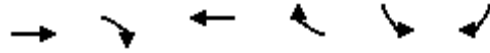
Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations		↔	↕		↕	↕		↕	↕		↕	↕
Traffic Volume (vph)	7	8	680	40	5	649	21	10	7	6	18	7
Future Volume (vph)	7	8	680	40	5	649	21	10	7	6	18	7
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	0.99		1.00	0.99
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00
Frt		1.00	0.99		1.00	1.00		1.00	0.93		1.00	0.87
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00
Satd. Flow (prot)		1646	3089		1662	3069		1662	1617		1662	1500
Flt Permitted		0.36	1.00		0.34	1.00		0.95	1.00		0.95	1.00
Satd. Flow (perm)		623	3089		594	3069		1662	1617		1662	1500
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	8	9	739	43	5	705	23	11	8	7	20	8
RTOR Reduction (vph)	0	0	2	0	0	1	0	0	7	0	0	58
Lane Group Flow (vph)	0	17	780	0	5	727	0	11	8	0	20	13
Confl. Peds. (#/hr)		3		2	2		3	1		2	2	
Heavy Vehicles (%)	2%	0%	7%	0%	0%	8%	0%	0%	0%	0%	0%	0%
Turn Type	D.P+P	D.P+P	NA		D.P+P	NA		Prot	NA		Prot	NA
Protected Phases	5	5	2		1	6		3	8		7	4
Permitted Phases	6	6			2							
Actuated Green, G (s)		74.6	73.5		74.6	72.4		1.4	5.9		3.0	7.5
Effective Green, g (s)		74.6	73.5		74.6	72.4		1.4	5.9		3.0	7.5
Actuated g/C Ratio		0.75	0.74		0.75	0.72		0.01	0.06		0.03	0.08
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5
Lane Grp Cap (vph)		487	2270		454	2221		23	95		49	112
v/s Ratio Prot		c0.00	c0.25		0.00	0.24		0.01	0.01		c0.01	c0.01
v/s Ratio Perm		0.03			0.01							
v/c Ratio		0.03	0.34		0.01	0.33		0.48	0.09		0.41	0.11
Uniform Delay, d1		3.3	4.7		3.3	5.0		48.9	44.5		47.6	43.1
Progression Factor		1.03	0.93		1.00	1.00		1.00	1.00		1.00	1.00
Incremental Delay, d2		0.0	0.4		0.0	0.4		11.0	0.3		4.0	0.3
Delay (s)		3.4	4.8		3.3	5.4		59.9	44.8		51.6	43.5
Level of Service		A	A		A	A		E	D		D	D
Approach Delay (s)			4.7			5.4			51.2			45.3
Approach LOS			A			A			D			D
<b>Intersection Summary</b>												
HCM 2000 Control Delay			8.0									A
HCM 2000 Volume to Capacity ratio			0.33									
Actuated Cycle Length (s)			100.0								16.5	
Intersection Capacity Utilization			37.4%									A
Analysis Period (min)			15									

c Critical Lane Group

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	58
Future Volume (vph)	58
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	63
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	1
Heavy Vehicles (%)	0%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

Queues  
1: I-5 SB ramps & OR 214

2023 Background Traffic Conditions,  
Weekday PM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	764	396	685	617	538	300
v/c Ratio	0.34	0.28	0.39	0.43	0.78	0.49
Control Delay	7.3	0.5	16.3	1.1	44.4	15.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	7.3	0.5	16.3	1.1	44.4	15.5
Queue Length 50th (ft)	92	0	143	0	167	79
Queue Length 95th (ft)	147	0	160	14	209	142
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)		270		550	650	430
Base Capacity (vph)	2243	1426	1771	1430	1048	623
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.34	0.28	0.39	0.43	0.51	0.48
Intersection Summary						















HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

2023 Background Traffic Conditions,  
Weekday PM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	703	364	0	630	568	0	0	0	495	0	276	
Future Volume (vph)	0	703	364	0	630	568	0	0	0	495	0	276	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	1.00				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3260	1426		3260	1430				3131		1444	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3260	1426		3260	1430				3131		1444	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	0	764	396	0	685	617	0	0	0	538	0	300	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	82	
Lane Group Flow (vph)	0	764	396	0	685	617	0	0	0	538	0	218	
Confl. Peds. (#/hr)			3	3					1	1			
Confl. Bikes (#/hr)			1										
Heavy Vehicles (%)	0%	2%	2%	0%	2%	4%	0%	0%	0%	3%	0%	3%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		68.8	100.0		54.3	100.0				22.2		36.7	
Effective Green, g (s)		68.8	100.0		54.3	100.0				22.2		36.7	
Actuated g/C Ratio		0.69	1.00		0.54	1.00				0.22		0.37	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2242	1426		1770	1430				695		529	
v/s Ratio Prot		0.23			0.21					c0.17			
v/s Ratio Perm			0.28			c0.43						0.15	
v/c Ratio		0.34	0.28		0.39	0.43				0.77		0.41	
Uniform Delay, d1		6.4	0.0		13.2	0.0				36.5		23.6	
Progression Factor		1.00	1.00		1.12	1.00				1.00		1.00	
Incremental Delay, d2		0.4	0.5		0.2	0.9				5.2		0.4	
Delay (s)		6.8	0.5		15.0	0.9				41.7		24.0	
Level of Service		A	A		B	A				D		C	
Approach Delay (s)		4.6			8.3			0.0			35.4		
Approach LOS		A			A			A			D		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			13.9									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.56										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			45.0%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

2023 Background Traffic Conditions,  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	703	364	0	630	568	0	0	0	495	0	276
Future Volume (veh/h)	0	703	364	0	630	568	0	0	0	495	0	276
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1723	1723	0	1723	1695				1709	0	1709
Adj Flow Rate, veh/h	0	764	0	0	685	0				538	0	300
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92				0.92	0.92	0.92
Percent Heavy Veh, %	0	2	2	0	2	4				3	0	3
Cap, veh/h	0	2197		0	2197					754	0	346
Arrive On Green	0.00	0.67	0.00	0.00	0.67	0.00				0.24	0.00	0.24
Sat Flow, veh/h	0	3359	1460	0	3359	1437				3158	0	1448
Grp Volume(v), veh/h	0	764	0	0	685	0				538	0	300
Grp Sat Flow(s),veh/h/ln	0	1637	1460	0	1637	1437				1579	0	1448
Q Serve(g_s), s	0.0	10.0	0.0	0.0	8.7	0.0				15.6	0.0	19.9
Cycle Q Clear(g_c), s	0.0	10.0	0.0	0.0	8.7	0.0				15.6	0.0	19.9
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2197		0	2197					754	0	346
V/C Ratio(X)	0.00	0.35		0.00	0.31					0.71	0.00	0.87
Avail Cap(c_a), veh/h	0	2197		0	2197					1058	0	485
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(l)	0.00	1.00	0.00	0.00	0.86	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	7.1	0.0	0.0	6.8	0.0				34.9	0.0	36.5
Incr Delay (d2), s/veh	0.0	0.4	0.0	0.0	0.1	0.0				1.0	0.0	10.4
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	3.2	0.0	0.0	2.7	0.0				6.0	0.0	15.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	7.5	0.0	0.0	6.9	0.0				35.9	0.0	46.9
LnGrp LOS	A	A		A	A					D	A	D
Approach Vol, veh/h		764	A		685	A					838	
Approach Delay, s/veh		7.5			6.9						39.9	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		71.6		28.4		71.6						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		57.5		33.5		42.5						
Max Q Clear Time (g_c+I1), s		12.0		21.9		10.7						
Green Ext Time (p_c), s		16.3		2.0		7.5						
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay				19.2								
HCM 6th LOS				B								
<b>Notes</b>												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Queues  
2: I-5 NB ramps & OR 214













2023 Background Traffic Conditions,  
Weekday PM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	1065	198	1037	340	213	280	278
v/c Ratio	0.48	0.14	0.47	0.25	0.62	0.79	0.77
Control Delay	10.3	0.2	6.4	0.3	41.1	41.6	39.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	10.3	0.2	6.4	0.3	41.1	41.6	39.0
Queue Length 50th (ft)	202	0	70	0	129	139	130
Queue Length 95th (ft)	374	0	185	0	177	210	197
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2214	1403	2192	1387	565	535	551
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.48	0.14	0.47	0.25	0.38	0.52	0.50
Intersection Summary							

HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

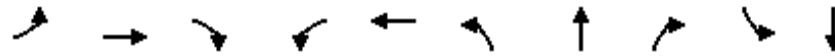
2023 Background Traffic Conditions,  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	1001	186	0	975	320	223	0	502	0	0	0
Future Volume (vph)	0	1001	186	0	975	320	223	0	502	0	0	0
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	1.00		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3292	1403		3260	1387	1504	1303	1346			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3292	1403		3260	1387	1504	1303	1346			
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	0	1065	198	0	1037	340	237	0	534	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	56	56	0	0	0
Lane Group Flow (vph)	0	1065	198	0	1037	340	213	224	222	0	0	0
Confl. Peds. (#/hr)	2					2						
Heavy Vehicles (%)	0%	1%	6%	0%	2%	5%	5%	0%	5%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		67.3	100.0		67.3	100.0	22.8	22.8	22.8			
Effective Green, g (s)		67.3	100.0		67.3	100.0	22.8	22.8	22.8			
Actuated g/C Ratio		0.67	1.00		0.67	1.00	0.23	0.23	0.23			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2215	1403		2193	1387	342	297	306			
v/s Ratio Prot		c0.32			0.32							
v/s Ratio Perm			0.14			0.25	0.14	0.17	0.16			
v/c Ratio		0.48	0.14		0.47	0.25	0.62	0.75	0.72			
Uniform Delay, d1		7.9	0.0		7.8	0.0	34.7	36.0	35.7			
Progression Factor		1.01	1.00		0.62	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.7	0.2		0.4	0.3	3.0	9.8	7.7			
Delay (s)		8.7	0.2		5.2	0.3	37.8	45.8	43.4			
Level of Service		A	A		A	A	D	D	D			
Approach Delay (s)		7.4			4.0			42.7			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			14.0				HCM 2000 Level of Service					B
HCM 2000 Volume to Capacity ratio			0.55									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)					9.9
Intersection Capacity Utilization			60.8%				ICU Level of Service					B
Analysis Period (min)			15									

c Critical Lane Group

Queues  
3: Evergreen Rd & OR 214

2023 Background Traffic Conditions,  
Weekday PM Peak Hour
























Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	123	1011	267	245	865	252	250	225	22	109
v/c Ratio	0.39	0.80	0.36	0.73	0.58	0.77	0.76	0.46	0.19	0.62
Control Delay	12.8	31.5	5.3	37.6	17.7	51.9	50.7	7.2	48.0	34.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	12.8	31.5	5.3	37.6	17.7	51.9	50.7	7.2	48.0	34.0
Queue Length 50th (ft)	28	347	21	59	213	160	158	0	13	21
Queue Length 95th (ft)	65	#427	44	#240	243	230	227	54	38	#90
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	314	1256	735	337	1492	444	449	580	116	175
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.39	0.80	0.36	0.73	0.58	0.57	0.56	0.39	0.19	0.62

Intersection Summary

# 95th percentile volume exceeds capacity, queue may be longer.  
Queue shown is maximum after two cycles.

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2023 Background Traffic Conditions,  
Weekday PM Peak Hour

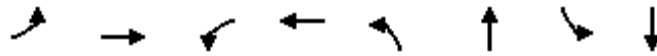
												
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	28	85	920	243	15	208	771	16	432	25	205	20
Future Volume (vph)	28	85	920	243	15	208	771	16	432	25	205	20
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	0.98	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1654	3197	1458		1660	3190		1533	1550	1451	1662
Flt Permitted		0.23	1.00	1.00		0.13	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		405	3197	1458		231	3190		1533	1550	1451	1662
Peak-hour factor, PHF	0.92	0.91	0.91	0.91	0.92	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Adj. Flow (vph)	30	93	1011	267	16	229	847	18	475	27	225	22
RTOR Reduction (vph)	0	0	0	162	0	0	1	0	0	0	177	0
Lane Group Flow (vph)	0	123	1011	105	0	245	864	0	252	250	48	22
Confl. Peds. (#/hr)									1		2	2
Confl. Bikes (#/hr)											1	
Heavy Vehicles (%)	2%	0%	4%	2%	2%	0%	4%	0%	3%	0%	1%	0%
Turn Type	D.P+P	D.P+P	NA	Perm	D.P+P	D.P+P	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases	6	6		2	2	2					8	
Actuated Green, G (s)		54.1	39.3	39.3		54.1	46.7		21.4	21.4	21.4	7.0
Effective Green, g (s)		54.1	39.3	39.3		54.1	46.7		21.4	21.4	21.4	7.0
Actuated g/C Ratio		0.54	0.39	0.39		0.54	0.47		0.21	0.21	0.21	0.07
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		311	1256	572		336	1489		328	331	310	116
v/s Ratio Prot		0.03	c0.32			c0.11	0.27		c0.16	0.16		0.01
v/s Ratio Perm		0.18		0.07		0.29					0.03	
v/c Ratio		0.40	0.80	0.18		0.73	0.58		0.77	0.76	0.16	0.19
Uniform Delay, d1		12.5	26.9	19.9		17.9	19.5		37.0	36.8	32.0	43.8
Progression Factor		0.85	0.92	1.34		1.36	0.77		1.00	1.00	1.00	1.00
Incremental Delay, d2		0.5	4.9	0.6		6.9	1.6		9.9	9.0	0.2	0.6
Delay (s)		11.2	29.8	27.3		31.2	16.6		46.9	45.8	32.1	44.4
Level of Service		B	C	C		C	B		D	D	C	D
Approach Delay (s)			27.7				19.8			42.0		
Approach LOS			C				B			D		
<b>Intersection Summary</b>												
HCM 2000 Control Delay			28.9				HCM 2000 Level of Service			C		
HCM 2000 Volume to Capacity ratio			0.74									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)		17.5			
Intersection Capacity Utilization			76.6%				ICU Level of Service		D			
Analysis Period (min)			15									
c Critical Lane Group												



Movement	SBT	SBR
Lane Configurations	1P	
Traffic Volume (vph)	31	68
Future Volume (vph)	31	68
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.90	
Flt Protected	1.00	
Satd. Flow (prot)	1510	
Flt Permitted	1.00	
Satd. Flow (perm)	1510	
Peak-hour factor, PHF	0.91	0.91
Adj. Flow (vph)	34	75
RTOR Reduction (vph)	70	0
Lane Group Flow (vph)	39	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	4%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	7.0	
Effective Green, g (s)	7.0	
Actuated g/C Ratio	0.07	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	105	
v/s Ratio Prot	c0.03	
v/s Ratio Perm		
v/c Ratio	0.37	
Uniform Delay, d1	44.4	
Progression Factor	1.00	
Incremental Delay, d2	1.6	
Delay (s)	46.0	
Level of Service	D	
Approach Delay (s)	45.8	
Approach LOS	D	
<b>Intersection Summary</b>		

Queues  
5: Oregon Way & OR 214

2023 Background Traffic Conditions,  
Weekday PM Peak Hour



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	39	1137	21	1010	22	22	53	103
v/c Ratio	0.09	0.46	0.06	0.41	0.24	0.18	0.49	0.52
Control Delay	5.6	8.0	3.8	7.3	51.6	35.0	61.2	23.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	5.6	8.0	3.8	7.3	51.6	35.0	61.2	23.1
Queue Length 50th (ft)	8	171	2	106	14	9	33	12
Queue Length 95th (ft)	m11	182	10	236	39	32	#82	61
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	418	2481	378	2451	95	548	112	567
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.09	0.46	0.06	0.41	0.23	0.04	0.47	0.18

Intersection Summary

# 95th percentile volume exceeds capacity, queue may be longer.

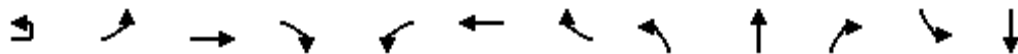
Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.



HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2023 Background Traffic Conditions,  
Weekday PM Peak Hour

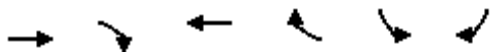


Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	
Lane Configurations													
Traffic Volume (vph)	14	23	992	88	20	916	44	21	13	8	50	18	
Future Volume (vph)	14	23	992	88	20	916	44	21	13	8	50	18	
Ideal Flow (vphp)	1900	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	0.99		1.00	1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Frt		1.00	0.99		1.00	0.99		1.00	0.95		1.00	0.88	
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1649	3158		1662	3207		1662	1646		1662	1523	
Flt Permitted		0.25	1.00		0.22	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (perm)		438	3158		380	3207		1662	1646		1662	1523	
Peak-hour factor, PHF	0.92	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	
Adj. Flow (vph)	15	24	1044	93	21	964	46	22	14	8	53	19	
RTOR Reduction (vph)	0	0	3	0	0	2	0	0	8	0	0	78	
Lane Group Flow (vph)	0	39	1134	0	21	1008	0	22	14	0	53	25	
Confl. Peds. (#/hr)		3		3	3		3			2	2		
Confl. Bikes (#/hr)				1									
Heavy Vehicles (%)	2%	0%	4%	1%	0%	3%	0%	0%	0%	0%	0%	0%	
Turn Type	D.P+P	D.P+P	NA		D.P+P	NA		Prot	NA		Prot	NA	
Protected Phases	5	5	2		1	6		3	8		7	4	
Permitted Phases	6	6			2								
Actuated Green, G (s)		74.2	71.9		74.2	70.6		2.2	3.8		5.5	7.1	
Effective Green, g (s)		74.2	71.9		74.2	70.6		2.2	3.8		5.5	7.1	
Actuated g/C Ratio		0.74	0.72		0.74	0.71		0.02	0.04		0.06	0.07	
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5	
Lane Grp Cap (vph)		368	2270		311	2264		36	62		91	108	
v/s Ratio Prot		c0.00	c0.36		0.00	0.31		0.01	0.01		c0.03	c0.02	
v/s Ratio Perm		0.07			0.05								
v/c Ratio		0.11	0.50		0.07	0.45		0.61	0.23		0.58	0.23	
Uniform Delay, d1		3.7	6.2		3.8	6.3		48.5	46.7		46.1	43.9	
Progression Factor		1.56	1.17		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2		0.1	0.5		0.1	0.6		23.4	1.4		7.6	0.8	
Delay (s)		5.9	7.7		3.9	6.9		71.9	48.1		53.8	44.7	
Level of Service		A	A		A	A		E	D		D	D	
Approach Delay (s)			7.7			6.9			60.0			47.8	
Approach LOS			A			A			E			D	
<b>Intersection Summary</b>													
HCM 2000 Control Delay			10.9									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.48										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	16.5
Intersection Capacity Utilization			50.1%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	80
Future Volume (vph)	80
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.95
Adj. Flow (vph)	84
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Heavy Vehicles (%)	1%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

Queues  
1: I-5 SB ramps & OR 214

2023 Total Traffic Conditions,  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	442	210	389	517	313	95
v/c Ratio	0.19	0.16	0.19	0.40	0.67	0.20
Control Delay	4.0	0.3	8.4	2.0	47.1	6.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	4.0	0.3	8.4	2.0	47.1	6.1
Queue Length 50th (ft)	34	0	77	2	98	0
Queue Length 95th (ft)	55	0	50	32	125	28
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)	270		550		650	430
Base Capacity (vph)	2348	1312	2046	1300	1069	536
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.19	0.16	0.19	0.40	0.29	0.18
Intersection Summary						













HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

2023 Total Traffic Conditions,  
Weekday AM Peak Hour

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	371	176	0	327	434	0	0	0	263	0	80	
Future Volume (vph)	0	371	176	0	327	434	0	0	0	263	0	80	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	0.98				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3107	1312		3197	1300				3014		1340	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3107	1312		3197	1300				3014		1340	
Peak-hour factor, PHF	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	
Adj. Flow (vph)	0	442	210	0	389	517	0	0	0	313	0	95	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	68	
Lane Group Flow (vph)	0	442	210	0	389	517	0	0	0	313	0	27	
Confl. Peds. (#/hr)										1	1		
Confl. Bikes (#/hr)			2			3							
Heavy Vehicles (%)	0%	7%	11%	0%	4%	12%	0%	0%	0%	7%	0%	11%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		75.6	100.0		63.1	100.0				15.4		27.9	
Effective Green, g (s)		75.6	100.0		63.1	100.0				15.4		27.9	
Actuated g/C Ratio		0.76	1.00		0.63	1.00				0.15		0.28	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2348	1312		2017	1300				464		373	
v/s Ratio Prot		0.14			0.12					c0.10			
v/s Ratio Perm			0.16			c0.40						0.02	
v/c Ratio		0.19	0.16		0.19	0.40				0.67		0.07	
Uniform Delay, d1		3.5	0.0		7.8	0.0				39.9		26.5	
Progression Factor		1.00	1.00		0.95	1.00				1.00		1.00	
Incremental Delay, d2		0.2	0.3		0.1	0.9				3.5		0.1	
Delay (s)		3.6	0.3		7.4	0.9				43.4		26.6	
Level of Service		A	A		A	A				D		C	
Approach Delay (s)		2.6			3.7			0.0			39.5		
Approach LOS		A			A			A			D		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			10.8									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.49										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			26.8%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

2023 Total Traffic Conditions,  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↘↘		↗
Traffic Volume (veh/h)	0	371	176	0	327	434	0	0	0	263	0	80
Future Volume (veh/h)	0	371	176	0	327	434	0	0	0	263	0	80
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1654	1600	0	1695	1586				1654	0	1600
Adj Flow Rate, veh/h	0	442	0	0	389	0				313	0	95
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84				0.84	0.84	0.84
Percent Heavy Veh, %	0	7	11	0	4	12				7	0	11
Cap, veh/h	0	2452		0	2513					397	0	176
Arrive On Green	0.00	0.78	0.00	0.00	0.78	0.00				0.13	0.00	0.13
Sat Flow, veh/h	0	3226	1356	0	3306	1344				3057	0	1356
Grp Volume(v), veh/h	0	442	0	0	389	0				313	0	95
Grp Sat Flow(s),veh/h/ln	0	1572	1356	0	1611	1344				1528	0	1356
Q Serve(g_s), s	0.0	3.6	0.0	0.0	3.0	0.0				9.9	0.0	6.6
Cycle Q Clear(g_c), s	0.0	3.6	0.0	0.0	3.0	0.0				9.9	0.0	6.6
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2452		0	2513					397	0	176
V/C Ratio(X)	0.00	0.18		0.00	0.15					0.79	0.00	0.54
Avail Cap(c_a), veh/h	0	2452		0	2513					1085	0	481
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.95	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	2.8	0.0	0.0	2.8	0.0				42.2	0.0	40.7
Incr Delay (d2), s/veh	0.0	0.2	0.0	0.0	0.0	0.0				2.6	0.0	1.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	0.9	0.0	0.0	0.7	0.0				3.9	0.0	5.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	3.0	0.0	0.0	2.8	0.0				44.8	0.0	42.6
LnGrp LOS	A	A		A	A					D	A	D
Approach Vol, veh/h		442	A		389	A					408	
Approach Delay, s/veh		3.0			2.8						44.3	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		82.5		17.5		82.5						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		55.5		35.5		40.5						
Max Q Clear Time (g_c+I1), s		5.6		11.9		5.0						
Green Ext Time (p_c), s		8.6		1.1		4.0						
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay			16.5									
HCM 6th LOS			B									
<b>Notes</b>												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Queues  
2: I-5 NB ramps & OR 214













2023 Total Traffic Conditions,  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	521	187	729	633	113	300	298
v/c Ratio	0.22	0.14	0.32	0.45	0.51	0.77	0.74
Control Delay	3.7	0.2	7.3	1.4	45.2	22.7	21.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	3.7	0.2	7.3	1.4	45.2	22.7	21.1
Queue Length 50th (ft)	21	0	61	1	71	41	37
Queue Length 95th (ft)	125	0	153	1	110	125	115
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2351	1325	2286	1399	666	707	730
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.22	0.14	0.32	0.45	0.17	0.42	0.41
Intersection Summary							

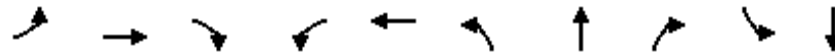
HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

2023 Total Traffic Conditions,  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↑		↑↑	↑	↑	↑	↑			
Traffic Volume (vph)	0	464	166	0	649	563	112	0	521	0	0	0
Future Volume (vph)	0	464	166	0	649	563	112	0	521	0	0	0
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	0.98		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3137	1325		3050	1399	1462	1271	1321			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3137	1325		3050	1399	1462	1271	1321			
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Adj. Flow (vph)	0	521	187	0	729	633	126	0	585	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	200	200	0	0	0
Lane Group Flow (vph)	0	521	187	0	729	633	113	100	98	0	0	0
Confl. Peds. (#/hr)	1						1					
Confl. Bikes (#/hr)			1			3						
Heavy Vehicles (%)	0%	6%	10%	0%	9%	4%	8%	0%	7%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		75.0	100.0		75.0	100.0	15.1	15.1	15.1			
Effective Green, g (s)		75.0	100.0		75.0	100.0	15.1	15.1	15.1			
Actuated g/C Ratio		0.75	1.00		0.75	1.00	0.15	0.15	0.15			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2352	1325		2287	1399	220	191	199			
v/s Ratio Prot		0.17			0.24							
v/s Ratio Perm			0.14			c0.45	0.08	0.08	0.07			
v/c Ratio		0.22	0.14		0.32	0.45	0.51	0.52	0.49			
Uniform Delay, d1		3.7	0.0		4.1	0.0	39.1	39.1	38.9			
Progression Factor		0.76	1.00		1.38	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.2	0.2		0.2	1.0	1.5	2.0	1.4			
Delay (s)		3.1	0.2		5.9	1.0	40.6	41.1	40.3			
Level of Service		A	A		A	A	D	D	D			
Approach Delay (s)		2.3			3.6			40.7			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			12.7				HCM 2000 Level of Service		B			
HCM 2000 Volume to Capacity ratio			0.50									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)		9.9			
Intersection Capacity Utilization			45.5%				ICU Level of Service		A			
Analysis Period (min)			15									
c Critical Lane Group												

Queues  
3: Evergreen Rd & OR 214

2023 Total Traffic Conditions,  
Weekday AM Peak Hour
























Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	102	746	100	116	803	232	229	129	12	50
v/c Ratio	0.28	0.48	0.13	0.30	0.51	0.75	0.73	0.32	0.10	0.34
Control Delay	11.4	21.3	5.4	10.7	16.5	52.0	50.7	7.6	44.9	23.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	11.4	21.3	5.4	10.7	16.5	52.0	50.7	7.6	44.9	23.8
Queue Length 50th (ft)	25	205	4	21	82	148	145	0	7	6
Queue Length 95th (ft)	53	306	41	45	314	213	209	43	25	42
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	366	1552	747	387	1577	487	492	552	141	166
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.28	0.48	0.13	0.30	0.51	0.48	0.47	0.23	0.09	0.30

Intersection Summary



HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2023 Total Traffic Conditions,  
Weekday AM Peak Hour

												
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	47	47	694	93	10	98	729	18	406	22	120	11
Future Volume (vph)	47	47	694	93	10	98	729	18	406	22	120	11
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	0.98		1.00	1.00		1.00	1.00	1.00	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1638	3137	1401		1630	3044		1548	1563	1473	1662
Flt Permitted		0.27	1.00	1.00		0.29	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		471	3137	1401		504	3044		1548	1563	1473	1662
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	51	51	746	100	11	105	784	19	437	24	129	12
RTOR Reduction (vph)	0	0	0	51	0	0	1	0	0	0	103	0
Lane Group Flow (vph)	0	102	746	49	0	116	802	0	232	229	26	12
Confl. Peds. (#/hr)		1						1	1			
Confl. Bikes (#/hr)				1								
Heavy Vehicles (%)	2%	1%	6%	4%	2%	2%	9%	0%	2%	0%	1%	0%
Turn Type	D.P+P	D.P+P	NA	Perm	D.P+P	D.P+P	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases	6	6		2	2	2					8	
Actuated Green, G (s)		56.6	48.6	48.6		56.6	50.1		20.0	20.0	20.0	5.9
Effective Green, g (s)		56.6	48.6	48.6		56.6	50.1		20.0	20.0	20.0	5.9
Actuated g/C Ratio		0.57	0.49	0.49		0.57	0.50		0.20	0.20	0.20	0.06
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		342	1524	680		375	1525		309	312	294	98
v/s Ratio Prot		0.02	0.24			c0.02	c0.26		c0.15	0.15		0.01
v/s Ratio Perm		0.15		0.03		0.15					0.02	
v/c Ratio		0.30	0.49	0.07		0.31	0.53		0.75	0.73	0.09	0.12
Uniform Delay, d1		10.7	17.3	13.7		10.7	16.9		37.7	37.5	32.6	44.6
Progression Factor		0.92	1.04	1.36		0.84	0.80		1.00	1.00	1.00	1.00
Incremental Delay, d2		0.3	1.1	0.2		0.3	1.2		9.4	8.2	0.1	0.4
Delay (s)		10.2	19.0	18.8		9.4	14.7		47.0	45.7	32.7	45.0
Level of Service		B	B	B		A	B		D	D	C	D
Approach Delay (s)			18.1				14.0			43.4		
Approach LOS			B				B			D		
<b>Intersection Summary</b>												
HCM 2000 Control Delay			23.2				HCM 2000 Level of Service			C		
HCM 2000 Volume to Capacity ratio			0.54									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)		17.5			
Intersection Capacity Utilization			58.5%				ICU Level of Service		B			
Analysis Period (min)			15									
c Critical Lane Group												

HCM Signalized Intersection Capacity Analysis  
 3: Evergreen Rd & OR 214

2023 Total Traffic Conditions,  
 Weekday AM Peak Hour



Movement	SBT	SBR
Lane Configurations	8	38
Traffic Volume (vph)	8	38
Future Volume (vph)	8	38
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.88	
Flt Protected	1.00	
Satd. Flow (prot)	1513	
Flt Permitted	1.00	
Satd. Flow (perm)	1513	
Peak-hour factor, PHF	0.93	0.93
Adj. Flow (vph)	9	41
RTOR Reduction (vph)	39	0
Lane Group Flow (vph)	11	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	0%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	5.9	
Effective Green, g (s)	5.9	
Actuated g/C Ratio	0.06	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	89	
v/s Ratio Prot	c0.01	
v/s Ratio Perm		
v/c Ratio	0.13	
Uniform Delay, d1	44.6	
Progression Factor	1.00	
Incremental Delay, d2	0.5	
Delay (s)	45.1	
Level of Service	D	
Approach Delay (s)	45.1	
Approach LOS	D	
<b>Intersection Summary</b>		

Intersection						
Int Delay, s/veh	0.3					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑		↑
Traffic Vol, veh/h	712	135	0	839	0	36
Future Vol, veh/h	712	135	0	839	0	36
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	0	0	0	0	0	0
Mvmt Flow	774	147	0	912	0	39

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	-	-	461
Stage 1	-	-	-	-	-
Stage 2	-	-	-	-	-
Critical Hdwy	-	-	-	-	6.9
Critical Hdwy Stg 1	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	3.3
Pot Cap-1 Maneuver	-	-	0	-	553
Stage 1	-	-	0	-	-
Stage 2	-	-	0	-	-
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	-	-	553
Mov Cap-2 Maneuver	-	-	-	-	-
Stage 1	-	-	-	-	-
Stage 2	-	-	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	12
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBT
Capacity (veh/h)	553	-	-	-
HCM Lane V/C Ratio	0.071	-	-	-
HCM Control Delay (s)	12	-	-	-
HCM Lane LOS	B	-	-	-
HCM 95th %tile Q(veh)	0.2	-	-	-

Queues  
5: Oregon Way & OR 214

2023 Total Traffic Conditions,  
Weekday AM Peak Hour



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	32	782	38	709	139	25	20	74
v/c Ratio	0.07	0.42	0.09	0.38	0.51	0.07	0.19	0.47
Control Delay	6.0	8.6	6.2	11.7	48.7	25.0	47.9	24.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	6.0	8.6	6.2	11.7	48.7	25.0	47.9	24.1
Queue Length 50th (ft)	4	56	8	127	82	6	12	7
Queue Length 95th (ft)	m15	134	16	160	#209	32	36	49
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	436	1860	409	1849	272	553	110	554
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.07	0.42	0.09	0.38	0.51	0.05	0.18	0.13

Intersection Summary





















# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2023 Total Traffic Conditions,  
Weekday AM Peak Hour

													
Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	
Lane Configurations													
Traffic Volume (vph)	22	7	687	32	35	631	21	128	11	12	18	10	
Future Volume (vph)	22	7	687	32	35	631	21	128	11	12	18	10	
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	0.99		1.00	0.99	
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Frt		1.00	0.99		1.00	1.00		1.00	0.92		1.00	0.87	
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1637	3092		1662	3068		1662	1602		1662	1510	
Flt Permitted		0.34	1.00		0.30	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (perm)		577	3092		528	3068		1662	1602		1662	1510	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	24	8	747	35	38	686	23	139	12	13	20	11	
RTOR Reduction (vph)	0	0	2	0	0	2	0	0	10	0	0	58	
Lane Group Flow (vph)	0	32	780	0	38	707	0	139	15	0	20	16	
Confl. Peds. (#/hr)		3		2	2		3	1		2	2		
Heavy Vehicles (%)	2%	0%	7%	0%	0%	8%	0%	0%	0%	0%	0%	0%	
Turn Type	D.P+P	D.P+P	NA		D.P+P	NA		Prot	NA		Prot	NA	
Protected Phases	5	5	2		1	6		3	8		7	4	
Permitted Phases	6	6			2								
Actuated Green, G (s)		59.9	56.2		59.9	56.3		16.4	20.6		3.0	7.2	
Effective Green, g (s)		59.9	56.2		59.9	56.3		16.4	20.6		3.0	7.2	
Actuated g/C Ratio		0.60	0.56		0.60	0.56		0.16	0.21		0.03	0.07	
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5	
Lane Grp Cap (vph)		383	1737		358	1727		272	330		49	108	
v/s Ratio Prot		0.00	c0.25		c0.00	0.23		c0.08	0.01		0.01	c0.01	
v/s Ratio Perm		0.05			0.06								
v/c Ratio		0.08	0.45		0.11	0.41		0.51	0.04		0.41	0.14	
Uniform Delay, d1		8.5	12.8		8.6	12.4		38.1	31.8		47.6	43.5	
Progression Factor		0.99	0.69		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2		0.1	0.8		0.1	0.7		1.2	0.0		4.0	0.4	
Delay (s)		8.4	9.7		8.7	13.1		39.4	31.9		51.6	44.0	
Level of Service		A	A		A	B		D	C		D	D	
Approach Delay (s)			9.6			12.9			38.2			45.6	
Approach LOS			A			B			D			D	
<b>Intersection Summary</b>													
HCM 2000 Control Delay			15.4									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.42										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	16.5
Intersection Capacity Utilization			50.6%									ICU Level of Service	A
Analysis Period (min)			15										

c Critical Lane Group

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	58
Future Volume (vph)	58
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	63
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	1
Heavy Vehicles (%)	0%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

Intersection						
Int Delay, s/veh	5.6					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	T			T		
Traffic Vol, veh/h	128	2	2	23	53	25
Future Vol, veh/h	128	2	2	23	53	25
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	0	0	0	0	0	0
Mvmt Flow	151	2	2	27	62	29

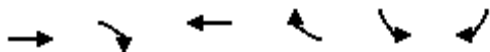
Major/Minor	Minor2	Major1		Major2	
Conflicting Flow All	108	77	91	0	0
Stage 1	77	-	-	-	-
Stage 2	31	-	-	-	-
Critical Hdwy	6.4	6.2	4.1	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-
Pot Cap-1 Maneuver	894	990	1517	-	-
Stage 1	951	-	-	-	-
Stage 2	997	-	-	-	-
Platoon blocked, %				-	-
Mov Cap-1 Maneuver	893	990	1517	-	-
Mov Cap-2 Maneuver	893	-	-	-	-
Stage 1	950	-	-	-	-
Stage 2	997	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.9	0.6	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1517	-	894	-	-
HCM Lane V/C Ratio	0.002	-	0.171	-	-
HCM Control Delay (s)	7.4	0	9.9	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0.6	-	-

Queues  
1: I-5 SB ramps & OR 214

2023 Total Traffic Conditions,  
Weekday PM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	768	396	690	660	578	300
v/c Ratio	0.35	0.28	0.40	0.46	0.79	0.48
Control Delay	7.9	0.5	17.0	1.3	43.9	15.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	7.9	0.5	17.0	1.3	43.9	15.0
Queue Length 50th (ft)	97	0	115	5	178	78
Queue Length 95th (ft)	155	0	167	18	222	139
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)		270		550	650	430
Base Capacity (vph)	2202	1426	1729	1430	1048	636
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.35	0.28	0.40	0.46	0.55	0.47
Intersection Summary						















HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

2023 Total Traffic Conditions,  
Weekday PM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	707	364	0	635	607	0	0	0	532	0	276	
Future Volume (vph)	0	707	364	0	635	607	0	0	0	532	0	276	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	1.00				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3260	1426		3260	1430				3131		1444	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3260	1426		3260	1430				3131		1444	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	0	768	396	0	690	660	0	0	0	578	0	300	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	79	
Lane Group Flow (vph)	0	768	396	0	690	660	0	0	0	578	0	221	
Confl. Peds. (#/hr)			3	3					1	1			
Confl. Bikes (#/hr)			1										
Heavy Vehicles (%)	0%	2%	2%	0%	2%	4%	0%	0%	0%	3%	0%	3%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		67.6	100.0		53.1	100.0				23.4		37.9	
Effective Green, g (s)		67.6	100.0		53.1	100.0				23.4		37.9	
Actuated g/C Ratio		0.68	1.00		0.53	1.00				0.23		0.38	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2203	1426		1731	1430				732		547	
v/s Ratio Prot		0.24			0.21					c0.18			
v/s Ratio Perm			0.28			c0.46						0.15	
v/c Ratio		0.35	0.28		0.40	0.46				0.79		0.40	
Uniform Delay, d1		6.9	0.0		14.0	0.0				36.0		22.8	
Progression Factor		1.00	1.00		1.10	1.00				1.00		1.00	
Incremental Delay, d2		0.4	0.5		0.2	1.0				5.5		0.4	
Delay (s)		7.3	0.5		15.6	1.0				41.5		23.1	
Level of Service		A	A		B	A				D		C	
Approach Delay (s)		5.0			8.4			0.0			35.2		
Approach LOS		A			A			A			D		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			14.2									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.60										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			45.2%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

2023 Total Traffic Conditions,  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	707	364	0	635	607	0	0	0	532	0	276
Future Volume (veh/h)	0	707	364	0	635	607	0	0	0	532	0	276
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1723	1723	0	1723	1695				1709	0	1709
Adj Flow Rate, veh/h	0	768	0	0	690	0				578	0	300
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92				0.92	0.92	0.92
Percent Heavy Veh, %	0	2	2	0	2	4				3	0	3
Cap, veh/h	0	2194		0	2194					757	0	347
Arrive On Green	0.00	0.67	0.00	0.00	0.67	0.00				0.24	0.00	0.24
Sat Flow, veh/h	0	3359	1460	0	3359	1437				3158	0	1448
Grp Volume(v), veh/h	0	768	0	0	690	0				578	0	300
Grp Sat Flow(s),veh/h/ln	0	1637	1460	0	1637	1437				1579	0	1448
Q Serve(g_s), s	0.0	10.1	0.0	0.0	8.8	0.0				17.0	0.0	19.9
Cycle Q Clear(g_c), s	0.0	10.1	0.0	0.0	8.8	0.0				17.0	0.0	19.9
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2194		0	2194					757	0	347
V/C Ratio(X)	0.00	0.35		0.00	0.31					0.76	0.00	0.86
Avail Cap(c_a), veh/h	0	2194		0	2194					1058	0	485
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.84	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	7.1	0.0	0.0	6.9	0.0				35.4	0.0	36.5
Incr Delay (d2), s/veh	0.0	0.4	0.0	0.0	0.1	0.0				1.8	0.0	10.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	3.3	0.0	0.0	2.8	0.0				6.6	0.0	15.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	7.5	0.0	0.0	7.0	0.0				37.2	0.0	46.6
LnGrp LOS	A	A		A	A					D	A	D
Approach Vol, veh/h		768	A		690	A					878	
Approach Delay, s/veh		7.5			7.0						40.4	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		71.5		28.5		71.5						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		57.5		33.5		42.5						
Max Q Clear Time (g_c+I1), s		12.1		21.9		10.8						
Green Ext Time (p_c), s		16.4		2.1		7.6						
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay				19.7								
HCM 6th LOS				B								
<b>Notes</b>												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Queues  
2: I-5 NB ramps & OR 214













2023 Total Traffic Conditions,  
Weekday PM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	1109	198	1084	382	213	300	298
v/c Ratio	0.52	0.14	0.51	0.28	0.57	0.80	0.77
Control Delay	12.6	0.2	7.2	0.4	37.0	42.3	39.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	12.6	0.2	7.2	0.4	37.0	42.3	39.5
Queue Length 50th (ft)	218	0	62	0	125	157	147
Queue Length 95th (ft)	402	0	184	0	171	229	213
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2141	1403	2120	1387	565	530	546
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.52	0.14	0.51	0.28	0.38	0.57	0.55
Intersection Summary							

HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

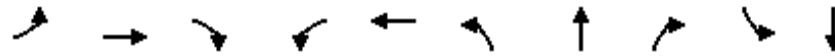
2023 Total Traffic Conditions,  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	1042	186	0	1019	359	223	0	540	0	0	0
Future Volume (vph)	0	1042	186	0	1019	359	223	0	540	0	0	0
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	1.00		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3292	1403		3260	1387	1504	1302	1346			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3292	1403		3260	1387	1504	1302	1346			
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	0	1109	198	0	1084	382	237	0	574	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	49	49	0	0	0
Lane Group Flow (vph)	0	1109	198	0	1084	382	213	251	249	0	0	0
Confl. Peds. (#/hr)	2					2						
Heavy Vehicles (%)	0%	1%	6%	0%	2%	5%	5%	0%	5%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		65.1	100.0		65.1	100.0	25.0	25.0	25.0			
Effective Green, g (s)		65.1	100.0		65.1	100.0	25.0	25.0	25.0			
Actuated g/C Ratio		0.65	1.00		0.65	1.00	0.25	0.25	0.25			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2143	1403		2122	1387	376	325	336			
v/s Ratio Prot		c0.34			0.33							
v/s Ratio Perm			0.14			0.28	0.14	0.19	0.19			
v/c Ratio		0.52	0.14		0.51	0.28	0.57	0.77	0.74			
Uniform Delay, d1		9.2	0.0		9.1	0.0	32.8	34.9	34.5			
Progression Factor		1.08	1.00		0.60	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.8	0.2		0.4	0.4	1.6	10.5	8.1			
Delay (s)		10.8	0.2		5.9	0.4	34.4	45.3	42.6			
Level of Service		B	A		A	A	C	D	D			
Approach Delay (s)		9.2			4.5			41.5			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			14.6				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.59									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			63.7%				ICU Level of Service				B	
Analysis Period (min)			15									

c Critical Lane Group

Queues  
3: Evergreen Rd & OR 214

2023 Total Traffic Conditions,  
Weekday PM Peak Hour



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	124	1098	267	237	956	252	250	226	22	109
v/c Ratio	0.44	0.87	0.36	0.78	0.65	0.76	0.75	0.46	0.18	0.60
Control Delay	15.0	35.3	6.0	46.7	20.4	51.0	49.7	7.1	46.7	31.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	15.0	35.3	6.0	46.7	20.4	51.0	49.7	7.1	46.7	31.8
Queue Length 50th (ft)	25	383	11	92	257	160	158	0	13	21
Queue Length 95th (ft)	81	#516	64	m#258	374	226	223	54	38	#77
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	284	1257	735	305	1461	459	465	593	132	189
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.44	0.87	0.36	0.78	0.65	0.55	0.54	0.38	0.17	0.58

Intersection Summary






















# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2023 Total Traffic Conditions,  
Weekday PM Peak Hour

												
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	28	85	999	243	6	209	854	16	432	25	206	20
Future Volume (vph)	28	85	999	243	6	209	854	16	432	25	206	20
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	0.98	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1654	3197	1458		1662	3190		1533	1550	1451	1662
Flt Permitted		0.19	1.00	1.00		0.10	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		333	3197	1458		178	3190		1533	1550	1451	1662
Peak-hour factor, PHF	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Adj. Flow (vph)	31	93	1098	267	7	230	938	18	475	27	226	22
RTOR Reduction (vph)	0	0	0	162	0	0	1	0	0	0	177	0
Lane Group Flow (vph)	0	124	1098	105	0	237	955	0	252	250	49	22
Confl. Peds. (#/hr)									1		2	2
Confl. Bikes (#/hr)											1	
Heavy Vehicles (%)	2%	0%	4%	2%	2%	0%	4%	0%	3%	0%	1%	0%
Turn Type	D.P+P	D.P+P	NA	Perm	D.P+P	D.P+P	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases	6	6		2	2	2					8	
Actuated Green, G (s)		53.4	39.3	39.3		53.4	45.8		21.6	21.6	21.6	7.5
Effective Green, g (s)		53.4	39.3	39.3		53.4	45.8		21.6	21.6	21.6	7.5
Actuated g/C Ratio		0.53	0.39	0.39		0.53	0.46		0.22	0.22	0.22	0.08
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		278	1256	572		304	1461		331	334	313	124
v/s Ratio Prot		0.03	c0.34			c0.11	0.30		c0.16	0.16		0.01
v/s Ratio Perm		0.20		0.07		0.31					0.03	
v/c Ratio		0.45	0.87	0.18		0.78	0.65		0.76	0.75	0.16	0.18
Uniform Delay, d1		13.5	28.1	19.9		23.6	21.0		36.8	36.7	31.8	43.4
Progression Factor		0.92	0.90	1.50		1.35	0.80		1.00	1.00	1.00	1.00
Incremental Delay, d2		0.7	7.5	0.6		10.5	2.1		9.5	8.4	0.2	0.5
Delay (s)		13.1	32.7	30.3		42.3	18.8		46.3	45.1	32.0	43.9
Level of Service		B	C	C		D	B		D	D	C	D
Approach Delay (s)			30.6			23.5			41.4			
Approach LOS			C			C			D			
<b>Intersection Summary</b>												
HCM 2000 Control Delay			31.0									C
HCM 2000 Volume to Capacity ratio			0.78									
Actuated Cycle Length (s)			100.0						17.5			
Intersection Capacity Utilization			78.6%									D
Analysis Period (min)			15									
c Critical Lane Group												

HCM Signalized Intersection Capacity Analysis  
 3: Evergreen Rd & OR 214

2023 Total Traffic Conditions,  
 Weekday PM Peak Hour



Movement	SBT	SBR
Lane Configurations	↑	
Traffic Volume (vph)	31	68
Future Volume (vph)	31	68
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.90	
Flt Protected	1.00	
Satd. Flow (prot)	1511	
Flt Permitted	1.00	
Satd. Flow (perm)	1511	
Peak-hour factor, PHF	0.91	0.91
Adj. Flow (vph)	34	75
RTOR Reduction (vph)	69	0
Lane Group Flow (vph)	40	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	4%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	7.5	
Effective Green, g (s)	7.5	
Actuated g/C Ratio	0.08	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	113	
v/s Ratio Prot	c0.03	
v/s Ratio Perm		
v/c Ratio	0.35	
Uniform Delay, d1	43.9	
Progression Factor	1.00	
Incremental Delay, d2	1.4	
Delay (s)	45.3	
Level of Service	D	
Approach Delay (s)	45.1	
Approach LOS	D	
<b>Intersection Summary</b>		

Intersection						
Int Delay, s/veh	0.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑		↑
Traffic Vol, veh/h	1093	94	0	1107	0	10
Future Vol, veh/h	1093	94	0	1107	0	10
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	0	0	0	0	0	0
Mvmt Flow	1214	104	0	1230	0	11

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	-	-	659
Stage 1	-	-	-	-	-
Stage 2	-	-	-	-	-
Critical Hdwy	-	-	-	-	6.9
Critical Hdwy Stg 1	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	3.3
Pot Cap-1 Maneuver	-	-	0	-	411
Stage 1	-	-	0	-	-
Stage 2	-	-	0	-	-
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	-	-	411
Mov Cap-2 Maneuver	-	-	-	-	-
Stage 1	-	-	-	-	-
Stage 2	-	-	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	14
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBT
Capacity (veh/h)	411	-	-	-
HCM Lane V/C Ratio	0.027	-	-	-
HCM Control Delay (s)	14	-	-	-
HCM Lane LOS	B	-	-	-
HCM 95th %tile Q(veh)	0.1	-	-	-



Queues  
5: Oregon Way & OR 214

2023 Total Traffic Conditions,  
Weekday PM Peak Hour



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	37	1126	42	994	119	23	53	104
v/c Ratio	0.11	0.55	0.14	0.48	0.78	0.12	0.29	0.55
Control Delay	5.7	9.9	5.0	10.2	80.7	33.0	47.0	25.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	5.7	9.9	5.0	10.2	80.7	33.0	47.0	25.0
Queue Length 50th (ft)	5	96	5	146	~97	9	30	12
Queue Length 95th (ft)	m9	m172	16	231	#210	33	#82	62
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	353	2057	310	2085	153	550	188	568
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.10	0.55	0.14	0.48	0.78	0.04	0.28	0.18

Intersection Summary

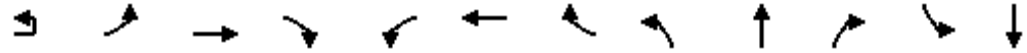
~ Volume exceeds capacity, queue is theoretically infinite.  
Queue shown is maximum after two cycles.

# 95th percentile volume exceeds capacity, queue may be longer.  
Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2023 Total Traffic Conditions,  
Weekday PM Peak Hour



Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	
Lane Configurations		↔	↕		↕	↕		↕	↕		↕	↕	
Traffic Volume (vph)	12	23	999	70	40	901	44	113	14	8	50	19	
Future Volume (vph)	12	23	999	70	40	901	44	113	14	8	50	19	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Frt		1.00	0.99		1.00	0.99		1.00	0.95		1.00	0.88	
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1651	3166		1662	3206		1662	1651		1662	1526	
Flt Permitted		0.23	1.00		0.19	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (perm)		407	3166		336	3206		1662	1651		1662	1526	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	
Adj. Flow (vph)	13	24	1052	74	42	948	46	119	15	8	53	20	
RTOR Reduction (vph)	0	0	3	0	0	2	0	0	7	0	0	76	
Lane Group Flow (vph)	0	37	1123	0	42	992	0	119	16	0	53	28	
Confl. Peds. (#/hr)		3		3	3		3			2	2		
Confl. Bikes (#/hr)				1									
Heavy Vehicles (%)	2%	0%	4%	1%	0%	3%	0%	0%	0%	0%	0%	0%	
Turn Type	D.P+P	D.P+P	NA		D.P+P	NA		Prot	NA		Prot	NA	
Protected Phases	5	5	2		1	6		3	8		7	4	
Permitted Phases	6	6			2								
Actuated Green, G (s)		64.6	60.9		64.6	61.0		9.2	8.8		10.1	9.7	
Effective Green, g (s)		64.6	60.9		64.6	61.0		9.2	8.8		10.1	9.7	
Actuated g/C Ratio		0.65	0.61		0.65	0.61		0.09	0.09		0.10	0.10	
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5	
Lane Grp Cap (vph)		307	1928		266	1955		152	145		167	148	
v/s Ratio Prot		0.00	c0.35		c0.01	0.31		c0.07	0.01		0.03	c0.02	
v/s Ratio Perm		0.07			0.10								
v/c Ratio		0.12	0.58		0.16	0.51		0.78	0.11		0.32	0.19	
Uniform Delay, d1		7.1	11.8		7.6	11.0		44.4	42.0		41.7	41.5	
Progression Factor		1.34	0.91		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2		0.1	0.8		0.2	0.9		21.9	0.2		0.8	0.5	
Delay (s)		9.6	11.6		7.8	12.0		66.3	42.2		42.5	42.0	
Level of Service		A	B		A	B		E	D		D	D	
Approach Delay (s)			11.6			11.8			62.4			42.2	
Approach LOS			B			B			E			D	
<b>Intersection Summary</b>													
HCM 2000 Control Delay			16.5									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.54										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	16.5
Intersection Capacity Utilization			57.4%									ICU Level of Service	B
Analysis Period (min)			15										
c Critical Lane Group													

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	80
Future Volume (vph)	80
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.95
Adj. Flow (vph)	84
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Heavy Vehicles (%)	1%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

Intersection						
Int Delay, s/veh	3.7					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	T			T		
Traffic Vol, veh/h	93	1	1	42	126	3
Future Vol, veh/h	93	1	1	42	126	3
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	0	0	0	0	0	0
Mvmt Flow	109	1	1	49	148	4

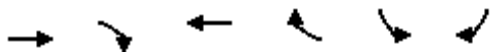
Major/Minor	Minor2	Major1		Major2	
Conflicting Flow All	201	150	152	0	0
Stage 1	150	-	-	-	-
Stage 2	51	-	-	-	-
Critical Hdwy	6.4	6.2	4.1	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-
Pot Cap-1 Maneuver	792	902	1441	-	-
Stage 1	883	-	-	-	-
Stage 2	977	-	-	-	-
Platoon blocked, %				-	-
Mov Cap-1 Maneuver	791	902	1441	-	-
Mov Cap-2 Maneuver	791	-	-	-	-
Stage 1	882	-	-	-	-
Stage 2	977	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.3	0.2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1441	-	792	-	-
HCM Lane V/C Ratio	0.001	-	0.14	-	-
HCM Control Delay (s)	7.5	0	10.3	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	-	-

Queues  
1: I-5 SB ramps & OR 214













2033 Background Traffic Conditions,  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	457	319	423	587	332	100
v/c Ratio	0.20	0.24	0.21	0.45	0.69	0.21
Control Delay	4.2	0.4	7.4	2.3	47.0	5.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	4.2	0.4	7.4	2.3	47.0	5.9
Queue Length 50th (ft)	37	0	44	34	104	0
Queue Length 95th (ft)	59	0	60	14	131	29
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)	270		550			
Base Capacity (vph)	2329	1312	2026	1300	1069	541
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.20	0.24	0.21	0.45	0.31	0.18
<b>Intersection Summary</b>						

HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

2033 Background Traffic Conditions,  
Weekday AM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	384	268	0	355	493	0	0	0	279	0	84	
Future Volume (vph)	0	384	268	0	355	493	0	0	0	279	0	84	
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	0.98				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3107	1312		3197	1300				3014		1340	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3107	1312		3197	1300				3014		1340	
Peak-hour factor, PHF	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	
Adj. Flow (vph)	0	457	319	0	423	587	0	0	0	332	0	100	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	72	
Lane Group Flow (vph)	0	457	319	0	423	587	0	0	0	332	0	29	
Confl. Peds. (#/hr)									1	1			
Confl. Bikes (#/hr)			2			3							
Heavy Vehicles (%)	0%	7%	11%	0%	4%	12%	0%	0%	0%	7%	0%	11%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		75.0	100.0		62.5	100.0				16.0		28.5	
Effective Green, g (s)		75.0	100.0		62.5	100.0				16.0		28.5	
Actuated g/C Ratio		0.75	1.00		0.62	1.00				0.16		0.28	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2330	1312		1998	1300				482		381	
v/s Ratio Prot		0.15			0.13					c0.11			
v/s Ratio Perm			0.24			c0.45						0.02	
v/c Ratio		0.20	0.24		0.21	0.45				0.69		0.07	
Uniform Delay, d1		3.7	0.0		8.1	0.0				39.6		26.1	
Progression Factor		1.00	1.00		0.80	1.00				1.00		1.00	
Incremental Delay, d2		0.2	0.4		0.1	1.1				3.7		0.1	
Delay (s)		3.9	0.4		6.5	1.1				43.4		26.2	
Level of Service		A	A		A	A				D		C	
Approach Delay (s)		2.4			3.4			0.0			39.4		
Approach LOS		A			A			A			D		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			10.1									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.54										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			27.7%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
 1: I-5 SB ramps & OR 214

2033 Background Traffic Conditions,  
 Weekday AM Peak Hour

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	384	268	0	355	493	0	0	0	279	0	84
Future Volume (veh/h)	0	384	268	0	355	493	0	0	0	279	0	84
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1654	1600	0	1695	1586				1654	0	1600
Adj Flow Rate, veh/h	0	457	0	0	423	0				332	0	100
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84				0.84	0.84	0.84
Percent Heavy Veh, %	0	7	11	0	4	12				7	0	11
Cap, veh/h	0	2431		0	2492					417	0	185
Arrive On Green	0.00	0.77	0.00	0.00	0.77	0.00				0.14	0.00	0.14
Sat Flow, veh/h	0	3226	1356	0	3306	1344				3057	0	1356
Grp Volume(v), veh/h	0	457	0	0	423	0				332	0	100
Grp Sat Flow(s),veh/h/ln	0	1572	1356	0	1611	1344				1528	0	1356
Q Serve(g_s), s	0.0	3.9	0.0	0.0	3.4	0.0				10.5	0.0	6.9
Cycle Q Clear(g_c), s	0.0	3.9	0.0	0.0	3.4	0.0				10.5	0.0	6.9
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2431		0	2492					417	0	185
V/C Ratio(X)	0.00	0.19		0.00	0.17					0.80	0.00	0.54
Avail Cap(c_a), veh/h	0	2431		0	2492					1085	0	481
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.93	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	3.0	0.0	0.0	3.0	0.0				41.8	0.0	40.2
Incr Delay (d2), s/veh	0.0	0.2	0.0	0.0	0.0	0.0				2.6	0.0	1.8
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	1.0	0.0	0.0	0.8	0.0				4.1	0.0	5.3
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	3.2	0.0	0.0	3.0	0.0				44.4	0.0	42.1
LnGrp LOS	A	A		A	A					D	A	D
Approach Vol, veh/h		457	A		423	A					432	
Approach Delay, s/veh		3.2			3.0						43.9	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		81.8		18.2		81.8						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		55.5		35.5		40.5						
Max Q Clear Time (g_c+I1), s		5.9		12.5		5.4						
Green Ext Time (p_c), s		8.9		1.1		4.4						
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay				16.5								
HCM 6th LOS				B								
<b>Notes</b>												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Queues  
2: I-5 NB ramps & OR 214

2033 Background Traffic Conditions,  
Weekday AM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	539	194	821	779	117	299	297
v/c Ratio	0.23	0.15	0.36	0.56	0.51	0.77	0.75
Control Delay	4.4	0.2	6.8	2.1	44.6	24.3	22.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	4.4	0.2	6.8	2.1	44.6	24.3	22.7
Queue Length 50th (ft)	22	0	122	12	74	48	45
Queue Length 95th (ft)	127	0	106	4	112	131	123
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2336	1325	2271	1399	666	701	724
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.23	0.15	0.36	0.56	0.18	0.43	0.41
<b>Intersection Summary</b>							



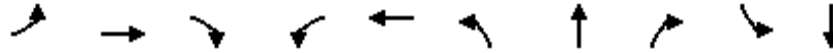
HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

2033 Background Traffic Conditions,  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↘	↕	↗			
Traffic Volume (vph)	0	480	173	0	731	693	116	0	519	0	0	0
Future Volume (vph)	0	480	173	0	731	693	116	0	519	0	0	0
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	0.98		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3137	1325		3050	1399	1462	1271	1321			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3137	1325		3050	1399	1462	1271	1321			
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Adj. Flow (vph)	0	539	194	0	821	779	130	0	583	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	189	189	0	0	0
Lane Group Flow (vph)	0	539	194	0	821	779	117	110	108	0	0	0
Confl. Peds. (#/hr)	1						1					
Confl. Bikes (#/hr)			1			3						
Heavy Vehicles (%)	0%	6%	10%	0%	9%	4%	8%	0%	7%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		74.5	100.0		74.5	100.0	15.6	15.6	15.6			
Effective Green, g (s)		74.5	100.0		74.5	100.0	15.6	15.6	15.6			
Actuated g/C Ratio		0.74	1.00		0.74	1.00	0.16	0.16	0.16			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2337	1325		2272	1399	228	198	206			
v/s Ratio Prot		0.17			0.27							
v/s Ratio Perm			0.15			c0.56	0.08	0.09	0.08			
v/c Ratio		0.23	0.15		0.36	0.56	0.51	0.56	0.52			
Uniform Delay, d1		3.9	0.0		4.4	0.0	38.7	39.0	38.8			
Progression Factor		0.85	1.00		1.17	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.2	0.2		0.2	1.2	1.5	2.7	1.8			
Delay (s)		3.6	0.2		5.4	1.2	40.2	41.7	40.6			
Level of Service		A	A		A	A	D	D	D			
Approach Delay (s)		2.7			3.4			41.0			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			12.0				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.62									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			45.9%				ICU Level of Service				A	
Analysis Period (min)			15									
c Critical Lane Group												

Queues  
3: Evergreen Rd & OR 214

2033 Background Traffic Conditions,  
Weekday AM Peak Hour



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	105	702	190	133	749	383	382	159	12	53
v/c Ratio	0.34	0.54	0.27	0.41	0.56	0.87	0.86	0.30	0.10	0.35
Control Delay	16.3	26.3	6.4	14.6	21.7	54.0	52.8	5.7	44.8	24.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	16.3	26.3	6.4	14.6	21.7	54.0	52.8	5.7	44.8	24.8
Queue Length 50th (ft)	44	218	13	47	211	235	233	0	7	7
Queue Length 95th (ft)	57	289	41	36	281	#385	#382	45	25	44
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	309	1301	692	328	1347	491	495	575	141	167
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.34	0.54	0.27	0.41	0.56	0.78	0.77	0.28	0.09	0.32

Intersection Summary

# 95th percentile volume exceeds capacity, queue may be longer.  
Queue shown is maximum after two cycles.

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2033 Background Traffic Conditions,  
Weekday AM Peak Hour



Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	
Lane Configurations													
Traffic Volume (vph)	49	48	653	177	8	115	679	18	685	26	148	11	
Future Volume (vph)	49	48	653	177	8	115	679	18	685	26	148	11	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5	
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00	
Frbp, ped/bikes		1.00	1.00	0.98		1.00	1.00		1.00	1.00	1.00	1.00	
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00	
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00	
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95	
Satd. Flow (prot)		1638	3137	1400		1630	3044		1548	1560	1473	1662	
Flt Permitted		0.27	1.00	1.00		0.28	1.00		0.95	0.96	1.00	0.95	
Satd. Flow (perm)		460	3137	1400		484	3044		1548	1560	1473	1662	
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	
Adj. Flow (vph)	53	52	702	190	9	124	730	19	737	28	159	12	
RTOR Reduction (vph)	0	0	0	113	0	0	2	0	0	0	114	0	
Lane Group Flow (vph)	0	105	702	77	0	133	747	0	383	382	45	12	
Confl. Peds. (#/hr)		1						1	1				
Confl. Bikes (#/hr)				1									
Heavy Vehicles (%)	2%	1%	6%	4%	2%	2%	9%	0%	2%	0%	1%	0%	
Turn Type	D.P+P	D.P+P	NA	Perm	D.P+P	D.P+P	NA		Split	NA	Perm	Split	
Protected Phases	5	5	2		1	1	6		8	8		4	
Permitted Phases	6	6		2	2	2					8		
Actuated Green, G (s)		48.0	40.6	40.6		48.0	42.5		28.6	28.6	28.6	5.9	
Effective Green, g (s)		48.0	40.6	40.6		48.0	42.5		28.6	28.6	28.6	5.9	
Actuated g/C Ratio		0.48	0.41	0.41		0.48	0.42		0.29	0.29	0.29	0.06	
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5	
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5	
Lane Grp Cap (vph)		285	1273	568		317	1293		442	446	421	98	
v/s Ratio Prot		0.02	0.22			c0.03	c0.25		c0.25	0.24		0.01	
v/s Ratio Perm		0.16		0.06		0.17					0.03		
v/c Ratio		0.37	0.55	0.14		0.42	0.58		0.87	0.86	0.11	0.12	
Uniform Delay, d1		15.3	22.7	18.7		15.5	21.9		33.9	33.8	26.3	44.6	
Progression Factor		0.93	1.02	1.55		0.74	0.85		1.00	1.00	1.00	1.00	
Incremental Delay, d2		0.6	1.7	0.5		0.6	1.8		16.0	14.7	0.1	0.4	
Delay (s)		14.8	24.8	29.4		12.1	20.4		49.9	48.5	26.4	45.0	
Level of Service		B	C	C		B	C		D	D	C	D	
Approach Delay (s)			24.6				19.2			45.3			
Approach LOS			C				B			D			
<b>Intersection Summary</b>													
HCM 2000 Control Delay			30.1		HCM 2000 Level of Service					C			
HCM 2000 Volume to Capacity ratio			0.64										
Actuated Cycle Length (s)			100.0		Sum of lost time (s)					17.5			
Intersection Capacity Utilization			65.8%		ICU Level of Service					C			
Analysis Period (min)			15										
c Critical Lane Group													



Movement	SBT	SBR
Lane Configurations	↔	
Traffic Volume (vph)	10	39
Future Volume (vph)	10	39
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.88	
Flt Protected	1.00	
Satd. Flow (prot)	1521	
Flt Permitted	1.00	
Satd. Flow (perm)	1521	
Peak-hour factor, PHF	0.93	0.93
Adj. Flow (vph)	11	42
RTOR Reduction (vph)	40	0
Lane Group Flow (vph)	13	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	0%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	5.9	
Effective Green, g (s)	5.9	
Actuated g/C Ratio	0.06	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	89	
v/s Ratio Prot	c0.01	
v/s Ratio Perm		
v/c Ratio	0.15	
Uniform Delay, d1	44.7	
Progression Factor	1.00	
Incremental Delay, d2	0.6	
Delay (s)	45.2	
Level of Service	D	
Approach Delay (s)	45.2	
Approach LOS	D	
<b>Intersection Summary</b>		

Queues  
5: Oregon Way & OR 214

2033 Background Traffic Conditions,  
Weekday AM Peak Hour



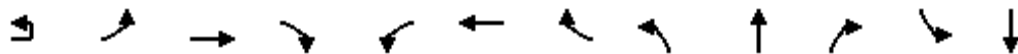
Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	18	849	5	797	23	17	21	75
v/c Ratio	0.03	0.34	0.01	0.33	0.23	0.15	0.22	0.47
Control Delay	4.8	5.9	3.6	5.7	50.4	34.4	50.1	23.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	4.8	5.9	3.6	5.7	50.4	34.4	50.1	23.7
Queue Length 50th (ft)	4	123	0	31	14	6	13	6
Queue Length 95th (ft)	m5	100	4	168	40	27	37	49
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	532	2515	519	2437	104	559	103	554
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.03	0.34	0.01	0.33	0.22	0.03	0.20	0.14

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2033 Background Traffic Conditions,  
Weekday AM Peak Hour



Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations		↔	↕		↔	↕		↔	↕		↔	↕
Traffic Volume (vph)	7	9	736	45	5	711	22	21	9	6	19	9
Future Volume (vph)	7	9	736	45	5	711	22	21	9	6	19	9
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	0.99		1.00	0.99
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00
Frt		1.00	0.99		1.00	1.00		1.00	0.94		1.00	0.87
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00
Satd. Flow (prot)		1647	3088		1662	3069		1662	1633		1662	1505
Flt Permitted		0.33	1.00		0.31	1.00		0.95	1.00		0.95	1.00
Satd. Flow (perm)		576	3088		550	3069		1662	1633		1662	1505
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	8	10	800	49	5	773	24	23	10	7	21	10
RTOR Reduction (vph)	0	0	2	0	0	1	0	0	7	0	0	61
Lane Group Flow (vph)	0	18	847	0	5	796	0	23	10	0	21	14
Confl. Peds. (#/hr)		3		2	2		3	1		2	2	
Heavy Vehicles (%)	2%	0%	7%	0%	0%	8%	0%	0%	0%	0%	0%	0%
Turn Type	D.P+P	D.P+P	NA		D.P+P	NA		Prot	NA		Prot	NA
Protected Phases	5	5	2		1	6		3	8		7	4
Permitted Phases	6	6			2							
Actuated Green, G (s)		75.2	74.1		75.2	72.9		2.6	5.7		2.6	5.7
Effective Green, g (s)		75.2	74.1		75.2	72.9		2.6	5.7		2.6	5.7
Actuated g/C Ratio		0.75	0.74		0.75	0.73		0.03	0.06		0.03	0.06
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5
Lane Grp Cap (vph)		457	2288		425	2237		43	93		43	85
v/s Ratio Prot		c0.00	c0.27		0.00	0.26		c0.01	0.01		0.01	c0.01
v/s Ratio Perm		0.03			0.01							
v/c Ratio		0.04	0.37		0.01	0.36		0.53	0.11		0.49	0.16
Uniform Delay, d1		3.2	4.6		3.2	5.0		48.1	44.7		48.0	44.9
Progression Factor		1.41	1.25		1.00	1.00		1.00	1.00		1.00	1.00
Incremental Delay, d2		0.0	0.4		0.0	0.4		9.6	0.4		6.2	0.7
Delay (s)		4.5	6.2		3.2	5.4		57.7	45.1		54.3	45.5
Level of Service		A	A		A	A		E	D		D	D
Approach Delay (s)			6.2			5.4			52.3			47.4
Approach LOS			A			A			D			D

Intersection Summary

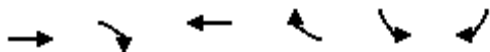
HCM 2000 Control Delay	9.0	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.36		
Actuated Cycle Length (s)	100.0	Sum of lost time (s)	16.5
Intersection Capacity Utilization	39.8%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	60
Future Volume (vph)	60
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	65
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	1
Heavy Vehicles (%)	0%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

Queues  
1: I-5 SB ramps & OR 214

2033 Background Traffic Conditions,  
Weekday PM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	823	471	728	708	771	312
v/c Ratio	0.41	0.33	0.47	0.50	0.84	0.45
Control Delay	11.3	0.6	19.5	1.9	41.8	13.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	11.3	0.6	19.5	1.9	41.8	13.5
Queue Length 50th (ft)	131	0	130	21	236	82
Queue Length 95th (ft)	202	0	143	34	280	135
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)		270		550	650	430
Base Capacity (vph)	2024	1426	1548	1430	1062	694
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.41	0.33	0.47	0.50	0.73	0.45
Intersection Summary						















HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

2033 Background Traffic Conditions,  
Weekday PM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	757	433	0	670	651	0	0	0	709	0	287	
Future Volume (vph)	0	757	433	0	670	651	0	0	0	709	0	287	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	1.00				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3260	1426		3260	1430				3131		1444	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3260	1426		3260	1430				3131		1444	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	0	823	471	0	728	708	0	0	0	771	0	312	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	64	
Lane Group Flow (vph)	0	823	471	0	728	708	0	0	0	771	0	248	
Confl. Peds. (#/hr)			3	3					1	1			
Confl. Bikes (#/hr)			1										
Heavy Vehicles (%)	0%	2%	2%	0%	2%	4%	0%	0%	0%	3%	0%	3%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		61.7	100.0		47.2	100.0				29.3		43.8	
Effective Green, g (s)		61.7	100.0		47.2	100.0				29.3		43.8	
Actuated g/C Ratio		0.62	1.00		0.47	1.00				0.29		0.44	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2011	1426		1538	1430				917		632	
v/s Ratio Prot		0.25			0.22					c0.25			
v/s Ratio Perm			0.33			c0.50						0.17	
v/c Ratio		0.41	0.33		0.47	0.50				0.84		0.39	
Uniform Delay, d1		9.8	0.0		17.9	0.0				33.2		19.1	
Progression Factor		1.00	1.00		0.97	1.00				1.00		1.00	
Incremental Delay, d2		0.6	0.6		0.3	1.0				6.9		0.3	
Delay (s)		10.4	0.6		17.8	1.0				40.1		19.4	
Level of Service		B	A		B	A				D		B	
Approach Delay (s)		6.9			9.5			0.0			34.1		
Approach LOS		A			A			A			C		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			15.6									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.66										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			52.2%									ICU Level of Service	A
Analysis Period (min)			15										
c	Critical Lane Group												

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

2033 Background Traffic Conditions,  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	757	433	0	670	651	0	0	0	709	0	287
Future Volume (veh/h)	0	757	433	0	670	651	0	0	0	709	0	287
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1723	1723	0	1723	1695				1709	0	1709
Adj Flow Rate, veh/h	0	823	0	0	728	0				771	0	312
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92				0.92	0.92	0.92
Percent Heavy Veh, %	0	2	2	0	2	4				3	0	3
Cap, veh/h	0	2073		0	2073					873	0	401
Arrive On Green	0.00	0.63	0.00	0.00	0.63	0.00				0.28	0.00	0.28
Sat Flow, veh/h	0	3359	1460	0	3359	1437				3158	0	1448
Grp Volume(v), veh/h	0	823	0	0	728	0				771	0	312
Grp Sat Flow(s),veh/h/ln	0	1637	1460	0	1637	1437				1579	0	1448
Q Serve(g_s), s	0.0	12.3	0.0	0.0	10.5	0.0				23.4	0.0	19.9
Cycle Q Clear(g_c), s	0.0	12.3	0.0	0.0	10.5	0.0				23.4	0.0	19.9
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2073		0	2073					873	0	401
V/C Ratio(X)	0.00	0.40		0.00	0.35					0.88	0.00	0.78
Avail Cap(c_a), veh/h	0	2073		0	2073					1058	0	485
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.80	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	9.0	0.0	0.0	8.6	0.0				34.6	0.0	33.3
Incr Delay (d2), s/veh	0.0	0.6	0.0	0.0	0.1	0.0				7.4	0.0	6.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	4.2	0.0	0.0	3.5	0.0				9.7	0.0	15.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	9.5	0.0	0.0	8.8	0.0				42.0	0.0	39.3
LnGrp LOS	A	A		A	A					D	A	D
Approach Vol, veh/h		823	A		728	A					1083	
Approach Delay, s/veh		9.5			8.8						41.2	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		67.8		32.2		67.8						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		57.5		33.5		42.5						
Max Q Clear Time (g_c+I1), s		14.3		25.4		12.5						
Green Ext Time (p_c), s		17.6		2.3		8.0						
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay				22.4								
HCM 6th LOS				C								
<b>Notes</b>												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Queues  
2: I-5 NB ramps & OR 214

2033 Background Traffic Conditions,  
Weekday PM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	1315	206	1159	462	222	344	346
v/c Ratio	0.66	0.15	0.59	0.33	0.50	0.84	0.82
Control Delay	16.8	0.2	9.0	0.4	31.9	47.0	44.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	16.8	0.2	9.0	0.4	31.9	47.0	44.4
Queue Length 50th (ft)	402	0	220	0	120	198	189
Queue Length 95th (ft)	503	m0	231	m0	175	293	277
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	1996	1403	1976	1387	565	512	529
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.66	0.15	0.59	0.33	0.39	0.67	0.65

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

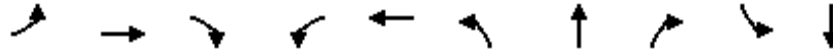
2033 Background Traffic Conditions,  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↘	↕	↗			
Traffic Volume (vph)	0	1236	194	0	1089	434	232	0	625	0	0	0
Future Volume (vph)	0	1236	194	0	1089	434	232	0	625	0	0	0
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	1.00		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3292	1403		3260	1387	1504	1301	1346			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3292	1403		3260	1387	1504	1301	1346			
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	0	1315	206	0	1159	462	247	0	665	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	26	26	0	0	0
Lane Group Flow (vph)	0	1315	206	0	1159	462	222	318	320	0	0	0
Confl. Peds. (#/hr)	2					2						
Heavy Vehicles (%)	0%	1%	6%	0%	2%	5%	5%	0%	5%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		60.6	100.0		60.6	100.0	29.5	29.5	29.5			
Effective Green, g (s)		60.6	100.0		60.6	100.0	29.5	29.5	29.5			
Actuated g/C Ratio		0.61	1.00		0.61	1.00	0.29	0.29	0.29			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		1994	1403		1975	1387	443	383	397			
v/s Ratio Prot		c0.40			0.36							
v/s Ratio Perm			0.15			0.33	0.15	0.24	0.24			
v/c Ratio		0.66	0.15		0.59	0.33	0.50	0.83	0.81			
Uniform Delay, d1		12.9	0.0		12.0	0.0	29.2	32.9	32.6			
Progression Factor		1.05	1.00		0.60	1.00	1.00	1.00	1.00			
Incremental Delay, d2		1.4	0.2		0.6	0.4	0.7	13.9	11.0			
Delay (s)		15.0	0.2		7.8	0.4	29.8	46.8	43.6			
Level of Service		B	A		A	A	C	D	D			
Approach Delay (s)		13.0			5.7			41.5			0.0	
Approach LOS		B			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			16.5				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.71									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			73.4%				ICU Level of Service				D	
Analysis Period (min)			15									

c Critical Lane Group

Queues  
3: Evergreen Rd & OR 214

2033 Background Traffic Conditions,  
Weekday PM Peak Hour



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	129	1197	574	296	928	352	356	252	23	117
v/c Ratio	0.52	1.12	0.68	0.94	0.71	0.86	0.86	0.44	0.18	0.64
Control Delay	20.5	94.7	9.3	70.5	23.0	55.6	55.6	6.1	46.7	35.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	20.5	94.7	9.3	70.5	23.0	55.6	55.6	6.1	46.7	35.1
Queue Length 50th (ft)	30	~454	25	~153	274	216	220	0	14	26
Queue Length 95th (ft)	m77	#592	146	#344	310	#355	#358	56	39	#95
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	249	1070	849	315	1310	459	464	611	132	190
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.52	1.12	0.68	0.94	0.71	0.77	0.77	0.41	0.17	0.62

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2033 Background Traffic Conditions,  
Weekday PM Peak Hour

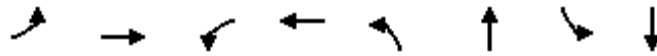
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	29	88	1089	522	16	253	827	17	615	29	229	21
Future Volume (vph)	29	88	1089	522	16	253	827	17	615	29	229	21
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	0.99	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1654	3197	1458		1660	3190		1533	1548	1451	1662
Flt Permitted		0.18	1.00	1.00		0.12	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		308	3197	1458		209	3190		1533	1548	1451	1662
Peak-hour factor, PHF	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Adj. Flow (vph)	32	97	1197	574	18	278	909	19	676	32	252	23
RTOR Reduction (vph)	0	0	0	361	0	0	1	0	0	0	185	0
Lane Group Flow (vph)	0	129	1197	213	0	296	927	0	352	356	67	23
Confl. Peds. (#/hr)									1		2	2
Confl. Bikes (#/hr)											1	
Heavy Vehicles (%)	2%	0%	4%	2%	2%	0%	4%	0%	3%	0%	1%	0%
Turn Type	D.P+P	D.P+P	NA	Perm	D.P+P	D.P+P	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases	6	6		2	2	2					8	
Actuated Green, G (s)		48.2	33.5	33.5		48.2	41.0		26.7	26.7	26.7	7.6
Effective Green, g (s)		48.2	33.5	33.5		48.2	41.0		26.7	26.7	26.7	7.6
Actuated g/C Ratio		0.48	0.34	0.34		0.48	0.41		0.27	0.27	0.27	0.08
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		245	1070	488		314	1307		409	413	387	126
v/s Ratio Prot		0.04	c0.37			c0.14	0.29		0.23	c0.23		0.01
v/s Ratio Perm		0.22		0.15		0.32					0.05	
v/c Ratio		0.53	1.12	0.44		0.94	0.71		0.86	0.86	0.17	0.18
Uniform Delay, d1		16.6	33.2	25.9		27.8	24.5		34.9	34.9	28.2	43.3
Progression Factor		1.05	0.95	1.82		1.35	0.77		1.00	1.00	1.00	1.00
Incremental Delay, d2		1.2	63.4	2.1		34.0	3.0		16.5	16.5	0.2	0.5
Delay (s)		18.5	95.0	49.3		71.4	22.0		51.4	51.4	28.3	43.8
Level of Service		B	F	D		E	C		D	D	C	D
Approach Delay (s)			76.0				34.0			45.3		
Approach LOS			E				C			D		
<b>Intersection Summary</b>												
HCM 2000 Control Delay			55.8				HCM 2000 Level of Service			E		
HCM 2000 Volume to Capacity ratio			0.94									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)		17.5			
Intersection Capacity Utilization			86.4%				ICU Level of Service		E			
Analysis Period (min)			15									
c Critical Lane Group												



Movement	SBT	SBR
Lane Configurations	↓	↘
Traffic Volume (vph)	36	70
Future Volume (vph)	36	70
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.90	
Flt Protected	1.00	
Satd. Flow (prot)	1521	
Flt Permitted	1.00	
Satd. Flow (perm)	1521	
Peak-hour factor, PHF	0.91	0.91
Adj. Flow (vph)	40	77
RTOR Reduction (vph)	69	0
Lane Group Flow (vph)	48	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	4%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	7.6	
Effective Green, g (s)	7.6	
Actuated g/C Ratio	0.08	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	115	
v/s Ratio Prot	c0.03	
v/s Ratio Perm		
v/c Ratio	0.41	
Uniform Delay, d1	44.1	
Progression Factor	1.00	
Incremental Delay, d2	1.8	
Delay (s)	45.8	
Level of Service	D	
Approach Delay (s)	45.5	
Approach LOS	D	
<b>Intersection Summary</b>		

Queues  
5: Oregon Way & OR 214

2033 Background Traffic Conditions,  
Weekday PM Peak Hour



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	40	1240	22	1091	31	24	55	110
v/c Ratio	0.11	0.53	0.07	0.47	0.34	0.19	0.41	0.55
Control Delay	5.6	10.8	4.2	8.8	55.8	35.3	54.0	24.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	5.6	10.8	4.2	8.8	55.8	35.3	54.0	24.5
Queue Length 50th (ft)	7	132	3	168	19	10	31	14
Queue Length 95th (ft)	m8	m143	10	268	50	34	#85	64
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	366	2341	322	2309	93	551	136	571
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.11	0.53	0.07	0.47	0.33	0.04	0.40	0.19

Intersection Summary

# 95th percentile volume exceeds capacity, queue may be longer.

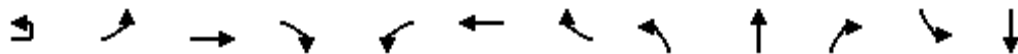
Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.



HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2033 Background Traffic Conditions,  
Weekday PM Peak Hour

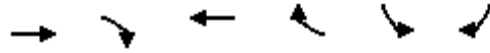


Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	
Lane Configurations													
Traffic Volume (vph)	15	23	1075	103	21	991	46	29	15	8	52	21	
Future Volume (vph)	15	23	1075	103	21	991	46	29	15	8	52	21	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Frt		1.00	0.99		1.00	0.99		1.00	0.95		1.00	0.88	
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1649	3156		1662	3207		1662	1655		1662	1528	
Flt Permitted		0.22	1.00		0.18	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (perm)		384	3156		321	3207		1662	1655		1662	1528	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	
Adj. Flow (vph)	16	24	1132	108	22	1043	48	31	16	8	55	22	
RTOR Reduction (vph)	0	0	4	0	0	2	0	0	8	0	0	81	
Lane Group Flow (vph)	0	40	1236	0	22	1089	0	31	16	0	55	29	
Confl. Peds. (#/hr)		3		3	3		3			2	2		
Confl. Bikes (#/hr)				1									
Heavy Vehicles (%)	2%	0%	4%	1%	0%	3%	0%	0%	0%	0%	0%	0%	
Turn Type	D.P+P	D.P+P	NA		D.P+P	NA		Prot	NA		Prot	NA	
Protected Phases	5	5	2		1	6		3	8		7	4	
Permitted Phases	6	6			2								
Actuated Green, G (s)		71.6	69.3		71.6	68.0		3.4	4.9		7.0	8.5	
Effective Green, g (s)		71.6	69.3		71.6	68.0		3.4	4.9		7.0	8.5	
Actuated g/C Ratio		0.72	0.69		0.72	0.68		0.03	0.05		0.07	0.08	
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5	
Lane Grp Cap (vph)		320	2187		260	2180		56	81		116	129	
v/s Ratio Prot		c0.00	c0.39		0.00	0.34		0.02	0.01		c0.03	c0.02	
v/s Ratio Perm		0.08			0.06								
v/c Ratio		0.12	0.57		0.08	0.50		0.55	0.20		0.47	0.23	
Uniform Delay, d1		4.7	7.7		5.0	7.8		47.6	45.7		44.7	42.7	
Progression Factor		1.44	1.37		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2		0.0	0.3		0.1	0.8		9.1	0.9		2.2	0.7	
Delay (s)		6.8	10.9		5.1	8.6		56.7	46.6		46.9	43.4	
Level of Service		A	B		A	A		E	D		D	D	
Approach Delay (s)			10.8			8.5			52.3			44.5	
Approach LOS			B			A			D			D	
<b>Intersection Summary</b>													
HCM 2000 Control Delay			12.8									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.53										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	16.5
Intersection Capacity Utilization			52.7%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	84
Future Volume (vph)	84
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.95
Adj. Flow (vph)	88
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Heavy Vehicles (%)	1%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

Queues  
1: I-5 SB ramps & OR 214













2033 Total Traffic Conditions,  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	468	319	433	649	393	100
v/c Ratio	0.21	0.24	0.22	0.50	0.72	0.20
Control Delay	5.0	0.4	7.7	3.4	46.1	5.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	5.0	0.4	7.7	3.4	46.1	5.4
Queue Length 50th (ft)	42	0	32	52	122	0
Queue Length 95th (ft)	67	0	72	82	150	28
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)	270		550		650	430
Base Capacity (vph)	2265	1312	1960	1300	1069	547
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.21	0.24	0.22	0.50	0.37	0.18
<b>Intersection Summary</b>						













HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

2033 Total Traffic Conditions,  
Weekday AM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	393	268	0	364	545	0	0	0	330	0	84	
Future Volume (vph)	0	393	268	0	364	545	0	0	0	330	0	84	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	0.98				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3107	1312		3197	1300				3014		1340	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3107	1312		3197	1300				3014		1340	
Peak-hour factor, PHF	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	
Adj. Flow (vph)	0	468	319	0	433	649	0	0	0	393	0	100	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	69	
Lane Group Flow (vph)	0	468	319	0	433	649	0	0	0	393	0	31	
Confl. Peds. (#/hr)									1	1			
Confl. Bikes (#/hr)			2			3							
Heavy Vehicles (%)	0%	7%	11%	0%	4%	12%	0%	0%	0%	7%	0%	11%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		72.9	100.0		60.4	100.0				18.1		30.6	
Effective Green, g (s)		72.9	100.0		60.4	100.0				18.1		30.6	
Actuated g/C Ratio		0.73	1.00		0.60	1.00				0.18		0.31	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2265	1312		1930	1300				545		410	
v/s Ratio Prot		0.15			0.14					c0.13			
v/s Ratio Perm			0.24			c0.50						0.02	
v/c Ratio		0.21	0.24		0.22	0.50				0.72		0.07	
Uniform Delay, d1		4.3	0.0		9.1	0.0				38.6		24.6	
Progression Factor		1.00	1.00		0.74	1.00				1.00		1.00	
Incremental Delay, d2		0.2	0.4		0.1	1.3				4.4		0.1	
Delay (s)		4.5	0.4		6.8	1.3				43.0		24.7	
Level of Service		A	A		A	A				D		C	
Approach Delay (s)		2.9			3.5			0.0			39.3		
Approach LOS		A			A			A			D		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			10.8									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.60										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			29.5%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

2033 Total Traffic Conditions,  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	393	268	0	364	545	0	0	0	330	0	84
Future Volume (veh/h)	0	393	268	0	364	545	0	0	0	330	0	84
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1654	1600	0	1695	1586				1654	0	1600
Adj Flow Rate, veh/h	0	468	0	0	433	0				393	0	100
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84				0.84	0.84	0.84
Percent Heavy Veh, %	0	7	11	0	4	12				7	0	11
Cap, veh/h	0	2366		0	2425					481	0	213
Arrive On Green	0.00	0.75	0.00	0.00	0.75	0.00				0.16	0.00	0.16
Sat Flow, veh/h	0	3226	1356	0	3306	1344				3057	0	1356
Grp Volume(v), veh/h	0	468	0	0	433	0				393	0	100
Grp Sat Flow(s),veh/h/ln	0	1572	1356	0	1611	1344				1528	0	1356
Q Serve(g_s), s	0.0	4.3	0.0	0.0	3.8	0.0				12.4	0.0	6.7
Cycle Q Clear(g_c), s	0.0	4.3	0.0	0.0	3.8	0.0				12.4	0.0	6.7
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2366		0	2425					481	0	213
V/C Ratio(X)	0.00	0.20		0.00	0.18					0.82	0.00	0.47
Avail Cap(c_a), veh/h	0	2366		0	2425					1085	0	481
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.91	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	3.6	0.0	0.0	3.5	0.0				40.7	0.0	38.3
Incr Delay (d2), s/veh	0.0	0.2	0.0	0.0	0.0	0.0				2.6	0.0	1.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	1.2	0.0	0.0	1.0	0.0				4.8	0.0	5.2
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	3.8	0.0	0.0	3.6	0.0				43.3	0.0	39.5
LnGrp LOS	A	A		A	A					D	A	D
Approach Vol, veh/h		468	A		433	A					493	
Approach Delay, s/veh		3.8			3.6						42.6	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		79.8		20.2		79.8						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		55.5		35.5		40.5						
Max Q Clear Time (g_c+I1), s		6.3		14.4		5.8						
Green Ext Time (p_c), s		9.1		1.3		4.5						
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay			17.4									
HCM 6th LOS			B									
<b>Notes</b>												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Queues  
2: I-5 NB ramps & OR 214













2033 Total Traffic Conditions,  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	607	194	890	837	117	327	326
v/c Ratio	0.28	0.15	0.42	0.60	0.40	0.82	0.80
Control Delay	8.5	0.2	9.9	2.4	35.9	32.0	29.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	8.5	0.2	9.9	2.4	35.9	32.0	29.7
Queue Length 50th (ft)	26	0	144	12	69	100	93
Queue Length 95th (ft)	211	0	230	0	101	175	164
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2201	1325	2140	1399	666	678	701
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.28	0.15	0.42	0.60	0.18	0.48	0.47
Intersection Summary							

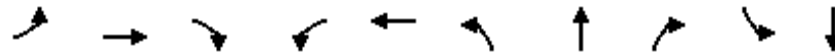
HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

2033 Total Traffic Conditions,  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	540	173	0	792	745	116	0	570	0	0	0
Future Volume (vph)	0	540	173	0	792	745	116	0	570	0	0	0
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	0.98		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3137	1325		3050	1399	1462	1271	1321			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3137	1325		3050	1399	1462	1271	1321			
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Adj. Flow (vph)	0	607	194	0	890	837	130	0	640	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	146	146	0	0	0
Lane Group Flow (vph)	0	607	194	0	890	837	117	181	180	0	0	0
Confl. Peds. (#/hr)	1						1					
Confl. Bikes (#/hr)			1			3						
Heavy Vehicles (%)	0%	6%	10%	0%	9%	4%	8%	0%	7%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		70.2	100.0		70.2	100.0	19.9	19.9	19.9			
Effective Green, g (s)		70.2	100.0		70.2	100.0	19.9	19.9	19.9			
Actuated g/C Ratio		0.70	1.00		0.70	1.00	0.20	0.20	0.20			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2202	1325		2141	1399	290	252	262			
v/s Ratio Prot		0.19			0.29							
v/s Ratio Perm			0.15			c0.60	0.08	0.14	0.14			
v/c Ratio		0.28	0.15		0.42	0.60	0.40	0.72	0.69			
Uniform Delay, d1		5.5	0.0		6.3	0.0	34.9	37.4	37.2			
Progression Factor		1.15	1.00		1.18	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.3	0.2		0.3	1.4	0.7	8.8	6.7			
Delay (s)		6.6	0.2		7.6	1.4	35.6	46.3	43.9			
Level of Service		A	A		A	A	D	D	D			
Approach Delay (s)		5.1			4.6			43.6			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			13.8				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.66									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			50.0%				ICU Level of Service				A	
Analysis Period (min)			15									
c Critical Lane Group												

Queues  
3: Evergreen Rd & OR 214

2033 Total Traffic Conditions,  
Weekday AM Peak Hour



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	105	822	190	135	871	383	382	162	12	53
v/c Ratio	0.40	0.63	0.27	0.48	0.65	0.87	0.86	0.30	0.10	0.35
Control Delay	16.2	26.9	5.6	17.3	24.2	54.0	52.8	5.7	44.8	24.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	16.2	26.9	5.6	17.3	24.2	54.0	52.8	5.7	44.8	24.8
Queue Length 50th (ft)	46	271	21	24	268	235	233	0	7	7
Queue Length 95th (ft)	56	290	33	m54	346	#385	#382	45	25	44
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	266	1301	691	284	1347	491	495	578	141	167
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.39	0.63	0.27	0.48	0.65	0.78	0.77	0.28	0.09	0.32

Intersection Summary

# 95th percentile volume exceeds capacity, queue may be longer.






















Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.



HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2033 Total Traffic Conditions,  
Weekday AM Peak Hour

												
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	49	48	764	177	10	115	792	18	685	26	151	11
Future Volume (vph)	49	48	764	177	10	115	792	18	685	26	151	11
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	0.98		1.00	1.00		1.00	1.00	1.00	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1638	3137	1400		1630	3044		1548	1560	1473	1662
Flt Permitted		0.21	1.00	1.00		0.22	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		361	3137	1400		380	3044		1548	1560	1473	1662
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	53	52	822	190	11	124	852	19	737	28	162	12
RTOR Reduction (vph)	0	0	0	113	0	0	1	0	0	0	116	0
Lane Group Flow (vph)	0	105	822	77	0	135	870	0	383	382	46	12
Confl. Peds. (#/hr)		1						1	1			
Confl. Bikes (#/hr)				1								
Heavy Vehicles (%)	2%	1%	6%	4%	2%	2%	9%	0%	2%	0%	1%	0%
Turn Type	D.P+P	D.P+P	NA	Perm	D.P+P	D.P+P	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases	6	6		2	2	2					8	
Actuated Green, G (s)		48.0	40.6	40.6		48.0	42.5		28.6	28.6	28.6	5.9
Effective Green, g (s)		48.0	40.6	40.6		48.0	42.5		28.6	28.6	28.6	5.9
Actuated g/C Ratio		0.48	0.41	0.41		0.48	0.42		0.29	0.29	0.29	0.06
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		243	1273	568		274	1293		442	446	421	98
v/s Ratio Prot		0.02	0.26			c0.04	c0.29		c0.25	0.24		0.01
v/s Ratio Perm		0.18		0.06		0.20					0.03	
v/c Ratio		0.43	0.65	0.14		0.49	0.67		0.87	0.86	0.11	0.12
Uniform Delay, d1		15.9	23.9	18.7		16.1	23.2		33.9	33.8	26.3	44.6
Progression Factor		0.84	0.96	1.34		0.81	0.88		1.00	1.00	1.00	1.00
Incremental Delay, d2		0.8	2.4	0.5		0.9	2.6		16.0	14.7	0.1	0.4
Delay (s)		14.1	25.4	25.4		13.9	22.9		49.9	48.5	26.4	45.0
Level of Service		B	C	C		B	C		D	D	C	D
Approach Delay (s)			24.4				21.7			45.2		
Approach LOS			C				C			D		
<b>Intersection Summary</b>												
HCM 2000 Control Delay			30.1				HCM 2000 Level of Service			C		
HCM 2000 Volume to Capacity ratio			0.70									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)		17.5			
Intersection Capacity Utilization			69.3%				ICU Level of Service		C			
Analysis Period (min)			15									
c Critical Lane Group												

HCM Signalized Intersection Capacity Analysis  
 3: Evergreen Rd & OR 214

2033 Total Traffic Conditions,  
 Weekday AM Peak Hour



Movement	SBT	SBR
Lane Configurations	⤴	
Traffic Volume (vph)	10	39
Future Volume (vph)	10	39
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.88	
Flt Protected	1.00	
Satd. Flow (prot)	1521	
Flt Permitted	1.00	
Satd. Flow (perm)	1521	
Peak-hour factor, PHF	0.93	0.93
Adj. Flow (vph)	11	42
RTOR Reduction (vph)	40	0
Lane Group Flow (vph)	13	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	0%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	5.9	
Effective Green, g (s)	5.9	
Actuated g/C Ratio	0.06	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	89	
v/s Ratio Prot	c0.01	
v/s Ratio Perm		
v/c Ratio	0.15	
Uniform Delay, d1	44.7	
Progression Factor	1.00	
Incremental Delay, d2	0.6	
Delay (s)	45.2	
Level of Service	D	
Approach Delay (s)	45.2	
Approach LOS	D	
<b>Intersection Summary</b>		

HCM 6th TWSC  
4: Right-In/Right-out Access & OR 214

2033 Total Traffic Conditions,  
Weekday AM Peak Hour

Intersection						
Int Delay, s/veh	0.2					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑		↑
Traffic Vol, veh/h	774	135	0	915	0	36
Future Vol, veh/h	774	135	0	915	0	36
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	0	0	0	0	0	0
Mvmt Flow	841	147	0	995	0	39

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	-	-	494
Stage 1	-	-	-	-	-
Stage 2	-	-	-	-	-
Critical Hdwy	-	-	-	-	6.9
Critical Hdwy Stg 1	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	3.3
Pot Cap-1 Maneuver	-	-	0	-	526
Stage 1	-	-	0	-	-
Stage 2	-	-	0	-	-
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	-	-	526
Mov Cap-2 Maneuver	-	-	-	-	-
Stage 1	-	-	-	-	-
Stage 2	-	-	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	12.4
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBT
Capacity (veh/h)	526	-	-	-
HCM Lane V/C Ratio	0.074	-	-	-
HCM Control Delay (s)	12.4	-	-	-
HCM Lane LOS	B	-	-	-
HCM 95th %tile Q(veh)	0.2	-	-	-

Queues  
5: Oregon Way & OR 214

2033 Total Traffic Conditions,  
Weekday AM Peak Hour



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	33	848	38	777	151	27	21	78
v/c Ratio	0.08	0.45	0.10	0.41	0.61	0.08	0.21	0.48
Control Delay	8.5	13.0	5.7	11.2	54.6	26.0	49.9	24.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	8.5	13.0	5.7	11.2	54.6	26.0	49.9	24.6
Queue Length 50th (ft)	10	157	8	144	90	7	13	8
Queue Length 95th (ft)	m11	133	15	166	#260	34	37	52
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	415	1900	390	1886	249	557	103	558
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.08	0.45	0.10	0.41	0.61	0.05	0.20	0.14

Intersection Summary

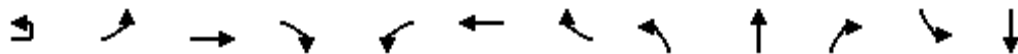
# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2033 Total Traffic Conditions,  
Weekday AM Peak Hour



Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations		↔	↕		↕	↕		↕	↕		↕	↕
Traffic Volume (vph)	22	8	743	37	35	693	22	139	13	12	19	12
Future Volume (vph)	22	8	743	37	35	693	22	139	13	12	19	12
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	0.99		1.00	0.99
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00
Frt		1.00	0.99		1.00	1.00		1.00	0.93		1.00	0.88
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00
Satd. Flow (prot)		1638	3092		1662	3069		1662	1613		1662	1515
Flt Permitted		0.31	1.00		0.28	1.00		0.95	1.00		0.95	1.00
Satd. Flow (perm)		530	3092		486	3069		1662	1613		1662	1515
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	24	9	808	40	38	753	24	151	14	13	21	13
RTOR Reduction (vph)	0	0	3	0	0	2	0	0	10	0	0	60
Lane Group Flow (vph)	0	33	845	0	38	775	0	151	17	0	21	18
Confl. Peds. (#/hr)		3		2	2		3	1		2	2	
Heavy Vehicles (%)	2%	0%	7%	0%	0%	8%	0%	0%	0%	0%	0%	0%
Turn Type	D.P+P	D.P+P	NA		D.P+P	NA		Prot	NA		Prot	NA
Protected Phases	5	5	2		1	6		3	8		7	4
Permitted Phases	6	6			2							
Actuated Green, G (s)		61.1	57.4		61.1	57.5		15.0	19.8		2.6	7.4
Effective Green, g (s)		61.1	57.4		61.1	57.5		15.0	19.8		2.6	7.4
Actuated g/C Ratio		0.61	0.57		0.61	0.58		0.15	0.20		0.03	0.07
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5
Lane Grp Cap (vph)		363	1774		340	1764		249	319		43	112
v/s Ratio Prot		0.00	c0.27		c0.00	0.25		c0.09	0.01		0.01	c0.01
v/s Ratio Perm		0.05			0.06							
v/c Ratio		0.09	0.48		0.11	0.44		0.61	0.05		0.49	0.16
Uniform Delay, d1		8.1	12.5		8.2	12.1		39.7	32.5		48.0	43.4
Progression Factor		1.59	1.13		1.00	1.00		1.00	1.00		1.00	1.00
Incremental Delay, d2		0.1	0.8		0.1	0.8		3.5	0.0		6.2	0.5
Delay (s)		12.9	14.9		8.3	12.9		43.2	32.5		54.3	43.9
Level of Service		B	B		A	B		D	C		D	D
Approach Delay (s)			14.9			12.7			41.6			46.1
Approach LOS			B			B			D			D
<b>Intersection Summary</b>												
HCM 2000 Control Delay			17.9									B
HCM 2000 Volume to Capacity ratio			0.46									
Actuated Cycle Length (s)			100.0								16.5	
Intersection Capacity Utilization			53.1%									A
Analysis Period (min)			15									

c Critical Lane Group

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	60
Future Volume (vph)	60
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	65
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	1
Heavy Vehicles (%)	0%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

Intersection						
Int Delay, s/veh	5.2					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	128	2	2	36	59	25
Future Vol, veh/h	128	2	2	36	59	25
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	0	0	0	0	0	0
Mvmt Flow	151	2	2	42	69	29

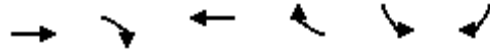
Major/Minor	Minor2	Major1		Major2	
Conflicting Flow All	130	84	98	0	0
Stage 1	84	-	-	-	-
Stage 2	46	-	-	-	-
Critical Hdwy	6.4	6.2	4.1	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-
Pot Cap-1 Maneuver	869	981	1508	-	-
Stage 1	944	-	-	-	-
Stage 2	982	-	-	-	-
Platoon blocked, %				-	-
Mov Cap-1 Maneuver	868	981	1508	-	-
Mov Cap-2 Maneuver	868	-	-	-	-
Stage 1	943	-	-	-	-
Stage 2	982	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10	0.4	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1508	-	870	-	-
HCM Lane V/C Ratio	0.002	-	0.176	-	-
HCM Control Delay (s)	7.4	0	10	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.6	-	-

Queues  
1: I-5 SB ramps & OR 214

2033 Total Traffic Conditions,  
Weekday PM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	827	471	734	750	811	312
v/c Ratio	0.42	0.33	0.49	0.52	0.85	0.44
Control Delay	12.0	0.6	20.4	2.3	41.3	13.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	12.0	0.6	20.4	2.3	41.3	13.0
Queue Length 50th (ft)	136	0	137	25	248	81
Queue Length 95th (ft)	209	0	139	46	293	132
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)		270		550	650	430
Base Capacity (vph)	1991	1426	1514	1430	1070	714
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.42	0.33	0.48	0.52	0.76	0.44
Intersection Summary						















HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

2033 Total Traffic Conditions,  
Weekday PM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	761	433	0	675	690	0	0	0	746	0	287	
Future Volume (vph)	0	761	433	0	675	690	0	0	0	746	0	287	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	1.00				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3260	1426		3260	1430				3131		1444	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3260	1426		3260	1430				3131		1444	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	0	827	471	0	734	750	0	0	0	811	0	312	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	61	
Lane Group Flow (vph)	0	827	471	0	734	750	0	0	0	811	0	251	
Confl. Peds. (#/hr)			3	3					1	1			
Confl. Bikes (#/hr)			1										
Heavy Vehicles (%)	0%	2%	2%	0%	2%	4%	0%	0%	0%	3%	0%	3%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		60.4	100.0		45.9	100.0				30.6		45.1	
Effective Green, g (s)		60.4	100.0		45.9	100.0				30.6		45.1	
Actuated g/C Ratio		0.60	1.00		0.46	1.00				0.31		0.45	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		1969	1426		1496	1430				958		651	
v/s Ratio Prot		0.25			0.23					c0.26			
v/s Ratio Perm			0.33			c0.52						0.17	
v/c Ratio		0.42	0.33		0.49	0.52				0.85		0.39	
Uniform Delay, d1		10.5	0.0		18.9	0.0				32.5		18.2	
Progression Factor		1.00	1.00		0.97	1.00				1.00		1.00	
Incremental Delay, d2		0.7	0.6		0.3	1.1				6.9		0.3	
Delay (s)		11.2	0.6		18.6	1.1				39.4		18.5	
Level of Service		B	A		B	A				D		B	
Approach Delay (s)		7.3			9.8			0.0			33.6		
Approach LOS		A			A			A			C		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			15.8									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.69										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			53.4%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

2033 Total Traffic Conditions,  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	761	433	0	675	690	0	0	0	746	0	287
Future Volume (veh/h)	0	761	433	0	675	690	0	0	0	746	0	287
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1723	1723	0	1723	1695				1709	0	1709
Adj Flow Rate, veh/h	0	827	0	0	734	0				811	0	312
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92				0.92	0.92	0.92
Percent Heavy Veh, %	0	2	2	0	2	4				3	0	3
Cap, veh/h	0	2036		0	2036					909	0	417
Arrive On Green	0.00	0.62	0.00	0.00	0.62	0.00				0.29	0.00	0.29
Sat Flow, veh/h	0	3359	1460	0	3359	1437				3158	0	1448
Grp Volume(v), veh/h	0	827	0	0	734	0				811	0	312
Grp Sat Flow(s),veh/h/ln	0	1637	1460	0	1637	1437				1579	0	1448
Q Serve(g_s), s	0.0	12.8	0.0	0.0	10.9	0.0				24.6	0.0	19.6
Cycle Q Clear(g_c), s	0.0	12.8	0.0	0.0	10.9	0.0				24.6	0.0	19.6
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2036		0	2036					909	0	417
V/C Ratio(X)	0.00	0.41		0.00	0.36					0.89	0.00	0.75
Avail Cap(c_a), veh/h	0	2036		0	2036					1058	0	485
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.77	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	9.6	0.0	0.0	9.2	0.0				34.1	0.0	32.3
Incr Delay (d2), s/veh	0.0	0.6	0.0	0.0	0.1	0.0				8.5	0.0	4.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	4.4	0.0	0.0	3.6	0.0				10.3	0.0	15.4
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	10.2	0.0	0.0	9.3	0.0				42.6	0.0	37.2
LnGrp LOS	A	B		A	A					D	A	D
Approach Vol, veh/h		827	A		734	A					1123	
Approach Delay, s/veh		10.2			9.3						41.1	
Approach LOS		B			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		66.7		33.3		66.7						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		57.5		33.5		42.5						
Max Q Clear Time (g_c+I1), s		14.8		26.6		12.9						
Green Ext Time (p_c), s		17.6		2.2		8.0						
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay				22.9								
HCM 6th LOS				C								
<b>Notes</b>												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Queues  
2: I-5 NB ramps & OR 214

2033 Total Traffic Conditions,  
Weekday PM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	1359	206	1205	503	222	363	367
v/c Ratio	0.70	0.15	0.62	0.36	0.48	0.86	0.84
Control Delay	19.0	0.2	9.9	0.5	30.3	48.2	45.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	19.0	0.2	9.9	0.5	30.3	48.2	45.7
Queue Length 50th (ft)	426	0	220	0	116	212	204
Queue Length 95th (ft)	524	m0	236	m0	175	319	304
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	1950	1403	1931	1387	565	509	526
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.70	0.15	0.62	0.36	0.39	0.71	0.70

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

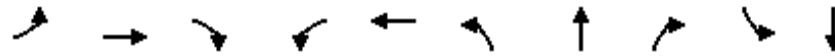
2033 Total Traffic Conditions,  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	1277	194	0	1133	473	232	0	663	0	0	0
Future Volume (vph)	0	1277	194	0	1133	473	232	0	663	0	0	0
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	1.00		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3292	1403		3260	1387	1504	1300	1346			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3292	1403		3260	1387	1504	1300	1346			
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	0	1359	206	0	1205	503	247	0	705	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	23	23	0	0	0
Lane Group Flow (vph)	0	1359	206	0	1205	503	222	340	344	0	0	0
Confl. Peds. (#/hr)	2					2						
Heavy Vehicles (%)	0%	1%	6%	0%	2%	5%	5%	0%	5%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		59.2	100.0		59.2	100.0	30.9	30.9	30.9			
Effective Green, g (s)		59.2	100.0		59.2	100.0	30.9	30.9	30.9			
Actuated g/C Ratio		0.59	1.00		0.59	1.00	0.31	0.31	0.31			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		1948	1403		1929	1387	464	401	415			
v/s Ratio Prot		c0.41			0.37							
v/s Ratio Perm			0.15			0.36	0.15	0.26	0.26			
v/c Ratio		0.70	0.15		0.62	0.36	0.48	0.85	0.83			
Uniform Delay, d1		14.2	0.0		13.2	0.0	28.0	32.4	32.1			
Progression Factor		1.09	1.00		0.61	1.00	1.00	1.00	1.00			
Incremental Delay, d2		1.7	0.2		0.7	0.5	0.6	15.1	12.6			
Delay (s)		17.1	0.2		8.7	0.5	28.6	47.4	44.7			
Level of Service		B	A		A	A	C	D	D			
Approach Delay (s)		14.9			6.3			42.0			0.0	
Approach LOS		B			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			17.5				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.75									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			76.3%				ICU Level of Service				D	
Analysis Period (min)			15									

c Critical Lane Group

Queues  
3: Evergreen Rd & OR 214

2033 Total Traffic Conditions,  
Weekday PM Peak Hour



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	129	1284	574	287	1019	352	356	253	23	117
v/c Ratio	0.58	1.20	0.70	0.91	0.78	0.86	0.86	0.44	0.18	0.64
Control Delay	24.3	127.6	11.0	62.2	27.0	55.6	55.6	6.1	46.7	35.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	24.3	127.6	11.0	62.2	27.0	55.6	55.6	6.1	46.7	35.1
Queue Length 50th (ft)	35	~517	28	~142	319	216	220	0	14	26
Queue Length 95th (ft)	m73	#657	169	m#310	m388	#355	#358	56	39	#95
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	223	1070	824	315	1307	459	464	612	132	190
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.58	1.20	0.70	0.91	0.78	0.77	0.77	0.41	0.17	0.62

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2033 Total Traffic Conditions,  
Weekday PM Peak Hour

Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	29	88	1168	522	7	254	910	17	615	29	230	21
Future Volume (vph)	29	88	1168	522	7	254	910	17	615	29	230	21
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	0.99	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1654	3197	1458		1662	3190		1533	1548	1451	1662
Flt Permitted		0.14	1.00	1.00		0.12	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		243	3197	1458		209	3190		1533	1548	1451	1662
Peak-hour factor, PHF	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91
Adj. Flow (vph)	32	97	1284	574	8	279	1000	19	676	32	253	23
RTOR Reduction (vph)	0	0	0	336	0	0	1	0	0	0	185	0
Lane Group Flow (vph)	0	129	1284	238	0	287	1018	0	352	356	68	23
Confl. Peds. (#/hr)									1		2	2
Confl. Bikes (#/hr)											1	
Heavy Vehicles (%)	2%	0%	4%	2%	2%	0%	4%	0%	3%	0%	1%	0%
Turn Type	D.P+P	D.P+P	NA	Perm	D.P+P	D.P+P	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases	6	6		2	2	2					8	
Actuated Green, G (s)		48.2	33.5	33.5		48.2	40.9		26.7	26.7	26.7	7.6
Effective Green, g (s)		48.2	33.5	33.5		48.2	40.9		26.7	26.7	26.7	7.6
Actuated g/C Ratio		0.48	0.34	0.34		0.48	0.41		0.27	0.27	0.27	0.08
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		220	1070	488		314	1304		409	413	387	126
v/s Ratio Prot		0.04	c0.40			c0.13	0.32		0.23	c0.23		0.01
v/s Ratio Perm		0.24		0.16		0.31					0.05	
v/c Ratio		0.59	1.20	0.49		0.91	0.78		0.86	0.86	0.17	0.18
Uniform Delay, d1		17.4	33.2	26.4		27.1	25.7		34.9	34.9	28.2	43.3
Progression Factor		1.15	0.98	1.69		1.26	0.84		1.00	1.00	1.00	1.00
Incremental Delay, d2		2.3	96.6	2.4		26.8	4.1		16.5	16.5	0.2	0.5
Delay (s)		22.3	129.1	47.0		61.1	25.6		51.4	51.4	28.3	43.8
Level of Service		C	F	D		E	C		D	D	C	D
Approach Delay (s)			98.4				33.4			45.3		
Approach LOS			F				C			D		
<b>Intersection Summary</b>												
HCM 2000 Control Delay			65.8				HCM 2000 Level of Service			E		
HCM 2000 Volume to Capacity ratio			0.97									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)		17.5			
Intersection Capacity Utilization			88.4%				ICU Level of Service			E		
Analysis Period (min)			15									
c Critical Lane Group												

HCM Signalized Intersection Capacity Analysis  
 3: Evergreen Rd & OR 214

2033 Total Traffic Conditions,  
 Weekday PM Peak Hour



Movement	SBT	SBR
Lane Configurations	↓	↘
Traffic Volume (vph)	36	70
Future Volume (vph)	36	70
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.90	
Flt Protected	1.00	
Satd. Flow (prot)	1521	
Flt Permitted	1.00	
Satd. Flow (perm)	1521	
Peak-hour factor, PHF	0.91	0.91
Adj. Flow (vph)	40	77
RTOR Reduction (vph)	69	0
Lane Group Flow (vph)	48	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	4%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	7.6	
Effective Green, g (s)	7.6	
Actuated g/C Ratio	0.08	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	115	
v/s Ratio Prot	c0.03	
v/s Ratio Perm		
v/c Ratio	0.41	
Uniform Delay, d1	44.1	
Progression Factor	1.00	
Incremental Delay, d2	1.8	
Delay (s)	45.8	
Level of Service	D	
Approach Delay (s)	45.5	
Approach LOS	D	
<b>Intersection Summary</b>		

HCM 6th TWSC  
4: Right-In/Right-out Access & OR 214

2033 Total Traffic Conditions,  
Weekday PM Peak Hour

Intersection						
Int Delay, s/veh	0.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑		↑
Traffic Vol, veh/h	1193	94	0	1193	0	10
Future Vol, veh/h	1193	94	0	1193	0	10
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	0	0	0	0	0	0
Mvmt Flow	1326	104	0	1326	0	11

Major/Minor	Major1	Major2	Minor1			
Conflicting Flow All	0	0	-	-	-	715
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.9
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.3
Pot Cap-1 Maneuver	-	-	0	-	0	378
Stage 1	-	-	0	-	0	-
Stage 2	-	-	0	-	0	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	-	-	-	378
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	14.8
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBT
Capacity (veh/h)	378	-	-	-
HCM Lane V/C Ratio	0.029	-	-	-
HCM Control Delay (s)	14.8	-	-	-
HCM Lane LOS	B	-	-	-
HCM 95th %tile Q(veh)	0.1	-	-	-



Queues  
5: Oregon Way & OR 214

2033 Total Traffic Conditions,  
Weekday PM Peak Hour



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	38	1228	43	1075	127	25	55	111
v/c Ratio	0.11	0.57	0.15	0.50	1.20	0.15	0.34	0.57
Control Delay	5.7	12.5	5.0	9.8	194.6	34.0	49.7	25.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	5.7	12.5	5.0	9.8	194.6	34.0	49.7	25.4
Queue Length 50th (ft)	7	138	6	165	~107	11	31	14
Queue Length 95th (ft)	m8	m134	17	262	#223	35	#85	65
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	342	2140	294	2170	106	552	164	572
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.11	0.57	0.15	0.50	1.20	0.05	0.34	0.19

Intersection Summary

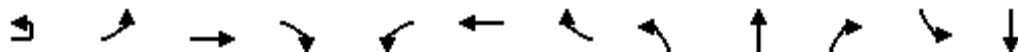
~ Volume exceeds capacity, queue is theoretically infinite.  
Queue shown is maximum after two cycles.

# 95th percentile volume exceeds capacity, queue may be longer.  
Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2033 Total Traffic Conditions,  
Weekday PM Peak Hour



Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	
Lane Configurations		↔	↕		↔	↕		↔	↕		↔	↕	
Traffic Volume (vph)	13	23	1082	85	41	976	46	121	16	8	52	22	
Future Volume (vph)	13	23	1082	85	41	976	46	121	16	8	52	22	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Frt		1.00	0.99		1.00	0.99		1.00	0.95		1.00	0.88	
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1650	3163		1662	3207		1662	1659		1662	1530	
Flt Permitted		0.22	1.00		0.17	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (perm)		374	3163		300	3207		1662	1659		1662	1530	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	
Adj. Flow (vph)	14	24	1139	89	43	1027	48	127	17	8	55	23	
RTOR Reduction (vph)	0	0	3	0	0	2	0	0	7	0	0	79	
Lane Group Flow (vph)	0	38	1225	0	43	1073	0	127	18	0	55	32	
Confl. Peds. (#/hr)		3		3	3		3			2	2		
Confl. Bikes (#/hr)				1									
Heavy Vehicles (%)	2%	0%	4%	1%	0%	3%	0%	0%	0%	0%	0%	0%	
Turn Type	D.P+P	D.P+P	NA		D.P+P	NA		Prot	NA		Prot	NA	
Protected Phases	5	5	2		1	6		3	8		7	4	
Permitted Phases	6	6			2								
Actuated Green, G (s)		67.3	63.6		67.3	63.7		6.4	7.6		8.6	9.8	
Effective Green, g (s)		67.3	63.6		67.3	63.7		6.4	7.6		8.6	9.8	
Actuated g/C Ratio		0.67	0.64		0.67	0.64		0.06	0.08		0.09	0.10	
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5	
Lane Grp Cap (vph)		297	2011		252	2042		106	126		142	149	
v/s Ratio Prot		0.00	c0.39		c0.01	0.33		c0.08	0.01		0.03	c0.02	
v/s Ratio Perm		0.08			0.11								
v/c Ratio		0.13	0.61		0.17	0.53		1.20	0.14		0.39	0.21	
Uniform Delay, d1		6.3	10.8		6.9	9.9		46.8	43.1		43.2	41.5	
Progression Factor		1.44	1.27		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2		0.0	0.1		0.2	1.0		150.1	0.4		1.3	0.5	
Delay (s)		9.1	13.8		7.1	10.9		196.9	43.5		44.5	42.1	
Level of Service		A	B		A	B		F	D		D	D	
Approach Delay (s)			13.7			10.7			171.7			42.9	
Approach LOS			B			B			F			D	
<b>Intersection Summary</b>													
HCM 2000 Control Delay			23.1									HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio			0.59										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	16.5
Intersection Capacity Utilization			58.8%									ICU Level of Service	B
Analysis Period (min)			15										
c Critical Lane Group													

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	84
Future Volume (vph)	84
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.95
Adj. Flow (vph)	88
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Heavy Vehicles (%)	1%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

Intersection						
Int Delay, s/veh	3.4					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	T			T		
Traffic Vol, veh/h	93	1	1	52	145	3
Future Vol, veh/h	93	1	1	52	145	3
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	0	0	0	0	0	0
Mvmt Flow	109	1	1	61	171	4

Major/Minor	Minor2	Major1		Major2	
Conflicting Flow All	236	173	175	0	0
Stage 1	173	-	-	-	-
Stage 2	63	-	-	-	-
Critical Hdwy	6.4	6.2	4.1	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-
Pot Cap-1 Maneuver	757	876	1414	-	-
Stage 1	862	-	-	-	-
Stage 2	965	-	-	-	-
Platoon blocked, %				-	-
Mov Cap-1 Maneuver	756	876	1414	-	-
Mov Cap-2 Maneuver	756	-	-	-	-
Stage 1	861	-	-	-	-
Stage 2	965	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.6	0.1	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1414	-	757	-	-
HCM Lane V/C Ratio	0.001	-	0.146	-	-
HCM Control Delay (s)	7.5	0	10.6	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	-	-



## TIA REVIEW COMMENTS

DATE: February 26, 2024

TO: Colin Cortes and Chris Kerr | City of Woodburn

FROM: Jenna Bogert, PE | DKS Associates

SUBJECT: US Market Gas Station (Newberg Hwy) TIA Review (CU 24-02) Project #24150-000

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### INTRODUCTION

DKS Associates has conducted a review of the transportation impact analysis (TIA) for the US Market Gas Station.<sup>1</sup> The proposed development is located at 2540 & 2600 Newberg Highway in Woodburn, Oregon, and consists of six vehicle fueling pumps (12 fueling positions, a convenience market with attached office space and another, separate office building on-site.

The purpose of this TIA review is to determine whether the submitted TIA meets the requirements of Section 3.04.05 in the Woodburn Development Ordinance and to also provide comments related to the analysis methodology and assumptions, proposed mitigations, and any suggested revisions to the TIA.

### TIA COMMENTS

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1. Traffic analyses typically use traffic counts that were collected within the last two years, but the traffic counts in this TIA were collected in 2019. It is recommended that new traffic counts be collected at the study intersections identified in the TIA and that all subsequent analysis be revised. Moreover, the lasting impacts of COVID-19 on daily commuter and travel patterns in Woodburn were not captured in the 2019 traffic counts and should be accounted for in the TIA using recently collected traffic counts or counts collected within the last two years.
2. Please update the safety review with the most recent five years of crash data available (2017 – 2021).
3. Please update the growth forecast with current ODOT Future Highway Volume Table data and use a growth rate of 0.5% per year on City streets per the Woodburn Development Ordinance Section 2.04.05.F.5.
4. Please re-analyze the future vehicle operating conditions based on the year of the proposed site's expected completion/occupancy. An analysis for a 10-year horizon is not required.

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<sup>1</sup> Woodburn US Market Transportation Impact Analysis, Transight Consulting, August 13, 2021.

5. Please update the list of Approved/In-Process Developments to the following:
  - Project Basie
  - Allison Way Apartments
  - Woodland Crossing Apartments
  - Woodburn Senior Living Apartments
  - Smith Creek Development
  - Port of Willamette
  - Schultz Farm
  - Specht Industrial Development
  - Brighton Pointe Subdivision
6. Please update the proposed development's trip generation based on rates from the most recent edition of the *ITE Trip Generation Manual*, which is the 11<sup>th</sup> Edition. Please also use the building square-footages consistent in the site plan submitted with the land use application.
7. Please include an evaluation of the access spacing for both site driveways (at OR 214 and at Oregon Way). Compare the site's access spacing to the applicable City and ODOT standards. If the site accesses do not meet the City or ODOT standards, the TIA should contain recommended alterations to the site driveways or safety improvements that would satisfy or support a deviation from the standards.



## TIA REVIEW COMMENTS

DATE: July 19, 2024

TO: Colin Cortes and Chris Kerr | City of Woodburn

FROM: Jenna Bogert, PE | DKS Associates

SUBJECT: US Market Gas Station (Newberg Hwy) TIA Review (CU 24-02) Project #24150-000

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### INTRODUCTION

In February 2024, the City of Woodburn provided the submitted transportation impact analysis (TIA)<sup>1</sup> for the proposed US Market Gas Station development located at 2540 & 2600 Newberg Highway in Woodburn, Oregon to DKS Associates and requested a review of the analysis assumptions and findings. The traffic count data used in the analysis was from 2019, making it nearly five years outdated and therefore, DKS requested that new traffic counts be collected and a new TIA be produced and included some recommended analysis assumptions (e.g., growth rates, list of in-process developments). In July 2024, the City of Woodburn received a revised TIA<sup>2</sup> (dated June 23, 2023) from the applicant, and asked DKS to conduct a review of the analysis and findings.

This memorandum provides a list of comments and clarifications from DKS related to the analysis assumptions, proposed mitigations, and any suggested revisions to the TIA.

### TIA COMMENTS

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1. It is unclear where the pass-by rates of 76% for weekday AM and 75% for weekday PM for the gas station with convenience store come from? The ITE Trip Generation Handbook (3<sup>rd</sup> Edition) reports an average pass-by reduction of 62% for the AM peak period and 56% for the PM peak period for Gas Station with Convenience Store (945). DKS requests that the traffic engineer provide justification for the higher pass-by rates.
2. All other analysis assumptions appear to be reasonable and consistent with the City's code.

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<sup>1</sup> Woodburn US Market Transportation Impact Analysis, Transight Consulting, August 13, 2021.

<sup>2</sup> Woodburn US Market Transportation Impact Analysis, Transight Consulting, June 23, 2023.

Date:	June 23, 2023
To:	Casey Knecht, PE, ODOT Region 2 Dago Garcia, City of Woodburn
From:	Joe Bessman, PE
Project Reference No.:	1584
Project Name:	Woodburn US Market Transportation Impact Analysis



This memorandum provides a formal Transportation Impact Analysis (TIA) for the proposed fuel center and convenience market in Woodburn, Oregon, along with limited office space. A TIA was previously prepared for this project on August 13, 2021. This updated report and analysis is based on a new site plan with modified access in response to the feedback during the project hearings process and subsequent discussions with ODOT staff related to safety concerns along the Newberg Highway.

The site is located along the Newberg Highway (OR 214) on the southwest quadrant of the Oregon Way intersection as shown in Figure 1. The site of the proposed project previously had two drive-in banks. These were recently demolished, and will be replaced with a 4,110 square-foot convenience market with 1,863 square-feet of attached office space, a 12-position fueling station, and a 5,000 square-foot office building. Figure 2 illustrates the previous site layout with the banks that have since been demolished and Figure 3 shows the proposed site layout.



Figure 1. Site Vicinity Map. Source: Marion County Land Use Planning & Zoning GIS



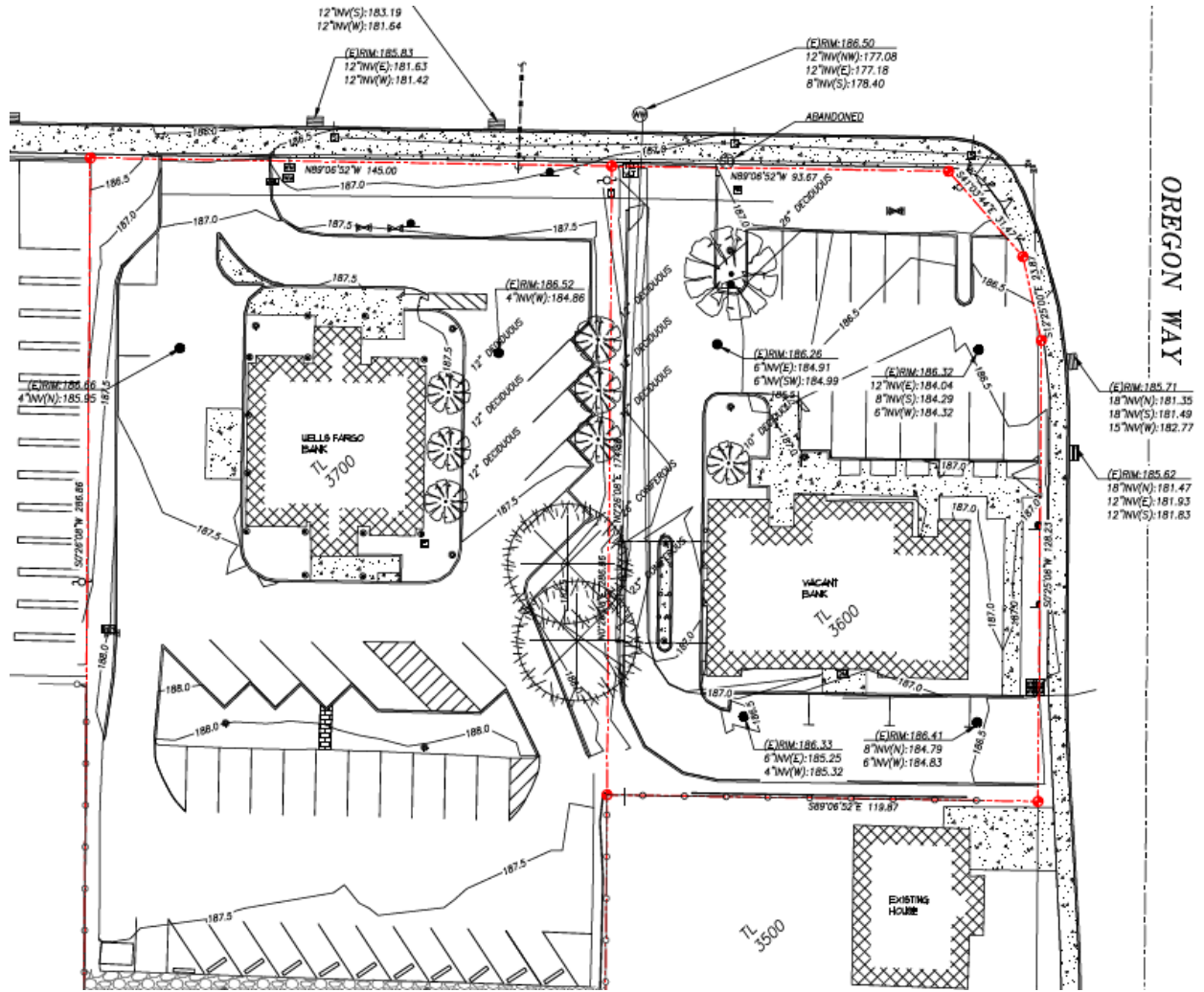


Figure 2. Existing site layout (banks shown have been demolished).

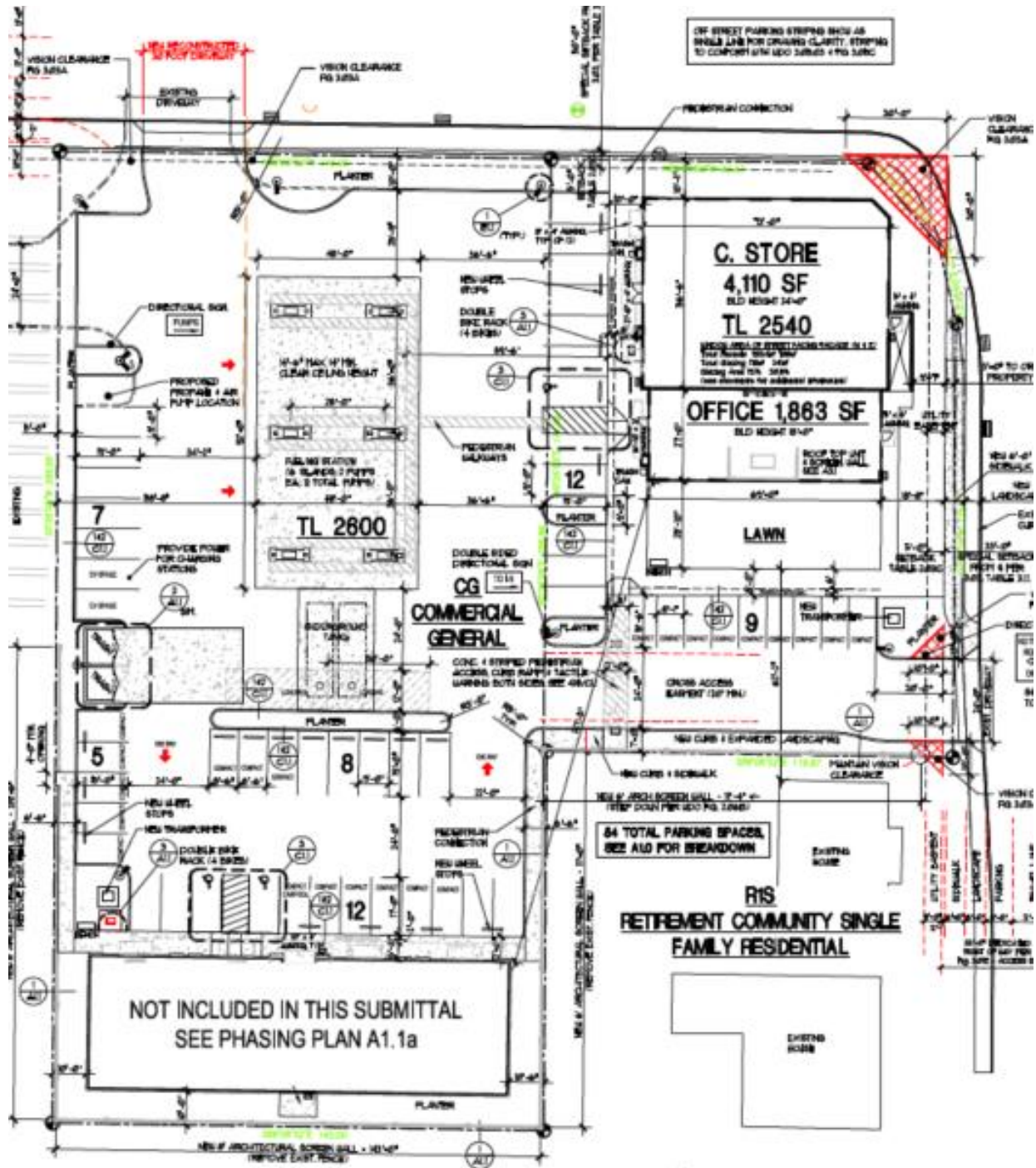


Figure 3. Proposed Site Plan.

## WOODBURN INTERCHANGE AREA MANAGEMENT PLAN AND COORDINATION

The location of the site is just beyond the Woodburn Interchange Area Management Plan (IAMP) Overlay area that was adopted in November 2005, as shown in Figure 4. This plan identified various improvements that would function acceptably through the year 2020 if surrounding development was limited to an allocated trip rate. This plan allocated 33 weekday p.m. peak hour trips per commercial acre, allowing parcels within the boundary to exceed this allocation in accordance with Section 2.116.06(B) and subjecting future site plan applications to joint City and ODOT review. Since this plan was premised on build-out of properties that were undeveloped at the time, the developed status of the site with the banks excluded it from further review, and the parcel was not located within the IAMP boundary. As such, the trip budget requirements do not apply to the subject application, but other provisions of the ordinance are applicable as the site is within the Interchange Management Area Overlay District (see Figure 5).

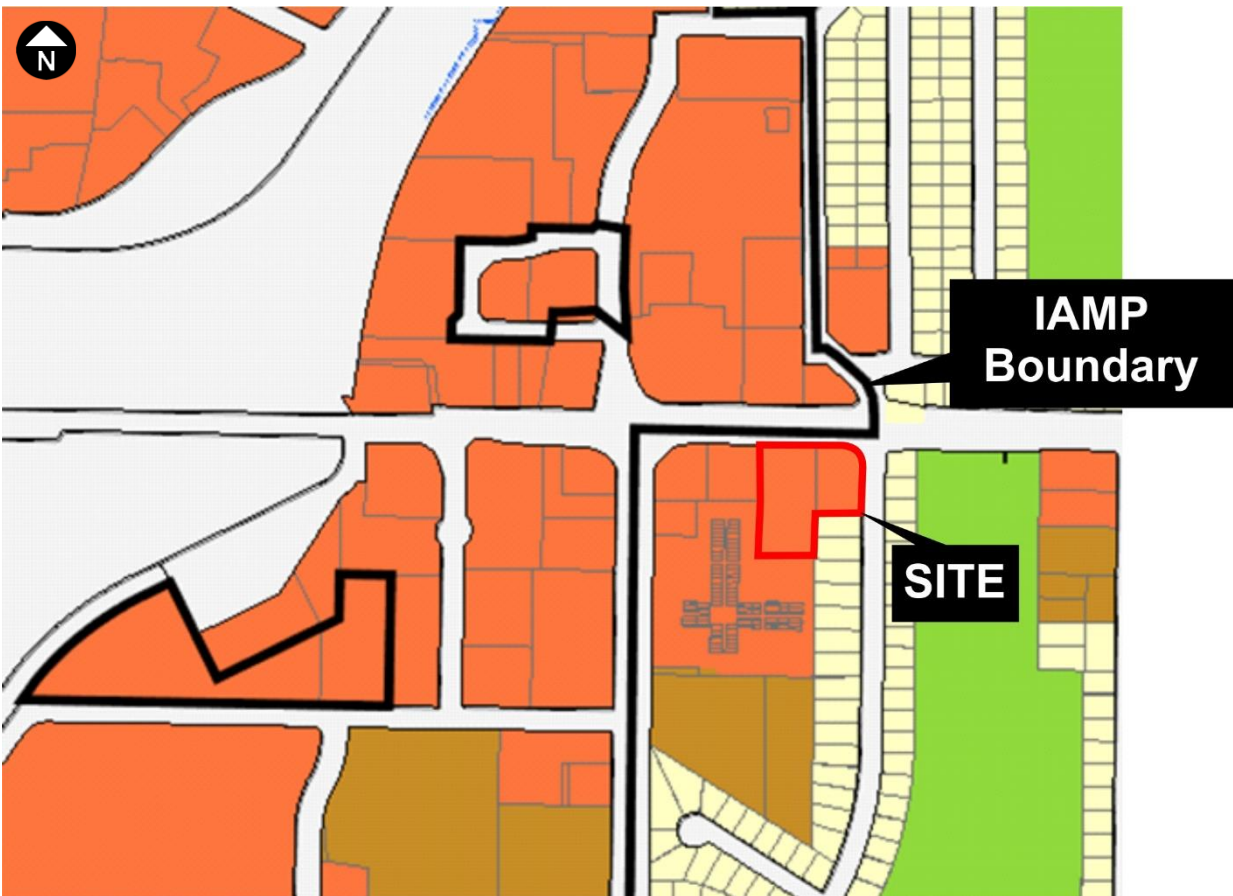


Figure 4. Woodburn Interchange Area Management Plan Overlay (shown as a Bold Black line).

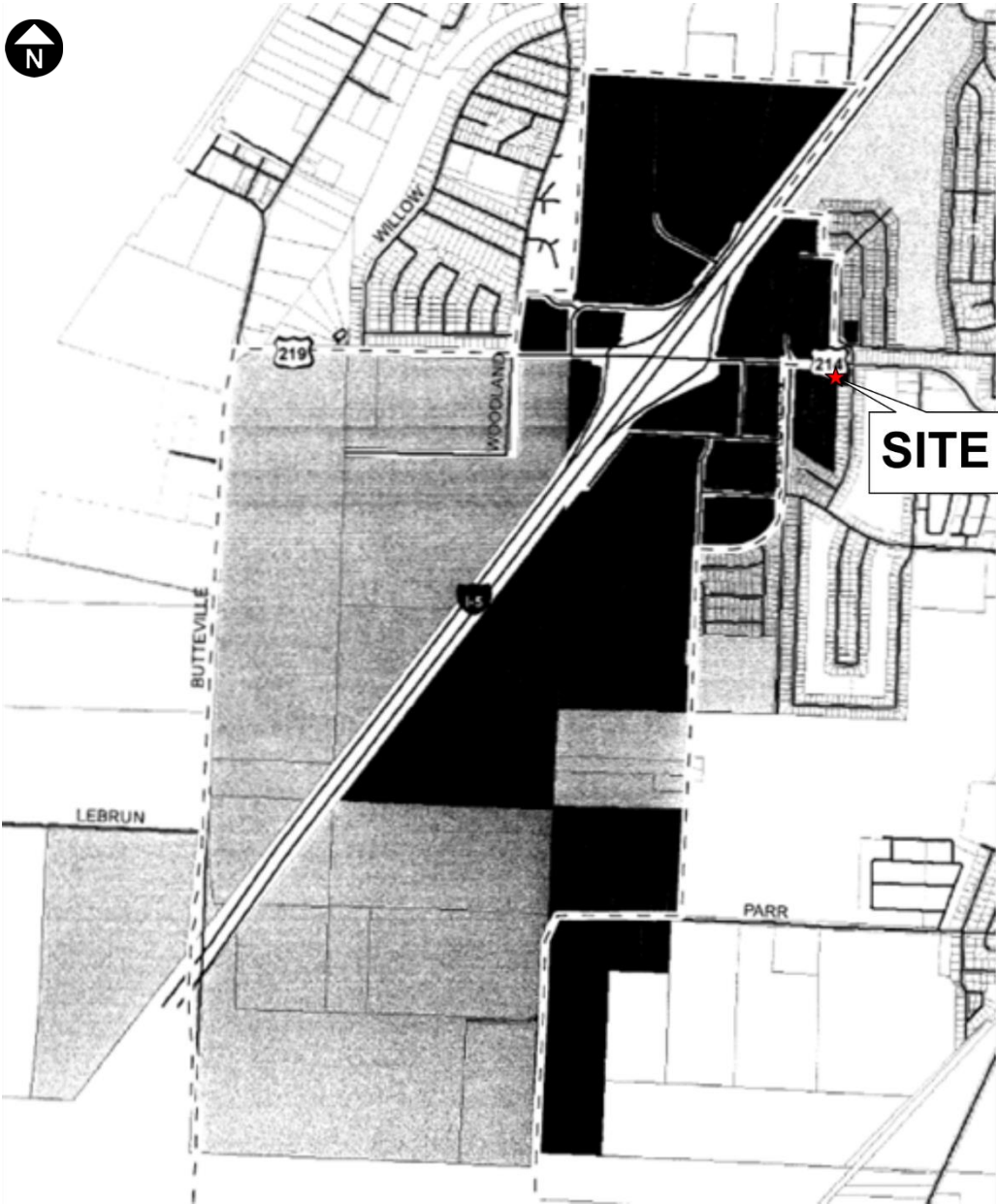


Figure 5. Interchange Management Area Overlay District.

### AREA CONTEXT

The subject property is zoned for Commercial General (CG) uses, similar to other surrounding properties in the area that surround the interchange. The zoning transitions into *Retirement Community Single Family Residential* (R1S) immediately south, with *Medium Density Residential* (RM) farther south within the block.

The proposed site is located along a city street, Oregon Way, with primary access shown along the southernmost portion of the parcel and along the lowest-classified adjacent street (“Access Street”) at an existing curb cut. Oregon Way contains a 25 mile per hour posted speed, and the location of the access maximizes the available spacing from the traffic signal. Access is also currently available onto the Newberg Highway at a right-in, right-out connection that is enforced with a raised concrete median between the

eastbound and westbound travel lanes. The existing right-in, right-out curb cut is located nearly midway between the Evergreen Road and Oregon Way intersection.

Land uses immediately south of the project site transition into residential, with the “Panor 360 Condo” units and single-family homes. A Dutch Brothers coffee shop and Dairy Queen drive-through fast-food restaurant are located on the same block face to the west of the proposed project.

The City’s recently adopted Transportation System Plan (TSP) identifies a planned project at the OR 214/Oregon Way intersection to improve the signal timing and coordination in collaboration with ODOT (TSP Project R11). As further discussed in this report, recent signal timing changes have been implemented in response to the crash rates. The site also borders the Woodburn City Transit Loop, with a bus stop located along the Oregon Way frontage.

## EXISTING TRAFFIC CONDITIONS

### Existing Transportation Facilities

The proposed redevelopment will retain the full access on Oregon Way and modify the existing right-in, right-out access onto the Newberg Highway to a right-in only access. Table 1 summarizes the existing area roadways included in this study and the pertinent characteristics and the major adjacent roadway facilities are described below.

**Table 1. Existing Transportation Facilities**

Roadway	Jurisdiction	Functional Classification	Cross Section	Speed	Shoulder /Bicycle Lanes	Sidewalk	On-Street Parking
I-5 Ramps	ODOT	Freeway Ramps	1-3 lanes	20-45 mph	Paved shoulder	No	No
Newberg Highway (OR 214)	ODOT	District Highway/ Major Arterial	4 lanes	30 mph	Yes	Yes	No
Evergreen Road	City of Woodburn	Minor Arterial	2-3 lanes	25 mph	Partial	Partial	No
Oregon Way	City of Woodburn	Access Street	2 lanes	25 mph	No	Partial	Yes

Interstate 5 connects the City of Woodburn south to Salem and north to Portland and the surrounding suburbs. It carries approximately 97,800 vehicles per day within the vicinity of the interchange. At the interchange with the Newberg Highway the ramps form a partial cloverleaf with both ramp terminals controlled by traffic signals. The ramps are a single lane in width that widen to three lanes on the off ramps to accommodate additional turn lanes. Advisory speeds range from 20 mph in the cloverleaf to 45 mph on the northbound off-ramp.

The Newberg Highway (OR 214) provides a major east-west route through the City connecting I-5 and Highway 99E and is also identified as a Truck Route in the City's TSP. ODOT classifies the highway as a *District Highway* while the City's TSP classifies it as a *Major Arterial*. Within the study area it is a four-lane divided highway. It widens to six lanes over I-5 to accommodate right-turn lanes for the on-ramps and narrows to a three-lane section east of the study area. Bicycle lanes and sidewalks are provided throughout with a posted speed of 30 miles per hour.

Evergreen Road, a *Minor Arterial*, is oriented north-south and connects to multiple residential areas to the south providing a connection between these areas and the commercial areas near the Newberg Highway. The City's TSP shows a future plan to extend Evergreen Road to the south to Parr Road, which will eventually connect to a future *Major Arterial* on the south side of the City. Evergreen Road generally has a three-lane cross-section with a small segment of two-lane between Stacy Allison Way and W Hayes Street. Sidewalks are nearly complete on both sides of the road with the exception of the east side between Stacy Allison Way and W Hayes Street. Bicycle lanes are provided south of W Hayes Street. The posted speed is 25 miles per hour.

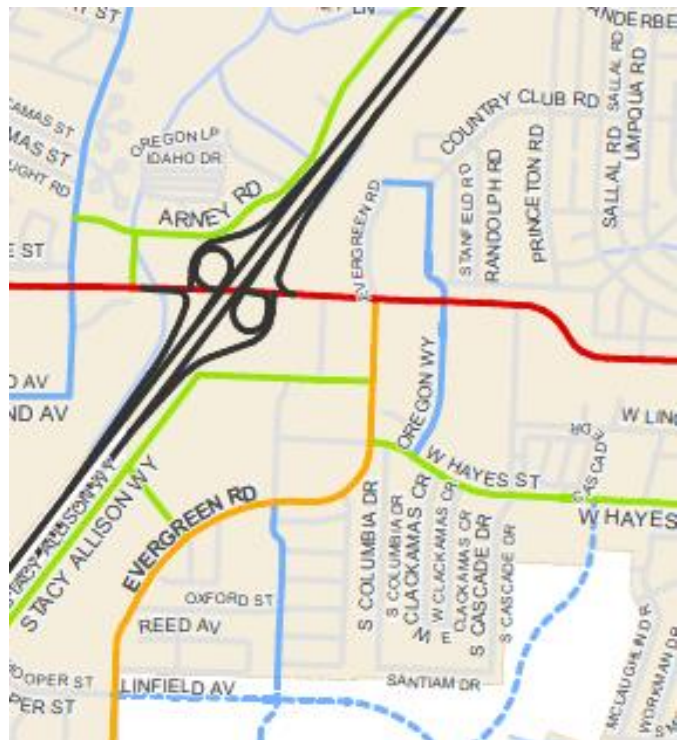


Figure 6. Functional Classification Map.  
 Black: Freeway. Red: Major Arterial. Orange: Minor Arterial.  
 Green: Service Collector. Blue: Access Street.

Oregon Way is an approximately 1,400-foot long roadway connecting to the Newberg Highway to the north and W Hayes Street to the south. It is classified as an *Access Street* and has a posted speed of 25 miles per hour. Oregon Way has a two-lane cross-section with sidewalks for the first 275 feet from the Newberg Highway. The remaining length does not have any separate pedestrian or bicyclist facilities. On-street parking is permitted throughout most of Oregon Way with the exception of near the signalized intersection with the Newberg Highway.

### Transit Service

The City of Woodburn is in the process of developing their Transit Development Plan that was scheduled to be completed by the end of May 2023. They currently have both a fixed route bus and express loop services. Both services operate with hourly headways Monday through Friday from 8:00 a.m. to 6:00 p.m.

On Saturdays they operate from 9:00 a.m. to 5:00 p.m. and on Sundays they operate from 9:00 a.m. to 3:00 p.m. There is no fee to ride the buses.

The express bus route starts at the Downtown Transit Center and heads clockwise through the City to Walmart, the Wo Memorial Transit Center, then east on the Newberg Highway to BiMart, then south on Highway 99E to circle back around to the Downtown Transit Center. At this point it changes direction to a counterclockwise loop and heads back to Highway 99E, making a stop at the Goodwill and Safeway, and then heading west on the Newberg Highway to the Mid Valley Plaza, and then it circles to the Wo Memorial Transit Center, Walmart, and back down to the Downtown Transit Center.

The fixed route starts at the Downtown Transit Center and heads south to Settlemier Avenue and Parr Road. It has stops on Garfield Street and Settlemier Avenue at Lincoln Street before heading north to Country Club and Astor Way. It then circulates to the Wo Memorial Transit Center before heading over I-5 to the Outlet Stores. After serving the residential area to the west of the outlets, the bus returns over I-5 and stops at the Walmart, then continues on to Nueva Amanecer on the Newberg Highway and BiMart. It then returns to the Downtown Transit Center via Highway 99E and Lincoln Street. At this point the bus heads out on Young Street to Hwy 99E and goes north to serve the Goodwill and Mid Valley Plaza. It turns west on the Newberg Highway and continues to Meridian Drive and 5<sup>th</sup> Street, before turning south to serve the post office and return to the Downtown Transit Center.

Dial-A-Ride is also an option for people with disabilities and the elderly within the City of Woodburn who are not able to use the fixed route bus.

The closest stop to the site is served by the fixed bus route and is located on the east side of Oregon Way across from the site. At the stop there is a posted sign adjacent to the sidewalk and nearby street lighting. There are no extra amenities.

Figure 7 depicts the Express Loop route. A map for the fixed bus route is not available online.

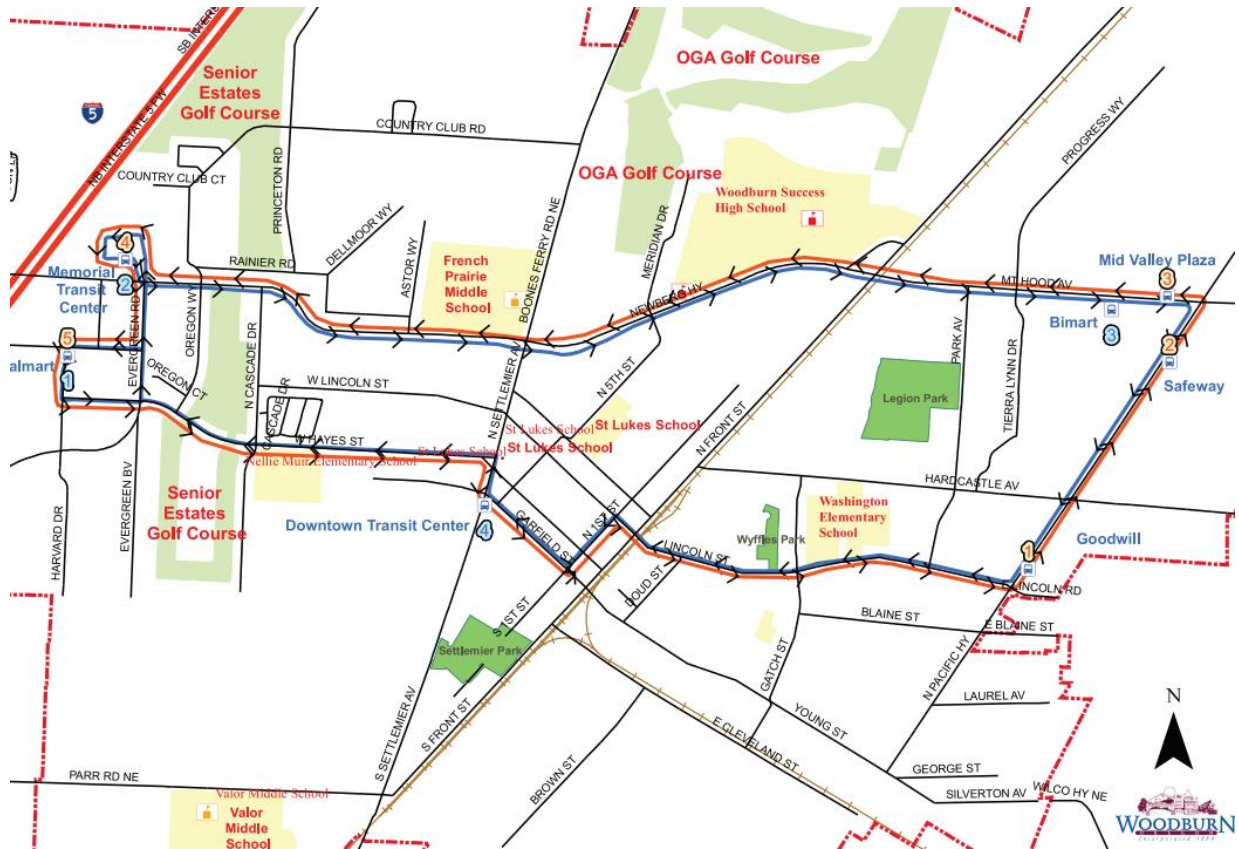


Figure 7. Woodburn Transit System – Express Loop.

## STUDY INTERSECTIONS

Study intersections within the analysis were identified based on discussions with ODOT and City staff. This coordination and review of the site impacts resulted in the inclusion of the following study intersections:

- I-5 Southbound Ramps / Newberg Highway (OR 214)
- I-5 Northbound Ramps / Newberg Highway (OR 214)
- Evergreen Road / Newberg Highway (OR 214)
- Right-In Only Access / Newberg Highway (OR 214)
- Oregon Way / Newberg Highway (OR 214)
- Oregon Way / Full Access



## TRAFFIC OPERATIONS

The traffic operations analysis was prepared using Synchro 10 software and Highway Capacity Manual 6<sup>th</sup> Edition and 2000 operations methods. All traffic operations within this report reflect peak fifteen-minute conditions during the peak hour. The study intersections are under the jurisdiction of ODOT and the City of Woodburn.

All of the study intersections along the Newberg Highway are under the jurisdiction of ODOT. Intersections under ODOT jurisdiction require compliance with the Oregon Highway Plan mobility targets based on Action 1F. Table 6 of the OHP summarizes the relevant ODOT mobility targets outside the Portland Metropolitan area; ODOT performance standards vary by location of the facility (urban vs. rural), State Functional Classification, and posted speed. Based on this table, intersections on the Newberg Highway have a target v/c ratio less than or equal to 0.95 in the City of Woodburn. Where there are interchange ramps, the maximum v/c ratio is 0.85. This can be increased to 0.90 in urban areas if it can be determined that 95<sup>th</sup> percentile queues would not extend onto the mainline and an adopted Interchange Area Management Plan is in place.

The City of Woodburn has the following operational requirements:

- For a signalized and all-way stop-control intersection, the minimum LOS shall be either "E" or if pre-development already operating at lower LOS, then at no lower LOS.
- For a signalized intersection, the minimum V/C ratio shall be either less than 1.00 regardless of LOS or if pre-development already operating at 1.00 or higher V/C, then at no higher V/C.
- For an unsignalized intersection, the minimum V/C shall be 0.95 or lower for minimum the major movement through the intersection, or, if pre-development already operating at higher V/C, then at no higher V/C.

## EXISTING TRAFFIC OPERATIONS

The existing year 2023 traffic conditions reflect the current operations throughout the study area during the weekday a.m. and p.m. peak hour. This analysis is used to calibrate operational models to field conditions, and in conjunction with historical safety information, is intended to help understand and prioritize transportation system improvement needs.

All of the study intersections were assessed during the weekday a.m. and p.m. peak periods which is when traffic volumes are highest on the arterial roadways. Traffic counts were previously collected for this project on June 30<sup>th</sup> of 2021 during the weekday morning (7:00 – 9:00 a.m.) and evening (4:00 – 6:00 p.m.) peak periods. These time periods reflect typical midweek commute period conditions during near-peak season conditions. Within the commute periods the weekday morning peak hour (the single hour with the highest total entering volume) was found to occur between 7:10 and 8:10 a.m. and the weekday p.m. peak hour was found to occur between 4:00 and 5:00 p.m.

More recent counts were collected on April 4, 2023 at the Evergreen Road/Newberg Highway and Oregon Way/Newberg Highway intersections during the weekday a.m. and p.m. peak periods. The weekday a.m. peak hour counts showed significant growth on the Newberg Highway of over 25-percent between the two-year period between 2021 and 2023. Conversely, the weekday p.m. counts showed minimal growth of 1- to 3-percent between 2021 and 2023. Based on review of the travel patterns and times it appears that this is primarily associated with the schools to the east (that were closed for the summer in the June

2021 traffic counts) and construction of the Amazon facility to the west. School and construction impacts typically have a lesser impact during the evening commute period, as reflected within the counts.

To account for seasonal variations at the study intersections on the Newberg Highway, ODOT's Automatic Traffic Recorders at Station 03-011 (located on I-5, 1.38 miles south of Wilsonville-Hubbard Highway) and Station 24-001 (located on Highway 99E, 0.11 miles south of NE Belle Passi Road) were reviewed for the five-year period between 2015 and 2019 (data from 2020 and 2021 were not used due the impact of COVID-19). It showed that June traffic counts should be increased by 1% to reflect peak August conditions on I-5 and peak July conditions on Highway 99E. April traffic counts should be increased by 9% to reflect peak conditions.

In addition, the data collected on I-5 between 2019 and 2021 was reviewed to identify the impact of COVID-19 on the 2021 traffic patterns. The published report, *Observed Statewide Traffic Volume Patterns: Related to COVID-19 Monitoring* dated July 9, 2021 reports the average weekday traffic volume on I-5 for the week of June 28<sup>th</sup> to July 4<sup>th</sup> to have increased 13% over 2020 volumes and is greater than 2019 traffic volumes. Traffic volumes on I-5 did not appear to have been impacted by COVID-19 during the collection of the 2021 traffic counts. Therefore, no adjustment was made to the traffic counts for COVID-19 impacts.

The year 2021 traffic counts at the I-5 interchange ramps require a growth adjustment to reflect current year 2023 traffic volumes. As will be discussed under the *Growth Forecasts* section under *Year 2025 Background Traffic Conditions*, ODOT forecasts future year volumes on their facilities throughout the state. Based on a travel demand model for the City, ODOT's Future Volumes Table shows that traffic volumes on Newberg Highway around I-5 are expected to grow on average 0.3- to 0.4-percent per year. For simplicity, a 1-percent growth adjustment was applied to the 2021 traffic counts to estimate 2023 volumes. This is consistent with the growth observed during the p.m. counts, but underestimates the growth during the a.m. period. The impact of this short-term growth is captured by increasing the volumes at the I-5 ramp intersections to balance with the higher counts at Evergreen Road and Oregon Way.

Table 2 summarizes the adjustments applied to each traffic count. Once these adjustments were made, volumes were balanced at adjacent intersections as appropriate. Note that there are several private driveways along the corridor that are not included within the analysis. The resulting turning movement counts from the weekday a.m. and p.m. peak hours are summarized and shown in Figure 8 and applied throughout all analysis scenarios.

**Table 2. Intersection Turning Movement Count Adjustments**

Intersection	Turning Movement Count Date	Seasonal Adjustment Factor	Growth Adjustment
1: I-5 SB Ramps/ Newberg Hwy	6/30/2021	1.01	1.01
2: I-5 NB Ramps/ Newberg Hwy	6/30/2021	1.01	1.01
3: Evergreen Rd/ Newberg Hwy	4/4/2023	1.09	1.00
4: RI Access/ Newberg Hwy			
5: Oregon Way/ Newberg Hwy	4/4/2023	1.09	1.00
6: Oregon Way/ Access			

A summary of the existing conditions analysis is presented in Table 3. As shown in the table, all study intersections currently meet the applicable operational standards.

**Table 3. Summary of Existing Traffic Conditions**

Intersection	Jurisdiction	Performance Standard	Critical Movement	Weekday AM Peak Hour			Weekday PM Peak Hour		
				LOS	Delay (sec)	v/c Ratio	LOS	Delay (sec)	v/c Ratio
1: I-5 SB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	14.2	0.46	B	18.4	0.52
2: I-5 NB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	11.8	0.50	B	13.1	0.49
3: Evergreen Rd/ Newberg Hwy	ODOT	$v/c \leq 0.95$		C	29.2	0.61	C	30.5	0.75
4: RI Access/ Newberg Hwy	ODOT	$v/c \leq 0.95$							
5: Oregon Way/ Newberg Hwy	ODOT	$v/c \leq 0.95$		A	8.0	0.43	B	15.6	0.53
6: Oregon Way/ Access	City of Woodburn	$v/c \leq 0.95$	EB LR						

## SAFETY REVIEW

The safety review included field review of the area, review of historical crash data, and field verification of intersection sight distance at the accesses to the Newberg Highway and Oregon Way.

### Historical Crash Records

As part of the 2021 TIA for this property, crash records were previously obtained for all of Marion County from the ODOT crash database between January 2015 and December 2019, which reflected the most recent five-years of data available. Crashes required for reporting during this period included those involving any level of personal injury or property damage exceeding \$1,500 before 2018 or \$2,500 after 2018. As ODOT comments requested the continued use of these years of data, Table 4 summarizes the number and severity of reported crashes at each of the study area intersections for this time period. The table also provides a crash rate per million entering vehicles, which is often used to assess whether a geometric or traffic control deficiency is present when the crash rate is greater than 1.0 per million entering vehicles. ODOT also provides crash rates separated by control type and the number of approaches, which better distinguish between varying intersection forms and are provided for reference.

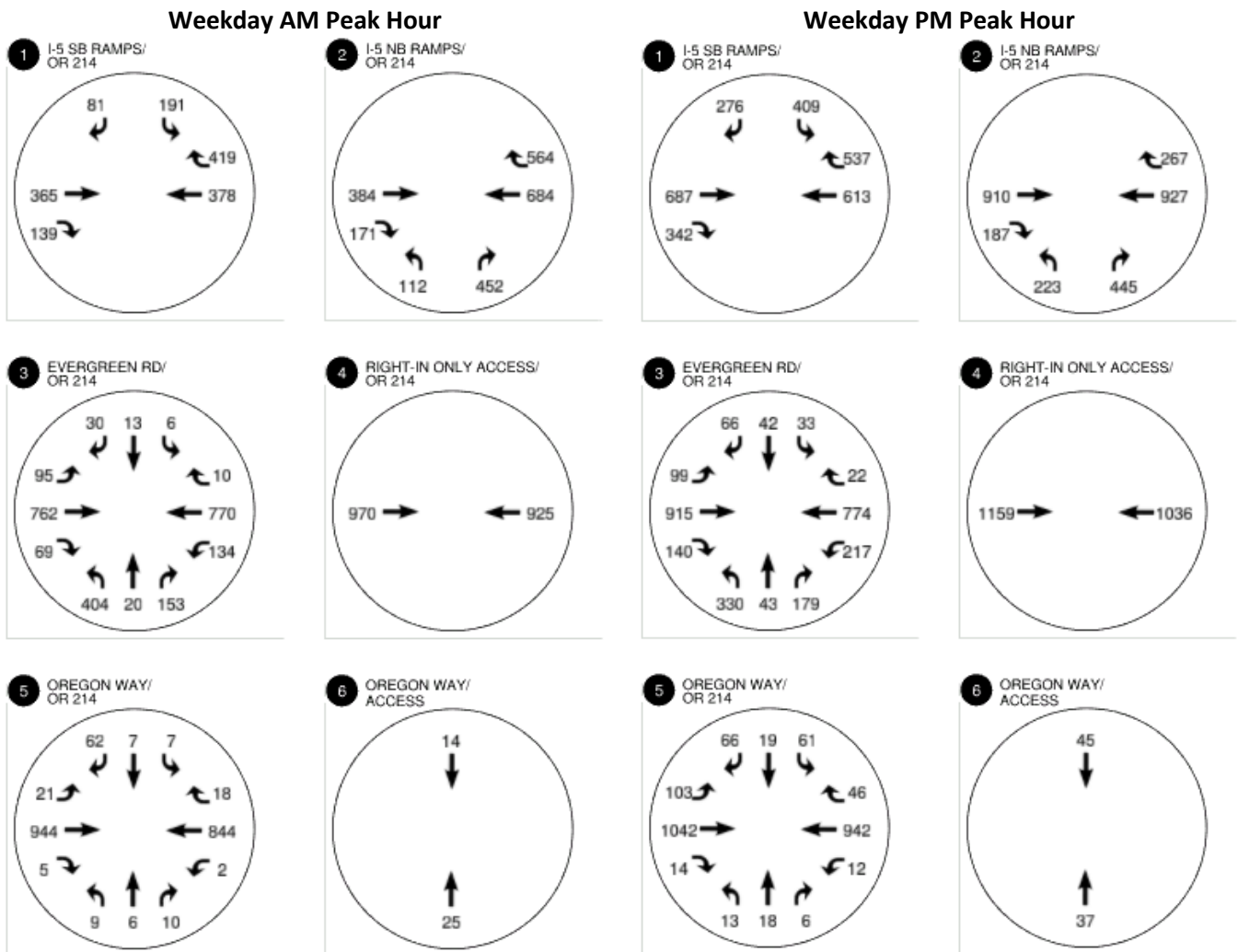


Figure 8. 2023 Existing (Seasonally Adjusted) Traffic Volumes, Weekday AM and PM Peak Hour.

**Table 4. Intersection Crash Summary (January 2015 to December 2019)***(Note that 2020 crash data is available but is impacted by COVID trends)*

Intersection	# of Crashes	Severity			Crash Rate per MEV	ODOT 90 <sup>th</sup> % Rate
		Fatal	Injury	Non-Injury		
1: I-5 SB Ramps/ Newberg Hwy	48	0	35	13	0.93	3SG: 0.509 Urban
2: I-5 NB Ramps/ Newberg Hwy	48	0	27	21	0.90	3SG: 0.509 Urban
3: Evergreen Rd/ Newberg Hwy	67	0	39	28	1.36	4SG: 0.860 Urban
4: RI Access/ Newberg Hwy	1	0	0	1	0.05	Right-In/ Right-Out
5: Oregon Way/ Newberg Hwy	43	0	30	13	1.08	4SG: 0.860 Urban
6: Oregon Way/ Access	0	0	0	0	0.00	3ST: 0.293 Urban

3SG: Three-legged signalized, 4SG: Four-legged signalized, 3ST: Three-legged stop-controlled

As shown in Table 4, all of the signalized intersections on the Newberg Highway within the study area experienced a crash rate greater than ODOT's 90<sup>th</sup> percentile crash rates for similar intersections. Table 5 summarizes the types of collisions that occurred at the study intersections during this time period.

**Table 5. Reported Collision Types (January 2015 through December 2019)**

Intersection	Turning/ Angle	Rear-End	Fixed Object	Head-On	Pedestrian	Side- swipe	Non- Collision	Backing
1: I-5 SB Ramps/ Newberg Hwy	6	36	1	1	0	3	1	0
2: I-5 NB Ramps/ Newberg Hwy	26	17	4	0	0	0	0	1
3: Evergreen Rd/ Newberg Hwy	49	15	1	0	0	1	1	0
4: RI Access/ Newberg Hwy	0	1	0	0	0	0	0	0
5: Oregon Way/ Newberg Hwy	39	4	0	0	0	0	0	0
6: Oregon Way/ Access	0	0	0	0	0	0	0	0

Although not requested by ODOT, additional review of the most recent five years of data available to include 2020 and 2021 was also conducted at the signalized intersections. Although years 2020 and 2021 were impacted by the effects of the COVID-19 pandemic and the resulting changes in traffic volumes, it still can provide useful information. Table 6 shows how the number of crashes for the five most recent years of data (2017 – 2021) compared to years 2015 to 2019. This more recent data shows that the crash trends have continued, and in some locations crashes have increased in frequency.

**Table 6. Intersection Crash Summary (January 2017 to December 2021)**

Intersection	# of Crashes (2015 thru 2019)	# of Crashes (2017 thru 2021)	Severity			Crash Rate per MEV	ODOT 90 <sup>th</sup> % Rate
			Fatal	Injury	Non- Injury		
I-5 SB Ramps/ OR 214	48	60	0	43	17	1.18	3SG: 0.509 <i>Urban</i>
I-5 NB Ramps/ OR 214	48	43	0	20	23	0.81	3SG: 0.509 <i>Urban</i>
Evergreen Rd/ OR 214	67	71	0	47	24	1.44	4SG: 0.860 <i>Urban</i>
Oregon Way/ OR 214	43	55	0	37	18	1.38	4SG: 0.860 <i>Urban</i>

3SG: Three-legged signalized, 4SG: Four-legged signalized, 3ST: Three-legged stop-controlled

Further discussion of each of the high crash intersections is included below.

#### I-5 Southbound Ramps / Newberg Highway (OR 214)

The I-5 southbound ramps at the Newberg Highway experienced 48 crashes between 2015 and 2019. This increased to 60 crashes over the most recent five-year study period. The number of crashes in both study periods result in a crash rate greater than ODOT's 90<sup>th</sup> percentile rate for similar, signalized intersections. The majority of the crashes were rear-end collisions that occurred consistently across each year with the exception of 2016. Most of these occurred on the southbound off-ramp.

#### I-5 Northbound Ramps / Newberg Highway (OR 214)

Forty-eight crashes were reported at the I-5 northbound ramp/Newberg Highway intersection between 2015 and 2019. This number reduced slightly to 43 crashes that were reported during the 2017 to 2021 timeframe. The total number of crashes from both time periods resulted in crash rates above ODOT's 90<sup>th</sup> percentile rate for similar intersections. This intersection experienced a mix of turning, rear-end, fixed object, and backing collisions with turning collisions being the predominant crash type.

#### Evergreen Road / Newberg Highway (OR 214)

Between years 2015 and 2019, 67 crashes were reported at this intersection resulting in a crash rate of 1.36. Similarly, between the years 2017 and 2021, 71 crashes were recorded at this intersection resulting in a crash rate of 1.44. Both crash rates exceed ODOT's 90<sup>th</sup> percentile crash rate.

It should be noted that intersection control at the OR 214/Evergreen Avenue intersection was recently changed from protected and permissive signal phasing (flashing yellow arrow) in the east-west direction to protected left-turns only. This is a common mitigation for addressing high levels of turning crashes, particularly in congested areas where drivers may make overly aggressive maneuvers. The crash data presented in this report lags the current modification, and reflects conditions with the prior protected-permissive signal timing on the Newberg Highway (OR 214). U-turns are permitted in both the eastbound and westbound directions on the highway at this intersection. The cross-section of the Newberg Highway (OR 214) is four lanes with a paved median, providing adequate space for these maneuvers.

The updated crash data (2017 to 2021) was initially reviewed to assess patterns within the overall crash characteristics. This crash review identified the following:

- Turning movement crashes comprised the majority of the reported collisions at the intersection (41 of 71). Rear-end crashes, which are typically most common at signalized intersections were 17 of the 71 crashes, followed by angle collisions (6 of 71), sideswipe (5 of 71), and fixed-object (2 of 71).
- The crash records show that the 71 crashes resulted in 3 serious injuries, 13 minor injuries, 78 possible injuries, and 92 additional persons with no reported injuries.
- Review of weather conditions show that 69 of the crashes occurred in clear (48), rainy (11), or cloudy (10) conditions. Weather conditions in two collisions were not reported. Snow, ice, and fog was not a factor in any crashes.
- Overall crashes have experienced a decreasing trend since peaking in 2018 and 2019. It is unclear if the reduction in 2020 and 2021 has been related to reduced motorists travel behavior due to COVID measures, but crashes during these years remained elevated.
- No specific crash trends were identified based on month, day of week, or hourly data.
- Drug and alcohol impairments were not cited within any of the reported crashes; several crashes report that no test was administered (15), others were self-reported and have no information (23).
- Most involved drivers (85 of 101 reporting) lived within 25 miles of the intersection and presumably have some familiarity with the area.
- The top crash cause was failure to yield Right of Way at the signalized intersection, with most of these collisions further reporting that the driver turned in front of an oncoming vehicle.

Based on these crash characteristics, further review was conducted to identify whether specific turning movements or crash types were over-represented within the dataset. Crash diagrams were prepared for each of the collisions to assess the approaching directions and maneuvers of each involved vehicle. This review identified the following:

- Nearly all the turning crashes occurred in the east-west directions, where permissive and protected (flashing yellow arrow) left-turn signal phasing was provided.
- Crashes along the north-south approaches, which provide protected-only (green arrow) signal phasing, were much less common.

Based on these trends, additional analysis was conducted of the turning movement crashes in isolation. This review showed that of the 41 reported crashes there were 3 crashes involving U-turns and 32 turning crashes involving east-west turning vehicles. About three-quarters of the turning collisions on the highway occurred with an eastbound left-turning motorist failing to yield to a westbound through motorist. These crashes were generally occurring in daylight hours and occurred in general proportion with the traffic volume profiles throughout the day. With the revised signal phasing to protected-only left-turns on the highway, the number of turning collisions is expected to be reduced.

#### Oregon Way / Newberg Highway (OR 214)

Forty-three crashes were reported at this intersection between the years of 2015 and 2019, which resulted in 30 injury crashes and 13 non-injury crashes. This resulted in a crash rate of 1.08, which is greater than ODOT's 90<sup>th</sup> percentile crash rate. The majority of crashes, 34, were reported as turning collisions. Seventeen of these crashes involved westbound left-turning vehicles and eastbound through while 13 involved eastbound left-turning vehicles and westbound through.

Similar to the OR 214/Evergreen Road intersection, the signal phasing at this intersection was recently changed from protected-permissive to protected only left-turn phasing on the highway. The crash data is

reflective of the former protected-permissive left-turn phasing. North-south traffic has protected only (green arrow) signal phasing and U-turns are permitted on the highway.

A review of the more recent crash reports shows that fifty-five crashes were reported at this intersection between the years of 2017 and 2021, which resulted in a crash rate of 1.38, also exceeding ODOT's 90<sup>th</sup> percentile crash rate.

Review of the overall intersection crash trends showed similar patterns with Evergreen Avenue; there were no specific trends based on monthly, day of week, or even hourly crash data. The predominant crash type was similarly turning collisions, and about 2/3 of the crashes resulted in some level of personal injury. Specific crash characteristics of the crashes occurring between 2017 and 2021 are outlined below:

- The intersection experienced a decreasing crash trend in the past five years, peaking in 2018 (15 crashes) and declining in 2019 into the present (9 crashes in 2020 and 2021). It is unclear what impact reduced exposure due to reduced travel during COVID restrictions has had on these crash patterns.
- Only three crashes were reported outside of 6:00 a.m. and 7:00 p.m.
- Turning movement crashes comprise the majority of the reported collisions at the intersection (35 of 55). Rear-end crashes, which are typically most common at signalized intersections were 12 of the 55 crashes, followed by angle collisions (5 of 55), and sideswipe (3 of 55).
- The crashes resulted in two serious injuries, 13 minor injuries, 41 possible injuries, and 71 uninjured persons.
- Review of weather and road surface conditions did not identify any snow and ice-related collisions, with nearly all crashes occurring under clear/cloudy conditions (51 of 55) and three occurring during rain.
- Alcohol use was cited as a contributing factor in two of the collisions. Drugs were not cited as a contributing factor, but tests were not administered in most collisions.
- Drivers over the age of 65 years old were the highest population involved in the crashes and were also the highest percentage of drivers at fault in the collisions.
- Only seven of the collisions were not investigated by the City or State police.

Turning movement diagrams showed similar trends to the crashes at the Evergreen Avenue traffic signal, with most of the turning crashes occurring in the east-west direction along OR 214. The turning crashes at this intersection exhibited a more pronounced daytime trend, with these collisions occurring primarily around 11:00 a.m., and with 32 of the 35 turning crashes occurring between 9:00 a.m. and 7:00 p.m.

Similar to the OR 214/Evergreen Avenue intersection, it is expected that there will be fewer turning crashes with the changes in the left-turn signal phasing. Continued monitoring is recommended.

#### SPIS Sites

The Safety Priority Index System (SPIS) is updated annually by ODOT and is a scoring method used to identify potential safety problems on state highways through a review of crash frequency, crash rate, and crash severity. The top 15% SPIS Groups list for years 2019, 2020, and 2021 were reviewed for the Newberg Highway (OR 219 and OR 214). The Newberg Highway at the I-5 northbound and southbound ramps was included on the 2019 SPIS list at 85-percent. The intersections of Evergreen Road and Oregon Way with the Newberg Highway were included on the 2019, 2020, and 2021 SPIS lists at 95-percent. The site frontage and existing access on the highway are within the 95% SPIS segment.



### Intersection Sight Distance

Intersection sight distance was reviewed to ensure an adequate view of conflicting traffic is provided to drivers at the full access on Oregon Way. As the access to Newberg Highway will be a right-in only driveway with no outbound maneuvers, a typical stop-controlled sight distance review is not required at this location. Vehicles along OR 214 have a clear and unobstructed view of turning motorists along this straight and flat roadway segment, easily exceeding Stopping Sight Distance requirements.

For the Oregon Way access, standard engineering practice is to apply the minimum recommended sight distance criteria based on the standard reference *A Policy on Geometric Design of Highways and Streets, 7<sup>th</sup> Edition* published by the American Association of State Highway and Transportation Officials (AASHTO) in 2018 (commonly referred to as the *Green Book*).

### Intersection Sight Triangles

For minor-street stop-control intersections, intersection sight triangles are based on guidance cited within Conditions B1 (left-turn from minor road) and B2 (right-turn from minor road) of the *Green Book*. All distances are measured from a vertex point located 14.5 feet from the major-road travel way along the center of the approaching travel lane, accounting for comfortable positioning distance from the travel way (6.5 feet) and the distance from the front of the vehicle to the driver eye (8.0 feet). The assumed eye height is 3.5 feet above the departing road for passenger vehicles. The object height is also 3.5 feet above the major road, providing enough space on the approaching vehicle to recognize it.

Figure 9 illustrates the recommended minimum dimensions for the existing full access on Oregon Way.

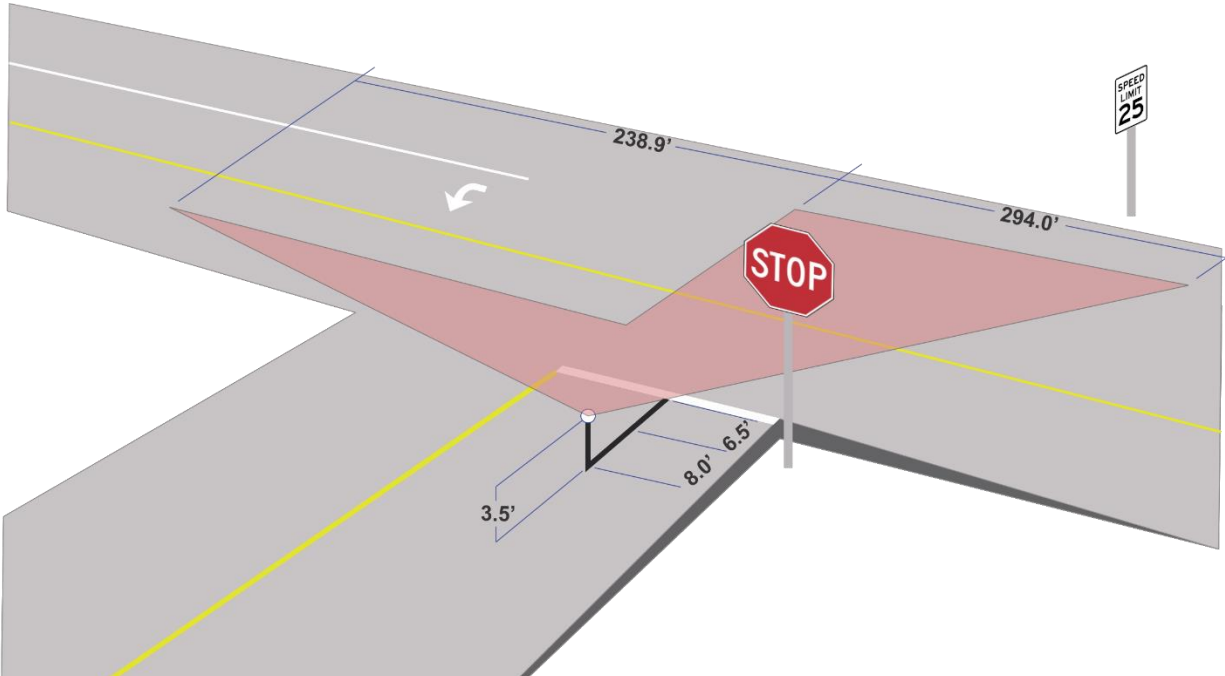


Figure 9. Recommended Intersection Sight Distance Measurements for Oregon Way Access.

The existing Oregon Way access was visited to ensure that no sight distance obstructions were present that would prevent these sight distances from being achieved. Figures 10 and 11 illustrate the available sight distance at the full access. These photos show that the area surrounding the site is flat with adequate available sight distance. Vegetation along Oregon Way should be removed as already shown in the site plans.



Figure 10. Oregon Way access facing south.



Figure 11. Oregon Way access facing north toward the Newberg Highway.

### Analysis Periods

It is anticipated that full build out will occur by 2025. Therefore, all study intersections are analyzed for the future 2025 conditions.

## YEAR 2025 BACKGROUND TRAFFIC OPERATIONS

Background traffic conditions identify conditions in the future year that the proposed development will be fully built-out but without the trips associated with the site. This scenario is presented to provide the basis for comparison to “with-site” conditions. This provides an understanding of area transportation needs that are attributable to the proposed development. These conditions consider the regional traffic growth and specific approved developments.

### Growth Forecasts

ODOT forecasts future year volumes on their facilities throughout the state. This data is developed from the ODOT Transportation Volume Tables and travel demand models, where available. Based on the volumes 0.10 miles east and west of I-5 on the Newberg Highway, ODOT’s Future Volumes Table shows that traffic volumes on the highway are expected to grow on average 0.3- to 0.4-percent per year. This is based on a travel demand model for the City.

Higher growth is expected on City streets. A review of the adopted Woodburn TSP shows existing 2017 and forecast 2040 traffic volumes at major intersections around the City. These volume forecasts are based on the information in the Woodburn travel demand model and anticipated land uses and planned transportation improvements in the area. A review of traffic forecasts at the Evergreen Road and Oregon Way intersections with the Newberg Highway show that traffic volumes are expected to grow an average of 1.7-percent per year on Evergreen Road and Oregon Way.

**Table 7. Forecast Growth (2017 to 2040)**

Location	Year 2017 Base Two-Way Volume Weekday PM Peak Hour	Year 2040 Future Two-Way Volume Weekday PM Peak Hour	Annual Growth
Evergreen Rd North of Newberg Hwy	245	244	-0.02%
Evergreen Rd South of Newberg Hwy	895	1,435	2.6%
Oregon Way Rd North of Newberg Hwy	360	499	1.7%
Oregon Way Rd South of Newberg Hwy	94	148	2.5%
<b>Average</b>			<b>1.7%</b>

The year 2025 traffic forecasts were developed by applying a 0.4-percent annual growth rate to the Newberg Highway and 1.7-percent annual growth rate to Evergreen Road and Oregon Way, along with inclusion of approved development trips.

Approved Development Trips

Based on discussions with the City, multiple developments were identified for inclusion in the background volumes based on information from the City’s online current project list. These are summarized in Table 7 along with the estimated level of development assumed in the analysis.

**Table 7. Approved Development Trip Assumptions**

Development	Size	Trip Generation		Estimated Level of Development	
		Weekday AM Peak Hour	Weekday PM Peak Hour	2023	2025
Project Basie (Amazon)*	3,849,000 sf	457	176	0%	100%
Specht Industrial Development	513,193 sf	235	222	0%	100%
Woodland Crossing Apartments & RV Storage	300 apt units 127 storage units	154	186	0%	100%
Schultz Farm	154 units	114	152	0%	100%
Allison Way Apartments	586 units	211	258	0%	30%
Smith Creek Development	808 units	543	712	10%	40%

\*Trip generation rates for Project Basie reflects peak hour of the system rather than peak hour of the generator as assessed within the approved TIA; the trip generation methodology used was based on projected employee shifts rather than ITE trip rates.

The regional growth was applied to the existing traffic volumes and approved developments were added to forecast year 2025 “No-Build” conditions within the site vicinity. The resulting volumes are shown in Figure 15. The analysis results are summarized in Table 8.



**Weekday AM Peak Hour**

**Weekday PM Peak Hour**

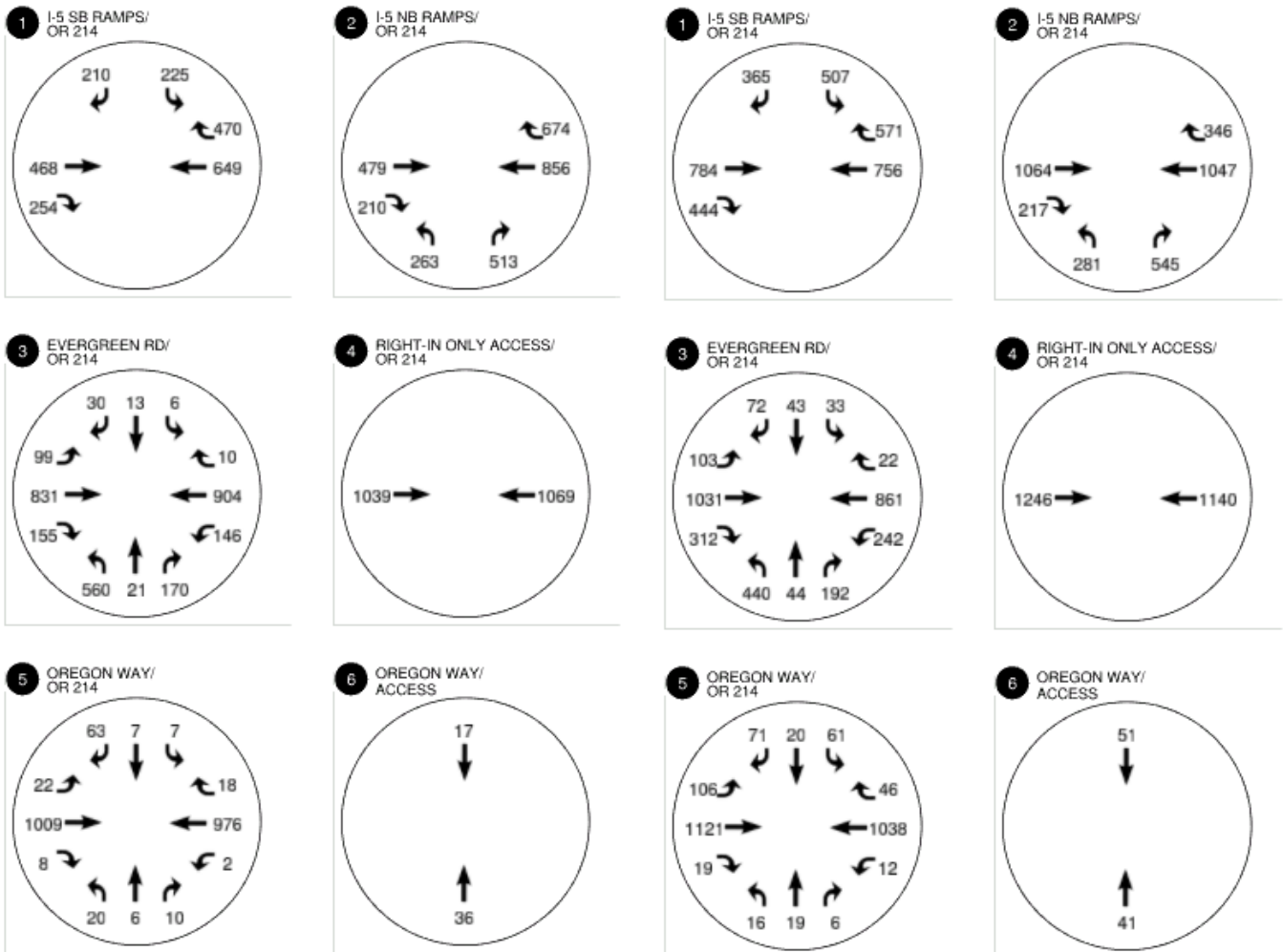


Figure 12. 2025 Background Traffic Volumes, Weekday AM and PM Peak Hour.

Note: Minor volume imbalance within interchange reflects discrepancies within approved development applications (primarily the Smith application).

**Table 8. Summary of 2025 Background (No Build) Traffic Conditions**

Intersection	Jurisdiction	Performance Standard	Critical Movement	Weekday AM Peak Hour			Weekday PM Peak Hour		
				LOS	Delay (sec)	v/c Ratio	LOS	Delay (sec)	v/c Ratio
1: I-5 SB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	15.4	0.50	C	21.3	0.58
2: I-5 NB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	13.0	0.62	B	14.7	0.61
3: Evergreen Rd/ Newberg Hwy	ODOT	$v/c \leq 0.95$		C	31.6	0.74	D	46.7	0.87
4: RI Access/ Newberg Hwy	ODOT	$v/c \leq 0.95$	NB R						
5: Oregon Way/ Newberg Hwy	ODOT	$v/c \leq 0.95$		A	9.2	0.47	B	16.5	0.55
6: Oregon Way/ Access	City of Woodburn	$v/c \leq 0.90$	EB LR						

As shown in Table 8, all study intersections are expected to meet standards in 2025 without the site during the weekday a.m. and p.m. peak hours.

**PROPOSED DEVELOPMENT PLAN**

The proposed site plan from Figure 3 shows that the project includes the construction of a fueling center and 4,110 square-foot convenience market with 1,863 square-foot of attached office space, and a separate 5,000 square-foot office building.

The site will modify the existing access on the Newberg Highway to a right-in only access and will utilize the existing access on the south edge of the site to Oregon Way. Sidewalks are already provided on the frontage of the site on the Newberg Highway and Oregon Way. Sidewalks and pedestrian crossings are planned adjacent to the new office building and convenience store, which will connect to the public sidewalks along the adjacent rights of way.

**TRIP GENERATION**

Trip generation estimates were prepared for the site based on the standard reference *Trip Generation, 11<sup>th</sup> Edition*, published by the Institute of Transportation Engineers. The previous TIA utilized the 10<sup>th</sup> Edition, as that was the most updated version of the Trip Generation Manual in August of 2021. There are a couple of types of fuel centers within this updated reference manual, but with the size of the convenience market the most applicable classification is ITE Land Use 945: Convenience Store/Gas Station.

Within this new version of the manual users are encouraged to review trip generation estimates based on both the number of vehicle fueling positions and the gross square-footage of the convenience center. The Land Use Description and Land Use Subcategory information is presented below for context.

***Land Use Description***

*A convenience store/gas station is a facility with a co-located convenience store and gas station. The convenience store sells grocery and other everyday items that a person may need or want as a matter of convenience. The gas station sells automotive fuels such as gasoline and diesel.*

*A convenience store/gas station is typically located along a major thoroughfare to optimize motorist convenience. Extended hours of operation (with many open 24 hours, 7 days a week) are common at these facilities.*

*The convenience store product mix typically includes pre-packaged grocery items, beverages, dairy products, snack foods, confectionary, tobacco products, over-the-counter drugs, and toiletries. A convenience store may sell alcohol, often limited to beer and wine. Coffee and premade sandwiches are also commonly sold at a convenience store. Made-to-order food orders are sometimes offered. Some stores offer limited seating.*

*The sites in this land use include both self-pump and attendant-pumped fueling positions and both pre-pay and post-pay operations.*

### **Land Use Subcategory**

*Multiple subcategories were added to this land use to allow for multi-variable evaluation of sites with single-variable data plots. All study sites are assigned to one of three subcategories, based on the number of vehicle fueling positions (VFP) at the site: between 2 and 8 VFP, between 9 and 15 VFP, and between 16 and 24 VFP. For each VFP range subcategory, data plots are presented with GFA as the independent variable for all time periods and trip types for which data are available. The use of both GFA and VFP (as the independent variable and land use subcategory, respectively) provides a significant improvement in the reliability of a trip generation estimate when compared to the single-variable data plots in prior editions of Trip Generation Manual.*

*Further, the study sites were also assigned to one of three other subcategories, based on the gross floor area (GFA) of the convenience store at the site: between 2,000 and 4,000 square feet, between 4,000 and 5,500 square feet, and between 5,500 and 10,000 square feet. For each GFA subcategory range, data plots are presented with VFP as the independent variable for all time periods and trip types for which data are available. The use of both VFP and GFA (as the independent variable and land use subcategory, respectively) provides a significant improvement in the reliability of a trip generation estimate when compared to the single-variable data plots in prior editions of Trip Generation Manual.*

*When analyzing the convenience store/gas station land use with each combination of GFA and VFP values as described above, the two sets of data plots will produce two estimates of site generated trips. Both values can be considered when determining a site trip generation estimate.*

*Data plots are also provided for three additional independent variables: AM peak hour traffic on adjacent street, PM peak hour traffic on adjacent street, and employees. These independent variables are intended to be analyzed as single independent variables and do not have subcategories associated with them. Within the data plots and within the ITETripGen web app, these plots are found under the land use subcategory "none."*

In addition to the consolidation of land use types and the dual-trip generation estimate for these sites, within the 11<sup>th</sup> Edition of the ITE Trip Generation Manual a pass-by rate of 76% is provided for the weekday a.m. peak hour and 75% for the weekday p.m. peak hour.

The attached office portion of the building and separate 5,000 square-foot office building were classified using ITE's *Land Use 712: Small Office Building*, which is a new classification within the 11<sup>th</sup> Edition of the Trip Generation manual. This land use is described as follows:



A small office building is the same as a general office building (Land Use 710) but with less than or equal to 10,000 square feet of gross floor area. The building typically houses a single tenant. It is a location where affairs of a business, commercial or industrial organization, or professional person or firm are conducted.

Since the convenience market with fuel center and office will be replacing two banks with drive-in windows the trips for these uses were estimated with ITE's Land Use 912: Drive-in Bank, as defined below:

A bank is a financial institution that can offer a wide variety of financial services. A drive-in bank provides banking services for a motorist through a teller station. A drive-in bank may also serve patrons who walk into the building. The drive-in lanes may or may not provide an automatic teller machine (ATM).

Table 9 summarizes the trip generation estimates for the existing and proposed site uses.

**Table 9. Trip Generation Estimates (ITE 11<sup>th</sup> Edition)**

Land Use	ITE Code	Metric	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
<b>Existing Uses</b>									
Drive-in Bank	912	5,714 SF	573	57	33	24	120	60	60
Pass-by Trips			-201	-17	-10	-7	-42	-21	-21
<b>Net New Trips</b>			<b>372</b>	<b>40</b>	<b>23</b>	<b>17</b>	<b>78</b>	<b>39</b>	<b>39</b>
<b>Proposed Uses</b>									
Small Office Building	712	6,863 SF	99	11	9	2	15	5	10
Convenience Store/ Gas Station	945	4,110 SF 12 pos.	3,086	324	162	162	273	137	136
Pass-by Trips			-2,315	-246	-123	-123	-205	-103	-102
Total Proposed Uses			3,185	335	171	164	288	142	146
Total Pass-by Trips			-2,315	-246	-123	-123	-205	-103	-102
<b>Net New Trips</b>			<b>870</b>	<b>89</b>	<b>48</b>	<b>41</b>	<b>83</b>	<b>39</b>	<b>44</b>
<b>Total New Trips (Proposed Trips – Approved Bank Trips)</b>									
Total Trip Difference			+2,612	+278	+138	+140	+168	+82	+86
Pass-by Trip Difference			-2,114	-229	-113	-116	-163	-82	-81
<b>Net New Trip Difference</b>			<b>+498</b>	<b>+49</b>	<b>+25</b>	<b>+24</b>	<b>+5</b>	<b>+0</b>	<b>+5</b>

As shown in Table 9, the proposed convenience market with office and fueling positions is expected to generate more trips than the previous drive-in bank uses, with very limited new trips on the system during the critical weekday p.m. peak period for these convenience-oriented uses.

The Woodburn Development Ordinance 3.04.05 cites City criteria for transportation analyses, and cites projects generating more than 50 weekday peak hour trips or 500 average daily trips will require a formal TIA. The proposed development narrowly remains below these thresholds with the net new trips. However, if the development "would raise the volume-to-capacity (V/C) ratio of an intersection to 0.96 or more during the PM peak hour," has "operational or safety concerns documented by the City or an agency with jurisdiction, such as ODOT," or has potential impact to "intersections documented by ODOT as having a high crash rate" a transportation impact analysis is required. Given the location of the study intersections within the SPIS sites and operation and safety concerns previously documented at the study intersections, a transportation impact analysis is provided for this development.

ODOT's Development Review Guidelines contain suggested future year analysis timelines in Section 3.3.4, Table 3.3 based on the daily trip generation of a proposed development. Based on the projected difference in net new trips between the proposed development and previous bank uses of less than 500 daily trips, the guidelines suggest that the only analysis required is the year of opening. Therefore, this Transportation Impact Analysis studies year 2025, the anticipated year of full site buildout.

## TRIP DISTRIBUTION AND ASSIGNMENT

The convenience store and fuel center comprise the majority of the site-generated trips. A convenience store with fueling positions is likely to have its traffic oriented toward major nearby travel corridors. With this type of use primary trips (home to business) are less common, particularly with this site near the City's only interchange with I-5 and its location along the Newberg Highway corridor. Figure 6 illustrates the functional classification of the surrounding streets as identified in the City's Transportation System Plan, highlighting the primary travel routes in the site vicinity.

With an Average Annual Daily Traffic flow of about 25,700 vehicles on the Newberg Highway and 93,500 daily vehicles on I-5 south of the interchange these corridors will serve the majority of site trips and will be the primary routes for pass-by trips to the site. With the convenience store included, surrounding residential areas will also access the site for essential goods. Figure 15 illustrates the trip distribution pattern for the site.

Site-generated trips shown in Table 9 were assigned to the transportation network in accordance with the trip distribution pattern. This trip assignment is provided in Figures 14 and 15; these figures show the general impact area of the site without the trip credits from the prior bank uses. For comparison purposes, a trip assignment is shown in Figure 16 accounting for the available trip credits from the prior banks<sup>1</sup>. As the access onto OR 214 is modified, this comparative assessment shows fewer outbound right-turns using the OR 214 access, and reduced U-turns at the Oregon Way and Evergreen Avenue traffic signals. These same trip reductions are not carried into the operational assessment, as the banks had already been closed at the time the traffic counts were collected.

The trip assignment figures show that the impact area of the site occurs within the area between the I-5 interchange and the Oregon Way access, with trip impacts beyond this area limited. It is also noted that the right-in only driveway from the Newberg Highway will experience more than 50 weekday p.m. peak hour trips, triggering ODOT's Change of Use criteria.

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<sup>1</sup> The original traffic studies for the banks were not located, but trip rates for banks were significantly reduced within the newer versions of the ITE manual due to the proliferation of online banking. The vested trips from these older banks likely would have been filed using the older editions of the ITE Trip Generation manual that precede these banking trends, providing a more substantial trip reduction.



Figure 13. Estimated Trip Distribution pattern.

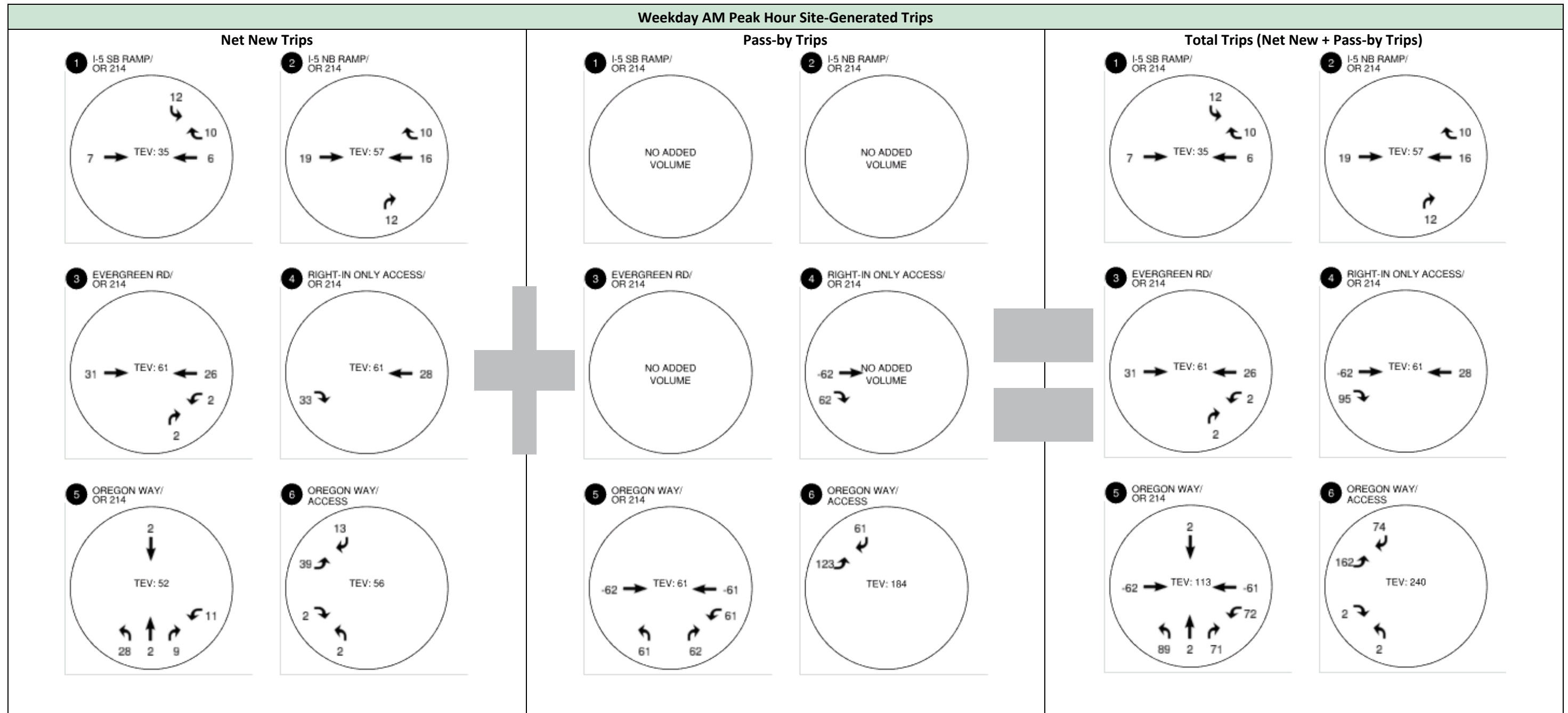


Figure 14. Site-Generated Trip Assignment, Weekday AM Peak Hour (Prior bank trip credits are not shown or included within the operations analysis).

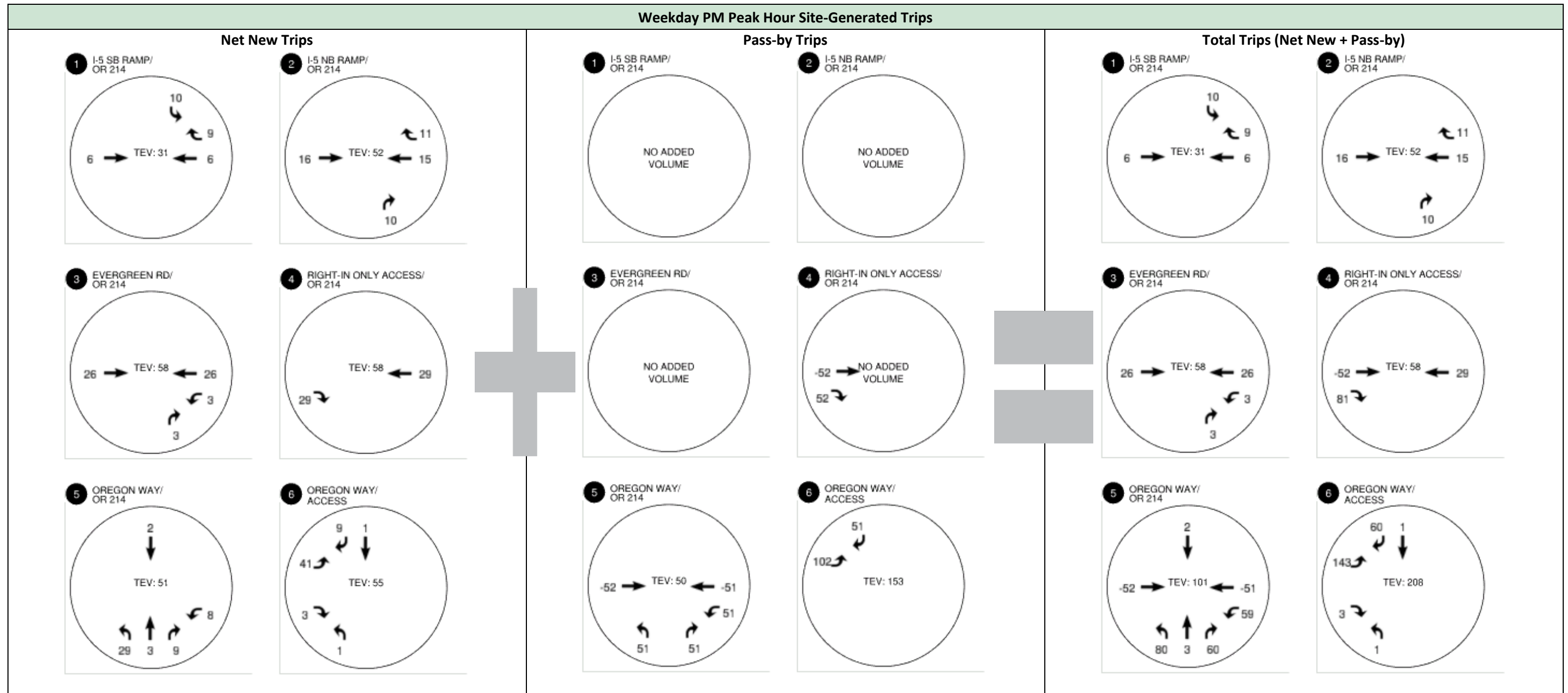


Figure 15. Site-Generated Trip Assignment, Weekday PM Peak Hour (Prior bank trip credits are not shown or included within the operations analysis).

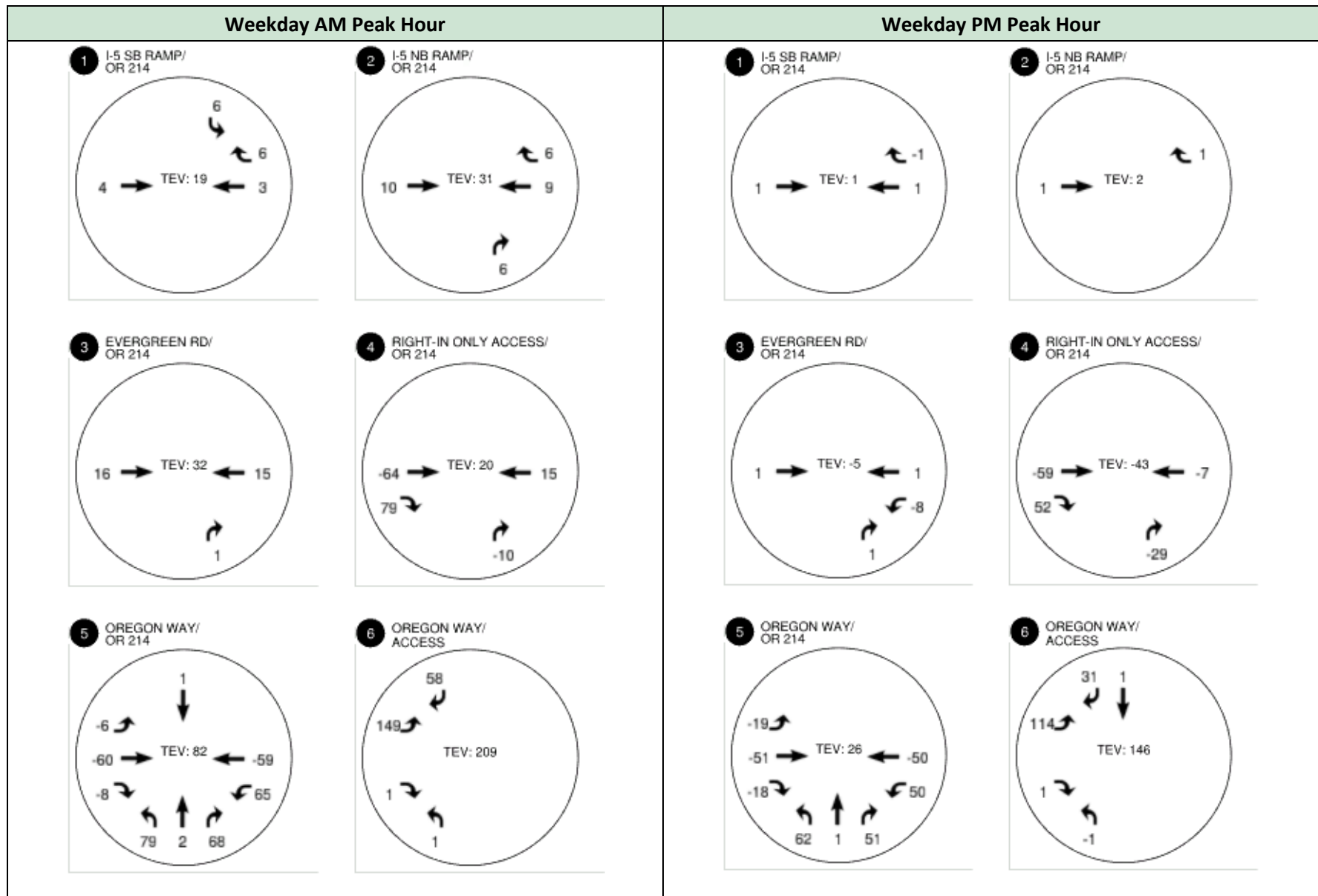


Figure 16. Trip Difference (Includes prior bank trip credit).

## YEAR 2025 TOTAL TRAFFIC CONDITIONS (BUILDOUT)

The total traffic analysis identifies how the study area's transportation system will operate with the inclusion of the proposed development. It includes the traffic volumes from the background and adds in the site-generated trips without any account of the available credits from the previously approved and vested trips from the now-demolished banks.

The original analysis for the Woodburn US Market showed acceptable traffic operations throughout the study area (which extended from the I-5 ramps east to Oregon Way) with various access configurations. The proposed US Market development does not generate additional weekday p.m. peak hour trips compared to the prior banks, but will modify turning movements surrounding the access points, particularly with the proposed access from the Newberg Highway as a right-in only driveway. The resulting traffic volumes are shown in Figure 16. Table 10 summarizes the resulting traffic operations.

**Table 10. Summary of Total Traffic Conditions**

Intersection	Jurisdiction	Performance Standard	Critical Movement	Weekday AM Peak Hour			Weekday PM Peak Hour		
				LOS	Delay (sec)	v/c Ratio	LOS	Delay (sec)	v/c Ratio
1: I-5 SB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	15.5	0.51	C	22.0	0.59
2: I-5 NB Ramps/ Newberg Hwy	ODOT	$v/c \leq 0.85$		B	13.2	0.63	B	14.9	0.62
3: Evergreen Rd/ Newberg Hwy	ODOT	$v/c \leq 0.95$		C	31.2	0.75	D	47.8	0.88
4: RI Access/ Newberg Hwy	ODOT	$v/c \leq 0.95$							
5: Oregon Way/ Newberg Hwy	ODOT	$v/c \leq 0.95$		B	18.7	0.56	C	22.5	0.58
6: Oregon Way/ Access	City of Woodburn	$v/c \leq 0.90$	EB LR	B	10.1	0.22	B	10.3	0.20

**BOLD:** Performance standard not met

As shown in Table 10, the study intersections are expected to continue to meet City and State standards with buildout in 2025.



**Weekday AM Peak Hour**

**Weekday PM Peak Hour**

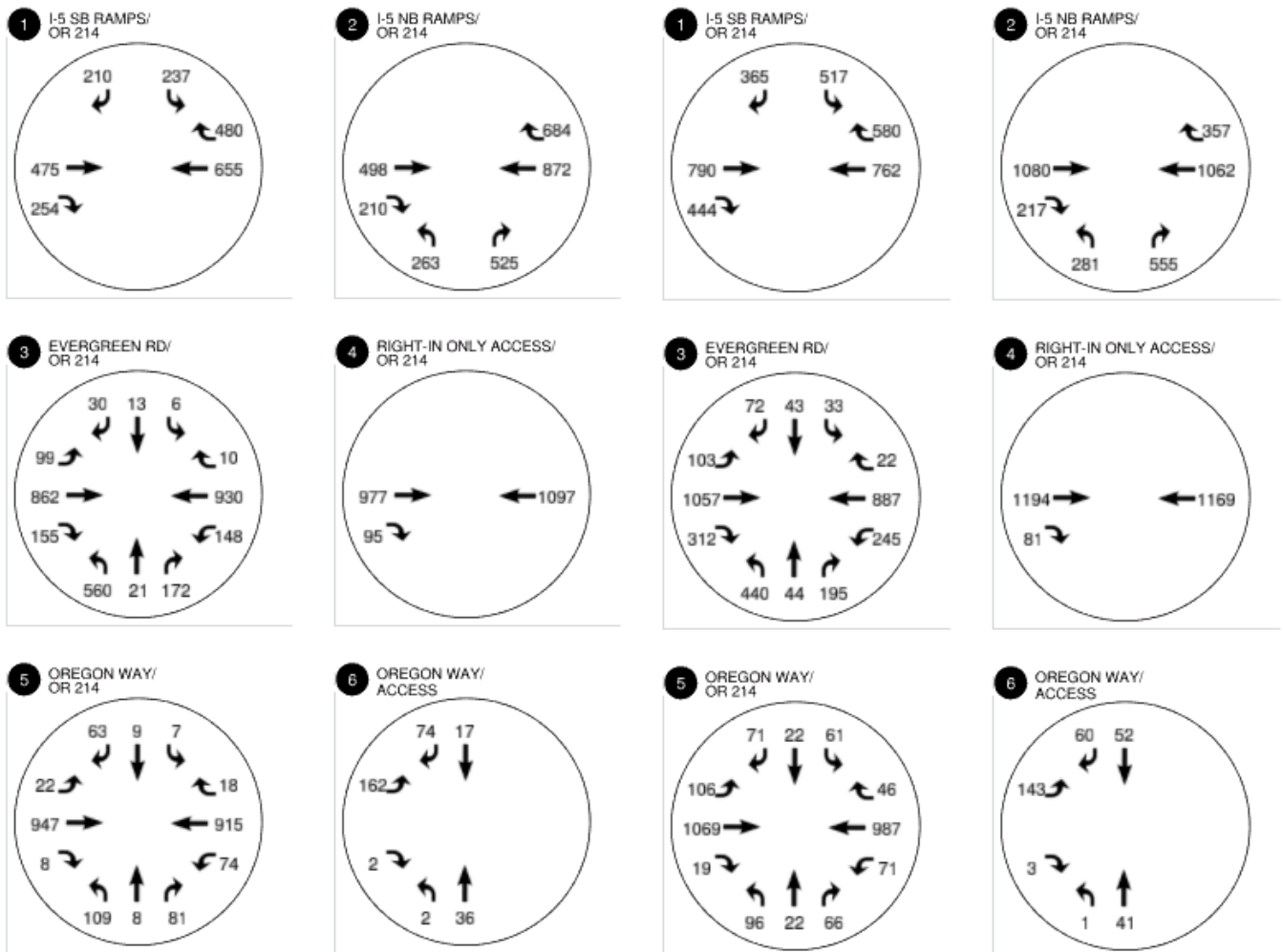


Figure 17. 2025 Total Traffic Volumes, Weekday AM and PM Peak Hour.



## INTERSECTION QUEUING

The 95<sup>th</sup> percentile queues were reviewed with respect to the site and the proposed right in only access on the Newberg Highway to identify whether any conflicts would occur with modifications to trip routing. Table 11 summarizes the 95<sup>th</sup> percentile queues for each study intersection for the 2025 total traffic conditions during the weekday a.m. and p.m. peak hours and Figure 18 illustrates the 95<sup>th</sup> percentile queue lengths at the traffic signals nearest the site.

**Table 11. Year 2025 Intersection Queue Summary**

Intersection	2025 Total Traffic Conditions 95 <sup>th</sup> Percentile Queues	
	Weekday AM Peak Hour	Weekday PM Peak Hour
1: I-5 SB Ramps/ Newberg Hwy	EB T: 80 ft EB R: 0 ft WB T: 140 ft WB R: 0 ft SB L: 110 ft SB R: 135 ft	EB T: 205 ft EB R: 0 ft WB T: 165 ft WB R: 5 ft SB L: 205 ft SB R: 220 ft
2: I-5 NB Ramps/ Newberg Hwy	EB T: 120 ft EB R: 0 ft WB T: 235 ft WB R: 15 ft NB L: 225 ft NB LTR: 140 ft NB R: 125 ft	EB T: 335 ft EB R: 0 ft WB T: 195 ft WB R: 0 ft NB L: 215 ft NB LTR: 245 ft NB R: 225 ft
3: Evergreen Rd/ Newberg Hwy	EB L: 155 ft EB T: 400 ft EB R: 25 ft WB L: 200 ft WB TR: 435 ft NB L: 290 ft NB LT: 285 ft NB R: 50 ft SB L: 20 ft SB TR: 45 ft	EB L: 185 ft EB T: 550 ft EB R: 85 ft WB L: 375 ft WB TR: 140 ft NB L: 240 ft NB LT: 240 ft NB R: 55 ft SB L: 55 ft SB TR: 130 ft
4: RI Access/ Newberg Hwy		
5: Oregon Way/ Newberg Hwy	EB L: 30 ft EB TR: 205 ft WB L: 95 ft WB TR: 275 ft NB L: 180 ft NB TR: 55 ft SB L: 20 ft SB TR: 50 ft	EB L: 80 ft EB TR: 190 ft WB L: 90 ft WB TR: 345 ft NB L: 160 ft NB TR: 60 ft SB L: 100 ft SB TR: 65 ft
6: Oregon Way/ Access	NB LT: 0 ft EB LR: 25 ft	NB LT: 0 ft EB LR: 25 ft

The queuing analysis shows that there are locations on this highway corridor that experience queue blockage at the end of the red signal cycle, as illustrated in Figure 18. As the intersections are operating below capacity these queues clear during the green cycle.



Figure 18. Year 2025 95<sup>th</sup> Percentile Queues with Right-In Only access from the Newberg Highway.

The proposed development will include a right-in only access from the Newberg Highway. The queuing analysis shows that this driveway will not be blocked by the 95<sup>th</sup> percentile queues during the peak fifteen minutes of the peak summer design hour in 2025 even with build-out of planned/approved projects. At the end of the red cycle the queue on Oregon Way may extend to the driveway location, and motorists entering the queue during this peak period at the end of the red signal cycle could have to wait for the green signal indication to clear the queue. These movements operate with low delay, and the queue is primarily a function of the longer green time allocated to east-west travel along the highway. No changes to signal timing are recommended.

## FINDINGS AND RECOMMENDATIONS

The Transportation Impact Analysis prepared for the proposed fuel center and convenience market provides the following findings:

- The site is located outside of the Woodburn Interchange Area Management Plan boundary, but due to its proximity is still subject to agency review as the property appears to be located within the Interchange Management Area Overlay District.
- The proposed 12-position fueling station, 4,110 square-foot convenience market with attached office space, and separate 5,000 square-foot office building are consistent with the *Commercial General* zoning.
- The safety analysis identified high crash rates at the I-5 ramp intersections, Evergreen Road, and Oregon Way on OR 214.
- The Evergreen Road/OR 214 and Oregon Way/OR 214 intersections were included on the ODOT SPIS lists in 2019, 2020, and 2021 at a 95<sup>th</sup> percentile. The signal phasing was recently changed at these signals from protected-permissive to protected only left-turn phasing, which is not reflected in the crash data. As most crashes at these intersections were turning collisions on the highway, this is expected to reduce the number of crashes reported at these intersections and further monitoring is recommended.
- Accounting for the demolition of the two on-site banks, the development is expected to generate 2,612 total daily trips, of which 278 are expected during the weekday a.m. peak hour and 168 during the weekday p.m. peak hour. Most of these new trips are pass-by trips that are already on the system, resulting in +49 new trips during the morning peak hour and +5 trips during the evening commute period.
- The site will modify the existing right-in/right-out access on the Newberg Highway to a right-in only access, which will require a Change of Use with ODOT due to the increased vehicular use of this driveway. Preliminary discussions with ODOT staff have indicated support for this configuration as it removes the potential weaving issues associated with left-turns and U-turns between the access and Oregon Way.
- The site will also use the existing full access on Oregon Way, which is located adjacent to the south property line.
- All study intersections meet State and City standards with buildout in 2025 during the weekday a.m. and p.m. peak hours.

Please let me know if you have any questions or comments on this Transportation impact Analysis at (503) 997-4473 or via email at [joe@transightconsulting.com](mailto:joe@transightconsulting.com).

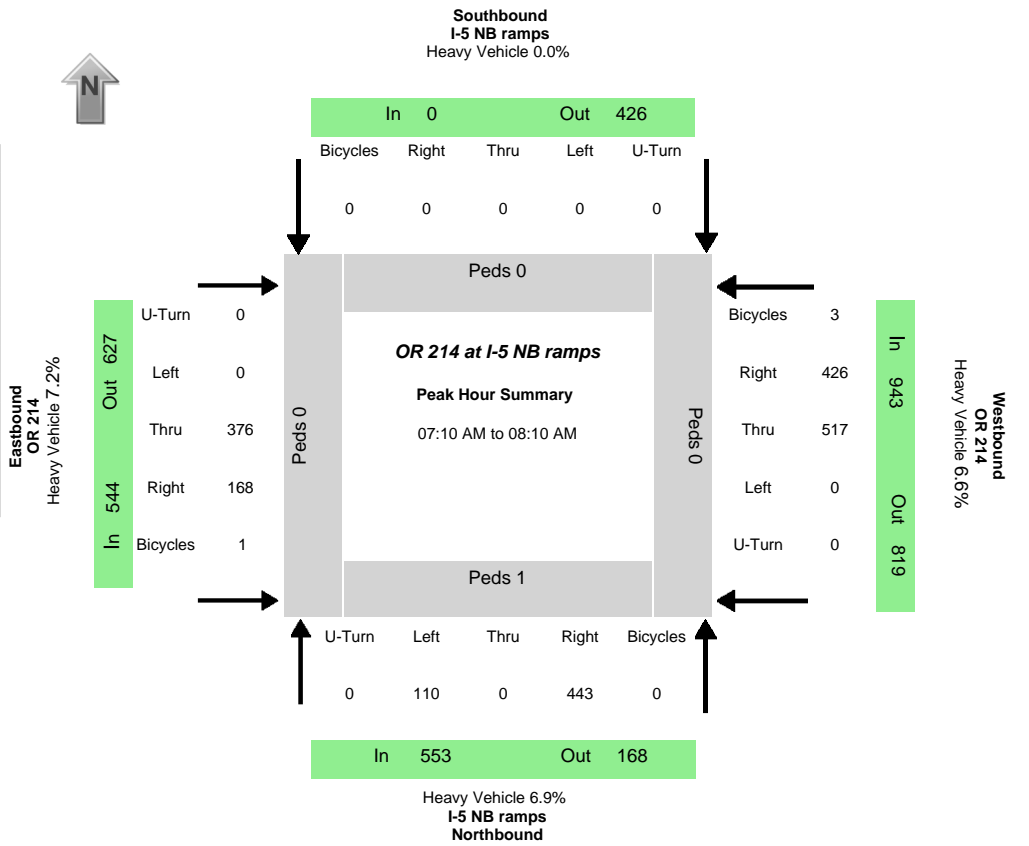
Attachments:

- Traffic Count Worksheets

- Crash Summary Sheets
- Year 2023 Existing Conditions LOS Worksheets
- Year 2025 No-Build Conditions LOS Worksheets
- Year 2025 “With Project” Conditions LOS Worksheets

Data Provided by K-D-N.com 503-594-4224

N/S street	I-5 NB ramps
E/W street	OR 214
City, State	Woodburn OR
Site Notes	
Location	45.151084 - -122.87928
Start Date	Wednesday, June 30, 2021
Start Time	07:00:00 AM
Weather	
Study ID #	
Peak Hour Start	07:10:00 AM
Peak 15 Min Start	07:30:00 AM
PHF (15-Min Int)	0.89



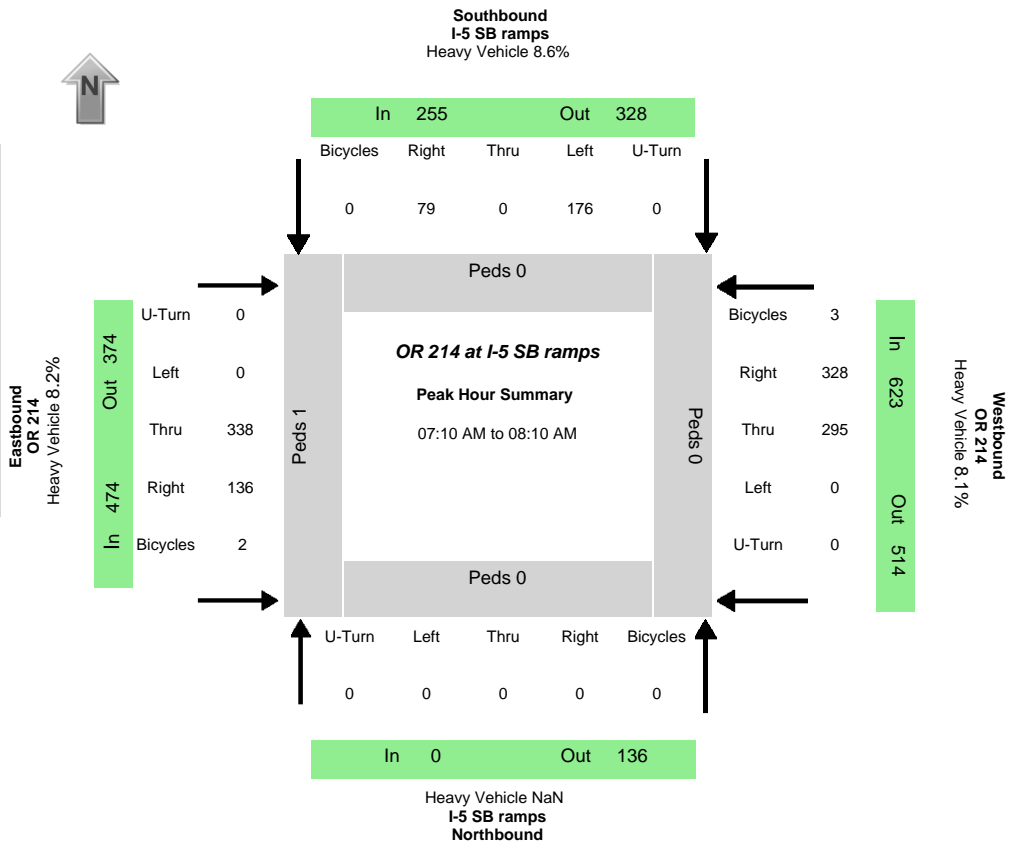
Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
110	0	443	0	0	0	0	0	0	376	168	0	0	517	426	0	553	0	544	943	168	426	627	819
Percent Heavy Vehicles																							
8.2%	0.0%	6.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	5.9%	10.1%	0.0%	0.0%	8.5%	4.2%	0.0%	6.9%	0.0%	7.2%	6.6%	10.1%	4.2%	8.5%	6.2%

PHV - Bicycles														PHV - Pedestrians							
Northbound				Southbound				Eastbound				Westbound				in Crosswalk					
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Sum	NB	SB	EB	WB	Sum
0	0	0	0	0	0	0	0	0	1	0	0	0	3	0	0	4	1	0	0	0	1

Time	Northbound I-5 NB ramps				Southbound I-5 NB ramps				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
07:00:00 AM	3	0	31	0	0	0	0	0	0	32	5	0	0	36	31	0		
07:05:00 AM	9	0	32	0	0	0	0	0	0	24	9	0	0	30	39	0		
07:10:00 AM	6	0	26	0	0	0	0	0	0	36	15	0	0	28	51	0	443	
07:15:00 AM	7	0	27	0	0	0	0	0	0	32	10	0	0	46	42	0	469	
07:20:00 AM	9	0	31	0	0	0	0	0	0	23	6	0	0	36	43	0	474	
07:25:00 AM	8	0	43	0	0	0	0	0	0	27	7	0	0	36	35	0	468	
07:30:00 AM	9	0	35	0	0	0	0	0	0	21	17	0	0	55	35	0	476	
07:35:00 AM	5	0	39	0	0	0	0	0	0	31	23	0	0	52	56	0	534	
07:40:00 AM	11	0	45	0	0	0	0	0	0	34	27	0	0	42	37	0	574	
07:45:00 AM	16	0	27	0	0	0	0	0	0	32	18	0	0	47	22	0	564	
07:50:00 AM	15	0	55	0	0	0	0	0	0	42	9	0	0	37	23	0	539	
07:55:00 AM	9	0	42	0	0	0	0	0	0	40	14	0	0	41	20	0	509	1994
08:00:00 AM	10	0	28	0	0	0	0	0	0	28	8	0	0	56	28	0	505	2014
08:05:00 AM	5	0	45	0	0	0	0	0	0	30	14	0	0	41	34	0	493	2040
08:10:00 AM	7	0	29	0	0	0	0	0	0	23	6	0	0	30	29	0	451	2002
08:15:00 AM	4	0	19	0	0	0	0	0	0	25	12	0	0	38	31	0	422	1967
08:20:00 AM	8	0	31	0	0	0	0	0	0	29	9	0	0	33	26	0	389	1955
08:25:00 AM	7	0	31	0	0	0	0	0	0	24	8	0	0	30	32	0	397	1931
08:30:00 AM	5	0	27	0	0	0	0	0	0	30	9	0	0	35	28	0	402	1893
08:35:00 AM	8	0	16	0	0	0	0	0	0	44	10	0	0	46	34	0	424	1845
08:40:00 AM	8	0	26	0	0	0	0	0	0	36	11	0	0	42	16	0	431	1788
08:45:00 AM	9	0	18	0	0	0	0	0	0	29	6	0	0	43	29	0	431	1760
08:50:00 AM	8	0	36	0	0	0	0	0	0	35	8	0	0	37	19	0	416	1722
08:55:00 AM	9	0	26	0	0	0	0	0	0	29	5	0	0	48	23	0	417	1696

Data Provided by K-D-N.com 503-594-4224

N/S street	I-5 SB ramps
E/W street	OR 214
City, State	Woodburn OR
Site Notes	
Location	45.151084 - -122.882542
Start Date	Wednesday, June 30, 2021
Start Time	07:00:00 AM
Weather	
Study ID #	
Peak Hour Start	07:10:00 AM
Peak 15 Min Start	07:30:00 AM
PHF (15-Min Int)	0.85



Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
0	0	0	0	176	0	79	0	0	338	136	0	0	295	328	0	0	255	474	623	136	328	374	514
Percent Heavy Vehicles																							
0.0%	0.0%	0.0%	0.0%	7.4%	0.0%	11.4%	0.0%	0.0%	7.1%	11.0%	0.0%	0.0%	3.7%	12.2%	0.0%	NaN	8.6%	8.2%	8.2%	11.0%	12.2%	5.3%	7.2%

PHV - Bicycles												PHV - Pedestrians									
Northbound				Southbound				Eastbound				Westbound				in Crosswalk					
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Sum	NB	SB	EB	WB	Sum
0	0	0	0	0	0	0	0	0	2	0	0	0	3	0	0	5	0	0	1	0	1

Time	Northbound I-5 SB ramps				Southbound I-5 SB ramps				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
07:00:00 AM	0	0	0	0	16	0	5	0	0	25	10	0	0	17	17	0		
07:05:00 AM	0	0	0	0	12	0	11	0	0	25	7	0	0	17	29	0		
07:10:00 AM	0	0	0	0	13	0	6	0	0	36	8	0	0	14	21	0	289	
07:15:00 AM	0	0	0	0	18	0	4	0	0	24	12	0	0	25	26	0	308	
07:20:00 AM	0	0	0	0	11	0	3	0	0	20	3	0	0	24	24	0	292	
07:25:00 AM	0	0	0	0	18	0	9	0	0	17	10	0	0	25	24	0	297	
07:30:00 AM	0	0	0	0	10	0	7	0	0	28	16	0	0	26	41	0	316	
07:35:00 AM	0	0	0	0	10	0	13	0	0	42	17	0	0	18	31	0	362	
07:40:00 AM	0	0	0	0	22	0	2	0	0	38	22	0	0	25	32	0	400	
07:45:00 AM	0	0	0	0	12	0	7	0	0	23	5	0	0	41	24	0	384	
07:50:00 AM	0	0	0	0	22	0	12	0	0	33	8	0	0	31	20	0	379	
07:55:00 AM	0	0	0	0	14	0	7	0	0	25	8	0	0	24	20	0	336	1322
08:00:00 AM	0	0	0	0	14	0	3	0	0	25	14	0	0	28	34	0	342	1350
08:05:00 AM	0	0	0	0	12	0	6	0	0	27	13	0	0	14	31	0	319	1352
08:10:00 AM	0	0	0	0	10	0	9	0	0	22	4	0	0	16	22	0	304	1337
08:15:00 AM	0	0	0	0	16	0	10	0	0	19	5	0	0	15	27	0	278	1320
08:20:00 AM	0	0	0	0	18	0	5	0	0	23	9	0	0	27	15	0	272	1332
08:25:00 AM	0	0	0	0	13	0	15	0	0	26	16	0	0	19	16	0	294	1334
08:30:00 AM	0	0	0	0	17	0	6	0	0	25	6	0	0	20	27	0	303	1307
08:35:00 AM	0	0	0	0	29	0	8	0	0	27	7	0	0	22	26	0	325	1295
08:40:00 AM	0	0	0	0	18	0	13	0	0	24	11	0	0	25	23	0	334	1268
08:45:00 AM	0	0	0	0	9	0	10	0	0	29	9	0	0	30	18	0	338	1261
08:50:00 AM	0	0	0	0	16	0	10	0	0	26	12	0	0	29	16	0	328	1244
08:55:00 AM	0	0	0	0	14	0	10	0	0	20	3	0	0	27	31	0	319	1251



ALL TRAFFIC DATA SERVICES

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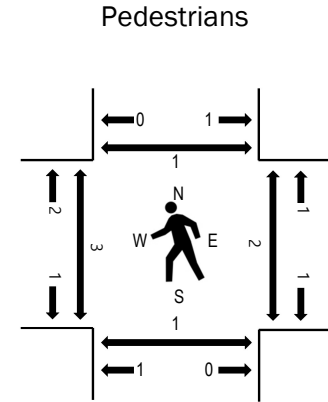
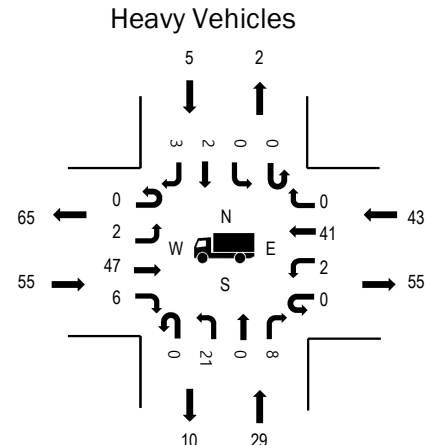
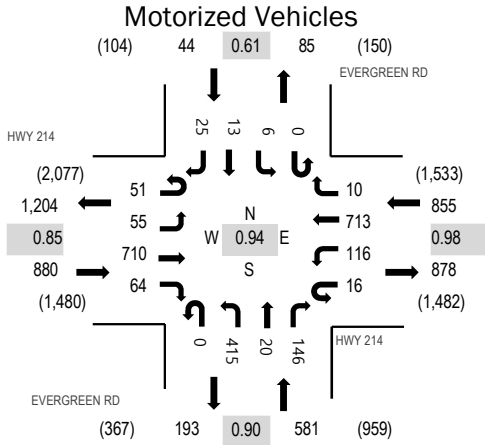
Location: 1 EVERGREEN RD & HWY 214 AM

Date: Tuesday, April 4, 2023

Peak Hour: 07:05 AM - 08:05 AM

Peak 15-Minutes: 07:40 AM - 07:55 AM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	6.3%	0.85
WB	5.0%	0.98
NB	5.0%	0.90
SB	11.4%	0.61
All	5.6%	0.94

Traffic Counts - Motorized Vehicles

Interval Start Time	HWY 214 Eastbound				HWY 214 Westbound				EVERGREEN RD Northbound				EVERGREEN RD Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
7:00 AM	4	0	53	3	0	4	53	0	0	30	0	6	0	1	1	2	157	2,340
7:05 AM	9	6	51	2	2	7	57	0	0	36	1	17	0	0	1	2	191	2,360
7:10 AM	6	4	60	7	4	8	69	1	0	26	1	8	0	0	1	0	195	2,339
7:15 AM	4	2	65	3	0	8	61	0	0	31	1	20	0	2	1	4	202	2,296
7:20 AM	3	2	67	6	0	7	60	0	0	42	2	9	0	0	2	2	202	2,256
7:25 AM	5	2	56	5	0	7	73	0	0	29	1	12	0	0	0	5	195	2,228
7:30 AM	4	4	51	5	1	8	55	0	0	31	1	9	0	0	1	2	172	2,187
7:35 AM	7	1	58	7	1	10	61	3	0	40	0	10	0	0	3	2	203	2,160
7:40 AM	3	5	75	0	0	11	61	1	0	27	1	11	0	1	1	1	198	2,096
7:45 AM	2	9	55	12	4	15	50	0	0	45	1	12	0	0	0	2	207	2,078
7:50 AM	3	6	82	7	1	12	54	2	0	37	2	10	0	3	1	0	220	2,014
7:55 AM	2	10	46	6	2	13	61	2	0	35	4	15	0	0	0	2	198	1,934
8:00 AM	3	4	44	4	1	10	51	1	0	36	5	13	0	0	2	3	177	
8:05 AM	2	2	40	7	2	9	50	0	0	25	1	24	0	0	1	7	170	
8:10 AM	3	1	45	2	1	13	50	0	0	17	3	11	0	1	0	5	152	
8:15 AM	3	2	52	4	2	6	47	2	0	26	1	15	0	0	0	2	162	
8:20 AM	4	4	40	4	2	17	54	2	0	32	0	11	0	1	0	3	174	
8:25 AM	4	5	36	4	0	7	56	3	0	32	2	4	0	0	0	1	154	
8:30 AM	1	3	41	7	0	14	45	2	0	16	0	12	0	0	0	4	145	
8:35 AM	1	4	31	6	1	12	38	2	0	26	2	8	0	1	2	5	139	
8:40 AM	1	4	60	4	1	14	58	1	1	24	0	4	0	0	2	6	180	
8:45 AM	5	3	48	5	0	4	44	1	0	15	3	5	0	1	2	7	143	
8:50 AM	2	8	40	2	1	16	41	3	0	19	1	2	0	1	1	3	140	
Count Total	81	91	1,196	112	26	232	1,249	26	1	677	33	248	0	12	22	70	4,076	
Peak Hour	51	55	710	64	16	116	713	10	0	415	20	146	0	6	13	25	2,360	

### Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
7:00 AM	6	3	2	0	11	7:00 AM	0	0	0	0	0	7:00 AM	0	0	0	0	0
7:05 AM	3	4	5	0	12	7:05 AM	0	0	0	0	0	7:05 AM	0	1	0	0	1
7:10 AM	8	1	2	1	12	7:10 AM	0	0	0	0	0	7:10 AM	0	0	0	0	0
7:15 AM	1	4	4	0	9	7:15 AM	0	0	0	0	0	7:15 AM	0	0	0	0	0
7:20 AM	1	1	5	2	9	7:20 AM	0	0	0	0	0	7:20 AM	0	0	0	0	0
7:25 AM	4	3	0	0	7	7:25 AM	0	0	0	0	0	7:25 AM	0	0	0	0	0
7:30 AM	2	1	6	0	9	7:30 AM	0	0	0	0	0	7:30 AM	1	0	0	0	1
7:35 AM	3	2	3	1	9	7:35 AM	0	0	0	0	0	7:35 AM	0	0	1	0	1
7:40 AM	8	2	5	0	15	7:40 AM	0	0	0	0	0	7:40 AM	0	0	0	0	0
7:45 AM	7	5	3	1	16	7:45 AM	0	0	0	0	0	7:45 AM	0	0	1	1	2
7:50 AM	4	2	4	0	10	7:50 AM	0	0	0	0	0	7:50 AM	0	0	0	0	0
7:55 AM	9	3	3	0	15	7:55 AM	0	0	0	0	0	7:55 AM	2	1	0	0	3
8:00 AM	5	1	3	0	9	8:00 AM	0	0	0	0	0	8:00 AM	0	0	0	0	0
8:05 AM	5	1	4	0	10	8:05 AM	0	0	0	0	0	8:05 AM	0	0	0	0	0
8:10 AM	6	2	6	1	15	8:10 AM	0	0	0	0	0	8:10 AM	1	1	0	0	2
8:15 AM	6	1	4	2	13	8:15 AM	0	0	0	0	0	8:15 AM	0	0	0	0	0
8:20 AM	3	0	5	0	8	8:20 AM	0	0	0	0	0	8:20 AM	0	1	0	0	1
8:25 AM	4	0	1	0	5	8:25 AM	0	0	0	0	0	8:25 AM	0	0	0	0	0
8:30 AM	8	0	3	0	11	8:30 AM	0	0	0	0	0	8:30 AM	0	0	1	0	1
8:35 AM	5	0	3	0	8	8:35 AM	0	0	0	0	0	8:35 AM	0	0	0	0	0
8:40 AM	6	1	8	0	15	8:40 AM	0	0	0	0	0	8:40 AM	0	0	0	0	0
8:45 AM	10	0	8	1	19	8:45 AM	0	0	0	0	0	8:45 AM	0	0	0	0	0
8:50 AM	1	2	5	0	8	8:50 AM	0	0	0	0	0	8:50 AM	0	0	0	0	0
Count Total	115	39	92	9	255	Count Total	0	0	0	0	0	Count Total	4	4	3	1	12
Peak Hour	55	29	43	5	132	Peak Hour	0	0	0	0	0	Peak Hour	3	2	2	1	8



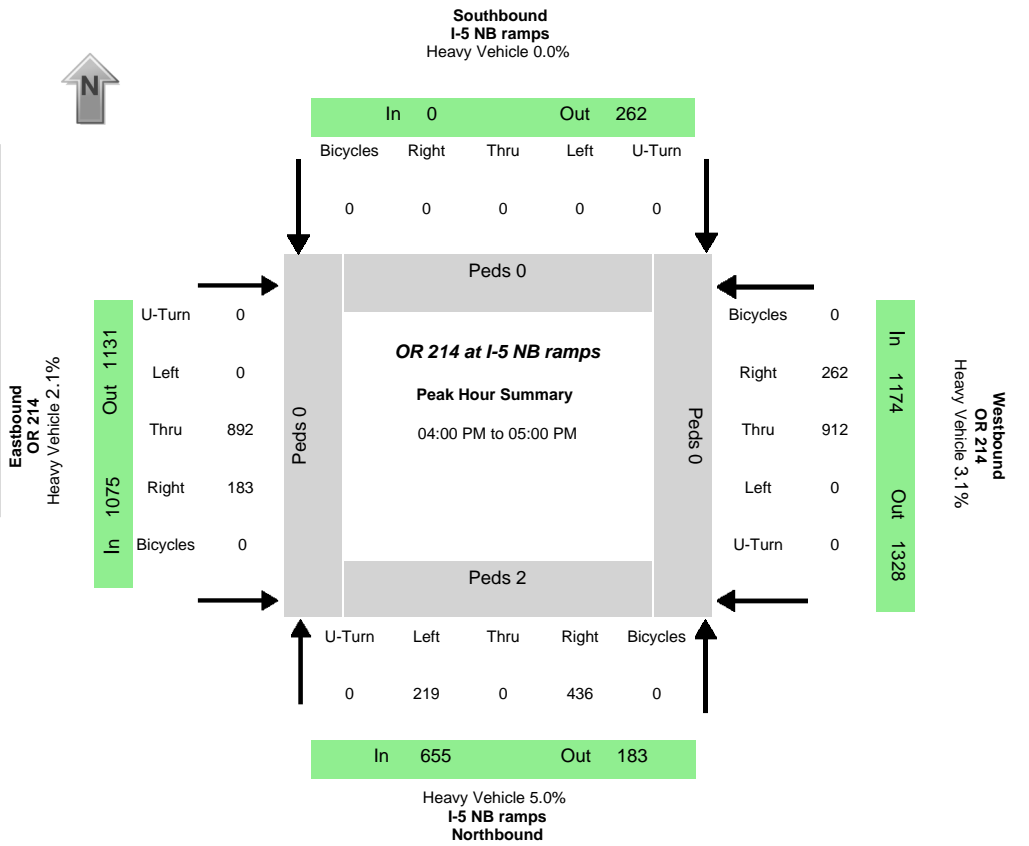


### Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
7:00 AM	5	0	3	0	8	7:00 AM	0	0	0	0	0	7:00 AM	0	0	0	0	0
7:05 AM	5	0	5	0	10	7:05 AM	0	0	0	0	0	7:05 AM	0	0	0	0	0
7:10 AM	8	0	3	0	11	7:10 AM	0	0	0	0	0	7:10 AM	0	0	0	0	0
7:15 AM	4	0	5	0	9	7:15 AM	0	0	0	0	0	7:15 AM	0	0	0	0	0
7:20 AM	2	0	3	0	5	7:20 AM	0	0	0	0	0	7:20 AM	0	0	1	1	2
7:25 AM	4	0	1	0	5	7:25 AM	0	0	0	0	0	7:25 AM	0	0	0	0	0
7:30 AM	1	0	5	0	6	7:30 AM	0	0	0	0	0	7:30 AM	0	0	1	1	2
7:35 AM	3	0	2	0	5	7:35 AM	0	0	0	0	0	7:35 AM	0	0	0	0	0
7:40 AM	8	0	3	0	11	7:40 AM	0	0	0	0	0	7:40 AM	0	0	0	0	0
7:45 AM	7	0	5	0	12	7:45 AM	0	0	0	0	0	7:45 AM	0	0	0	0	0
7:50 AM	9	0	2	0	11	7:50 AM	0	0	0	0	0	7:50 AM	0	1	0	0	1
7:55 AM	3	0	3	0	6	7:55 AM	0	0	0	0	0	7:55 AM	0	0	0	0	0
8:00 AM	8	0	4	0	12	8:00 AM	0	0	0	0	0	8:00 AM	0	0	1	0	1
8:05 AM	6	0	3	0	9	8:05 AM	0	0	0	0	0	8:05 AM	0	0	0	0	0
8:10 AM	7	0	6	0	13	8:10 AM	0	0	1	0	1	8:10 AM	0	0	1	0	1
8:15 AM	6	0	3	0	9	8:15 AM	0	0	0	0	0	8:15 AM	0	1	0	0	1
8:20 AM	4	1	3	0	8	8:20 AM	0	0	0	0	0	8:20 AM	0	1	0	0	1
8:25 AM	3	0	3	1	7	8:25 AM	0	0	0	0	0	8:25 AM	0	0	0	0	0
8:30 AM	5	1	1	1	8	8:30 AM	0	0	0	0	0	8:30 AM	0	0	0	0	0
8:35 AM	7	0	4	0	11	8:35 AM	0	0	0	0	0	8:35 AM	0	0	0	0	0
8:40 AM	6	0	7	0	13	8:40 AM	0	0	0	0	0	8:40 AM	0	0	0	0	0
8:45 AM	9	0	6	0	15	8:45 AM	0	0	0	0	0	8:45 AM	0	1	0	0	1
8:50 AM	4	0	7	0	11	8:50 AM	0	0	0	0	0	8:50 AM	0	0	0	0	0
Count Total	124	2	87	2	215	Count Total	0	0	1	0	1	Count Total	0	4	4	2	10
Peak Hour	64	0	39	0	103	Peak Hour	0	0	0	0	0	Peak Hour	0	3	3	2	8

Data Provided by K-D-N.com 503-594-4224

N/S street	I-5 NB ramps
E/W street	OR 214
City, State	Woodburn OR
Site Notes	
Location	45.151084 - -122.87928
Start Date	Wednesday, June 30, 2021
Start Time	04:00:00 PM
Weather	
Study ID #	
Peak Hour Start	04:00:00 PM
Peak 15 Min Start	04:05:00 PM
PHF (15-Min Int)	0.94



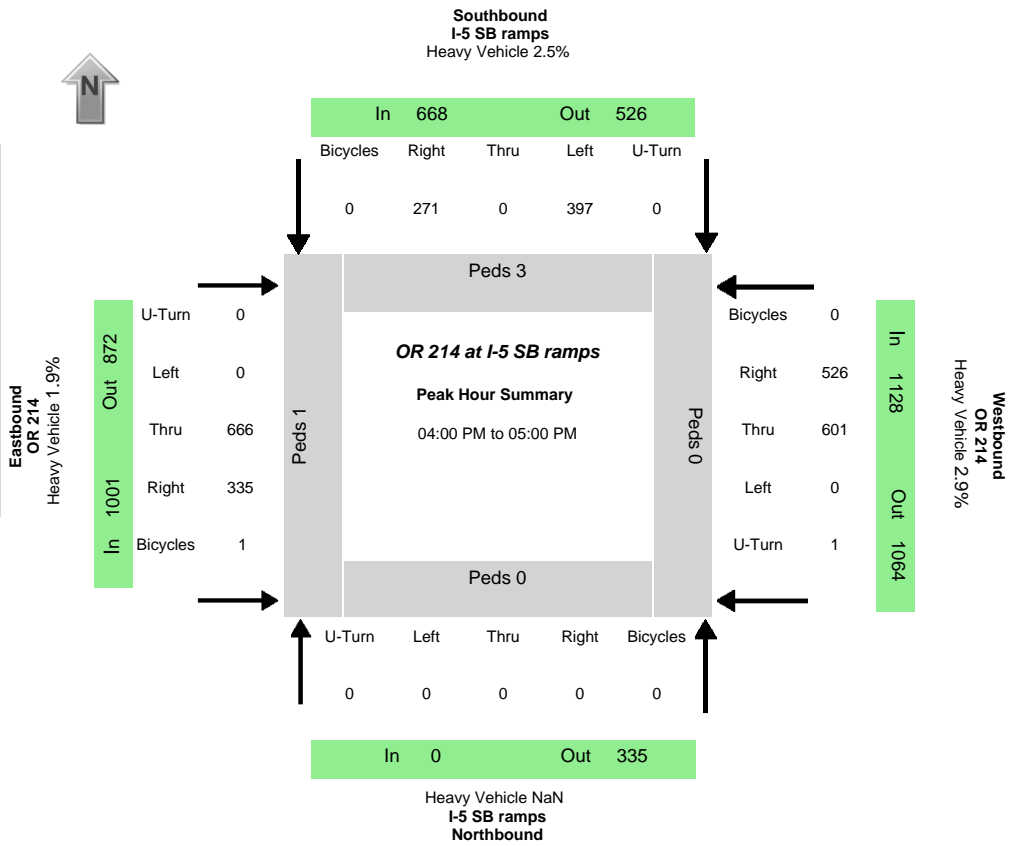
Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
219	0	436	0	0	0	0	0	0	892	183	0	0	912	262	0	655	0	1075	1174	183	262	1131	1328
Percent Heavy Vehicles																							
4.6%	0.0%	5.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1.3%	6.0%	0.0%	0.0%	2.4%	5.3%	0.0%	5.0%	0.0%	2.1%	3.1%	6.0%	5.3%	2.8%	2.6%

PHV - Bicycles														PHV - Pedestrians							
Northbound				Southbound				Eastbound				Westbound				in Crosswalk				Sum	
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Sum	NB	SB	EB	WB	Sum
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2

Time	Northbound I-5 NB ramps				Southbound I-5 NB ramps				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
04:00:00 PM	23	0	35	0	0	0	0	0	0	87	19	0	0	54	22	0	716	2884
04:05:00 PM	21	0	33	0	0	0	0	0	0	84	21	0	0	95	18	0	679	2836
04:10:00 PM	18	0	38	0	0	0	0	0	0	73	19	0	0	78	31	0	670	2805
04:15:00 PM	8	0	48	0	0	0	0	0	0	73	19	0	0	72	21	0	692	2806
04:20:00 PM	25	0	30	0	0	0	0	0	0	77	15	0	0	83	26	0	699	2784
04:25:00 PM	15	0	36	0	0	0	0	0	0	66	13	0	0	63	20	0	713	2819
04:30:00 PM	18	0	33	0	0	0	0	0	0	76	15	0	0	88	22	0	686	2778
04:35:00 PM	15	0	26	0	0	0	0	0	0	63	15	0	0	77	14	0	660	2767
04:40:00 PM	14	0	38	0	0	0	0	0	0	74	15	0	0	84	25	0	604	2695
04:45:00 PM	22	0	35	0	0	0	0	0	0	64	12	0	0	67	17	0	594	2659
04:50:00 PM	19	0	46	0	0	0	0	0	0	77	9	0	0	84	26	0		
04:55:00 PM	21	0	38	0	0	0	0	0	0	78	11	0	0	67	20	0		
05:00:00 PM	20	0	39	0	0	0	0	0	0	61	15	0	0	64	21	0		
05:05:00 PM	16	0	28	0	0	0	0	0	0	70	8	0	0	81	21	0		
05:10:00 PM	22	0	21	0	0	0	0	0	0	78	12	0	0	73	20	0		
05:15:00 PM	13	0	27	0	0	0	0	0	0	88	14	0	0	84	16	0		
05:20:00 PM	22	0	22	0	0	0	0	0	0	65	13	0	0	87	22	0		
05:25:00 PM	13	0	36	0	0	0	0	0	0	69	18	0	0	80	20	0		
05:30:00 PM	18	0	45	0	0	0	0	0	0	75	15	0	0	64	15	0		
05:35:00 PM	26	0	31	0	0	0	0	0	0	64	11	0	0	90	23	0		
05:40:00 PM	15	0	25	0	0	0	0	0	0	66	10	0	0	79	14	0		
05:45:00 PM	11	0	29	0	0	0	0	0	0	71	15	0	0	58	22	0		
05:50:00 PM	11	0	34	0	0	0	0	0	0	74	7	0	0	48	15	0		
05:55:00 PM	13	0	36	0	0	0	0	0	0	60	10	0	0	58	22	0		

Data Provided by K-D-N.com 503-594-4224

N/S street	I-5 SB ramps
E/W street	OR 214
City, State	Woodburn OR
Site Notes	
Location	45.151084 - -122.882542
Start Date	Wednesday, June 30, 2021
Start Time	04:00:00 PM
Weather	
Study ID #	
Peak Hour Start	04:00:00 PM
Peak 15 Min Start	04:00:00 PM
PHF (15-Min Int)	0.92



Peak-Hour Volumes (PHV)																							
Northbound				Southbound				Eastbound				Westbound				Entering				Leaving			
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	NB	SB	EB	WB	NB	SB	EB	WB
0	0	0	0	397	0	271	0	0	666	335	0	0	601	526	1	0	668	1001	1128	335	526	872	1064
Percent Heavy Vehicles																							
0.0%	0.0%	0.0%	0.0%	2.5%	0.0%	2.6%	0.0%	0.0%	2.0%	1.8%	0.0%	0.0%	2.3%	3.6%	0.0%	NaN	2.5%	1.9%	2.9%	1.8%	3.6%	2.4%	2.2%

PHV - Bicycles														PHV - Pedestrians							
Northbound				Southbound				Eastbound				Westbound				in Crosswalk					
Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Sum	NB	SB	EB	WB	Sum
0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	3	1	0	4

Time	Northbound I-5 SB ramps				Southbound I-5 SB ramps				Eastbound OR 214				Westbound OR 214				15 Min Sum	1 HR Sum
	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn	Left	Thru	Right	Uturn		
04:00:00 PM	0	0	0	0	41	0	30	0	0	67	26	0	0	50	39	1		
04:05:00 PM	0	0	0	0	45	0	23	0	0	58	35	0	0	60	43	0		
04:10:00 PM	0	0	0	0	30	0	21	0	0	58	29	0	0	43	59	0	758	
04:15:00 PM	0	0	0	0	29	0	20	0	0	62	22	0	0	50	38	0	725	
04:20:00 PM	0	0	0	0	30	0	22	0	0	52	28	0	0	58	32	0	683	
04:25:00 PM	0	0	0	0	34	0	19	0	0	57	30	0	0	50	42	0	675	
04:30:00 PM	0	0	0	0	25	0	23	0	0	54	34	0	0	44	51	0	685	
04:35:00 PM	0	0	0	0	29	0	18	0	0	52	22	0	0	56	43	0	683	
04:40:00 PM	0	0	0	0	37	0	19	0	0	44	31	0	0	56	48	0	686	
04:45:00 PM	0	0	0	0	29	0	31	0	0	65	28	0	0	38	46	0	692	
04:50:00 PM	0	0	0	0	29	0	20	0	0	51	22	0	0	52	43	0	689	
04:55:00 PM	0	0	0	0	39	0	25	0	0	46	28	0	0	44	42	0	678	2797
05:00:00 PM	0	0	0	0	32	0	20	0	0	47	22	0	0	47	41	0	650	2752
05:05:00 PM	0	0	0	0	32	0	18	0	0	49	37	0	0	50	43	0	662	2717
05:10:00 PM	0	0	0	0	46	0	20	0	0	61	33	0	0	57	42	0	697	2736
05:15:00 PM	0	0	0	0	27	0	23	0	0	53	28	0	0	41	49	0	709	2736
05:20:00 PM	0	0	0	0	46	0	18	0	0	55	24	0	0	53	52	0	728	2762
05:25:00 PM	0	0	0	0	32	0	18	0	0	46	29	0	0	44	43	0	681	2742
05:30:00 PM	0	0	0	0	32	0	19	0	0	50	30	0	0	41	43	0	675	2726
05:35:00 PM	0	0	0	0	38	0	26	0	0	35	21	0	0	61	42	0	650	2729
05:40:00 PM	0	0	0	0	23	0	17	0	0	57	29	0	0	61	33	0	658	2714
05:45:00 PM	0	0	0	0	36	0	16	0	0	41	30	0	0	38	27	0	631	2665
05:50:00 PM	0	0	0	0	32	0	32	0	0	42	34	0	0	33	19	0	600	2640
05:55:00 PM	0	0	0	0	28	0	15	0	0	45	17	0	0	55	20	0	560	2596



ALL TRAFFIC DATA SERVICES

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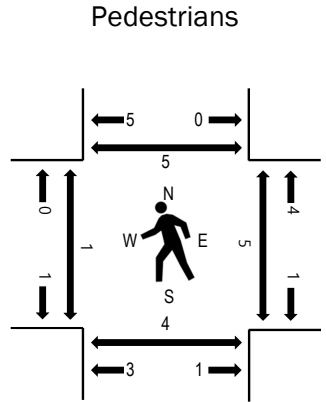
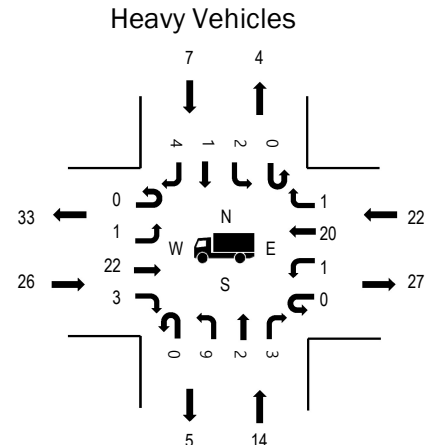
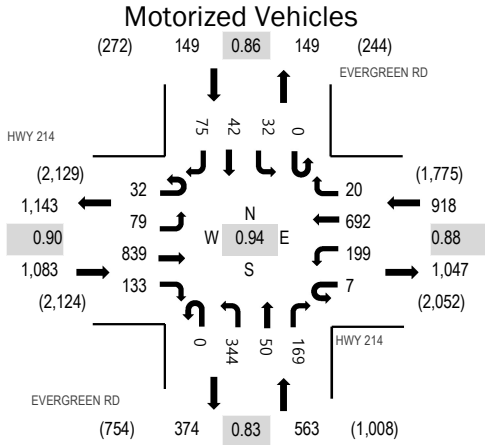
Location: 1 EVERGREEN RD & HWY 214 PM

Date: Tuesday, April 4, 2023

Peak Hour: 04:25 PM - 05:25 PM

Peak 15-Minutes: 04:30 PM - 04:45 PM

Peak Hour



Note: Total study counts contained in parentheses.

	HV%	PHF
EB	2.4%	0.90
WB	2.4%	0.88
NB	2.5%	0.83
SB	4.7%	0.86
All	2.5%	0.94

Traffic Counts - Motorized Vehicles

Interval Start Time	HWY 214 Eastbound				HWY 214 Westbound				EVERGREEN RD Northbound				EVERGREEN RD Southbound				Total	Rolling Hour
	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right	U-Turn	Left	Thru	Right		
4:00 PM	2	4	68	12	0	17	65	0	0	19	3	22	0	2	3	5	222	2,704
4:05 PM	2	10	68	12	1	18	61	1	0	24	1	16	0	0	4	6	224	2,683
4:10 PM	2	3	63	11	1	11	63	3	0	26	5	11	0	6	5	5	215	2,671
4:15 PM	3	8	67	10	0	20	60	1	0	25	1	13	0	5	5	3	221	2,672
4:20 PM	3	3	74	16	0	25	47	4	0	20	2	10	0	2	0	7	213	2,702
4:25 PM	0	5	79	17	1	18	51	0	0	28	5	15	0	3	4	8	234	2,713
4:30 PM	2	8	85	13	0	12	67	2	0	21	6	15	0	2	2	4	239	2,657
4:35 PM	1	12	59	11	1	28	63	3	0	30	1	11	0	2	3	8	233	2,603
4:40 PM	2	9	75	7	0	20	65	4	0	36	5	12	0	6	3	9	253	2,583
4:45 PM	5	4	76	7	0	18	52	1	0	30	5	19	0	3	4	3	227	2,509
4:50 PM	1	5	68	15	0	14	54	2	0	29	6	18	0	2	5	5	224	2,470
4:55 PM	1	4	57	9	1	11	46	1	0	42	3	17	0	0	4	3	199	2,456
5:00 PM	2	5	68	7	2	18	55	1	0	19	4	9	0	2	3	6	201	2,475
5:05 PM	5	5	65	5	0	16	65	2	0	25	2	11	0	4	2	5	212	
5:10 PM	4	6	65	11	0	18	54	2	0	30	2	12	0	3	3	6	216	
5:15 PM	7	8	78	20	2	10	56	1	0	28	8	17	0	1	5	10	251	
5:20 PM	2	8	64	11	0	16	64	1	0	26	3	13	0	4	4	8	224	
5:25 PM	1	4	59	14	1	18	42	1	0	14	1	14	0	3	2	4	178	
5:30 PM	3	7	65	10	1	9	38	1	0	21	0	14	0	3	7	6	185	
5:35 PM	2	2	79	11	1	14	61	1	0	21	0	13	0	1	2	5	213	
5:40 PM	5	0	61	4	2	15	46	3	0	22	4	10	0	0	4	3	179	
5:45 PM	2	5	64	14	0	13	53	0	0	23	3	6	0	0	3	2	188	
5:50 PM	5	4	73	14	0	14	52	0	0	20	3	17	0	3	4	1	210	
5:55 PM	1	3	75	13	0	21	51	1	0	28	3	10	0	1	5	6	218	
Count Total	63	132	1,655	274	14	394	1,331	36	0	607	76	325	0	58	86	128	5,179	
Peak Hour	32	79	839	133	7	199	692	20	0	344	50	169	0	32	42	75	2,713	

### Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	0	1	2	0	3	4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0
4:05 PM	2	0	1	1	4	4:05 PM	0	0	0	0	0	4:05 PM	0	0	1	0	1
4:10 PM	2	2	1	2	7	4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0
4:15 PM	1	1	1	0	3	4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0
4:20 PM	5	1	2	0	8	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	1	1
4:25 PM	2	2	1	1	6	4:25 PM	0	0	0	0	0	4:25 PM	0	0	1	0	1
4:30 PM	4	1	7	0	12	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0
4:35 PM	4	2	0	0	6	4:35 PM	0	0	0	0	0	4:35 PM	0	0	0	1	1
4:40 PM	2	0	2	1	5	4:40 PM	0	0	0	0	0	4:40 PM	0	0	2	0	2
4:45 PM	1	1	2	0	4	4:45 PM	0	0	0	0	0	4:45 PM	1	1	1	2	5
4:50 PM	3	1	1	0	5	4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	0	0
4:55 PM	2	3	1	0	6	4:55 PM	0	0	0	0	0	4:55 PM	0	0	0	0	0
5:00 PM	2	0	2	0	4	5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0
5:05 PM	0	1	0	1	2	5:05 PM	0	0	0	0	0	5:05 PM	0	3	0	0	3
5:10 PM	2	1	1	1	5	5:10 PM	0	0	0	0	0	5:10 PM	0	0	1	0	1
5:15 PM	2	1	3	1	7	5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0
5:20 PM	2	1	2	2	7	5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	2	2
5:25 PM	0	0	1	0	1	5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0
5:30 PM	2	4	0	0	6	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	1	1	2	0	4	5:35 PM	0	0	0	0	0	5:35 PM	0	1	1	0	2
5:40 PM	0	1	3	1	5	5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0
5:45 PM	1	0	1	0	2	5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0
5:50 PM	4	1	0	0	5	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	0	1	2	0	3	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	44	27	38	11	120	Count Total	0	0	0	0	0	Count Total	1	5	7	6	19
Peak Hour	26	14	22	7	69	Peak Hour	0	0	0	0	0	Peak Hour	1	4	5	5	15



### Traffic Counts - Heavy Vehicles, Bicycles on Road, and Pedestrians/Bicycles on Crosswalk

Interval Start Time	Heavy Vehicles					Interval Start Time	Bicycles on Roadway					Interval Start Time	Pedestrians/Bicycles on Crosswalk				
	EB	NB	WB	SB	Total		EB	NB	WB	SB	Total		EB	NB	WB	SB	Total
4:00 PM	5	0	1	0	6	4:00 PM	0	0	0	0	0	4:00 PM	0	0	0	0	0
4:05 PM	0	0	2	0	2	4:05 PM	0	0	0	0	0	4:05 PM	0	0	0	0	0
4:10 PM	2	0	1	0	3	4:10 PM	0	0	0	0	0	4:10 PM	0	0	0	0	0
4:15 PM	3	0	2	0	5	4:15 PM	0	0	0	0	0	4:15 PM	0	0	0	0	0
4:20 PM	3	0	1	0	4	4:20 PM	0	0	0	0	0	4:20 PM	0	0	0	0	0
4:25 PM	1	0	2	1	4	4:25 PM	0	0	0	0	0	4:25 PM	0	0	0	0	0
4:30 PM	2	1	7	0	10	4:30 PM	0	0	0	0	0	4:30 PM	0	0	0	0	0
4:35 PM	5	0	1	0	6	4:35 PM	0	0	0	0	0	4:35 PM	0	1	0	0	1
4:40 PM	4	0	3	0	7	4:40 PM	0	0	0	0	0	4:40 PM	0	0	0	0	0
4:45 PM	1	0	1	0	2	4:45 PM	0	0	0	0	0	4:45 PM	0	0	0	3	3
4:50 PM	1	0	2	2	5	4:50 PM	0	0	0	0	0	4:50 PM	0	0	0	1	1
4:55 PM	6	0	2	0	8	4:55 PM	0	0	0	0	0	4:55 PM	1	0	0	1	2
5:00 PM	2	0	1	0	3	5:00 PM	0	0	0	0	0	5:00 PM	0	0	0	0	0
5:05 PM	1	0	1	0	2	5:05 PM	0	0	0	0	0	5:05 PM	0	3	0	0	3
5:10 PM	2	0	1	0	3	5:10 PM	0	0	0	0	0	5:10 PM	0	0	0	0	0
5:15 PM	0	1	2	0	3	5:15 PM	0	0	0	0	0	5:15 PM	0	0	0	0	0
5:20 PM	2	0	2	0	4	5:20 PM	0	0	0	0	0	5:20 PM	0	0	0	2	2
5:25 PM	3	0	2	0	5	5:25 PM	0	0	0	0	0	5:25 PM	0	0	0	0	0
5:30 PM	1	1	0	0	2	5:30 PM	0	0	0	0	0	5:30 PM	0	0	0	0	0
5:35 PM	2	0	2	0	4	5:35 PM	0	0	0	0	0	5:35 PM	0	1	0	0	1
5:40 PM	2	0	3	0	5	5:40 PM	0	0	0	0	0	5:40 PM	0	0	0	0	0
5:45 PM	0	0	1	0	1	5:45 PM	0	0	0	0	0	5:45 PM	0	0	0	0	0
5:50 PM	2	0	1	0	3	5:50 PM	0	0	0	0	0	5:50 PM	0	0	0	0	0
5:55 PM	1	0	1	0	2	5:55 PM	0	0	0	0	0	5:55 PM	0	0	0	0	0
Count Total	51	3	42	3	99	Count Total	0	0	0	0	0	Count Total	1	5	0	7	13
Peak Hour	34	7	30	13	84	Peak Hour	0	0	1	0	1	Peak Hour	1	3	1	13	18

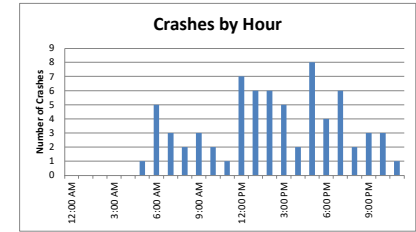
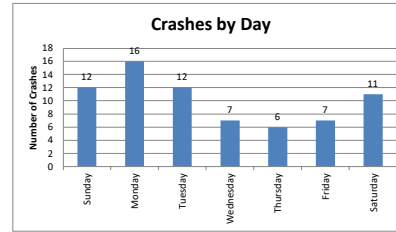
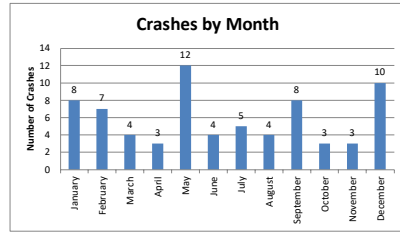
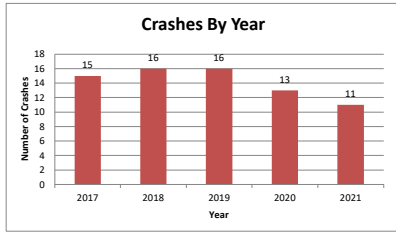


Project Name:  
 Project Number:  
 Query Information: OR214\_Evergreen  
 Date Queried:  
 Data Provider: ODOT Crash Analysis Reporting Unit  
 Analyst:  
 Summary Date: 1/11/2023  
 Text File Name:  
 Filters Applied: :: County: Marion

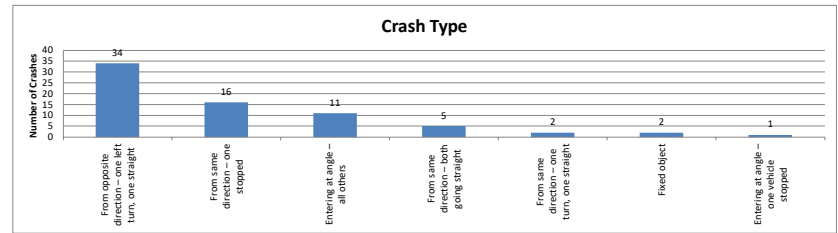
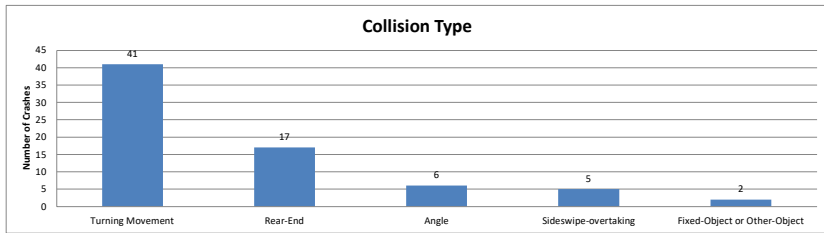
# OR 214/ Evergreen Avenue

(January 2017 through December 2021)

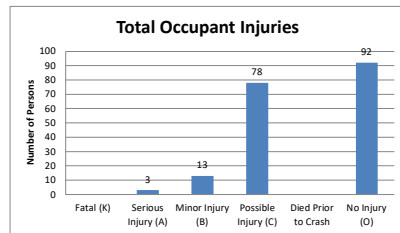
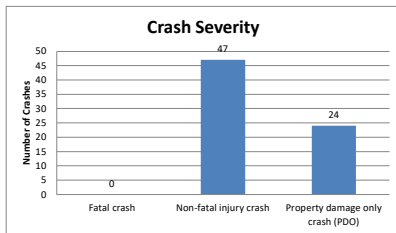
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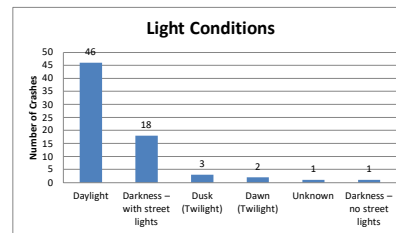
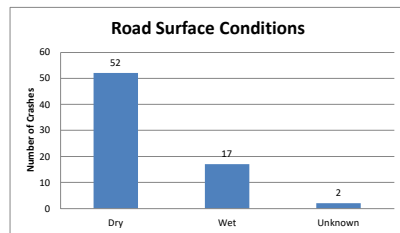
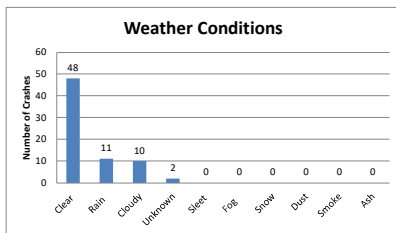
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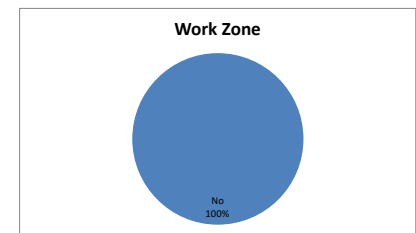
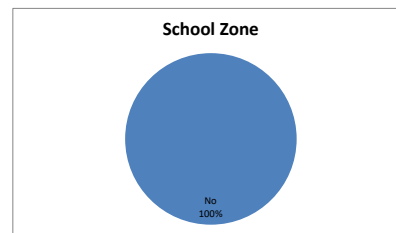
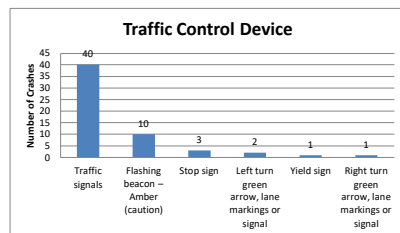
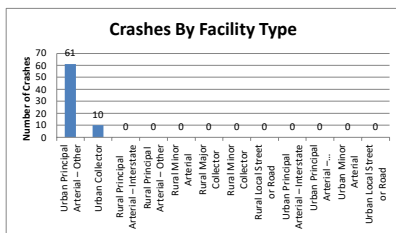
### Crash Severity



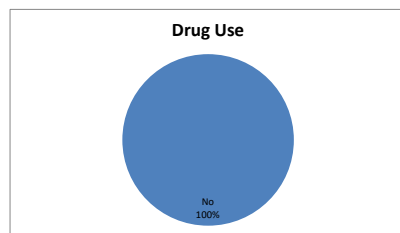
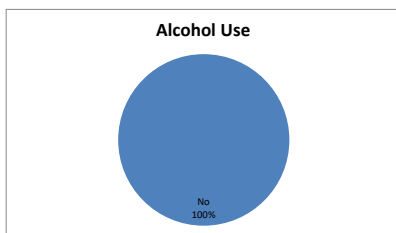
### Crash Environment Characteristics



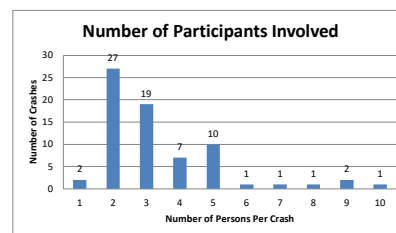
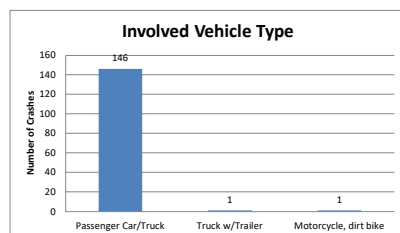
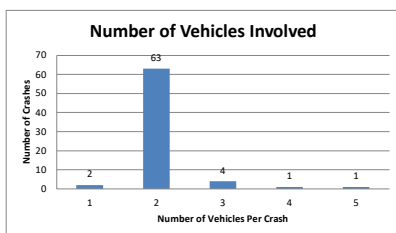
### Crash Area Characteristics



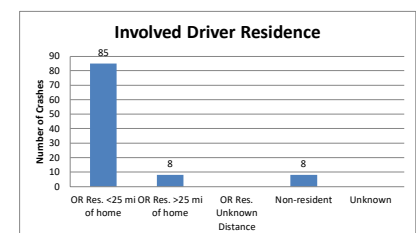
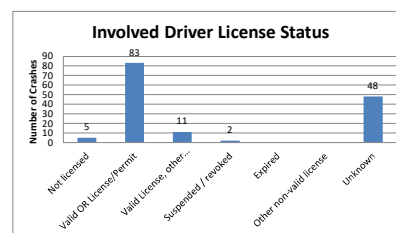
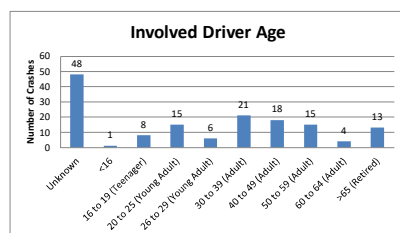
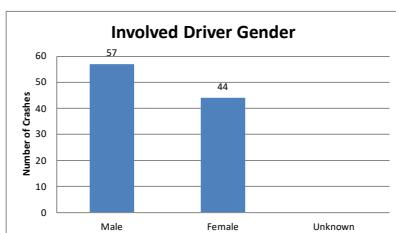
### Driving Impairments



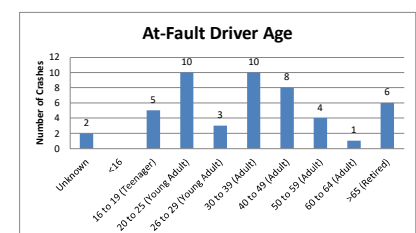
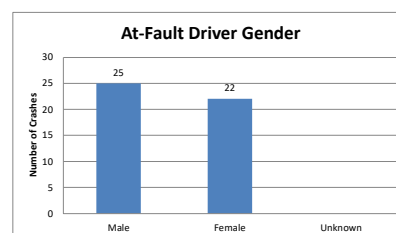
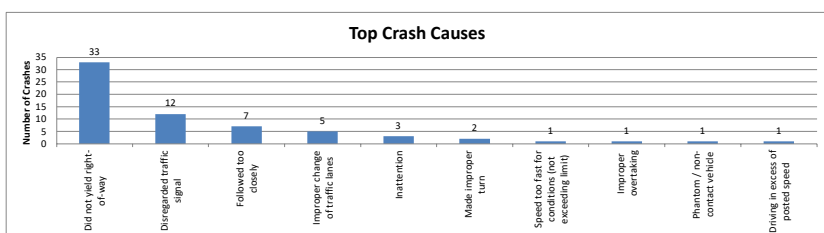
### Vehicles and Occupants



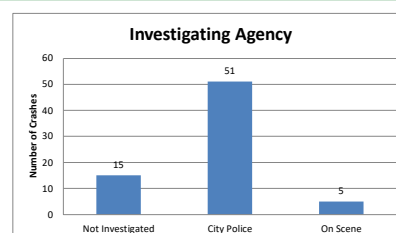
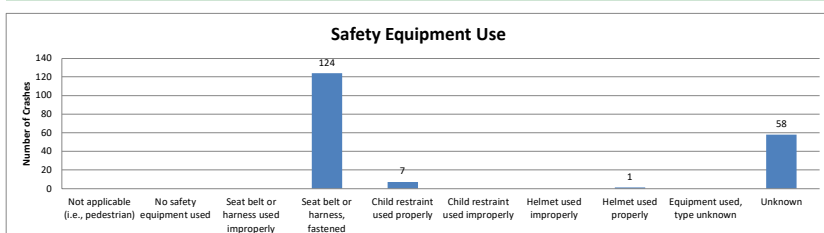
### Involved Driver Characteristics



### At-Fault Driver Characteristics



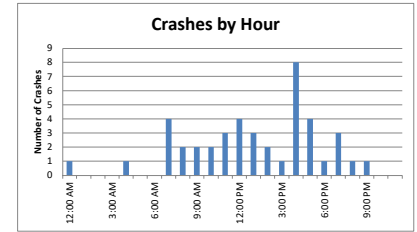
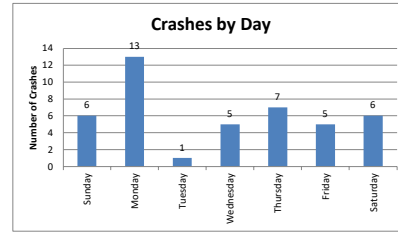
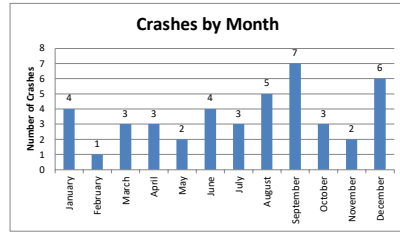
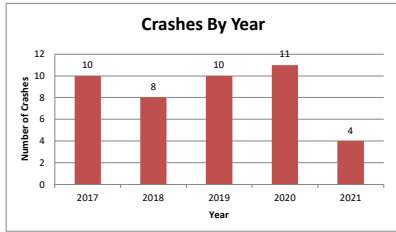
### Other Crash Characteristics



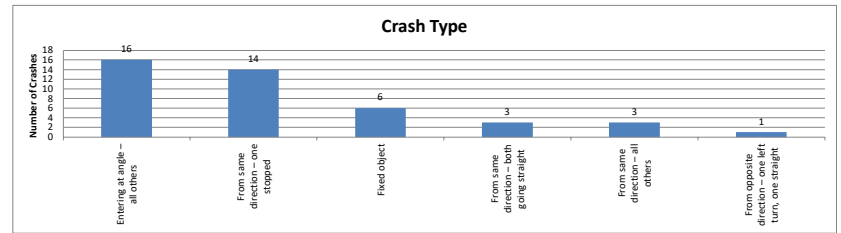
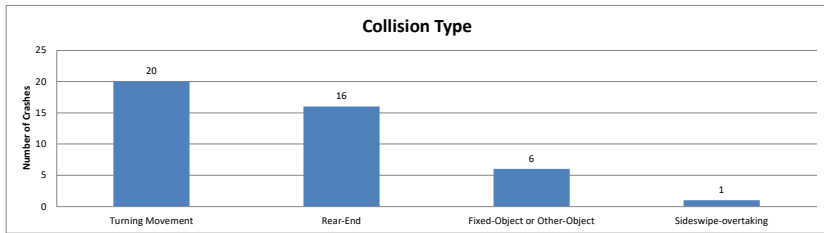
Project Name:  
 Project Number:  
 Query Information: OR214\_I5\_Northbound  
 Date Queried:  
 Data Provider: ODOT Crash Analysis Reporting Unit  
 Analyst:  
 Summary Date: 1/11/2023  
 Text File Name:  
 Filters Applied: :: County: Marion

# I-5 Northbound Ramps/ Newberg Highway (January 2017 through December 2021)

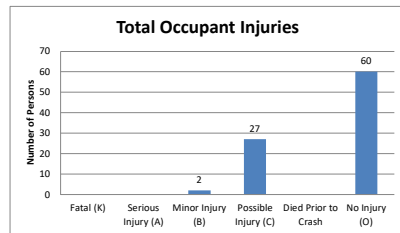
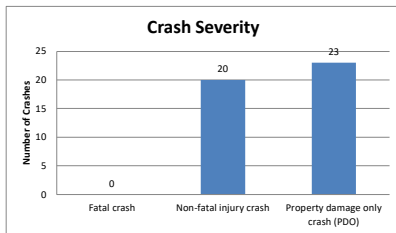
## Crash Summary by Date and Time



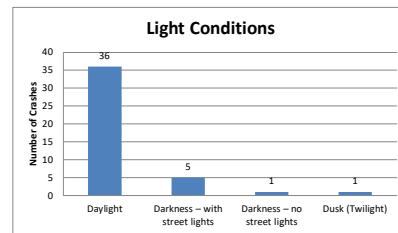
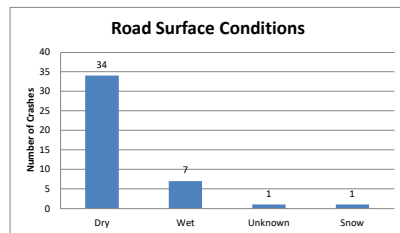
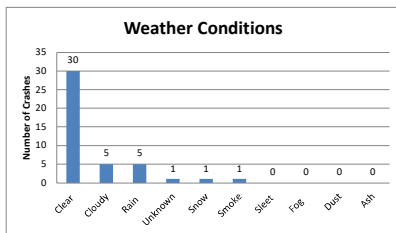
## Crash Summary by Type



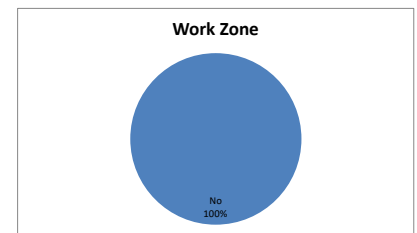
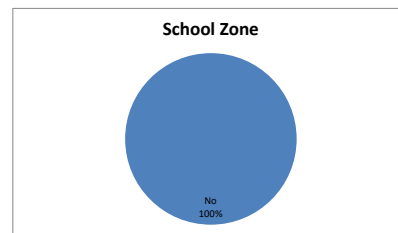
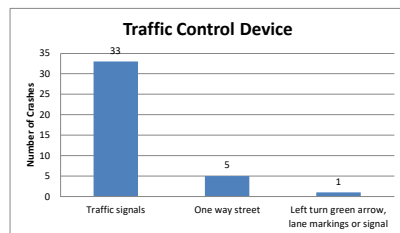
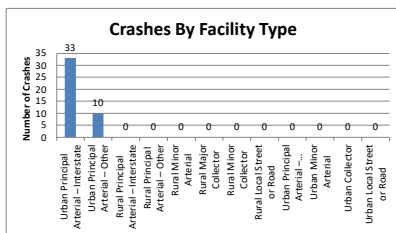
## Crash Severity



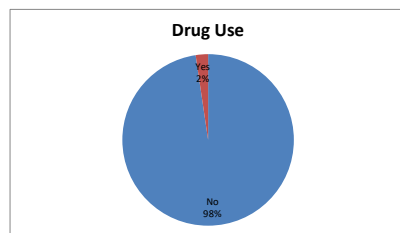
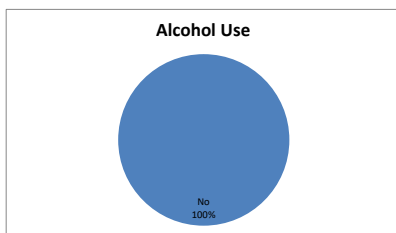
## Crash Environment Characteristics



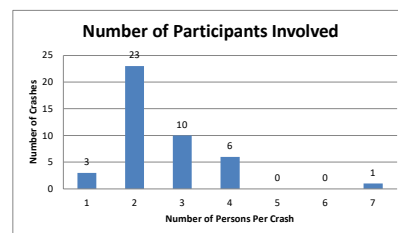
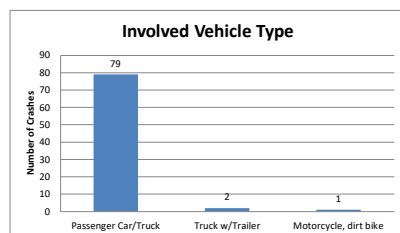
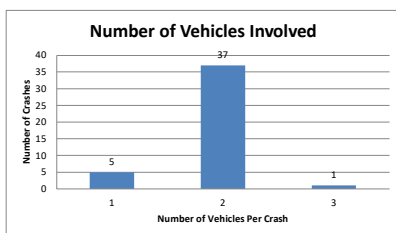
## Crash Area Characteristics



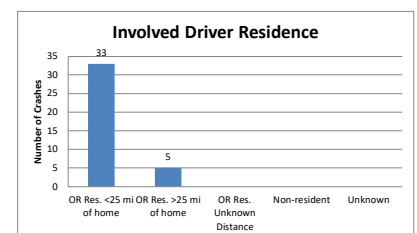
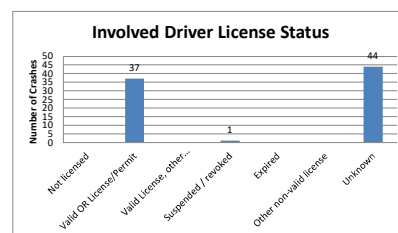
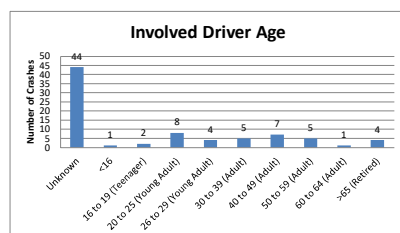
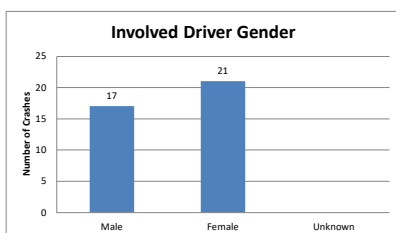
## Driving Impairments



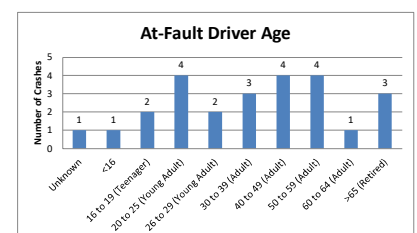
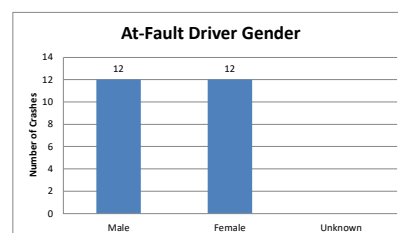
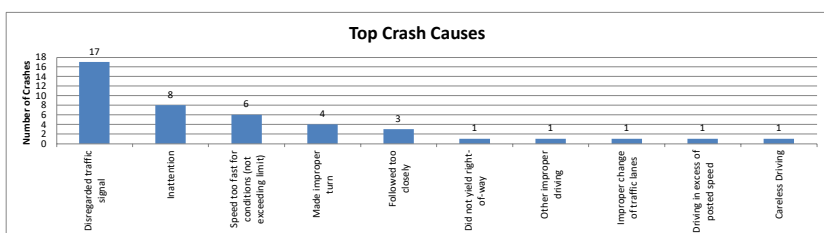
## Vehicles and Occupants



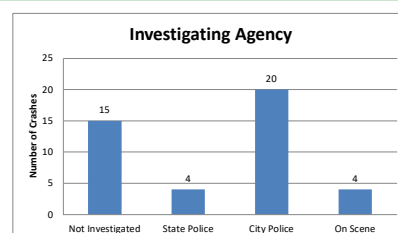
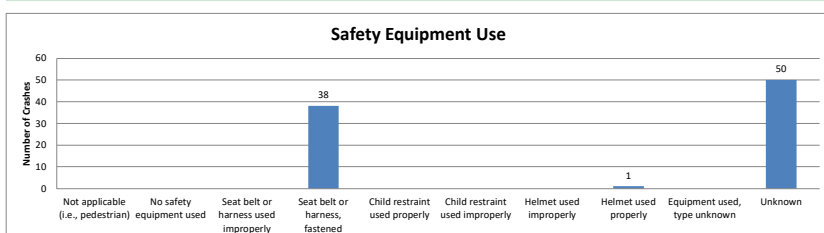
## Involved Driver Characteristics



## At-Fault Driver Characteristics



## Other Crash Characteristics

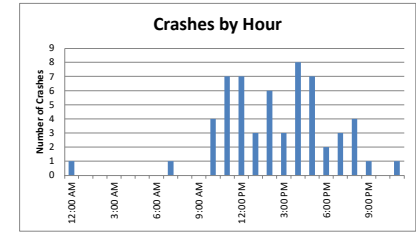
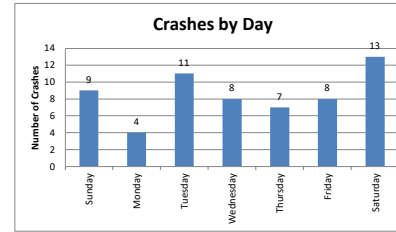
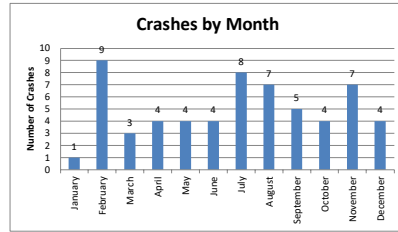
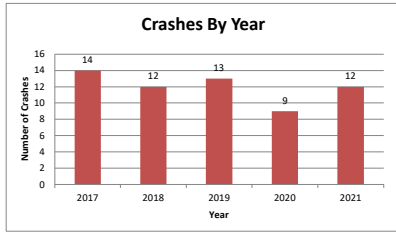


Project Name:  
 Project Number:  
 Query Information: OR214\_I5\_Southbound  
 Date Queried:  
 Data Provider: ODOT Crash Analysis Reporting Unit  
 Analyst:  
 Summary Date: 1/11/2023  
 Text File Name:  
 Filters Applied: :: County: Marion

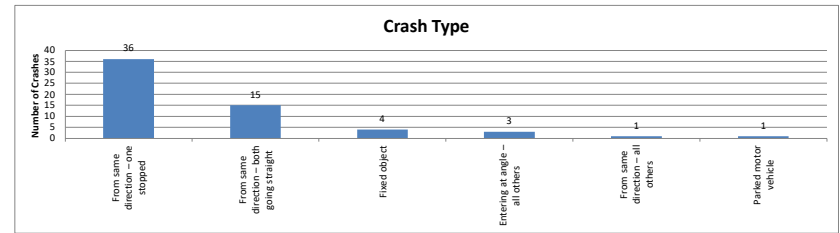
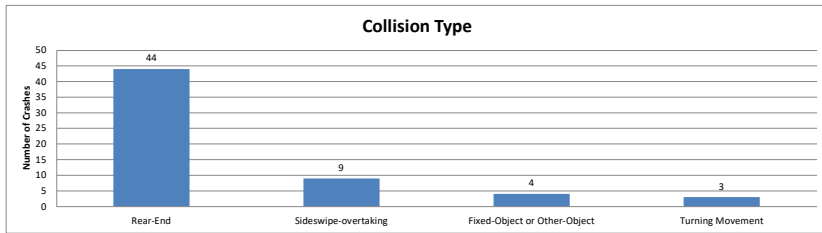
# I-5 Southbound Ramps/ Newberg Highway

(January 2017 through December 2021)

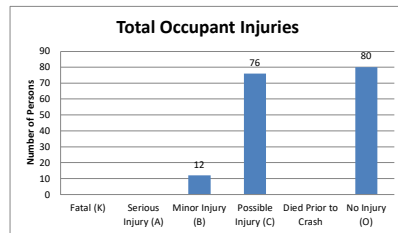
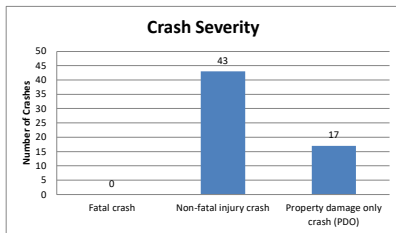
## Crash Summary by Date and Time



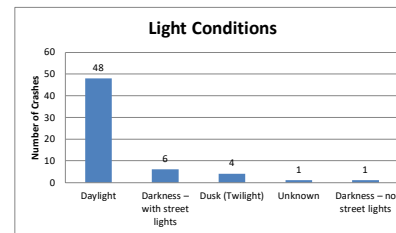
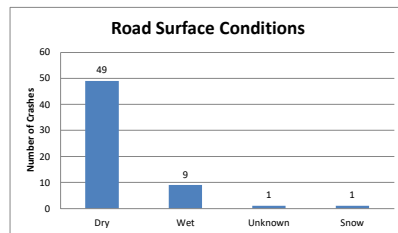
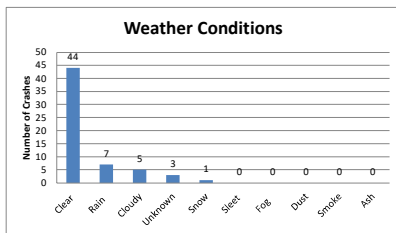
## Crash Summary by Type



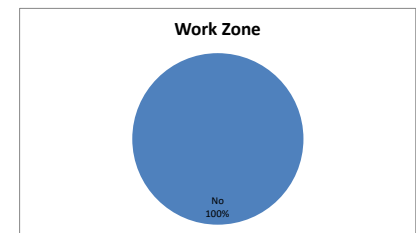
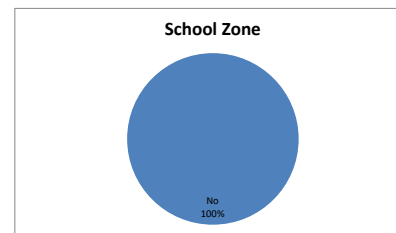
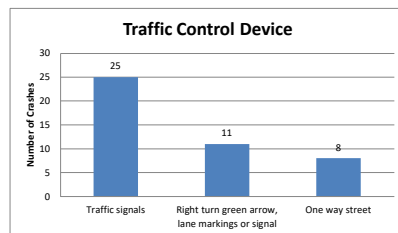
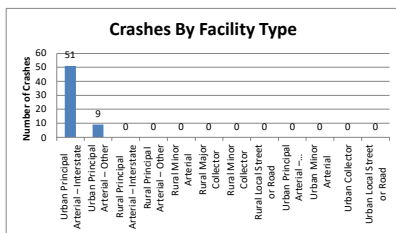
## Crash Severity



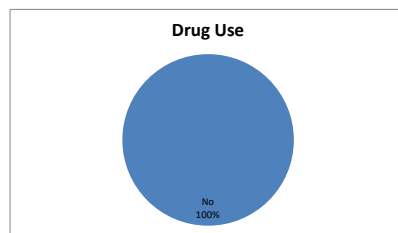
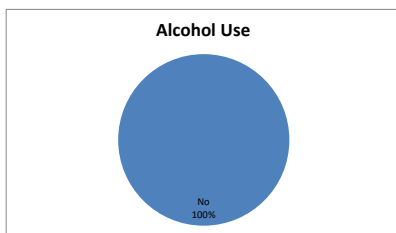
## Crash Environment Characteristics



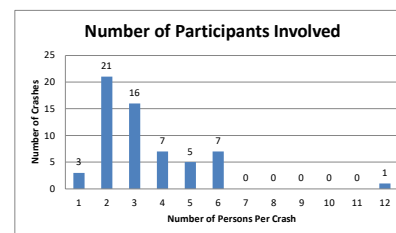
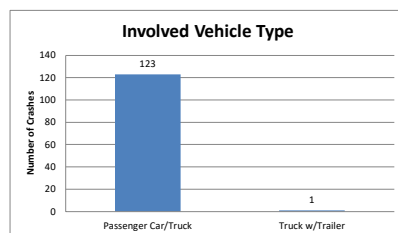
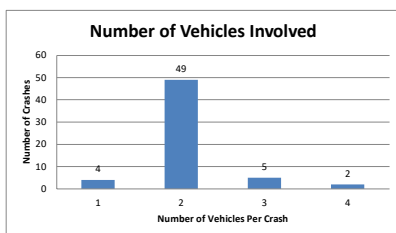
## Crash Area Characteristics



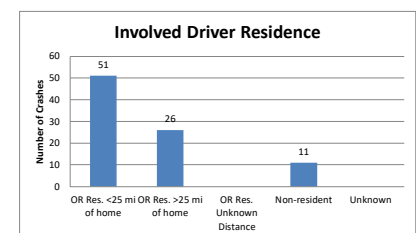
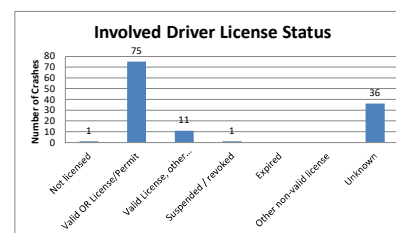
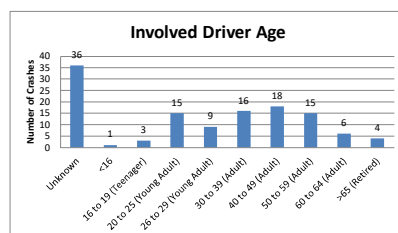
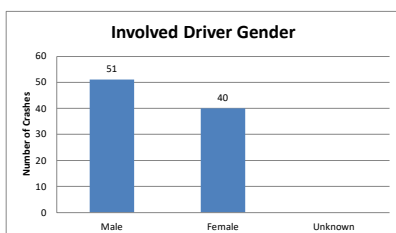
## Driving Impairments



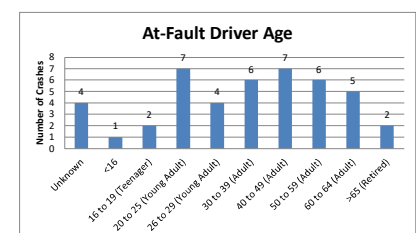
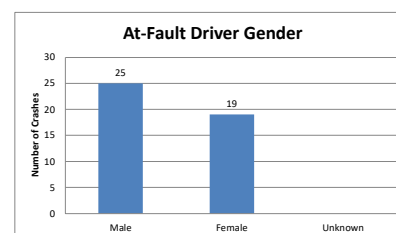
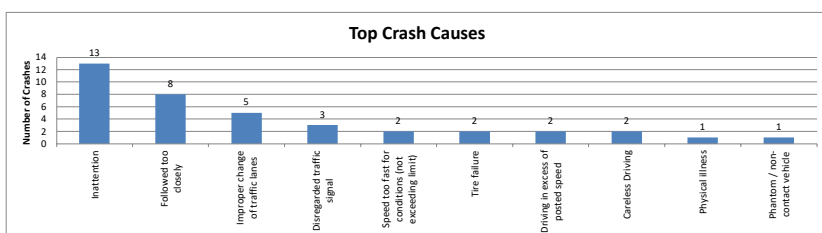
## Vehicles and Occupants



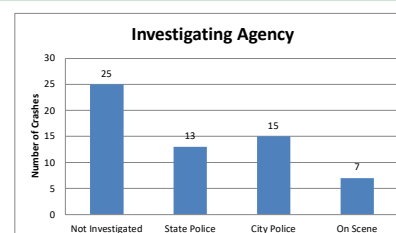
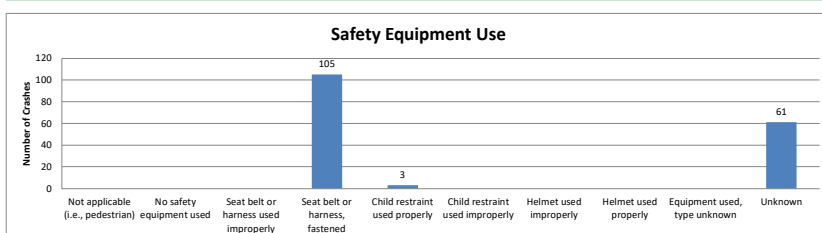
## Involved Driver Characteristics



## At-Fault Driver Characteristics



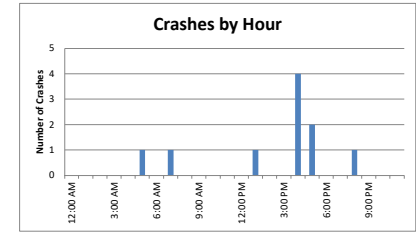
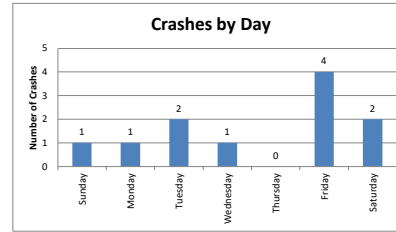
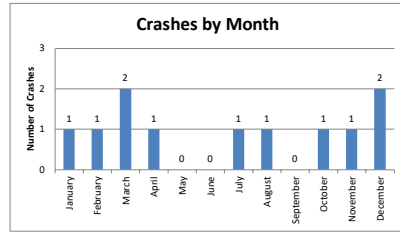
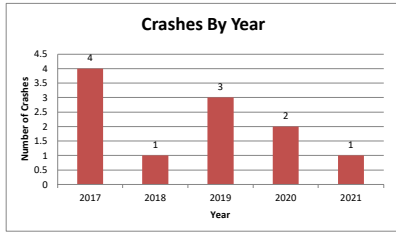
## Other Crash Characteristics



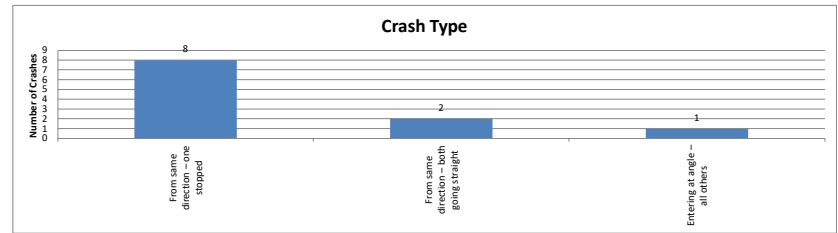
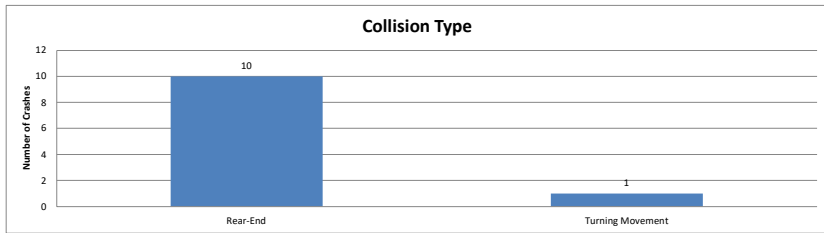
Project Name:  
 Project Number: OR214\_Lawson  
 Query Information: OR214\_Lawson  
 Date Queried:  
 Data Provider: ODOT Crash Analysis Reporting Unit  
 Analyst:  
 Summary Date: 1/11/2023  
 Text File Name:  
 Filters Applied: :: County: Marion

# OR 214/ Lawson Avenue (January 2017 through December 2021)

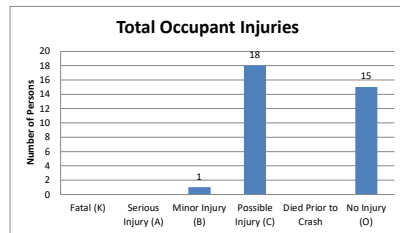
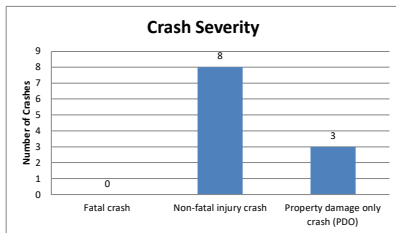
### Crash Summary by Date and Time



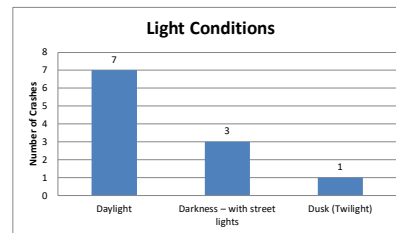
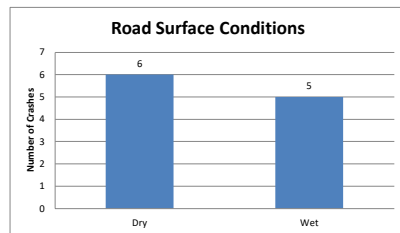
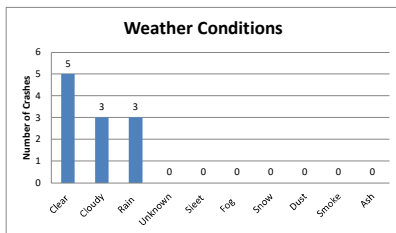
### Crash Summary by Type



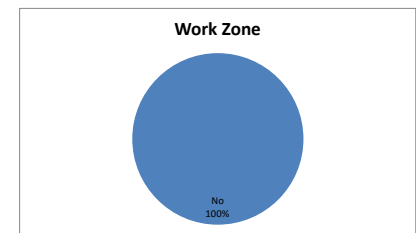
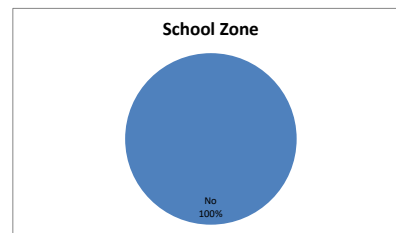
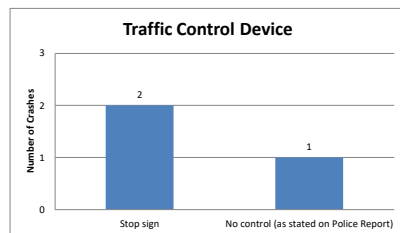
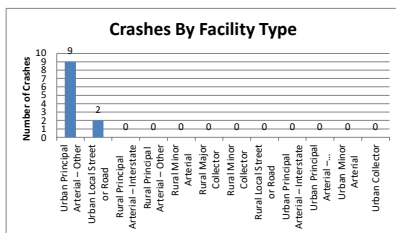
### Crash Severity



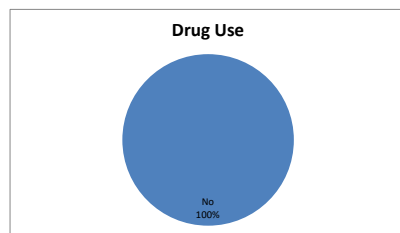
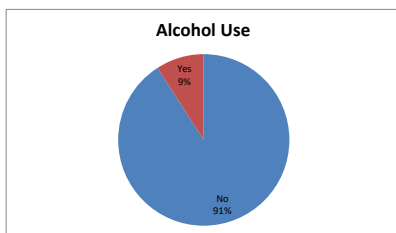
### Crash Environment Characteristics



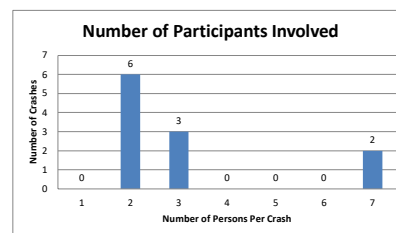
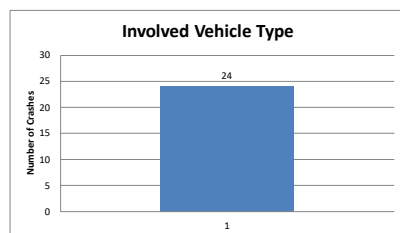
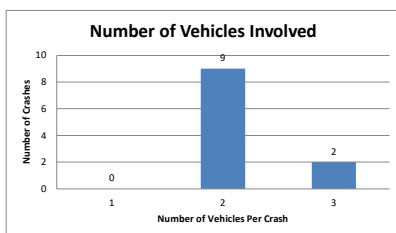
### Crash Area Characteristics



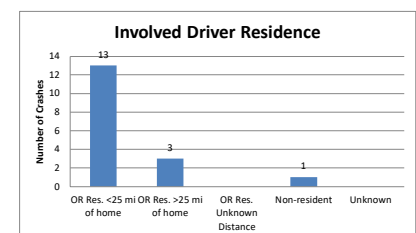
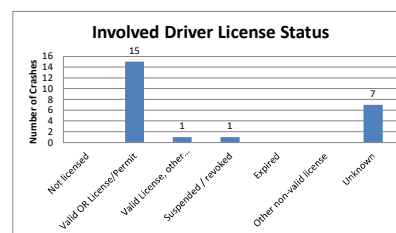
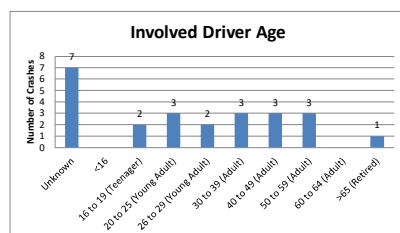
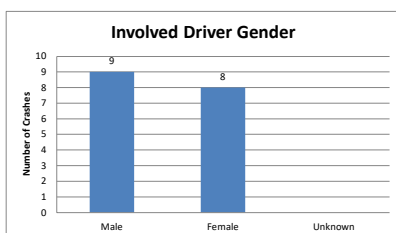
### Driving Impairments



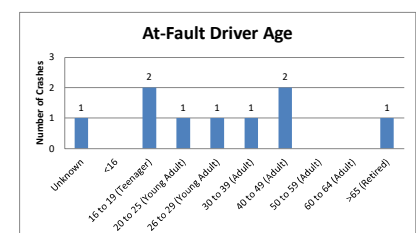
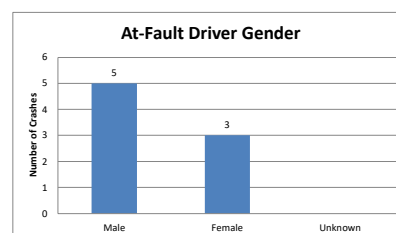
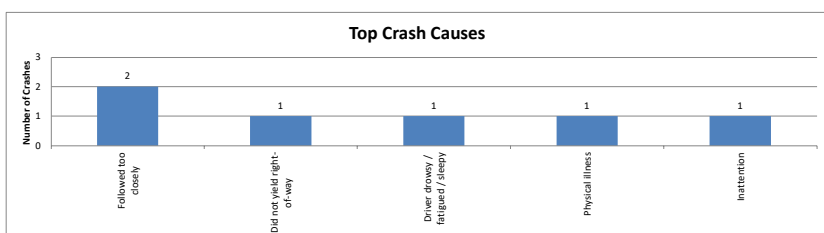
### Vehicles and Occupants



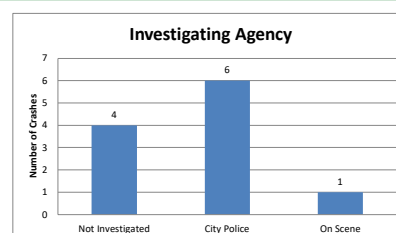
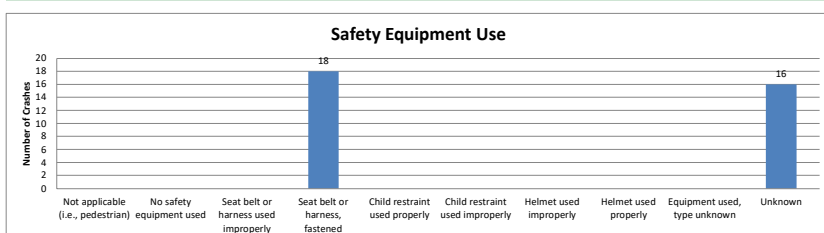
### Involved Driver Characteristics



### At-Fault Driver Characteristics



### Other Crash Characteristics

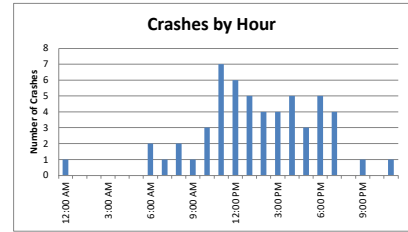
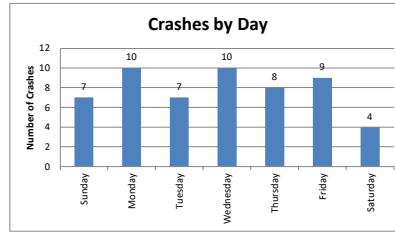
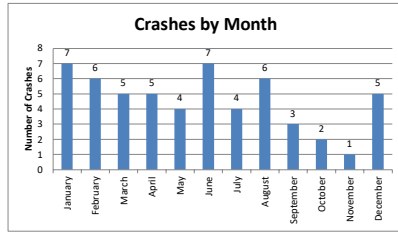
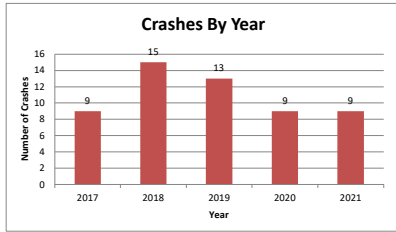


Project Name:  
 Project Number:  
 Query Information: OR214\_OregonWay  
 Date Queried:  
 Data Provider: ODOT Crash Analysis Reporting Unit  
 Analyst:  
 Summary Date: 1/11/2023  
 Text File Name:  
 Filters Applied: :: County: Marion

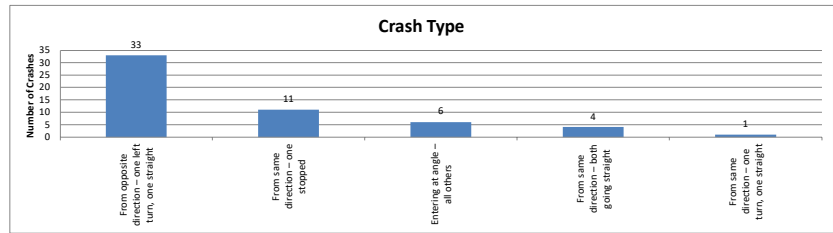
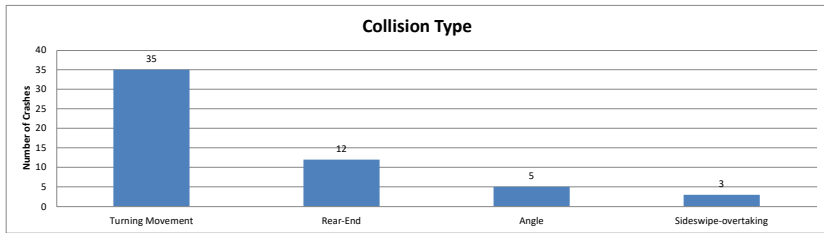
# OR 214/ Oregon Way

(January 2017 through December 2021)

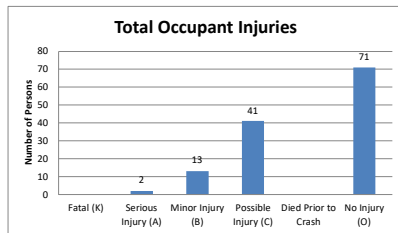
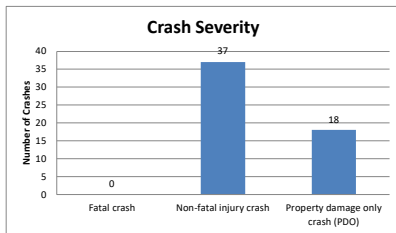
### Crash Summary by Date and Time



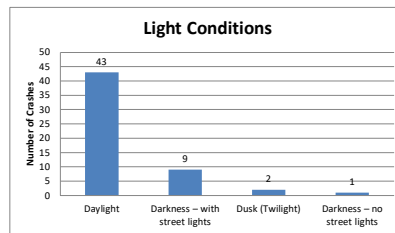
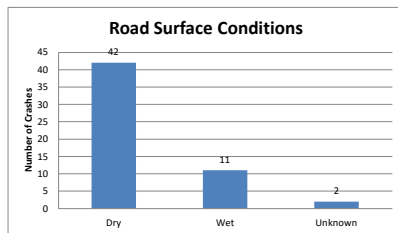
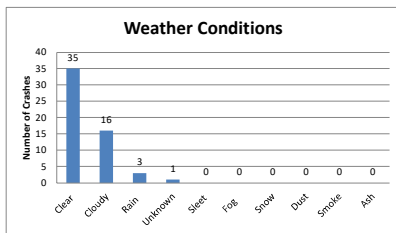
### Crash Summary by Type



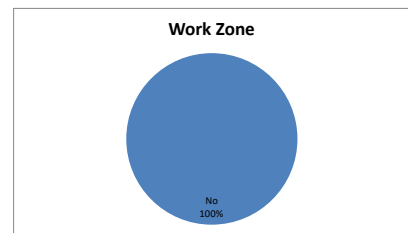
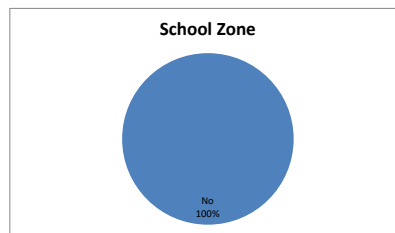
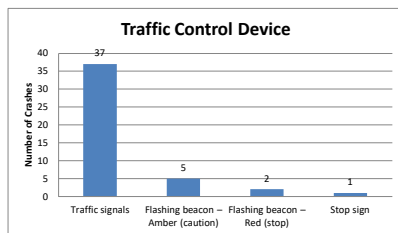
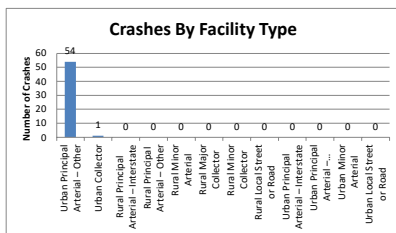
### Crash Severity



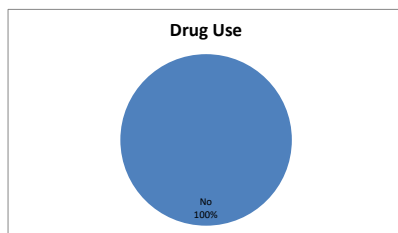
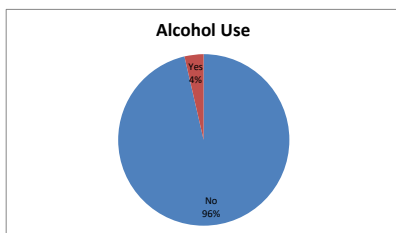
### Crash Environment Characteristics



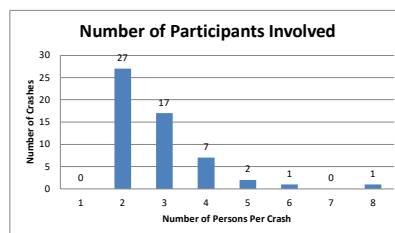
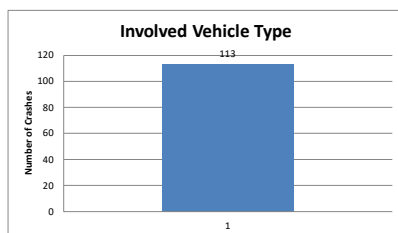
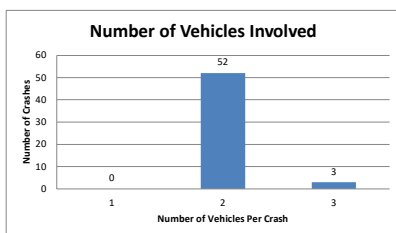
### Crash Area Characteristics



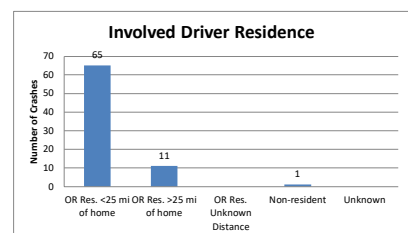
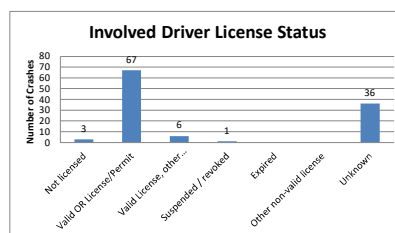
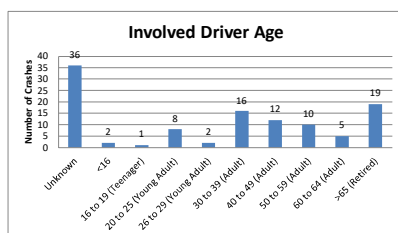
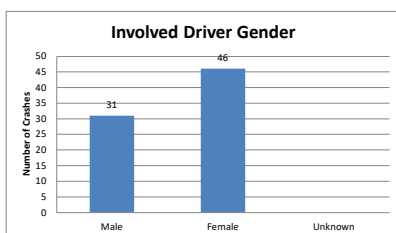
### Driving Impairments



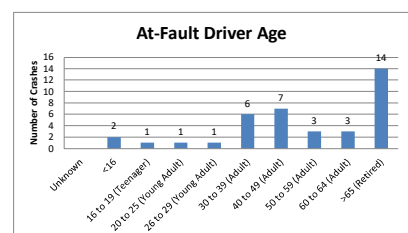
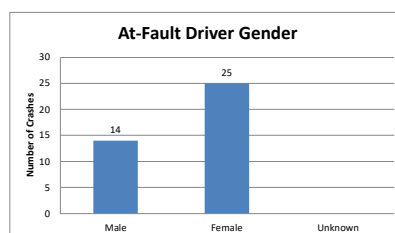
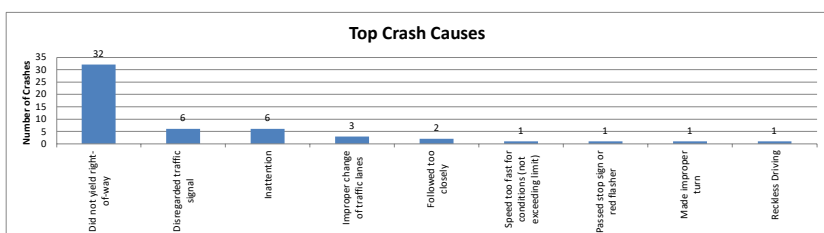
### Vehicles and Occupants



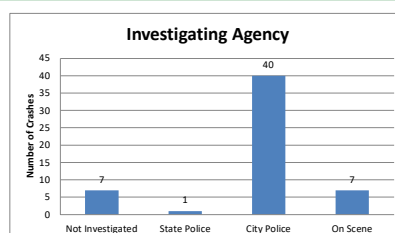
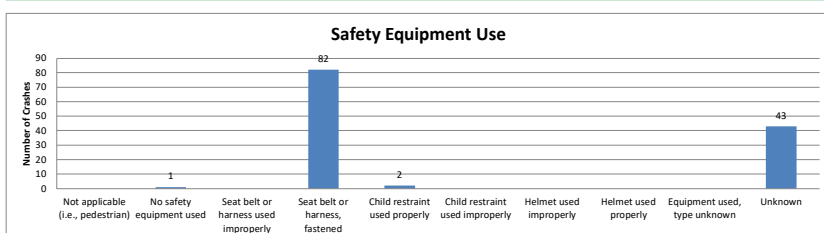
### Involved Driver Characteristics



### At-Fault Driver Characteristics



### Other Crash Characteristics



OR 214 / Evergreen Avenue (2017 → 2021)

- |   |                   |    |                   |    |                  |
|---|-------------------|----|-------------------|----|------------------|
| ① | ↖<br>↘            | ①9 | ←↖                | ④1 | →↗               |
| ② | ↗                 | ②0 | ↖                 | ④2 | ↓↖               |
| ③ | ↘                 | ②1 | ↖↖                | ④3 | ↘                |
| ④ | ↘                 | ②2 | ←↖                | ④4 | straight (unk) ↘ |
| ⑤ | ↘                 | ②3 | ←↖                | ④5 | ←↖               |
| ⑥ | ↘                 | ②4 | →↘                | ④6 | ↗↗               |
| ⑦ | ↘                 | ②5 | →unk<br>↖         | ④7 | ↘                |
| ⑧ | ↘<br>→unk         | ②6 | straight (unk) →↗ | ④8 | ↘                |
| ⑨ | ↗↗                | ②7 | ←↖                | ④9 | ↘                |
| ⑩ | ↘                 | ②8 | ↘                 | ⑤0 | ↘                |
| ⑪ | ↘                 | ②9 | ↖                 | ⑤1 | ↘                |
| ⑫ | ↘                 | ③0 | →↘                | ⑤2 | ↘                |
| ⑬ | ↘                 | ③1 | →↘                | ⑤3 | ↘                |
| ⑭ | ↘                 | ③2 | ↘                 | ⑤4 | ←↖               |
| ⑮ | ←↖                | ③3 | ↖                 | ⑤5 | ↘                |
| ⑯ | straight (unk) ↖  | ③4 | ↘                 | ⑤6 | ↘                |
| ⑰ | straight (unk) →↗ | ③5 | ↖                 | ⑤7 | ↘                |
| ⑱ | ←↖                | ③6 | ↖                 | ⑤8 | ↘                |
|   |                   | ③7 | ↘                 | ⑤9 | ↘                |
|   |                   | ③8 | ↖                 | ⑥0 | ↘                |
|   |                   | ③9 | ↘                 |    |                  |
|   |                   | ④0 | ↖↖                |    |                  |

OR 214/Evergreen (continued)

(61) ←←

(62) ↖↖

(63) ←←

(64) ↖↖

(65) ↖↖

(66) ↖↖

(67) ↖↖

(68) →→

(69) ↖↖

(70) ↖↖

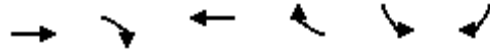
(71) →→

- |      |      |       |       |
|------|------|-------|-------|
| ① ↘  | ⑱ ↘  | ③⑦ →↘ | ⑤⑤ ←← |
| ② ↗← | ⑲ ↓↘ | ③⑧ ↓← |       |
| ③ ↗← | ⑲ ←← | ③⑨ ↘  |       |
| ④ →↘ | ⑲ →↓ | ④⑩ ←← |       |
| ⑤ ↗← | ⑲ ↓← | ④⑪ ↘  |       |
| ⑥ →↘ | ⑲ →↗ | ④⑫ ↗← |       |
| ⑦ ↘↗ | ⑲ ↘  | ④⑬ ↘  |       |
| ⑧ ↗← | ⑲ →↘ | ④⑭ ↘  |       |
| ⑨ →↗ | ⑲ ←← | ④⑮ ↗← |       |
| ⑩ ↘↗ | ⑲ →↓ | ④⑯ ←← |       |
| ⑪ ↗← | ⑲ ←← | ④⑰ ↗  |       |
| ⑫ ↘  | ⑳ ↘  | ④⑱ →↓ |       |
| ⑬ →↘ | ⑳ ↘  | ④⑲ ←← |       |
| ⑭ ↘  | ⑳ →↘ | ⑤⑰ →↘ |       |
| ⑮ →↘ | ⑳ →↗ | ⑤⑱ ←← |       |
| ⑯ ←← | ⑳ →↗ | ⑤⑲ →↗ |       |
| ⑰ →↘ | ㉑ ↘  | ⑤⑳ ←← |       |
| ⑱ ↗← | ㉑ →↘ | ⑤⑲ →↘ |       |



Queues  
1: I-5 SB ramps & OR 214













2023 Existing Traffic Conditions  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	435	165	450	499	227	96
v/c Ratio	0.18	0.13	0.21	0.38	0.60	0.22
Control Delay	3.1	0.2	7.2	1.6	48.0	6.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	3.1	0.2	7.2	1.6	48.0	6.9
Queue Length 50th (ft)	28	0	78	11	71	0
Queue Length 95th (ft)	46	0	58	25	97	30
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)	270		550			
Base Capacity (vph)	2439	1312	2139	1300	1069	537
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.18	0.13	0.21	0.38	0.21	0.18
<b>Intersection Summary</b>						













HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

2023 Existing Traffic Conditions  
Weekday AM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	365	139	0	378	419	0	0	0	191	0	81	
Future Volume (vph)	0	365	139	0	378	419	0	0	0	191	0	81	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	0.98				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3107	1312		3197	1300				3014		1340	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3107	1312		3197	1300				3014		1340	
Peak-hour factor, PHF	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	
Adj. Flow (vph)	0	435	165	0	450	499	0	0	0	227	0	96	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	72	
Lane Group Flow (vph)	0	435	165	0	450	499	0	0	0	227	0	24	
Confl. Peds. (#/hr)									1	1			
Confl. Bikes (#/hr)			2			3							
Heavy Vehicles (%)	0%	7%	11%	0%	4%	12%	0%	0%	0%	7%	0%	11%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		78.5	100.0		66.0	100.0				12.5		25.0	
Effective Green, g (s)		78.5	100.0		66.0	100.0				12.5		25.0	
Actuated g/C Ratio		0.78	1.00		0.66	1.00				0.12		0.25	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2438	1312		2110	1300				376		335	
v/s Ratio Prot		0.14			0.14					c0.08			
v/s Ratio Perm			0.13			c0.38						0.02	
v/c Ratio		0.18	0.13		0.21	0.38				0.60		0.07	
Uniform Delay, d1		2.7	0.0		6.7	0.0				41.4		28.6	
Progression Factor		1.00	1.00		0.94	1.00				1.00		1.00	
Incremental Delay, d2		0.2	0.2		0.1	0.8				2.3		0.1	
Delay (s)		2.8	0.2		6.4	0.8				43.7		28.7	
Level of Service		A	A		A	A				D		C	
Approach Delay (s)		2.1			3.5			0.0			39.3		
Approach LOS		A			A			A			D		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			9.2									HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio			0.46										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			24.8%									ICU Level of Service	A
Analysis Period (min)			15										
c	Critical Lane Group												

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

2023 Existing Traffic Conditions  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	365	139	0	378	419	0	0	0	191	0	81
Future Volume (veh/h)	0	365	139	0	378	419	0	0	0	191	0	81
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1654	1600	0	1695	1586				1654	0	1600
Adj Flow Rate, veh/h	0	435	0	0	450	0				227	0	96
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84				0.84	0.84	0.84
Percent Heavy Veh, %	0	7	11	0	4	12				7	0	11
Cap, veh/h	0	2545		0	2608					307	0	136
Arrive On Green	0.00	0.81	0.00	0.00	0.81	0.00				0.10	0.00	0.10
Sat Flow, veh/h	0	3226	1356	0	3306	1344				3057	0	1356
Grp Volume(v), veh/h	0	435	0	0	450	0				227	0	96
Grp Sat Flow(s),veh/h/ln	0	1572	1356	0	1611	1344				1528	0	1356
Q Serve(g_s), s	0.0	3.1	0.0	0.0	3.1	0.0				7.2	0.0	6.9
Cycle Q Clear(g_c), s	0.0	3.1	0.0	0.0	3.1	0.0				7.2	0.0	6.9
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2545		0	2608					307	0	136
V/C Ratio(X)	0.00	0.17		0.00	0.17					0.74	0.00	0.70
Avail Cap(c_a), veh/h	0	2545		0	2608					1085	0	481
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.94	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	2.1	0.0	0.0	2.1	0.0				43.7	0.0	43.5
Incr Delay (d2), s/veh	0.0	0.1	0.0	0.0	0.0	0.0				2.6	0.0	4.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	0.7	0.0	0.0	0.6	0.0				2.8	0.0	5.2
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	2.3	0.0	0.0	2.2	0.0				46.3	0.0	48.4
LnGrp LOS	A	A		A	A					D	A	D
Approach Vol, veh/h		435	A		450	A					323	
Approach Delay, s/veh		2.3			2.2						46.9	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		85.5		14.5		85.5						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		55.5		35.5		40.5						
Max Q Clear Time (g_c+I1), s		5.1		9.2		5.1						
Green Ext Time (p_c), s		8.4		0.8		4.7						

Intersection Summary

HCM 6th Ctrl Delay	14.2
HCM 6th LOS	B

Notes

Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.

Queues  
2: I-5 NB ramps & OR 214













2023 Existing Traffic Conditions  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	431	192	769	634	113	262	259
v/c Ratio	0.18	0.14	0.33	0.45	0.59	0.68	0.65
Control Delay	2.8	0.2	6.9	1.3	51.7	15.5	12.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	2.8	0.2	6.9	1.3	51.7	15.5	12.8
Queue Length 50th (ft)	18	0	91	5	72	7	0
Queue Length 95th (ft)	56	0	156	4	120	84	68
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2410	1325	2343	1399	666	715	743
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.18	0.14	0.33	0.45	0.17	0.37	0.35
Intersection Summary							

HCM Signalized Intersection Capacity Analysis  
 2: I-5 NB ramps & OR 214

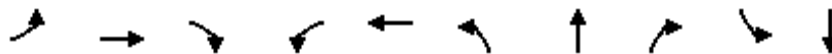
2023 Existing Traffic Conditions  
 Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	384	171	0	684	564	112	0	452	0	0	0
Future Volume (vph)	0	384	171	0	684	564	112	0	452	0	0	0
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	0.98		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3137	1325		3050	1399	1462	1272	1321			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3137	1325		3050	1399	1462	1272	1321			
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Adj. Flow (vph)	0	431	192	0	769	634	126	0	508	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	216	225	0	0	0
Lane Group Flow (vph)	0	431	192	0	769	634	113	46	34	0	0	0
Confl. Peds. (#/hr)	1						1					
Confl. Bikes (#/hr)			1			3						
Heavy Vehicles (%)	0%	6%	10%	0%	9%	4%	8%	0%	7%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		76.8	100.0		76.8	100.0	13.3	13.3	13.3			
Effective Green, g (s)		76.8	100.0		76.8	100.0	13.3	13.3	13.3			
Actuated g/C Ratio		0.77	1.00		0.77	1.00	0.13	0.13	0.13			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2409	1325		2342	1399	194	169	175			
v/s Ratio Prot		0.14			0.25							
v/s Ratio Perm			0.14			c0.45	0.08	0.04	0.03			
v/c Ratio		0.18	0.14		0.33	0.45	0.58	0.27	0.20			
Uniform Delay, d1		3.1	0.0		3.6	0.0	40.7	39.0	38.6			
Progression Factor		0.71	1.00		1.57	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.2	0.2		0.2	0.9	3.7	0.6	0.4			
Delay (s)		2.4	0.2		5.9	0.9	44.4	39.6	39.0			
Level of Service		A	A		A	A	D	D	D			
Approach Delay (s)		1.7			3.6			40.2			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			11.9				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.50									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			40.0%				ICU Level of Service				A	
Analysis Period (min)			15									
c Critical Lane Group												

HCM 6th Edition methodology does not support turning movements with shared & exclusive lanes.

Queues  
3: Evergreen Rd & OR 214

2023 Existing Traffic Conditions  
Weekday AM Peak Hour



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	101	811	73	143	830	224	227	163	6	46
v/c Ratio	0.60	0.55	0.11	0.68	0.51	0.75	0.75	0.40	0.05	0.37
Control Delay	56.3	23.7	3.8	59.8	19.9	52.7	52.6	7.9	44.5	30.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	56.3	23.7	3.8	59.8	19.9	52.7	52.6	7.9	44.5	30.0
Queue Length 50th (ft)	57	227	1	87	204	143	145	0	4	9
Queue Length 95th (ft)	108	335	11	#156	315	208	210	48	17	45
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	188	1472	689	228	1628	436	441	517	116	125
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.54	0.55	0.11	0.63	0.51	0.51	0.51	0.32	0.05	0.37

Intersection Summary

# 95th percentile volume exceeds capacity, queue may be longer.  
Queue shown is maximum after two cycles.

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2023 Existing Traffic Conditions  
Weekday AM Peak Hour

Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	44	51	762	69	16	118	770	10	404	20	153	6
Future Volume (vph)	44	51	762	69	16	118	770	10	404	20	153	6
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	0.98		1.00	1.00		1.00	1.00	0.99	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1613	3107	1335		1630	3132		1504	1521	1384	1662
Flt Permitted		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		1613	3107	1335		1630	3132		1504	1521	1384	1662
Peak-hour factor, PHF	0.93	0.94	0.94	0.94	0.93	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	47	54	811	73	17	126	819	11	430	21	163	6
RTOR Reduction (vph)	0	0	0	40	0	0	1	0	0	0	131	0
Lane Group Flow (vph)	0	101	811	33	0	143	829	0	224	227	32	6
Confl. Peds. (#/hr)		1		1		1		1	3		2	2
Confl. Bikes (#/hr)				1								
Heavy Vehicles (%)	2%	4%	7%	9%	2%	2%	6%	0%	5%	0%	6%	0%
Turn Type	Prot	Prot	NA	Perm	Prot	Prot	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases				2							8	
Actuated Green, G (s)		9.1	45.6	45.6		12.8	49.3		19.9	19.9	19.9	4.2
Effective Green, g (s)		9.1	45.6	45.6		12.8	49.3		19.9	19.9	19.9	4.2
Actuated g/C Ratio		0.09	0.46	0.46		0.13	0.49		0.20	0.20	0.20	0.04
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		146	1416	608		208	1544		299	302	275	69
v/s Ratio Prot		0.06	c0.26			c0.09	c0.26		0.15	c0.15		0.00
v/s Ratio Perm				0.02							0.02	
v/c Ratio		0.69	0.57	0.05		0.69	0.54		0.75	0.75	0.12	0.09
Uniform Delay, d1		44.1	20.0	15.2		41.7	17.5		37.7	37.7	32.9	46.1
Progression Factor		0.97	1.00	1.87		1.04	0.94		1.00	1.00	1.00	1.00
Incremental Delay, d2		12.0	1.7	0.2		8.3	1.3		9.4	9.6	0.1	0.4
Delay (s)		54.8	21.7	28.5		51.5	17.8		47.1	47.4	33.0	46.5
Level of Service		D	C	C		D	B		D	D	C	D
Approach Delay (s)			25.6			22.8			43.4			
Approach LOS			C			C			D			
<b>Intersection Summary</b>												
HCM 2000 Control Delay			29.2		HCM 2000 Level of Service				C			
HCM 2000 Volume to Capacity ratio			0.61									
Actuated Cycle Length (s)			100.0		Sum of lost time (s)				17.5			
Intersection Capacity Utilization			62.7%		ICU Level of Service				B			
Analysis Period (min)			15									
c	Critical Lane Group											



HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2023 Existing Traffic Conditions  
Weekday AM Peak Hour



Movement	SBT	SBR
Lane Configurations	↻	
Traffic Volume (vph)	13	30
Future Volume (vph)	13	30
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.98	
Flpb, ped/bikes	1.00	
Frt	0.90	
Flt Protected	1.00	
Satd. Flow (prot)	1356	
Flt Permitted	1.00	
Satd. Flow (perm)	1356	
Peak-hour factor, PHF	0.94	0.94
Adj. Flow (vph)	14	32
RTOR Reduction (vph)	31	0
Lane Group Flow (vph)	15	0
Confl. Peds. (#/hr)		3
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	15%	12%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	4.2	
Effective Green, g (s)	4.2	
Actuated g/C Ratio	0.04	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	56	
v/s Ratio Prot	c0.01	
v/s Ratio Perm		
v/c Ratio	0.27	
Uniform Delay, d1	46.4	
Progression Factor	1.00	
Incremental Delay, d2	1.9	
Delay (s)	48.4	
Level of Service	D	
Approach Delay (s)	48.1	
Approach LOS	D	
<b>Intersection Summary</b>		

HCM 6th Edition cannot analyze u-turn movements.

Queues  
5: Oregon Way & OR 214

2023 Existing Traffic Conditions  
Weekday AM Peak Hour



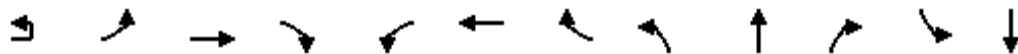
Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	23	1031	2	937	10	18	8	75
v/c Ratio	0.23	0.40	0.02	0.37	0.11	0.16	0.09	0.46
Control Delay	47.5	4.2	45.5	5.5	47.6	30.0	47.0	22.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	47.5	4.2	45.5	5.5	47.6	30.0	47.0	22.8
Queue Length 50th (ft)	14	43	1	38	6	4	5	5
Queue Length 95th (ft)	m37	202	9	220	23	26	20	47
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	105	2600	93	2551	95	536	94	553
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.22	0.40	0.02	0.37	0.11	0.03	0.09	0.14

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2023 Existing Traffic Conditions  
Weekday AM Peak Hour



Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations		↔	↕		↔	↕		↔	↕		↔	↕
Traffic Volume (vph)	10	11	944	5	2	844	18	9	6	10	7	7
Future Volume (vph)	10	11	944	5	2	844	18	9	6	10	7	7
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	0.99		1.00	1.00
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00
Frt		1.00	1.00		1.00	1.00		1.00	0.91		1.00	0.87
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00
Satd. Flow (prot)		1536	3106		1662	3154		1662	1575		1662	1516
Flt Permitted		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00
Satd. Flow (perm)		1536	3106		1662	3154		1662	1575		1662	1516
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	11	12	1026	5	2	917	20	10	7	11	8	8
RTOR Reduction (vph)	0	0	0	0	0	1	0	0	10	0	0	63
Lane Group Flow (vph)	0	23	1031	0	2	936	0	10	8	0	8	12
Confl. Peds. (#/hr)		2		3	3		2			3	3	
Heavy Vehicles (%)	2%	14%	7%	0%	0%	5%	6%	0%	0%	0%	0%	0%
Turn Type	Prot	Prot	NA		Prot	NA		Prot	NA		Prot	NA
Protected Phases	5	5	2		1	6		3	8		7	4
Permitted Phases												
Actuated Green, G (s)		3.2	75.7		1.1	73.6		1.1	5.6		1.1	5.6
Effective Green, g (s)		3.2	75.7		1.1	73.6		1.1	5.6		1.1	5.6
Actuated g/C Ratio		0.03	0.76		0.01	0.74		0.01	0.06		0.01	0.06
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5
Lane Grp Cap (vph)		49	2351		18	2321		18	88		18	84
v/s Ratio Prot		c0.01	c0.33		0.00	0.30		c0.01	0.00		0.00	c0.01
v/s Ratio Perm												
v/c Ratio		0.47	0.44		0.11	0.40		0.56	0.09		0.44	0.14
Uniform Delay, d1		47.6	4.4		49.0	5.0		49.2	44.8		49.1	44.9
Progression Factor		0.97	0.94		1.00	1.00		1.00	1.00		1.00	1.00
Incremental Delay, d2		5.1	0.6		2.0	0.5		26.5	0.3		12.2	0.6
Delay (s)		51.1	4.7		51.0	5.5		75.7	45.1		61.4	45.5
Level of Service		D	A		D	A		E	D		E	D
Approach Delay (s)			5.8			5.6			56.0			47.0
Approach LOS			A			A			E			D
<b>Intersection Summary</b>												
HCM 2000 Control Delay			8.0									A
HCM 2000 Volume to Capacity ratio			0.43									
Actuated Cycle Length (s)			100.0						16.5			
Intersection Capacity Utilization			44.6%									A
Analysis Period (min)			15									

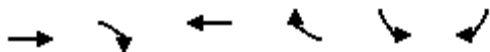
c Critical Lane Group

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	62
Future Volume (vph)	62
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	67
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Heavy Vehicles (%)	0%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

HCM 6th Edition cannot analyze u-turn movements.

Queues  
1: I-5 SB ramps & OR 214













2023 Existing Traffic Conditions  
Weekday PM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	747	372	666	584	445	300
v/c Ratio	0.32	0.26	0.36	0.41	0.74	0.52
Control Delay	6.0	0.4	14.3	1.0	45.5	16.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	6.0	0.4	14.3	1.0	45.5	16.6
Queue Length 50th (ft)	78	0	135	0	138	78
Queue Length 95th (ft)	127	0	147	12	180	147
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)	270		550			
Base Capacity (vph)	2340	1426	1867	1430	1048	600
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.32	0.26	0.36	0.41	0.42	0.50
<b>Intersection Summary</b>						

HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214













2023 Existing Traffic Conditions  
Weekday PM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	687	342	0	613	537	0	0	0	409	0	276	
Future Volume (vph)	0	687	342	0	613	537	0	0	0	409	0	276	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	1.00				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3260	1426		3260	1430				3131		1444	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3260	1426		3260	1430				3131		1444	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	0	747	372	0	666	584	0	0	0	445	0	300	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	91	
Lane Group Flow (vph)	0	747	372	0	666	584	0	0	0	445	0	209	
Confl. Peds. (#/hr)			3	3					1	1			
Confl. Bikes (#/hr)			1										
Heavy Vehicles (%)	0%	2%	2%	0%	2%	4%	0%	0%	0%	3%	0%	3%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		71.8	100.0		57.3	100.0				19.2		33.7	
Effective Green, g (s)		71.8	100.0		57.3	100.0				19.2		33.7	
Actuated g/C Ratio		0.72	1.00		0.57	1.00				0.19		0.34	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2340	1426		1867	1430				601		486	
v/s Ratio Prot		0.23			0.20					c0.14			
v/s Ratio Perm			0.26			c0.41						0.14	
v/c Ratio		0.32	0.26		0.36	0.41				0.74		0.43	
Uniform Delay, d1		5.2	0.0		11.5	0.0				38.1		25.7	
Progression Factor		1.00	1.00		1.13	1.00				1.00		1.00	
Incremental Delay, d2		0.4	0.4		0.1	0.8				4.6		0.4	
Delay (s)		5.5	0.4		13.1	0.8				42.7		26.1	
Level of Service		A	A		B	A				D		C	
Approach Delay (s)		3.8			7.4			0.0			36.0		
Approach LOS		A			A			A			D		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			13.0									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.52										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			44.5%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													



HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

2023 Existing Traffic Conditions  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	687	342	0	613	537	0	0	0	409	0	276
Future Volume (veh/h)	0	687	342	0	613	537	0	0	0	409	0	276
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1723	1723	0	1723	1695				1709	0	1709
Adj Flow Rate, veh/h	0	747	0	0	666	0				445	0	300
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92				0.92	0.92	0.92
Percent Heavy Veh, %	0	2	2	0	2	4				3	0	3
Cap, veh/h	0	2204		0	2204					748	0	343
Arrive On Green	0.00	0.67	0.00	0.00	0.67	0.00				0.24	0.00	0.24
Sat Flow, veh/h	0	3359	1460	0	3359	1437				3158	0	1448
Grp Volume(v), veh/h	0	747	0	0	666	0				445	0	300
Grp Sat Flow(s),veh/h/ln	0	1637	1460	0	1637	1437				1579	0	1448
Q Serve(g_s), s	0.0	9.7	0.0	0.0	8.3	0.0				12.5	0.0	19.9
Cycle Q Clear(g_c), s	0.0	9.7	0.0	0.0	8.3	0.0				12.5	0.0	19.9
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2204		0	2204					748	0	343
V/C Ratio(X)	0.00	0.34		0.00	0.30					0.60	0.00	0.87
Avail Cap(c_a), veh/h	0	2204		0	2204					1058	0	485
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.87	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	6.9	0.0	0.0	6.7	0.0				33.9	0.0	36.7
Incr Delay (d2), s/veh	0.0	0.4	0.0	0.0	0.1	0.0				0.6	0.0	11.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	3.1	0.0	0.0	2.6	0.0				4.8	0.0	15.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	7.3	0.0	0.0	6.8	0.0				34.5	0.0	47.7
LnGrp LOS	A	A		A	A					C	A	D
Approach Vol, veh/h		747	A		666	A					745	
Approach Delay, s/veh		7.3			6.8						39.8	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		71.8		28.2		71.8						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		57.5		33.5		42.5						
Max Q Clear Time (g_c+I1), s		11.7		21.9		10.3						
Green Ext Time (p_c), s		15.9		1.7		7.3						

Intersection Summary

HCM 6th Ctrl Delay	18.4
HCM 6th LOS	B

Notes

Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.

Queues  
2: I-5 NB ramps & OR 214

2023 Existing Traffic Conditions  
Weekday PM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	968	199	986	284	213	251	246
v/c Ratio	0.42	0.14	0.43	0.20	0.70	0.74	0.71
Control Delay	7.0	0.2	6.2	0.3	48.7	35.8	33.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	7.0	0.2	6.2	0.3	48.7	35.8	33.2
Queue Length 50th (ft)	74	0	58	0	133	104	95
Queue Length 95th (ft)	271	0	192	m0	191	179	165
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2302	1403	2280	1387	565	548	564
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.42	0.14	0.43	0.20	0.38	0.46	0.44

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

2023 Existing Traffic Conditions  
Weekday PM Peak Hour

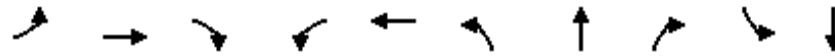
												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	910	187	0	927	267	223	0	445	0	0	0
Future Volume (vph)	0	910	187	0	927	267	223	0	445	0	0	0
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	1.00		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3292	1403		3260	1387	1504	1305	1346			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3292	1403		3260	1387	1504	1305	1346			
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	0	968	199	0	986	284	237	0	473	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	75	75	0	0	0
Lane Group Flow (vph)	0	968	199	0	986	284	213	176	171	0	0	0
Confl. Peds. (#/hr)	2					2						
Heavy Vehicles (%)	0%	1%	6%	0%	2%	5%	5%	0%	5%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		69.9	100.0		69.9	100.0	20.2	20.2	20.2			
Effective Green, g (s)		69.9	100.0		69.9	100.0	20.2	20.2	20.2			
Actuated g/C Ratio		0.70	1.00		0.70	1.00	0.20	0.20	0.20			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2301	1403		2278	1387	303	263	271			
v/s Ratio Prot		0.29			c0.30							
v/s Ratio Perm			0.14			0.20	c0.14	0.13	0.13			
v/c Ratio		0.42	0.14		0.43	0.20	0.70	0.67	0.63			
Uniform Delay, d1		6.4	0.0		6.5	0.0	37.1	36.8	36.5			
Progression Factor		0.87	1.00		0.76	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.5	0.2		0.3	0.3	6.7	5.7	4.1			
Delay (s)		6.1	0.2		5.2	0.3	43.8	42.5	40.6			
Level of Service		A	A		A	A	D	D	D			
Approach Delay (s)		5.1			4.1			42.3			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			13.1				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.49									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			55.5%				ICU Level of Service				B	
Analysis Period (min)			15									

c Critical Lane Group

HCM 6th Edition methodology does not support turning movements with shared & exclusive lanes.

Queues  
3: Evergreen Rd & OR 214

2023 Existing Traffic Conditions  
Weekday PM Peak Hour
























Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	107	984	151	233	856	199	202	192	35	116
v/c Ratio	0.59	0.81	0.24	0.72	0.57	0.72	0.72	0.46	0.32	0.72
Control Delay	60.9	31.8	3.6	61.7	14.1	52.7	52.8	8.5	52.5	48.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	60.9	31.8	3.6	61.7	14.1	52.7	52.8	8.5	52.5	48.5
Queue Length 50th (ft)	68	332	16	118	212	127	129	0	22	35
Queue Length 95th (ft)	118	#447	16	#269	102	189	192	53	54	#120
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	187	1221	632	323	1491	444	448	551	109	162
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.57	0.81	0.24	0.72	0.57	0.45	0.45	0.35	0.32	0.72

Intersection Summary

# 95th percentile volume exceeds capacity, queue may be longer.  
Queue shown is maximum after two cycles.

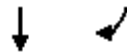
HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2023 Existing Traffic Conditions  
Weekday PM Peak Hour

												
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	24	75	915	140	5	212	774	22	330	43	179	33
Future Volume (vph)	24	75	915	140	5	212	774	22	330	43	179	33
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	0.97		1.00	1.00		1.00	1.00	0.98	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1642	3228	1422		1646	3210		1533	1547	1432	1568
Flt Permitted		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		1642	3228	1422		1646	3210		1533	1547	1432	1568
Peak-hour factor, PHF	0.92	0.93	0.93	0.93	0.92	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	26	81	984	151	5	228	832	24	355	46	192	35
RTOR Reduction (vph)	0	0	0	94	0	0	2	0	0	0	157	0
Lane Group Flow (vph)	0	107	984	57	0	233	854	0	199	202	35	35
Confl. Peds. (#/hr)		5		4		4		5	1		5	5
Confl. Bikes (#/hr)											1	
Heavy Vehicles (%)	2%	1%	3%	2%	2%	1%	3%	5%	3%	5%	2%	6%
Turn Type	Prot	Prot	NA	Perm	Prot	Prot	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases				2							8	
Actuated Green, G (s)		11.1	37.9	37.9		19.6	46.4		18.0	18.0	18.0	7.0
Effective Green, g (s)		11.1	37.9	37.9		19.6	46.4		18.0	18.0	18.0	7.0
Actuated g/C Ratio		0.11	0.38	0.38		0.20	0.46		0.18	0.18	0.18	0.07
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		182	1223	538		322	1489		275	278	257	109
v/s Ratio Prot		0.07	c0.30			c0.14	0.27		0.13	c0.13		0.02
v/s Ratio Perm				0.04							0.02	
v/c Ratio		0.59	0.80	0.11		0.72	0.57		0.72	0.73	0.13	0.32
Uniform Delay, d1		42.3	27.7	20.1		37.7	19.6		38.7	38.7	34.5	44.2
Progression Factor		1.16	0.86	0.65		1.31	0.59		1.00	1.00	1.00	1.00
Incremental Delay, d2		3.7	5.3	0.4		6.8	1.5		8.5	8.6	0.2	1.2
Delay (s)		52.5	29.2	13.5		56.1	13.0		47.2	47.2	34.6	45.5
Level of Service		D	C	B		E	B		D	D	C	D
Approach Delay (s)			29.3			22.2			43.1			
Approach LOS			C			C			D			
<b>Intersection Summary</b>												
HCM 2000 Control Delay			30.5			HCM 2000 Level of Service			C			
HCM 2000 Volume to Capacity ratio			0.75									
Actuated Cycle Length (s)			100.0			Sum of lost time (s)			17.5			
Intersection Capacity Utilization			76.3%			ICU Level of Service			D			
Analysis Period (min)			15									
c	Critical Lane Group											

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2023 Existing Traffic Conditions  
Weekday PM Peak Hour



Movement	SBT	SBR
Lane Configurations	⬆	➡
Traffic Volume (vph)	42	66
Future Volume (vph)	42	66
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.91	
Flt Protected	1.00	
Satd. Flow (prot)	1507	
Flt Permitted	1.00	
Satd. Flow (perm)	1507	
Peak-hour factor, PHF	0.93	0.93
Adj. Flow (vph)	45	71
RTOR Reduction (vph)	57	0
Lane Group Flow (vph)	59	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	2%	6%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	7.0	
Effective Green, g (s)	7.0	
Actuated g/C Ratio	0.07	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	105	
v/s Ratio Prot	c0.04	
v/s Ratio Perm		
v/c Ratio	0.56	
Uniform Delay, d1	45.0	
Progression Factor	1.00	
Incremental Delay, d2	5.5	
Delay (s)	50.6	
Level of Service	D	
Approach Delay (s)	49.4	
Approach LOS	D	
<b>Intersection Summary</b>		

HCM 6th Edition cannot analyze u-turn movements.



Queues  
5: Oregon Way & OR 214

2023 Existing Traffic Conditions  
Weekday PM Peak Hour



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	108	1100	13	1029	14	25	64	89
v/c Ratio	0.55	0.43	0.13	0.49	0.16	0.24	0.62	0.41
Control Delay	43.0	7.5	47.0	12.2	49.4	41.5	71.0	20.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	43.0	7.5	47.0	12.2	49.4	41.5	71.0	20.2
Queue Length 50th (ft)	72	65	8	145	9	12	40	12
Queue Length 95th (ft)	m98	203	27	307	29	38	#99	58
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	200	2574	101	2082	91	481	110	564
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.54	0.43	0.13	0.49	0.15	0.05	0.58	0.16

Intersection Summary

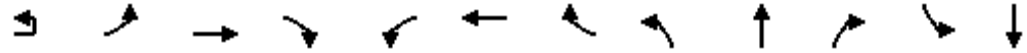
# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2023 Existing Traffic Conditions  
Weekday PM Peak Hour



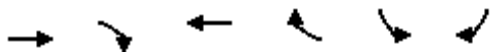
Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	
Lane Configurations		↔	↕		↔	↕		↔	↕		↔	↕	
Traffic Volume (vph)	15	88	1042	14	12	942	46	13	18	6	61	19	
Future Volume (vph)	15	88	1042	14	12	942	46	13	18	6	61	19	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Frt		1.00	1.00		1.00	0.99		1.00	0.96		1.00	0.88	
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1644	3222		1662	3183		1662	1511		1421	1535	
Flt Permitted		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (perm)		1644	3222		1662	3183		1662	1511		1421	1535	
Peak-hour factor, PHF	0.92	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	
Adj. Flow (vph)	16	92	1085	15	12	981	48	14	19	6	64	20	
RTOR Reduction (vph)	0	0	1	0	0	2	0	0	6	0	0	63	
Lane Group Flow (vph)	0	108	1099	0	13	1027	0	14	19	0	64	26	
Confl. Peds. (#/hr)		13		3	3		13			1	1		
Confl. Bikes (#/hr)				1									
Heavy Vehicles (%)	2%	1%	3%	0%	0%	3%	14%	0%	0%	47%	17%	0%	
Turn Type	Prot	Prot	NA		Prot	NA		Prot	NA		Prot	NA	
Protected Phases	5	5	2		1	6		3	8		7	4	
Permitted Phases													
Actuated Green, G (s)		11.9	71.8		1.5	61.4		1.1	4.0		6.2	9.1	
Effective Green, g (s)		11.9	71.8		1.5	61.4		1.1	4.0		6.2	9.1	
Actuated g/C Ratio		0.12	0.72		0.02	0.61		0.01	0.04		0.06	0.09	
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5	
Lane Grp Cap (vph)		195	2313		24	1954		18	60		88	139	
v/s Ratio Prot		c0.07	0.34		0.01	c0.32		0.01	c0.01		c0.05	0.02	
v/s Ratio Perm													
v/c Ratio		0.55	0.48		0.54	0.53		0.78	0.32		0.73	0.19	
Uniform Delay, d1		41.5	6.0		48.9	11.0		49.3	46.7		46.1	42.0	
Progression Factor		0.86	1.28		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2		2.0	0.5		18.2	1.0		104.7	2.2		24.2	0.5	
Delay (s)		37.6	8.2		67.1	12.0		154.0	48.9		70.3	42.5	
Level of Service		D	A		E	B		F	D		E	D	
Approach Delay (s)			10.9			12.7			86.6			54.1	
Approach LOS			B			B			F			D	
<b>Intersection Summary</b>													
HCM 2000 Control Delay			15.6									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.53										
Actuated Cycle Length (s)			100.0						16.5				
Intersection Capacity Utilization			56.9%									ICU Level of Service	B
Analysis Period (min)			15										
c	Critical Lane Group												

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	66
Future Volume (vph)	66
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.96
Adj. Flow (vph)	69
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Heavy Vehicles (%)	1%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

HCM 6th Edition cannot analyze u-turn movements.

Queues  
1: I-5 SB ramps & OR 214













No Build Traffic Conditions  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	557	302	773	560	268	250
v/c Ratio	0.24	0.23	0.40	0.43	0.58	0.54
Control Delay	4.4	0.4	10.2	1.1	43.6	22.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	4.4	0.4	10.2	1.1	43.6	22.6
Queue Length 50th (ft)	43	0	107	2	83	86
Queue Length 95th (ft)	78	0	137	0	105	131
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)	270		550		650	430
Base Capacity (vph)	2349	1312	1953	1300	1069	536
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.24	0.23	0.40	0.43	0.25	0.47
<b>Intersection Summary</b>						













HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

No Build Traffic Conditions  
Weekday AM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	468	254	0	649	470	0	0	0	225	0	210	
Future Volume (vph)	0	468	254	0	649	470	0	0	0	225	0	210	
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	0.98				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3107	1312		3197	1300				3014		1340	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3107	1312		3197	1300				3014		1340	
Peak-hour factor, PHF	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	
Adj. Flow (vph)	0	557	302	0	773	560	0	0	0	268	0	250	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	60	
Lane Group Flow (vph)	0	557	302	0	773	560	0	0	0	268	0	190	
Confl. Peds. (#/hr)									1	1			
Confl. Bikes (#/hr)			2			3							
Heavy Vehicles (%)	0%	7%	11%	0%	4%	12%	0%	0%	0%	7%	0%	11%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		75.6	100.0		61.1	100.0				15.4		29.9	
Effective Green, g (s)		75.6	100.0		61.1	100.0				15.4		29.9	
Actuated g/C Ratio		0.76	1.00		0.61	1.00				0.15		0.30	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2348	1312		1953	1300				464		400	
v/s Ratio Prot		0.18			0.24					c0.09			
v/s Ratio Perm			0.23			c0.43						0.14	
v/c Ratio		0.24	0.23		0.40	0.43				0.58		0.47	
Uniform Delay, d1		3.6	0.0		10.0	0.0				39.3		28.6	
Progression Factor		1.00	1.00		0.89	1.00				1.00		1.00	
Incremental Delay, d2		0.2	0.4		0.2	1.0				1.4		0.6	
Delay (s)		3.9	0.4		9.1	1.0				40.7		29.3	
Level of Service		A	A		A	A				D		C	
Approach Delay (s)		2.7			5.7			0.0			35.2		
Approach LOS		A			A			A			D		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			10.4									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.50										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			41.1%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

No Build Traffic Conditions  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	468	254	0	649	470	0	0	0	225	0	210
Future Volume (veh/h)	0	468	254	0	649	470	0	0	0	225	0	210
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1654	1600	0	1695	1586				1654	0	1600
Adj Flow Rate, veh/h	0	557	0	0	773	0				268	0	250
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84				0.84	0.84	0.84
Percent Heavy Veh, %	0	7	11	0	4	12				7	0	11
Cap, veh/h	0	2197		0	2251					645	0	286
Arrive On Green	0.00	0.70	0.00	0.00	0.70	0.00				0.21	0.00	0.21
Sat Flow, veh/h	0	3226	1356	0	3306	1344				3057	0	1356
Grp Volume(v), veh/h	0	557	0	0	773	0				268	0	250
Grp Sat Flow(s),veh/h/ln	0	1572	1356	0	1611	1344				1528	0	1356
Q Serve(g_s), s	0.0	6.5	0.0	0.0	9.5	0.0				7.6	0.0	17.8
Cycle Q Clear(g_c), s	0.0	6.5	0.0	0.0	9.5	0.0				7.6	0.0	17.8
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2197		0	2251					645	0	286
V/C Ratio(X)	0.00	0.25		0.00	0.34					0.42	0.00	0.87
Avail Cap(c_a), veh/h	0	2197		0	2251					1085	0	481
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.83	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	5.5	0.0	0.0	6.0	0.0				34.1	0.0	38.2
Incr Delay (d2), s/veh	0.0	0.3	0.0	0.0	0.1	0.0				0.3	0.0	7.4
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	1.9	0.0	0.0	2.8	0.0				2.8	0.0	13.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	5.8	0.0	0.0	6.1	0.0				34.4	0.0	45.6
LnGrp LOS	A	A		A	A					C	A	D
Approach Vol, veh/h		557	A		773	A					518	
Approach Delay, s/veh		5.8			6.1						39.8	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		74.4		25.6		74.4						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		55.5		35.5		40.5						
Max Q Clear Time (g_c+I1), s		8.5		19.8		11.5						
Green Ext Time (p_c), s		11.2		1.3		8.5						

Intersection Summary

HCM 6th Ctrl Delay	15.4
HCM 6th LOS	B

Notes

Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.

Queues  
2: I-5 NB ramps & OR 214

No Build Traffic Conditions  
Weekday AM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	538	236	962	757	266	306	300
v/c Ratio	0.26	0.18	0.48	0.54	0.73	0.63	0.60
Control Delay	8.0	0.3	10.5	1.4	45.8	14.6	13.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	8.0	0.3	10.5	1.4	45.8	14.6	13.4
Queue Length 50th (ft)	91	0	133	0	165	46	40
Queue Length 95th (ft)	110	0	226	5	222	120	108
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2047	1325	1990	1399	666	706	724
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.26	0.18	0.48	0.54	0.40	0.43	0.41
Intersection Summary							



HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

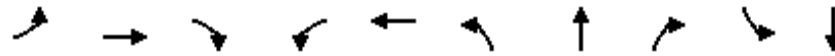
No Build Traffic Conditions  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	479	210	0	856	674	263	0	513	0	0	0
Future Volume (vph)	0	479	210	0	856	674	263	0	513	0	0	0
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	0.98		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3137	1325		3050	1399	1462	1280	1321			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3137	1325		3050	1399	1462	1280	1321			
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Adj. Flow (vph)	0	538	236	0	962	757	296	0	576	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	169	169	0	0	0
Lane Group Flow (vph)	0	538	236	0	962	757	266	137	131	0	0	0
Confl. Peds. (#/hr)	1						1					
Confl. Bikes (#/hr)			1				3					
Heavy Vehicles (%)	0%	6%	10%	0%	9%	4%	8%	0%	7%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		65.3	100.0		65.3	100.0	24.8	24.8	24.8			
Effective Green, g (s)		65.3	100.0		65.3	100.0	24.8	24.8	24.8			
Actuated g/C Ratio		0.65	1.00		0.65	1.00	0.25	0.25	0.25			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2048	1325		1991	1399	362	317	327			
v/s Ratio Prot		0.17			0.32							
v/s Ratio Perm			0.18			c0.54	c0.18	0.11	0.10			
v/c Ratio		0.26	0.18		0.48	0.54	0.73	0.43	0.40			
Uniform Delay, d1		7.3	0.0		8.8	0.0	34.6	31.7	31.4			
Progression Factor		0.91	1.00		0.97	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.3	0.3		0.4	1.1	7.1	0.7	0.6			
Delay (s)		6.9	0.3		8.9	1.1	41.7	32.4	32.0			
Level of Service		A	A		A	A	D	C	C			
Approach Delay (s)		4.9			5.5			35.1			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			13.0				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.62									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			47.5%				ICU Level of Service				A	
Analysis Period (min)			15									
c Critical Lane Group												

HCM 6th Edition methodology does not support turning movements with shared & exclusive lanes.

Queues  
3: Evergreen Rd & OR 214

No Build Traffic Conditions  
Weekday AM Peak Hour



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	106	884	165	155	973	310	308	181	6	46
v/c Ratio	0.69	0.65	0.24	0.76	0.69	0.83	0.82	0.37	0.05	0.33
Control Delay	71.0	24.0	3.0	68.7	25.4	54.4	53.0	6.4	44.5	28.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	71.0	24.0	3.0	68.7	25.4	54.4	53.0	6.4	44.5	28.2
Queue Length 50th (ft)	57	285	8	94	291	193	192	0	4	9
Queue Length 95th (ft)	#156	#346	21	#193	#390	288	284	50	17	44
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	160	1361	701	218	1418	448	452	555	116	138
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.66	0.65	0.24	0.71	0.69	0.69	0.68	0.33	0.05	0.33

Intersection Summary

# 95th percentile volume exceeds capacity, queue may be longer.  
Queue shown is maximum after two cycles.

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

No Build Traffic Conditions  
Weekday AM Peak Hour

Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	44	55	831	155	16	130	904	10	560	21	170	6
Future Volume (vph)	44	55	831	155	16	130	904	10	560	21	170	6
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	0.98		1.00	1.00		1.00	1.00	1.00	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1639	3137	1400		1630	3047		1548	1560	1473	1662
Flt Permitted		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		1639	3137	1400		1630	3047		1548	1560	1473	1662
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	47	59	884	165	17	138	962	11	596	22	181	6
RTOR Reduction (vph)	0	0	0	96	0	0	1	0	0	0	137	0
Lane Group Flow (vph)	0	106	884	69	0	155	972	0	310	308	44	6
Confl. Peds. (#/hr)		1						1	1			
Confl. Bikes (#/hr)				1								
Heavy Vehicles (%)	2%	1%	6%	4%	2%	2%	9%	0%	2%	0%	1%	0%
Turn Type	Prot	Prot	NA	Perm	Prot	Prot	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases				2							8	
Actuated Green, G (s)		9.4	41.6	41.6		12.5	44.7		24.2	24.2	24.2	4.2
Effective Green, g (s)		9.4	41.6	41.6		12.5	44.7		24.2	24.2	24.2	4.2
Actuated g/C Ratio		0.09	0.42	0.42		0.12	0.45		0.24	0.24	0.24	0.04
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		154	1304	582		203	1362		374	377	356	69
v/s Ratio Prot		0.06	0.28			c0.10	c0.32		c0.20	0.20		0.00
v/s Ratio Perm				0.05							0.03	
v/c Ratio		0.69	0.68	0.12		0.76	0.71		0.83	0.82	0.12	0.09
Uniform Delay, d1		43.9	23.8	17.9		42.3	22.5		35.9	35.8	29.6	46.1
Progression Factor		1.10	0.84	0.55		1.06	0.93		1.00	1.00	1.00	1.00
Incremental Delay, d2		10.7	2.7	0.4		14.9	3.2		13.8	12.5	0.1	0.4
Delay (s)		59.1	22.7	10.3		59.8	24.2		49.7	48.3	29.7	46.5
Level of Service		E	C	B		E	C		D	D	C	D
Approach Delay (s)			24.3			29.1			44.7			
Approach LOS			C			C			D			
<b>Intersection Summary</b>												
HCM 2000 Control Delay			31.6			HCM 2000 Level of Service			C			
HCM 2000 Volume to Capacity ratio			0.74									
Actuated Cycle Length (s)			100.0			Sum of lost time (s)			17.5			
Intersection Capacity Utilization			68.7%			ICU Level of Service			C			
Analysis Period (min)			15									
c Critical Lane Group												

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

No Build Traffic Conditions  
Weekday AM Peak Hour



Movement	SBT	SBR
Lane Configurations	↓	↘
Traffic Volume (vph)	13	30
Future Volume (vph)	13	30
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.90	
Flt Protected	1.00	
Satd. Flow (prot)	1547	
Flt Permitted	1.00	
Satd. Flow (perm)	1547	
Peak-hour factor, PHF	0.94	0.94
Adj. Flow (vph)	14	32
RTOR Reduction (vph)	31	0
Lane Group Flow (vph)	15	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	0%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	4.2	
Effective Green, g (s)	4.2	
Actuated g/C Ratio	0.04	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	64	
v/s Ratio Prot	c0.01	
v/s Ratio Perm		
v/c Ratio	0.24	
Uniform Delay, d1	46.4	
Progression Factor	1.00	
Incremental Delay, d2	1.4	
Delay (s)	47.8	
Level of Service	D	
Approach Delay (s)	47.6	
Approach LOS	D	
<b>Intersection Summary</b>		

HCM 6th Edition cannot analyze u-turn movements.

Queues  
5: Oregon Way & OR 214

No Build Traffic Conditions  
Weekday AM Peak Hour



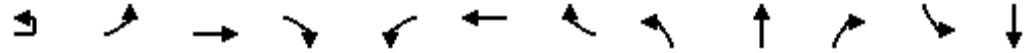
Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	24	1106	2	1081	22	18	8	76
v/c Ratio	0.22	0.44	0.02	0.45	0.24	0.12	0.09	0.47
Control Delay	46.7	5.2	45.5	7.2	51.6	27.2	47.1	22.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	46.7	5.2	45.5	7.2	51.6	27.2	47.1	22.9
Queue Length 50th (ft)	15	56	1	48	14	4	5	5
Queue Length 95th (ft)	m37	221	9	273	39	26	20	48
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	110	2540	93	2426	95	536	93	548
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.22	0.44	0.02	0.45	0.23	0.03	0.09	0.14

Intersection Summary

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

No Build Traffic Conditions  
Weekday AM Peak Hour



Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations		↔	↕		↔	↕		↔	↕		↔	↕
Traffic Volume (vph)	10	12	1009	8	2	976	18	20	6	10	7	7
Future Volume (vph)	10	12	1009	8	2	976	18	20	6	10	7	7
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	0.99		1.00	0.99
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00
Frt		1.00	1.00		1.00	1.00		1.00	0.91		1.00	0.87
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00
Satd. Flow (prot)		1647	3105		1662	3073		1662	1576		1662	1498
Flt Permitted		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00
Satd. Flow (perm)		1647	3105		1662	3073		1662	1576		1662	1498
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	11	13	1097	9	2	1061	20	22	7	11	8	8
RTOR Reduction (vph)	0	0	0	0	0	1	0	0	10	0	0	64
Lane Group Flow (vph)	0	24	1106	0	2	1080	0	22	8	0	8	12
Confl. Peds. (#/hr)		3		2	2		3	1		2	2	
Heavy Vehicles (%)	2%	0%	7%	0%	0%	8%	0%	0%	0%	0%	0%	0%
Turn Type	Prot	Prot	NA		Prot	NA		Prot	NA		Prot	NA
Protected Phases	5	5	2		1	6		3	8		7	4
Permitted Phases												
Actuated Green, G (s)		3.2	73.8		1.1	71.7		2.2	7.5		1.1	6.4
Effective Green, g (s)		3.2	73.8		1.1	71.7		2.2	7.5		1.1	6.4
Actuated g/C Ratio		0.03	0.74		0.01	0.72		0.02	0.08		0.01	0.06
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5
Lane Grp Cap (vph)		52	2291		18	2203		36	118		18	95
v/s Ratio Prot		c0.01	c0.36		0.00	0.35		c0.01	0.00		0.00	c0.01
v/s Ratio Perm												
v/c Ratio		0.46	0.48		0.11	0.49		0.61	0.07		0.44	0.13
Uniform Delay, d1		47.6	5.3		49.0	6.2		48.5	43.0		49.1	44.2
Progression Factor		0.96	0.96		1.00	1.00		1.00	1.00		1.00	1.00
Incremental Delay, d2		4.6	0.7		2.0	0.8		23.4	0.2		12.2	0.5
Delay (s)		50.2	5.9		51.0	7.0		71.9	43.2		61.4	44.6
Level of Service		D	A		D	A		E	D		E	D
Approach Delay (s)			6.8			7.0			59.0			46.2
Approach LOS			A			A			E			D
<b>Intersection Summary</b>												
HCM 2000 Control Delay			9.2									A
HCM 2000 Volume to Capacity ratio			0.47									
Actuated Cycle Length (s)			100.0						16.5			
Intersection Capacity Utilization			46.7%									A
ICU Level of Service												
Analysis Period (min)			15									

c Critical Lane Group

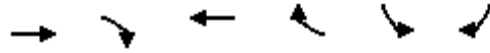


Movement	SBR
Lane Configurations	
Traffic Volume (vph)	63
Future Volume (vph)	63
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	68
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	1
Heavy Vehicles (%)	0%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

HCM 6th Edition cannot analyze u-turn movements.

Queues  
1: I-5 SB ramps & OR 214













2025 No Build Traffic Conditions  
Weekday PM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	852	483	822	621	551	397
v/c Ratio	0.39	0.34	0.48	0.43	0.73	0.66
Control Delay	8.9	0.6	17.0	0.9	40.6	24.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	8.9	0.6	17.0	0.9	40.6	24.4
Queue Length 50th (ft)	107	0	164	0	171	167
Queue Length 95th (ft)	201	0	171	2	196	223
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)		270		550	650	430
Base Capacity (vph)	2187	1426	1713	1430	1050	617
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.39	0.34	0.48	0.43	0.52	0.64
<b>Intersection Summary</b>						













HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

2025 No Build Traffic Conditions  
Weekday PM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	784	444	0	756	571	0	0	0	507	0	365	
Future Volume (vph)	0	784	444	0	756	571	0	0	0	507	0	365	
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	1.00				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3260	1426		3260	1430				3131		1444	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3260	1426		3260	1430				3131		1444	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	0	852	483	0	822	621	0	0	0	551	0	397	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	51	
Lane Group Flow (vph)	0	852	483	0	822	621	0	0	0	551	0	346	
Confl. Peds. (#/hr)			3	3					1	1			
Confl. Bikes (#/hr)			1										
Heavy Vehicles (%)	0%	2%	2%	0%	2%	4%	0%	0%	0%	3%	0%	3%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		67.0	100.0		52.5	100.0				24.0		38.5	
Effective Green, g (s)		67.0	100.0		52.5	100.0				24.0		38.5	
Actuated g/C Ratio		0.67	1.00		0.52	1.00				0.24		0.38	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2184	1426		1711	1430				751		555	
v/s Ratio Prot		0.26			c0.25					c0.18			
v/s Ratio Perm			0.34			0.43						c0.24	
v/c Ratio		0.39	0.34		0.48	0.43				0.73		0.62	
Uniform Delay, d1		7.4	0.0		15.1	0.0				35.1		24.9	
Progression Factor		1.00	1.00		0.98	1.00				1.00		1.00	
Incremental Delay, d2		0.5	0.6		0.3	0.8				3.5		1.9	
Delay (s)		7.9	0.6		15.1	0.8				38.6		26.8	
Level of Service		A	A		B	A				D		C	
Approach Delay (s)		5.3			9.0			0.0			33.6		
Approach LOS		A			A			A			C		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			13.9									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.58										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			54.7%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

2025 No Build Traffic Conditions  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	784	444	0	756	571	0	0	0	507	0	365
Future Volume (veh/h)	0	784	444	0	756	571	0	0	0	507	0	365
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1723	1723	0	1723	1695				1709	0	1709
Adj Flow Rate, veh/h	0	852	0	0	822	0				551	0	397
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92				0.92	0.92	0.92
Percent Heavy Veh, %	0	2	2	0	2	4				3	0	3
Cap, veh/h	0	1999		0	1999					945	0	434
Arrive On Green	0.00	0.61	0.00	0.00	0.61	0.00				0.30	0.00	0.30
Sat Flow, veh/h	0	3359	1460	0	3359	1437				3158	0	1448
Grp Volume(v), veh/h	0	852	0	0	822	0				551	0	397
Grp Sat Flow(s),veh/h/ln	0	1637	1460	0	1637	1437				1579	0	1448
Q Serve(g_s), s	0.0	13.7	0.0	0.0	13.1	0.0				14.8	0.0	26.5
Cycle Q Clear(g_c), s	0.0	13.7	0.0	0.0	13.1	0.0				14.8	0.0	26.5
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	1999		0	1999					945	0	434
V/C Ratio(X)	0.00	0.43		0.00	0.41					0.58	0.00	0.92
Avail Cap(c_a), veh/h	0	1999		0	1999					1058	0	485
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.80	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	10.2	0.0	0.0	10.1	0.0				29.7	0.0	33.8
Incr Delay (d2), s/veh	0.0	0.7	0.0	0.0	0.2	0.0				0.5	0.0	20.4
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	4.8	0.0	0.0	4.4	0.0				5.6	0.0	21.2
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	10.9	0.0	0.0	10.3	0.0				30.3	0.0	54.2
LnGrp LOS	A	B		A	B					C	A	D
Approach Vol, veh/h		852	A		822	A					948	
Approach Delay, s/veh		10.9			10.3						40.3	
Approach LOS		B			B						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		65.6		34.4		65.6						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		57.5		33.5		42.5						
Max Q Clear Time (g_c+I1), s		15.7		28.5		15.1						
Green Ext Time (p_c), s		18.1		1.5		8.9						
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay			21.3									
HCM 6th LOS			C									
<b>Notes</b>												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Queues  
2: I-5 NB ramps & OR 214

2025 No Build Traffic Conditions  
Weekday PM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	1132	231	1114	368	269	308	302
v/c Ratio	0.54	0.16	0.53	0.27	0.69	0.80	0.77
Control Delay	10.9	0.2	8.2	0.4	41.5	42.4	39.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	10.9	0.2	8.2	0.4	41.5	42.4	39.0
Queue Length 50th (ft)	216	0	92	0	163	164	151
Queue Length 95th (ft)	306	0	186	0	217	237	218
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2111	1403	2090	1387	565	528	544
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.54	0.16	0.53	0.27	0.48	0.58	0.56
<b>Intersection Summary</b>							

# HCM Signalized Intersection Capacity Analysis

2025 No Build Traffic Conditions

2: I-5 NB ramps & OR 214

Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	1064	217	0	1047	346	281	0	545	0	0	0
Future Volume (vph)	0	1064	217	0	1047	346	281	0	545	0	0	0
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	1.00		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3292	1403		3260	1387	1504	1305	1346			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3292	1403		3260	1387	1504	1305	1346			
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	0	1132	231	0	1114	368	299	0	580	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	45	45	0	0	0
Lane Group Flow (vph)	0	1132	231	0	1114	368	269	263	257	0	0	0
Confl. Peds. (#/hr)	2					2						
Heavy Vehicles (%)	0%	1%	6%	0%	2%	5%	5%	0%	5%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		64.1	100.0		64.1	100.0	26.0	26.0	26.0			
Effective Green, g (s)		64.1	100.0		64.1	100.0	26.0	26.0	26.0			
Actuated g/C Ratio		0.64	1.00		0.64	1.00	0.26	0.26	0.26			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2110	1403		2089	1387	391	339	349			
v/s Ratio Prot		c0.34			0.34							
v/s Ratio Perm			0.16			0.27	0.18	0.20	0.19			
v/c Ratio		0.54	0.16		0.53	0.27	0.69	0.78	0.74			
Uniform Delay, d1		9.8	0.0		9.8	0.0	33.3	34.3	33.9			
Progression Factor		0.87	1.00		0.65	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.9	0.2		0.5	0.4	4.6	10.2	7.4			
Delay (s)		9.4	0.2		6.8	0.4	37.9	44.5	41.3			
Level of Service		A	A		A	A	D	D	D			
Approach Delay (s)		7.9			5.2			41.4			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			14.7				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.61									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			64.6%				ICU Level of Service				C	
Analysis Period (min)			15									

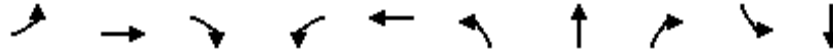
c Critical Lane Group

HCM 6th Edition methodology does not support turning movements with shared & exclusive lanes.



Queues  
3: Evergreen Rd & OR 214

2025 No Build Traffic Conditions  
Weekday PM Peak Hour
























Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	111	1109	335	260	950	260	260	206	35	123
v/c Ratio	0.65	1.05	0.48	0.75	0.69	0.78	0.77	0.43	0.30	0.74
Control Delay	61.8	72.6	7.1	64.8	17.9	52.4	51.1	7.0	51.4	49.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	61.8	72.6	7.1	64.8	17.9	52.4	51.1	7.0	51.4	49.5
Queue Length 50th (ft)	71	~424	14	165	85	165	165	0	22	36
Queue Length 95th (ft)	m#148	#536	83	#363	174	237	236	52	53	#126
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	182	1053	704	345	1381	444	452	567	116	167
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.61	1.05	0.48	0.75	0.69	0.59	0.58	0.36	0.30	0.74

Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.  
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.  
Queue shown is maximum after two cycles.
- m Volume for 95th percentile queue is metered by upstream signal.

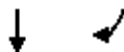
HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2025 No Build Traffic Conditions  
Weekday PM Peak Hour

												
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	24	79	1031	312	5	237	861	22	440	44	192	33
Future Volume (vph)	24	79	1031	312	5	237	861	22	440	44	192	33
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	0.98	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1655	3197	1458		1662	3188		1533	1559	1451	1662
Flt Permitted		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		1655	3197	1458		1662	3188		1533	1559	1451	1662
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	26	85	1109	335	5	255	926	24	473	47	206	35
RTOR Reduction (vph)	0	0	0	225	0	0	2	0	0	0	161	0
Lane Group Flow (vph)	0	111	1109	110	0	260	948	0	260	260	45	35
Confl. Peds. (#/hr)									1		2	2
Confl. Bikes (#/hr)											1	
Heavy Vehicles (%)	2%	0%	4%	2%	2%	0%	4%	0%	3%	0%	1%	0%
Turn Type	Prot	Prot	NA	Perm	Prot	Prot	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases				2							8	
Actuated Green, G (s)		10.4	32.9	32.9		20.8	43.3		21.8	21.8	21.8	7.0
Effective Green, g (s)		10.4	32.9	32.9		20.8	43.3		21.8	21.8	21.8	7.0
Actuated g/C Ratio		0.10	0.33	0.33		0.21	0.43		0.22	0.22	0.22	0.07
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		172	1051	479		345	1380		334	339	316	116
v/s Ratio Prot		0.07	c0.35			c0.16	0.30		c0.17	0.17		0.02
v/s Ratio Perm				0.08							0.03	
v/c Ratio		0.65	1.06	0.23		0.75	0.69		0.78	0.77	0.14	0.30
Uniform Delay, d1		43.0	33.5	24.4		37.2	22.9		36.8	36.7	31.6	44.2
Progression Factor		1.08	0.93	1.72		1.36	0.62		1.00	1.00	1.00	1.00
Incremental Delay, d2		6.1	41.4	0.9		7.6	2.5		10.5	9.5	0.2	1.1
Delay (s)		52.8	72.6	42.8		58.2	16.6		47.3	46.3	31.7	45.2
Level of Service		D	E	D		E	B		D	D	C	D
Approach Delay (s)			64.8			25.5			42.5			
Approach LOS			E			C			D			
<b>Intersection Summary</b>												
HCM 2000 Control Delay			46.7			HCM 2000 Level of Service				D		
HCM 2000 Volume to Capacity ratio			0.87									
Actuated Cycle Length (s)			100.0			Sum of lost time (s)				17.5		
Intersection Capacity Utilization			81.2%			ICU Level of Service				D		
Analysis Period (min)			15									
c Critical Lane Group												

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2025 No Build Traffic Conditions  
Weekday PM Peak Hour



Movement	SBT	SBR
Lane Configurations	⬆	➡
Traffic Volume (vph)	43	72
Future Volume (vph)	43	72
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.91	
Flt Protected	1.00	
Satd. Flow (prot)	1531	
Flt Permitted	1.00	
Satd. Flow (perm)	1531	
Peak-hour factor, PHF	0.93	0.93
Adj. Flow (vph)	46	77
RTOR Reduction (vph)	60	0
Lane Group Flow (vph)	63	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	4%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	7.0	
Effective Green, g (s)	7.0	
Actuated g/C Ratio	0.07	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	107	
v/s Ratio Prot	c0.04	
v/s Ratio Perm		
v/c Ratio	0.58	
Uniform Delay, d1	45.1	
Progression Factor	1.00	
Incremental Delay, d2	6.6	
Delay (s)	51.7	
Level of Service	D	
Approach Delay (s)	50.3	
Approach LOS	D	
<b>Intersection Summary</b>		

HCM 6th Edition cannot analyze u-turn movements.

Queues  
5: Oregon Way & OR 214

2025 No Build Traffic Conditions  
Weekday PM Peak Hour



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	111	1188	13	1129	17	26	64	95
v/c Ratio	0.54	0.48	0.13	0.56	0.19	0.22	0.58	0.44
Control Delay	38.2	10.5	47.0	14.2	50.4	40.2	66.6	21.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	38.2	10.5	47.0	14.2	50.4	40.2	66.6	21.1
Queue Length 50th (ft)	75	148	8	231	11	12	40	11
Queue Length 95th (ft)	m81	m167	27	354	33	38	#95	60
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	206	2496	101	2031	91	544	116	564
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.54	0.48	0.13	0.56	0.19	0.05	0.55	0.17

Intersection Summary

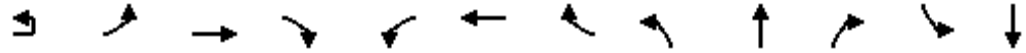
# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2025 No Build Traffic Conditions  
Weekday PM Peak Hour



Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	
Lane Configurations		↔	↕		↕	↕		↕	↕		↕	↕	
Traffic Volume (vph)	15	91	1121	19	12	1038	46	16	19	6	61	20	
Future Volume (vph)	15	91	1121	19	12	1038	46	16	19	6	61	20	
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Frt		1.00	1.00		1.00	0.99		1.00	0.97		1.00	0.88	
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1658	3189		1662	3208		1662	1684		1662	1534	
Flt Permitted		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (perm)		1658	3189		1662	3208		1662	1684		1662	1534	
Peak-hour factor, PHF	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	
Adj. Flow (vph)	16	95	1168	20	12	1081	48	17	20	6	64	21	
RTOR Reduction (vph)	0	0	1	0	0	2	0	0	6	0	0	67	
Lane Group Flow (vph)	0	111	1187	0	13	1127	0	17	20	0	64	28	
Confl. Peds. (#/hr)		3		3	3		3			2	2		
Confl. Bikes (#/hr)				1									
Heavy Vehicles (%)	2%	0%	4%	1%	0%	3%	0%	0%	0%	0%	0%	0%	
Turn Type	Prot	Prot	NA		Prot	NA		Prot	NA		Prot	NA	
Protected Phases	5	5	2		1	6		3	8		7	4	
Permitted Phases													
Actuated Green, G (s)		12.4	71.0		1.5	60.1		2.2	5.4		5.6	8.8	
Effective Green, g (s)		12.4	71.0		1.5	60.1		2.2	5.4		5.6	8.8	
Actuated g/C Ratio		0.12	0.71		0.02	0.60		0.02	0.05		0.06	0.09	
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5	
Lane Grp Cap (vph)		205	2264		24	1928		36	90		93	134	
v/s Ratio Prot		c0.07	0.37		0.01	c0.35		0.01	0.01		c0.04	c0.02	
v/s Ratio Perm													
v/c Ratio		0.54	0.52		0.54	0.58		0.47	0.23		0.69	0.21	
Uniform Delay, d1		41.1	6.7		48.9	12.3		48.3	45.3		46.3	42.4	
Progression Factor		0.85	1.59		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2		0.9	0.3		18.2	1.3		7.0	0.9		17.6	0.6	
Delay (s)		35.8	11.0		67.1	13.6		55.3	46.2		64.0	42.9	
Level of Service		D	B		E	B		E	D		E	D	
Approach Delay (s)			13.1			14.2			49.8			51.4	
Approach LOS			B			B			D			D	
<b>Intersection Summary</b>													
HCM 2000 Control Delay			16.5									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.55										
Actuated Cycle Length (s)			100.0						16.5				
Intersection Capacity Utilization			59.9%									ICU Level of Service	B
Analysis Period (min)			15										
c Critical Lane Group													

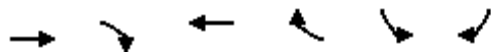
Movement	SBR
Lane Configurations	
Traffic Volume (vph)	71
Future Volume (vph)	71
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.96
Adj. Flow (vph)	74
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Heavy Vehicles (%)	1%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

HCM 6th Edition cannot analyze u-turn movements.



Queues  
1: I-5 SB ramps & OR 214













2025 With Site Traffic Conditions  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	565	302	780	571	282	250
v/c Ratio	0.24	0.23	0.40	0.44	0.60	0.54
Control Delay	4.5	0.4	10.6	1.2	44.0	22.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	4.5	0.4	10.6	1.2	44.0	22.7
Queue Length 50th (ft)	44	0	112	2	88	87
Queue Length 95th (ft)	80	0	138	0	110	132
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)	270		550			
Base Capacity (vph)	2342	1312	1947	1300	1069	534
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.24	0.23	0.40	0.44	0.26	0.47
<b>Intersection Summary</b>						













HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

2025 With Site Traffic Conditions  
Weekday AM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	475	254	0	655	480	0	0	0	237	0	210	
Future Volume (vph)	0	475	254	0	655	480	0	0	0	237	0	210	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	0.98				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3107	1312		3197	1300				3014		1340	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3107	1312		3197	1300				3014		1340	
Peak-hour factor, PHF	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	0.84	
Adj. Flow (vph)	0	565	302	0	780	571	0	0	0	282	0	250	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	59	
Lane Group Flow (vph)	0	565	302	0	780	571	0	0	0	282	0	191	
Confl. Peds. (#/hr)										1	1		
Confl. Bikes (#/hr)			2			3							
Heavy Vehicles (%)	0%	7%	11%	0%	4%	12%	0%	0%	0%	7%	0%	11%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		75.4	100.0		60.9	100.0				15.6		30.1	
Effective Green, g (s)		75.4	100.0		60.9	100.0				15.6		30.1	
Actuated g/C Ratio		0.75	1.00		0.61	1.00				0.16		0.30	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2342	1312		1946	1300				470		403	
v/s Ratio Prot		0.18			0.24					c0.09			
v/s Ratio Perm			0.23			c0.44						0.14	
v/c Ratio		0.24	0.23		0.40	0.44				0.60		0.47	
Uniform Delay, d1		3.7	0.0		10.1	0.0				39.3		28.5	
Progression Factor		1.00	1.00		0.91	1.00				1.00		1.00	
Incremental Delay, d2		0.2	0.4		0.2	1.0				1.7		0.6	
Delay (s)		3.9	0.4		9.4	1.0				41.0		29.1	
Level of Service		A	A		A	A				D		C	
Approach Delay (s)		2.7			5.8			0.0			35.4		
Approach LOS		A			A			A			D		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			10.6									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.51										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			41.3%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

2025 With Site Traffic Conditions  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↖
Traffic Volume (veh/h)	0	475	254	0	655	480	0	0	0	237	0	210
Future Volume (veh/h)	0	475	254	0	655	480	0	0	0	237	0	210
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1654	1600	0	1695	1586				1654	0	1600
Adj Flow Rate, veh/h	0	565	0	0	780	0				282	0	250
Peak Hour Factor	0.84	0.84	0.84	0.84	0.84	0.84				0.84	0.84	0.84
Percent Heavy Veh, %	0	7	11	0	4	12				7	0	11
Cap, veh/h	0	2196		0	2250					646	0	287
Arrive On Green	0.00	0.70	0.00	0.00	0.70	0.00				0.21	0.00	0.21
Sat Flow, veh/h	0	3226	1356	0	3306	1344				3057	0	1356
Grp Volume(v), veh/h	0	565	0	0	780	0				282	0	250
Grp Sat Flow(s),veh/h/ln	0	1572	1356	0	1611	1344				1528	0	1356
Q Serve(g_s), s	0.0	6.6	0.0	0.0	9.6	0.0				8.0	0.0	17.8
Cycle Q Clear(g_c), s	0.0	6.6	0.0	0.0	9.6	0.0				8.0	0.0	17.8
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2196		0	2250					646	0	287
V/C Ratio(X)	0.00	0.26		0.00	0.35					0.44	0.00	0.87
Avail Cap(c_a), veh/h	0	2196		0	2250					1085	0	481
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.82	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	5.5	0.0	0.0	6.0	0.0				34.3	0.0	38.1
Incr Delay (d2), s/veh	0.0	0.3	0.0	0.0	0.1	0.0				0.3	0.0	7.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	2.0	0.0	0.0	2.9	0.0				3.0	0.0	13.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	5.8	0.0	0.0	6.1	0.0				34.6	0.0	45.5
LnGrp LOS	A	A		A	A					C	A	D
Approach Vol, veh/h		565	A		780	A					532	
Approach Delay, s/veh		5.8			6.1						39.7	
Approach LOS		A			A						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		74.4		25.6		74.4						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		55.5		35.5		40.5						
Max Q Clear Time (g_c+I1), s		8.6		19.8		11.6						
Green Ext Time (p_c), s		11.3		1.3		8.6						

Intersection Summary

HCM 6th Ctrl Delay	15.5
HCM 6th LOS	B

Notes

Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.

Queues  
2: I-5 NB ramps & OR 214













2025 With Site Traffic Conditions  
Weekday AM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	560	236	980	769	266	313	307
v/c Ratio	0.27	0.18	0.49	0.55	0.73	0.66	0.63
Control Delay	8.2	0.3	10.7	1.5	45.8	17.3	15.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	8.2	0.3	10.7	1.5	45.8	17.3	15.9
Queue Length 50th (ft)	95	0	137	0	165	59	53
Queue Length 95th (ft)	116	0	234	13	222	138	125
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2047	1325	1990	1399	666	697	716
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.27	0.18	0.49	0.55	0.40	0.45	0.43
Intersection Summary							

HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

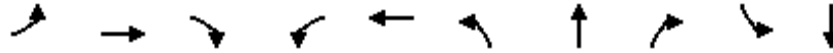
2025 With Site Traffic Conditions  
Weekday AM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	498	210	0	872	684	263	0	525	0	0	0
Future Volume (vph)	0	498	210	0	872	684	263	0	525	0	0	0
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	0.98		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3137	1325		3050	1399	1462	1279	1321			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3137	1325		3050	1399	1462	1279	1321			
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Adj. Flow (vph)	0	560	236	0	980	769	296	0	590	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	158	158	0	0	0
Lane Group Flow (vph)	0	560	236	0	980	769	266	155	149	0	0	0
Confl. Peds. (#/hr)	1						1					
Confl. Bikes (#/hr)			1				3					
Heavy Vehicles (%)	0%	6%	10%	0%	9%	4%	8%	0%	7%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		65.3	100.0		65.3	100.0	24.8	24.8	24.8			
Effective Green, g (s)		65.3	100.0		65.3	100.0	24.8	24.8	24.8			
Actuated g/C Ratio		0.65	1.00		0.65	1.00	0.25	0.25	0.25			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2048	1325		1991	1399	362	317	327			
v/s Ratio Prot		0.18			0.32							
v/s Ratio Perm			0.18			c0.55	c0.18	0.12	0.11			
v/c Ratio		0.27	0.18		0.49	0.55	0.73	0.49	0.46			
Uniform Delay, d1		7.3	0.0		8.9	0.0	34.6	32.2	31.9			
Progression Factor		0.92	1.00		0.98	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.3	0.3		0.4	1.2	7.1	0.9	0.7			
Delay (s)		7.1	0.3		9.1	1.2	41.7	33.0	32.6			
Level of Service		A	A		A	A	D	C	C			
Approach Delay (s)		5.1			5.6			35.5			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			13.2				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.63									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			48.1%				ICU Level of Service				A	
Analysis Period (min)			15									
c Critical Lane Group												

HCM 6th Edition methodology does not support turning movements with shared & exclusive lanes.

Queues  
3: Evergreen Rd & OR 214

2025 With Site Traffic Conditions  
Weekday AM Peak Hour



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	106	917	165	157	1000	310	308	183	6	46
v/c Ratio	0.69	0.67	0.24	0.77	0.71	0.83	0.82	0.37	0.05	0.33
Control Delay	70.9	24.8	3.2	73.9	22.4	54.4	53.0	6.5	44.5	28.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	70.9	24.8	3.2	73.9	22.4	54.4	53.0	6.5	44.5	28.2
Queue Length 50th (ft)	58	303	8	80	312	193	192	0	4	9
Queue Length 95th (ft)	#155	#396	24	m#197	#431	288	284	50	17	44
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	160	1361	701	211	1418	448	452	557	116	138
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.66	0.67	0.24	0.74	0.71	0.69	0.68	0.33	0.05	0.33

Intersection Summary

# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2025 With Site Traffic Conditions  
Weekday AM Peak Hour

Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	44	55	862	155	16	132	930	10	560	21	172	6
Future Volume (vph)	44	55	862	155	16	132	930	10	560	21	172	6
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	0.98		1.00	1.00		1.00	1.00	1.00	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1639	3137	1400		1630	3047		1548	1560	1473	1662
Flt Permitted		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		1639	3137	1400		1630	3047		1548	1560	1473	1662
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	47	59	917	165	17	140	989	11	596	22	183	6
RTOR Reduction (vph)	0	0	0	96	0	0	1	0	0	0	139	0
Lane Group Flow (vph)	0	106	917	69	0	157	999	0	310	308	44	6
Confl. Peds. (#/hr)		1						1	1			
Confl. Bikes (#/hr)				1								
Heavy Vehicles (%)	2%	1%	6%	4%	2%	2%	9%	0%	2%	0%	1%	0%
Turn Type	Prot	Prot	NA	Perm	Prot	Prot	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases				2							8	
Actuated Green, G (s)		9.4	41.6	41.6		12.5	44.7		24.2	24.2	24.2	4.2
Effective Green, g (s)		9.4	41.6	41.6		12.5	44.7		24.2	24.2	24.2	4.2
Actuated g/C Ratio		0.09	0.42	0.42		0.12	0.45		0.24	0.24	0.24	0.04
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		154	1304	582		203	1362		374	377	356	69
v/s Ratio Prot		0.06	0.29			c0.10	c0.33		c0.20	0.20		0.00
v/s Ratio Perm				0.05							0.03	
v/c Ratio		0.69	0.70	0.12		0.77	0.73		0.83	0.82	0.12	0.09
Uniform Delay, d1		43.9	24.1	17.9		42.4	22.8		35.9	35.8	29.6	46.1
Progression Factor		1.10	0.86	0.64		1.22	0.80		1.00	1.00	1.00	1.00
Incremental Delay, d2		10.6	3.1	0.4		14.4	3.1		13.8	12.5	0.1	0.4
Delay (s)		59.0	23.7	11.8		66.1	21.3		49.7	48.3	29.7	46.5
Level of Service		E	C	B		E	C		D	D	C	D
Approach Delay (s)			25.2			27.4			44.6			
Approach LOS			C			C			D			
<b>Intersection Summary</b>												
HCM 2000 Control Delay			31.2			HCM 2000 Level of Service			C			
HCM 2000 Volume to Capacity ratio			0.75									
Actuated Cycle Length (s)			100.0			Sum of lost time (s)			17.5			
Intersection Capacity Utilization			69.7%			ICU Level of Service			C			
Analysis Period (min)			15									
c Critical Lane Group												



HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2025 With Site Traffic Conditions  
Weekday AM Peak Hour



Movement	SBT	SBR
Lane Configurations	↔	↔
Traffic Volume (vph)	13	30
Future Volume (vph)	13	30
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.90	
Flt Protected	1.00	
Satd. Flow (prot)	1547	
Flt Permitted	1.00	
Satd. Flow (perm)	1547	
Peak-hour factor, PHF	0.94	0.94
Adj. Flow (vph)	14	32
RTOR Reduction (vph)	31	0
Lane Group Flow (vph)	15	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	0%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	4.2	
Effective Green, g (s)	4.2	
Actuated g/C Ratio	0.04	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	64	
v/s Ratio Prot	c0.01	
v/s Ratio Perm		
v/c Ratio	0.24	
Uniform Delay, d1	46.4	
Progression Factor	1.00	
Incremental Delay, d2	1.4	
Delay (s)	47.8	
Level of Service	D	
Approach Delay (s)	47.6	
Approach LOS	D	
<b>Intersection Summary</b>		

HCM 6th Edition cannot analyze u-turn movements.

Queues  
5: Oregon Way & OR 214

2025 With Site Traffic Conditions  
Weekday AM Peak Hour



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	24	1038	80	1015	118	97	8	78
v/c Ratio	0.22	0.56	0.46	0.48	0.84	0.32	0.09	0.48
Control Delay	41.7	12.8	50.2	9.8	88.1	13.0	47.3	23.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	41.7	12.8	50.2	9.8	88.1	13.0	47.3	23.6
Queue Length 50th (ft)	17	118	49	114	75	5	5	6
Queue Length 95th (ft)	m27	201	93	271	#176	52	20	50
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	110	1851	173	2128	142	602	91	549
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.22	0.56	0.46	0.48	0.83	0.16	0.09	0.14

Intersection Summary

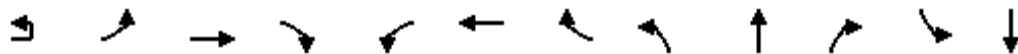
# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2025 With Site Traffic Conditions  
Weekday AM Peak Hour



Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations		↔	↕		↕	↕		↕	↕		↕	↕
Traffic Volume (vph)	10	12	947	8	74	915	18	109	8	81	7	9
Future Volume (vph)	10	12	947	8	74	915	18	109	8	81	7	9
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	0.99		1.00	0.99
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00
Frt		1.00	1.00		1.00	1.00		1.00	0.86		1.00	0.87
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00
Satd. Flow (prot)		1647	3105		1662	3073		1662	1493		1662	1504
Flt Permitted		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00
Satd. Flow (perm)		1647	3105		1662	3073		1662	1493		1662	1504
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	11	13	1029	9	80	995	20	118	9	88	8	10
RTOR Reduction (vph)	0	0	0	0	0	1	0	0	74	0	0	62
Lane Group Flow (vph)	0	24	1038	0	80	1014	0	118	23	0	8	16
Confl. Peds. (#/hr)		3		2	2		3	1		2	2	
Heavy Vehicles (%)	2%	0%	7%	0%	0%	8%	0%	0%	0%	0%	0%	0%
Turn Type	Prot	Prot	NA		Prot	NA		Prot	NA		Prot	NA
Protected Phases	5	5	2		1	6		3	8		7	4
Permitted Phases												
Actuated Green, G (s)		3.2	56.4		10.4	63.6		8.6	15.6		1.1	8.1
Effective Green, g (s)		3.2	56.4		10.4	63.6		8.6	15.6		1.1	8.1
Actuated g/C Ratio		0.03	0.56		0.10	0.64		0.09	0.16		0.01	0.08
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5
Lane Grp Cap (vph)		52	1751		172	1954		142	232		18	121
v/s Ratio Prot		0.01	c0.33		c0.05	0.33		c0.07	c0.02		0.00	0.01
v/s Ratio Perm												
v/c Ratio		0.46	0.59		0.47	0.52		0.83	0.10		0.44	0.13
Uniform Delay, d1		47.6	14.3		42.2	9.9		45.0	36.2		49.1	42.7
Progression Factor		0.86	0.85		1.00	1.00		1.00	1.00		1.00	1.00
Incremental Delay, d2		3.8	1.2		1.4	1.0		31.5	0.1		12.2	0.3
Delay (s)		44.8	13.4		43.6	10.9		76.5	36.3		61.4	43.0
Level of Service		D	B		D	B		E	D		E	D
Approach Delay (s)			14.1			13.3			58.3			44.7
Approach LOS			B			B			E			D
<b>Intersection Summary</b>												
HCM 2000 Control Delay			18.7									B
HCM 2000 Volume to Capacity ratio			0.56									
Actuated Cycle Length (s)			100.0						16.5			
Intersection Capacity Utilization			57.6%									B
ICU Level of Service												
Analysis Period (min)			15									

c Critical Lane Group

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	63
Future Volume (vph)	63
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	68
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	1
Heavy Vehicles (%)	0%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

HCM 6th Edition cannot analyze u-turn movements.

Intersection						
Int Delay, s/veh	5.7					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	T			T		
Traffic Vol, veh/h	162	2	2	36	17	74
Future Vol, veh/h	162	2	2	36	17	74
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	0	0	0	0	0	0
Mvmt Flow	191	2	2	42	20	87

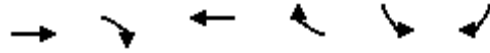
Major/Minor	Minor2	Major1		Major2	
Conflicting Flow All	110	64	107	0	-
Stage 1	64	-	-	-	-
Stage 2	46	-	-	-	-
Critical Hdwy	6.4	6.2	4.1	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-
Pot Cap-1 Maneuver	892	1006	1497	-	-
Stage 1	964	-	-	-	-
Stage 2	982	-	-	-	-
Platoon blocked, %				-	-
Mov Cap-1 Maneuver	891	1006	1497	-	-
Mov Cap-2 Maneuver	891	-	-	-	-
Stage 1	963	-	-	-	-
Stage 2	982	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.1	0.4	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1497	-	892	-	-
HCM Lane V/C Ratio	0.002	-	0.216	-	-
HCM Control Delay (s)	7.4	0	10.1	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.8	-	-

Queues  
1: I-5 SB ramps & OR 214

2025 With Site Traffic Conditions  
Weekday PM Peak Hour















Lane Group	EBT	EBR	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	859	483	828	630	562	397
v/c Ratio	0.39	0.34	0.48	0.44	0.75	0.65
Control Delay	8.8	0.6	17.1	0.9	41.4	23.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	8.8	0.6	17.1	0.9	41.4	23.6
Queue Length 50th (ft)	110	0	160	0	174	160
Queue Length 95th (ft)	201	0	161	3	201	219
Internal Link Dist (ft)	562		680			
Turn Bay Length (ft)	270		550			
Base Capacity (vph)	2200	1426	1723	1430	998	617
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.39	0.34	0.48	0.44	0.56	0.64
<b>Intersection Summary</b>						















HCM Signalized Intersection Capacity Analysis  
1: I-5 SB ramps & OR 214

2025 With Site Traffic Conditions  
Weekday PM Peak Hour

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations		↑↑	↗		↑↑	↗				↖↗		↗	
Traffic Volume (vph)	0	790	444	0	762	580	0	0	0	517	0	365	
Future Volume (vph)	0	790	444	0	762	580	0	0	0	517	0	365	
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.5	4.0		4.5	4.0				4.5		4.5	
Lane Util. Factor		0.95	1.00		0.95	1.00				0.97		1.00	
Frbp, ped/bikes		1.00	0.98		1.00	1.00				1.00		1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00				1.00		1.00	
Frt		1.00	0.85		1.00	0.85				1.00		0.85	
Flt Protected		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (prot)		3260	1426		3260	1430				3131		1444	
Flt Permitted		1.00	1.00		1.00	1.00				0.95		1.00	
Satd. Flow (perm)		3260	1426		3260	1430				3131		1444	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	0	859	483	0	828	630	0	0	0	562	0	397	
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	57	
Lane Group Flow (vph)	0	859	483	0	828	630	0	0	0	562	0	340	
Confl. Peds. (#/hr)			3	3					1	1			
Confl. Bikes (#/hr)			1										
Heavy Vehicles (%)	0%	2%	2%	0%	2%	4%	0%	0%	0%	3%	0%	3%	
Turn Type		NA	Free		NA	Free				Prot		Perm	
Protected Phases		2			6					4			
Permitted Phases			Free			Free						4 5	
Actuated Green, G (s)		67.1	100.0		52.6	100.0				23.9		38.4	
Effective Green, g (s)		67.1	100.0		52.6	100.0				23.9		38.4	
Actuated g/C Ratio		0.67	1.00		0.53	1.00				0.24		0.38	
Clearance Time (s)		4.5			4.5					4.5			
Vehicle Extension (s)		6.0			4.0					2.5			
Lane Grp Cap (vph)		2187	1426		1714	1430				748		554	
v/s Ratio Prot		0.26			c0.25					c0.18			
v/s Ratio Perm			0.34			0.44						c0.24	
v/c Ratio		0.39	0.34		0.48	0.44				0.75		0.61	
Uniform Delay, d1		7.3	0.0		15.1	0.0				35.3		24.8	
Progression Factor		1.00	1.00		0.99	1.00				1.00		1.00	
Incremental Delay, d2		0.5	0.6		0.3	0.9				4.1		1.7	
Delay (s)		7.9	0.6		15.2	0.9				39.4		26.6	
Level of Service		A	A		B	A				D		C	
Approach Delay (s)		5.3			9.0			0.0			34.1		
Approach LOS		A			A			A			C		
<b>Intersection Summary</b>													
HCM 2000 Control Delay			14.1									HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio			0.59										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	13.5
Intersection Capacity Utilization			54.9%									ICU Level of Service	A
Analysis Period (min)			15										
c Critical Lane Group													

HCM 6th Signalized Intersection Summary  
1: I-5 SB ramps & OR 214

2025 With Site Traffic Conditions  
Weekday PM Peak Hour

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗				↖↖		↗
Traffic Volume (veh/h)	0	790	444	0	762	580	0	0	0	517	0	365
Future Volume (veh/h)	0	790	444	0	762	580	0	0	0	517	0	365
Initial Q (Qb), veh	0	0	0	0	0	0				0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00				1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Work Zone On Approach		No			No						No	
Adj Sat Flow, veh/h/ln	0	1723	1723	0	1723	1695				1709	0	1709
Adj Flow Rate, veh/h	0	859	0	0	828	0				562	0	397
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92				0.92	0.92	0.92
Percent Heavy Veh, %	0	2	2	0	2	4				3	0	3
Cap, veh/h	0	2010		0	2010					934	0	429
Arrive On Green	0.00	0.61	0.00	0.00	0.61	0.00				0.30	0.00	0.30
Sat Flow, veh/h	0	3359	1460	0	3359	1437				3158	0	1448
Grp Volume(v), veh/h	0	859	0	0	828	0				562	0	397
Grp Sat Flow(s),veh/h/ln	0	1637	1460	0	1637	1437				1579	0	1448
Q Serve(g_s), s	0.0	13.7	0.0	0.0	13.1	0.0				15.2	0.0	26.6
Cycle Q Clear(g_c), s	0.0	13.7	0.0	0.0	13.1	0.0				15.2	0.0	26.6
Prop In Lane	0.00		1.00	0.00		1.00				1.00		1.00
Lane Grp Cap(c), veh/h	0	2010		0	2010					934	0	429
V/C Ratio(X)	0.00	0.43		0.00	0.41					0.60	0.00	0.93
Avail Cap(c_a), veh/h	0	2010		0	2010					995	0	456
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00				1.00	1.00	1.00
Upstream Filter(I)	0.00	1.00	0.00	0.00	0.80	0.00				1.00	0.00	1.00
Uniform Delay (d), s/veh	0.0	10.1	0.0	0.0	10.0	0.0				30.2	0.0	34.1
Incr Delay (d2), s/veh	0.0	0.7	0.0	0.0	0.2	0.0				0.8	0.0	24.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0				0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.0	4.7	0.0	0.0	4.4	0.0				5.8	0.0	21.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	0.0	10.8	0.0	0.0	10.1	0.0				30.9	0.0	58.1
LnGrp LOS	A	B		A	B					C	A	E
Approach Vol, veh/h		859	A		828	A					959	
Approach Delay, s/veh		10.8			10.1						42.2	
Approach LOS		B			B						D	
Timer - Assigned Phs		2		4		6						
Phs Duration (G+Y+Rc), s		65.9		34.1		65.9						
Change Period (Y+Rc), s		4.5		4.5		4.5						
Max Green Setting (Gmax), s		59.5		31.5		44.5						
Max Q Clear Time (g_c+I1), s		15.7		28.6		15.1						
Green Ext Time (p_c), s		18.6		1.0		9.3						
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay			22.0									
HCM 6th LOS			C									
<b>Notes</b>												
Unsignalized Delay for [EBR, WBR] is excluded from calculations of the approach delay and intersection delay.												

Queues  
2: I-5 NB ramps & OR 214













2025 With Site Traffic Conditions  
Weekday PM Peak Hour



Lane Group	EBT	EBR	WBT	WBR	NBL	NBT	NBR
Lane Group Flow (vph)	1149	231	1130	380	269	313	307
v/c Ratio	0.55	0.16	0.54	0.27	0.68	0.81	0.77
Control Delay	11.4	0.2	8.5	0.4	40.4	43.0	39.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	11.4	0.2	8.5	0.4	40.4	43.0	39.4
Queue Length 50th (ft)	221	0	165	0	162	169	155
Queue Length 95th (ft)	333	0	191	0	215	242	223
Internal Link Dist (ft)	680		865			472	
Turn Bay Length (ft)							
Base Capacity (vph)	2095	1403	2075	1387	565	526	542
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.55	0.16	0.54	0.27	0.48	0.60	0.57
<b>Intersection Summary</b>							

HCM Signalized Intersection Capacity Analysis  
2: I-5 NB ramps & OR 214

2025 With Site Traffic Conditions  
Weekday PM Peak Hour

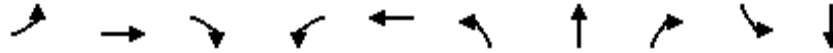
												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑	↗		↑↑	↗	↗	↕	↗			
Traffic Volume (vph)	0	1080	217	0	1062	357	281	0	555	0	0	0
Future Volume (vph)	0	1080	217	0	1062	357	281	0	555	0	0	0
Ideal Flow (vphp)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.5	4.0		4.5	4.0	5.4	5.4	5.4			
Lane Util. Factor		0.95	1.00		0.95	1.00	0.95	0.91	0.95			
Frbp, ped/bikes		1.00	1.00		1.00	0.98	1.00	1.00	1.00			
Flpb, ped/bikes		1.00	1.00		1.00	1.00	1.00	1.00	1.00			
Frt		1.00	0.85		1.00	0.85	1.00	0.86	0.85			
Flt Protected		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (prot)		3292	1403		3260	1387	1504	1305	1346			
Flt Permitted		1.00	1.00		1.00	1.00	0.95	1.00	1.00			
Satd. Flow (perm)		3292	1403		3260	1387	1504	1305	1346			
Peak-hour factor, PHF	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Adj. Flow (vph)	0	1149	231	0	1130	380	299	0	590	0	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	43	43	0	0	0
Lane Group Flow (vph)	0	1149	231	0	1130	380	269	270	264	0	0	0
Confl. Peds. (#/hr)	2					2						
Heavy Vehicles (%)	0%	1%	6%	0%	2%	5%	5%	0%	5%	0%	0%	0%
Turn Type		NA	Free		NA	Free	Perm	NA	Perm			
Protected Phases		2			6			8				
Permitted Phases			Free			Free	8		8			
Actuated Green, G (s)		63.7	100.0		63.7	100.0	26.4	26.4	26.4			
Effective Green, g (s)		63.7	100.0		63.7	100.0	26.4	26.4	26.4			
Actuated g/C Ratio		0.64	1.00		0.64	1.00	0.26	0.26	0.26			
Clearance Time (s)		4.5			4.5		5.4	5.4	5.4			
Vehicle Extension (s)		4.0			6.0		2.5	2.5	2.5			
Lane Grp Cap (vph)		2097	1403		2076	1387	397	344	355			
v/s Ratio Prot		c0.35			0.35							
v/s Ratio Perm			0.16			0.27	0.18	0.21	0.20			
v/c Ratio		0.55	0.16		0.54	0.27	0.68	0.79	0.74			
Uniform Delay, d1		10.1	0.0		10.1	0.0	33.0	34.2	33.7			
Progression Factor		0.88	1.00		0.66	1.00	1.00	1.00	1.00			
Incremental Delay, d2		0.9	0.2		0.5	0.4	4.1	10.8	7.8			
Delay (s)		9.8	0.2		7.1	0.4	37.1	45.0	41.5			
Level of Service		A	A		A	A	D	D	D			
Approach Delay (s)		8.2			5.4			41.4			0.0	
Approach LOS		A			A			D			A	
<b>Intersection Summary</b>												
HCM 2000 Control Delay			14.9				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.62									
Actuated Cycle Length (s)			100.0				Sum of lost time (s)				9.9	
Intersection Capacity Utilization			65.5%				ICU Level of Service				C	
Analysis Period (min)			15									

c Critical Lane Group

HCM 6th Edition methodology does not support turning movements with shared & exclusive lanes.

Queues  
3: Evergreen Rd & OR 214

2025 With Site Traffic Conditions  
Weekday PM Peak Hour



Lane Group	EBL	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBL	SBT
Lane Group Flow (vph)	111	1137	335	263	978	260	260	210	35	123
v/c Ratio	0.62	1.06	0.47	0.78	0.71	0.78	0.77	0.44	0.30	0.74
Control Delay	61.4	75.3	7.0	67.6	18.6	52.4	51.1	7.1	51.4	49.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	61.4	75.3	7.0	67.6	18.6	52.4	51.1	7.1	51.4	49.5
Queue Length 50th (ft)	70	~432	14	164	246	165	165	0	22	36
Queue Length 95th (ft)	m#181	#546	83	m#374	140	237	236	53	53	#126
Internal Link Dist (ft)		865			282		429			498
Turn Bay Length (ft)	175		250	375		325		290	70	
Base Capacity (vph)	178	1070	710	336	1369	444	452	569	116	167
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.62	1.06	0.47	0.78	0.71	0.59	0.58	0.37	0.30	0.74

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.






















# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2025 With Site Traffic Conditions  
Weekday PM Peak Hour

												
Movement	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	24	79	1057	312	5	240	887	22	440	44	195	33
Future Volume (vph)	24	79	1057	312	5	240	887	22	440	44	195	33
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750
Total Lost time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Lane Util. Factor		1.00	0.95	1.00		1.00	0.95		0.95	0.95	1.00	1.00
Frbp, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	0.98	1.00
Flpb, ped/bikes		1.00	1.00	1.00		1.00	1.00		1.00	1.00	1.00	1.00
Frt		1.00	1.00	0.85		1.00	1.00		1.00	1.00	0.85	1.00
Flt Protected		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (prot)		1655	3197	1458		1662	3188		1533	1559	1451	1662
Flt Permitted		0.95	1.00	1.00		0.95	1.00		0.95	0.96	1.00	0.95
Satd. Flow (perm)		1655	3197	1458		1662	3188		1533	1559	1451	1662
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	26	85	1137	335	5	258	954	24	473	47	210	35
RTOR Reduction (vph)	0	0	0	222	0	0	2	0	0	0	164	0
Lane Group Flow (vph)	0	111	1137	113	0	263	976	0	260	260	46	35
Confl. Peds. (#/hr)									1		2	2
Confl. Bikes (#/hr)											1	
Heavy Vehicles (%)	2%	0%	4%	2%	2%	0%	4%	0%	3%	0%	1%	0%
Turn Type	Prot	Prot	NA	Perm	Prot	Prot	NA		Split	NA	Perm	Split
Protected Phases	5	5	2		1	1	6		8	8		4
Permitted Phases				2							8	
Actuated Green, G (s)		10.8	33.5	33.5		20.2	42.9		21.8	21.8	21.8	7.0
Effective Green, g (s)		10.8	33.5	33.5		20.2	42.9		21.8	21.8	21.8	7.0
Actuated g/C Ratio		0.11	0.34	0.34		0.20	0.43		0.22	0.22	0.22	0.07
Clearance Time (s)		4.0	4.5	4.5		4.0	4.5		4.5	4.5	4.5	4.5
Vehicle Extension (s)		2.5	6.2	6.2		2.5	6.2		2.5	2.5	2.5	2.5
Lane Grp Cap (vph)		178	1070	488		335	1367		334	339	316	116
v/s Ratio Prot		0.07	c0.36			c0.16	0.31		c0.17	0.17		0.02
v/s Ratio Perm				0.08							0.03	
v/c Ratio		0.62	1.06	0.23		0.79	0.71		0.78	0.77	0.14	0.30
Uniform Delay, d1		42.7	33.2	24.0		37.8	23.5		36.8	36.7	31.6	44.2
Progression Factor		1.09	0.94	1.72		1.37	0.64		1.00	1.00	1.00	1.00
Incremental Delay, d2		4.9	43.6	0.9		9.4	2.7		10.5	9.5	0.2	1.1
Delay (s)		51.2	74.9	42.1		61.5	17.8		47.3	46.3	31.7	45.2
Level of Service		D	E	D		E	B		D	D	C	D
Approach Delay (s)			66.3			27.1			42.5			
Approach LOS			E			C			D			
<b>Intersection Summary</b>												
HCM 2000 Control Delay			47.8			HCM 2000 Level of Service				D		
HCM 2000 Volume to Capacity ratio			0.88									
Actuated Cycle Length (s)			100.0			Sum of lost time (s)				17.5		
Intersection Capacity Utilization			82.4%			ICU Level of Service				E		
Analysis Period (min)			15									
c Critical Lane Group												

HCM Signalized Intersection Capacity Analysis  
3: Evergreen Rd & OR 214

2025 With Site Traffic Conditions  
Weekday PM Peak Hour



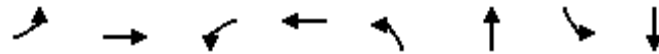
Movement	SBT	SBR
Lane Configurations	⤴	
Traffic Volume (vph)	43	72
Future Volume (vph)	43	72
Ideal Flow (vphpl)	1750	1750
Total Lost time (s)	4.5	
Lane Util. Factor	1.00	
Frbp, ped/bikes	0.99	
Flpb, ped/bikes	1.00	
Frt	0.91	
Flt Protected	1.00	
Satd. Flow (prot)	1531	
Flt Permitted	1.00	
Satd. Flow (perm)	1531	
Peak-hour factor, PHF	0.93	0.93
Adj. Flow (vph)	46	77
RTOR Reduction (vph)	60	0
Lane Group Flow (vph)	63	0
Confl. Peds. (#/hr)		1
Confl. Bikes (#/hr)		
Heavy Vehicles (%)	0%	4%
Turn Type	NA	
Protected Phases	4	
Permitted Phases		
Actuated Green, G (s)	7.0	
Effective Green, g (s)	7.0	
Actuated g/C Ratio	0.07	
Clearance Time (s)	4.5	
Vehicle Extension (s)	2.5	
Lane Grp Cap (vph)	107	
v/s Ratio Prot	c0.04	
v/s Ratio Perm		
v/c Ratio	0.58	
Uniform Delay, d1	45.1	
Progression Factor	1.00	
Incremental Delay, d2	6.6	
Delay (s)	51.7	
Level of Service	D	
Approach Delay (s)	50.3	
Approach LOS	D	
<b>Intersection Summary</b>		



HCM 6th Edition cannot analyze u-turn movements.

Queues  
5: Oregon Way & OR 214

2025 With Site Traffic Conditions  
Weekday PM Peak Hour



Lane Group	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Lane Group Flow (vph)	111	1134	74	1076	100	92	64	97
v/c Ratio	0.54	0.57	0.45	0.58	0.82	0.48	0.59	0.54
Control Delay	38.9	17.0	50.5	16.3	91.0	24.4	68.0	26.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	38.9	17.0	50.5	16.3	91.0	24.4	68.0	26.3
Queue Length 50th (ft)	76	175	45	219	64	14	40	14
Queue Length 95th (ft)	m80	m186	88	344	#158	60	#97	62
Internal Link Dist (ft)		190		686		135		364
Turn Bay Length (ft)	305		155		150		50	
Base Capacity (vph)	207	1999	164	1862	122	567	113	564
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.54	0.57	0.45	0.58	0.82	0.16	0.57	0.17

Intersection Summary

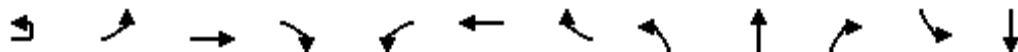
# 95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.

HCM Signalized Intersection Capacity Analysis  
5: Oregon Way & OR 214

2025 With Site Traffic Conditions  
Weekday PM Peak Hour



Movement	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	
Lane Configurations													
Traffic Volume (vph)	15	91	1069	19	71	987	46	96	22	66	61	22	
Future Volume (vph)	15	91	1069	19	71	987	46	96	22	66	61	22	
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	1750	
Total Lost time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00	0.95		1.00	0.95		1.00	1.00		1.00	1.00	
Frbp, ped/bikes		1.00	1.00		1.00	1.00		1.00	0.99		1.00	1.00	
Flpb, ped/bikes		1.00	1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Frt		1.00	1.00		1.00	0.99		1.00	0.89		1.00	0.89	
Flt Protected		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1658	3189		1662	3207		1662	1537		1662	1538	
Flt Permitted		0.95	1.00		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (perm)		1658	3189		1662	3207		1662	1537		1662	1538	
Peak-hour factor, PHF	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	
Adj. Flow (vph)	16	95	1114	20	74	1028	48	100	23	69	64	23	
RTOR Reduction (vph)	0	0	1	0	0	2	0	0	63	0	0	69	
Lane Group Flow (vph)	0	111	1133	0	74	1074	0	100	29	0	64	28	
Confl. Peds. (#/hr)		3		3	3		3			2	2		
Confl. Bikes (#/hr)				1									
Heavy Vehicles (%)	2%	0%	4%	1%	0%	3%	0%	0%	0%	0%	0%	0%	
Turn Type	Prot	Prot	NA		Prot	NA		Prot	NA		Prot	NA	
Protected Phases	5	5	2		1	6		3	8		7	4	
Permitted Phases													
Actuated Green, G (s)		12.5	61.0		8.7	57.2		7.4	8.4		5.4	6.4	
Effective Green, g (s)		12.5	61.0		8.7	57.2		7.4	8.4		5.4	6.4	
Actuated g/C Ratio		0.12	0.61		0.09	0.57		0.07	0.08		0.05	0.06	
Clearance Time (s)		4.0	4.5		4.0	4.5		4.0	4.0		4.0	4.0	
Vehicle Extension (s)		2.5	6.2		2.5	6.2		2.5	2.5		2.5	2.5	
Lane Grp Cap (vph)		207	1945		144	1834		122	129		89	98	
v/s Ratio Prot		c0.07	c0.36		0.04	0.33		c0.06	c0.02		0.04	0.02	
v/s Ratio Perm													
v/c Ratio		0.54	0.58		0.51	0.59		0.82	0.22		0.72	0.28	
Uniform Delay, d1		41.0	11.8		43.6	13.8		45.6	42.8		46.6	44.6	
Progression Factor		0.87	1.26		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2		0.7	0.5		2.3	1.4		32.5	0.6		22.7	1.2	
Delay (s)		36.6	15.3		45.9	15.1		78.1	43.4		69.2	45.8	
Level of Service		D	B		D	B		E	D		E	D	
Approach Delay (s)			17.2			17.1			61.5			55.1	
Approach LOS			B			B			E			E	
<b>Intersection Summary</b>													
HCM 2000 Control Delay			22.5									HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio			0.58										
Actuated Cycle Length (s)			100.0									Sum of lost time (s)	16.5
Intersection Capacity Utilization			61.3%									ICU Level of Service	B
Analysis Period (min)			15										
c Critical Lane Group													

Movement	SBR
Lane Configurations	
Traffic Volume (vph)	71
Future Volume (vph)	71
Ideal Flow (vphpl)	1750
Total Lost time (s)	
Lane Util. Factor	
Frbp, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.96
Adj. Flow (vph)	74
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Heavy Vehicles (%)	1%
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

HCM 6th Edition cannot analyze u-turn movements.

Intersection						
Int Delay, s/veh	5					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	T			T		T
Traffic Vol, veh/h	143	3	1	41	52	60
Future Vol, veh/h	143	3	1	41	52	60
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	85	85	85	85	85	85
Heavy Vehicles, %	0	0	0	0	0	0
Mvmt Flow	168	4	1	48	61	71

Major/Minor	Minor2	Major1		Major2	
Conflicting Flow All	147	97	132	0	0
Stage 1	97	-	-	-	-
Stage 2	50	-	-	-	-
Critical Hdwy	6.4	6.2	4.1	-	-
Critical Hdwy Stg 1	5.4	-	-	-	-
Critical Hdwy Stg 2	5.4	-	-	-	-
Follow-up Hdwy	3.5	3.3	2.2	-	-
Pot Cap-1 Maneuver	850	965	1466	-	-
Stage 1	932	-	-	-	-
Stage 2	978	-	-	-	-
Platoon blocked, %				-	-
Mov Cap-1 Maneuver	849	965	1466	-	-
Mov Cap-2 Maneuver	849	-	-	-	-
Stage 1	931	-	-	-	-
Stage 2	978	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10.3	0.2	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1466	-	851	-	-
HCM Lane V/C Ratio	0.001	-	0.202	-	-
HCM Control Delay (s)	7.5	0	10.3	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.8	-	-

Date:	July 23, 2024
To:	Colin Cortes, AICP, City of Woodburn
	Jenna Bogert, PE, DKS Associates
From:	Joe Bessman, PE
Project Reference No.:	1584
Project Name:	Woodburn US Market



The purpose of this memorandum is to provide a formal response to review comments received from the City of Woodburn (through their on-call review consultant) dated July 19, 2024, which identify Jenna Bogert as the engineer of record.

**Comment #1: Traffic Counts Dates.** The City’s consultant transportation reviewers commented that traffic counts in the original study were from 2019, and that in February 2024 the reviewer requested that a new study be provided, which was provided to DKS in July 2024 (report is dated April 4, 2023).

**Response:** None of the traffic counts within the current or prior application were from 2019. To ensure that the consultant reviewer has access to the correct files and that those files are included in the record the relevant materials are provided below for the US Market application:

- June 23, 2023 Transportation Impact Analysis. This report was provided to the City directly, but it is my understanding that without a complete land use application the report was not uploaded to the file. Key revisions within this report include modification of the OR 214 access to right-in only (removing the right-turn out), as well as minor modifications to the site plan. This report was prepared using morning and evening traffic counts that were collected on April 4, 2023.
- August 13, 2021 Transportation Impact Analysis. This report was part of the prior submittal that was not approved by the City of Woodburn due to concerns with compatibility, along with other expressed reservations related to traffic safety (specifically due to the right-turn out onto OR 214 and potential weaving). This report utilized traffic counts that were collected on June 30, 2021. The revised 2023 report includes a comparison to these counts.
- The TIA for “Project Basie” (Amazon) included traffic counts from May 25, 2021. These were also reviewed to ensure that the traffic patterns within the revised TIA were consistent with these historical traffic counts.

There are no traffic counts collected in 2019 within the subject report (or the prior application). References to 2019 on page 11 of the TIA refer to the preparation of seasonal adjustment factors from ODOT’s lagging publication of data, noting the impacts that COVID had on nearby Automated Traffic Recorder Stations. In comparison of the 2021 and 2023 counts (see Page 10 of the June TIA) we note that the weekday evening peak hour volumes changed very little within this two-year period. Accordingly, traffic counts and data within this study are based on 2023 data and validated with the historical counts from 2021.

**Comment #2: Pass-by Rates.** It was questioned where the 76% and 75% pass-by rates cited in the June 2023 TIA were derived from, as data within ITE’s *Trip Generation Handbook, 3<sup>rd</sup> Edition* cites lower pass-by trip rates.

**Response:** The ITE *Trip Generation Handbook, 3<sup>rd</sup> Edition* (which was a companion manual to ITE’s *Trip Generation, 10<sup>th</sup> Edition*) is obsolete. This manual was updated with more current pass-by data specific to convenience markets with fuel centers as part of the posted February 6, 2018 errata. This supplement states that the pass-by rates within the *Trip Generation Handbook* should be removed and replaced with this updated information (see Figure 1).

**INSTITUTE OF TRANSPORTATION ENGINEERS  
PUBLICATIONS ERRATA  
Trip Generation Handbook, Third Edition, September 2017  
© 2017 Institute of Transportation Engineers ISBN-10: 1-933452-91-9 ISBN-13: 978-1-933452-90-6  
RP-28D**

**Posted: 2/06/18**

The following six tables summarized in Revised Table E.1 below have been updated (E.15, E.16, E.35, E.36) or added (E.39, E.40) to reflect changes in land use descriptions published in the *Trip Generation Manual, 10<sup>th</sup> Edition* published in September 2017. Tables E.37 and E.38 have been removed, as there is no longer pass-by data for land use code 945. Figures E.11, E.12, E.13, E.18, and E.19 should also be removed from the *Trip Generation Handbook, Third Edition*, as these figures are no longer current.

**Revised Table E.1 Land Uses and Time Periods with Pass-By Data**

Land Use Code and Title	Time Period	Revised Table	Figure
853 Convenience Market with Gasoline Pumps	Weekday, AM Peak Period	E.15	—
	Weekday, PM Peak Period	E.16	—
944 Gasoline/Service Station	Weekday, AM Peak Period	E.35	—
	Weekday, PM Peak Period	E.36	—
960 Super Convenience Market/Gas Station	Weekday, AM Peak Period	E.39	—
	Weekday, PM Peak Period	E.40	—

Figure 1. ITE Posting on the removal and replacement of pass-by trip rates related to fuel centers.  
Source: *Trip Generation Handbook Errata 2-6-18*.

Following this publication, the release of ITE’s *Trip Generation Manual, 11<sup>th</sup> Edition* provided a new dataset of pass-by information within its Appendices that includes and further revises the supplemental information released in Errata 2-6-18. The release of the *Trip Generation Manual, 11<sup>th</sup> Edition* (the current Trip Generation manual) combined many of the separate fuel center and convenience store land use classifications (ITE 853: Convenience Market with Gasoline Pumps, ITE 945: Gasoline/Service Station with Convenience Market, and ITE 960: Super Convenience Market/Gas Station) into a single land use category with subcategories. The revised pass-by data was prepared to correlate to this new combined classification (ITE 945: Convenience Store/Gas Station), aggregating data from the prior subcategories, while maintaining a distinction between sites based on the general number of Vehicle Fueling Positions (VFPs), which are defined below:



*Vehicle Fueling Position—is defined by the number of vehicles that can be fueled simultaneously at a service station. For example, if a service station has two fuel dispensing pumps with hoses on each side of each pump, where only one vehicle can be fueled at a time on each side, the number of vehicle fueling positions is four. (Source: ITE Trip Generation Manual 11<sup>th</sup> Edition, Chapter 4: Definition of Terms)*

This manual cites the following pass-by rates for ITE 945: Convenience Store/Gas Station):

- Sites with 2 to 8 vehicle fueling positions: 60% AM, 56% PM
- Sites with 9 to 20 vehicle fueling positions: 76% AM, 75% PM

As the proposed fuel center contains 12 vehicle fueling positions, the cited rates applied within the traffic study match those in the current edition of the ITE Trip Generation Manual. *The specific pass-by rate tables from the appendices are included as an attachment.*

## NEXT STEPS

Thank you for the opportunity to provide this clarifying information in response to comments received on this application. If you have any additional questions or need additional information to complete this review I can be reached at (503) 997-4473 or via email at [joe@transightconsulting.com](mailto:joe@transightconsulting.com).

### Attachments:

- ITE 11<sup>th</sup> Edition Pass-by Tables, ITE 945: Convenience Store/Gas Station

**Vehicle Pass-By Rates by Land Use**

Source: ITE Trip Generation Manual , 11th Edition

Land Use Code	945									
Land Use	Convenience Store/Gas Station									
Setting	General Urban/Suburban									
Time Period	Weekday AM Peak Period									
# Data Sites	16 Sites with between 2 and 8 VFP					28 Sites with between 9 and 20 VFP				
Average Pass-By Rate	60% for Sites with between 2 and 8 VFP					76% for Sites with between 9 and 20 VFP				
Pass-By Characteristics for Individual Sites										
GFA (000)	VFP	State or Province	Survey Year	# Interviews	Pass-By Trip (%)	Non-Pass-By Trips			Adj Street Peak Hour Volume	Source
						Primary (%)	Diverted (%)	Total (%)		
2	8	Maryland	1992	46	87	13	0	13	2235	25
2.1	6	Maryland	1992	26	58	23	19	42	2080	25
2.1	6	Maryland	1992	26	58	23	19	42	2080	25
2.2	8	Maryland	1992	31	47	34	19	53	1785	25
2.2	< 8	Indiana	1993	79	56	6	38	44	635	2
2.2	8	Maryland	1992	35	78	9	13	22	7080	25
2.3	6	Maryland	1992	37	32	41	27	68	2080	25
2.3	< 8	Kentucky	1993	58	64	5	31	36	1255	2
2.3	6	Maryland	1992	37	32	41	27	68	2080	25
2.4	< 8	Kentucky	1993	—	48	17	35	52	1210	2
2.6	< 8	Kentucky	1993	—	72	15	13	28	940	2
2.8	< 8	Kentucky	1993	—	54	11	35	46	1240	2
3	< 8	Indiana	1993	62	74	10	16	26	790	2
3.6	< 8	Kentucky	1993	49	67	4	29	33	1985	2
3.7	< 8	Kentucky	1993	49	66	16	18	34	990	2
4.694	12	Maryland	2000	—	72	—	—	28	2440	30
4.694	12	Maryland	2000	—	78	—	—	22	1561	30
4.694	12	Maryland	2000	—	79	—	—	21	2764	30
4.848	12	Virginia	2000	—	55	—	—	45	1398	30
5.06	12	Pennsylvania	2000	—	84	—	—	16	3219	30
5.242	12	Virginia	2000	—	74	—	—	26	1160	30
5.242	12	Virginia	2000	—	71	—	—	29	548	30
5.488	12	Delaware	2000	—	80	—	—	20	—	30
5.5	12	Pennsylvania	2000	—	85	—	—	15	2975	30
4.2	< 8	Kentucky	1993	47	62	19	19	38	1705	2
4.694	16	Maryland	2000	—	90	—	—	10	2278	30
4.694	16	Delaware	2000	—	74	—	—	26	2185	30
4.694	16	Delaware	2000	—	58	—	—	42	962	30
4.694	16	Delaware	2000	—	84	—	—	16	2956	30
4.694	16	New Jersey	2000	—	79	—	—	21	1859	30
4.694	20	Delaware	2000	—	84	—	—	16	3864	30
4.848	16	Virginia	2000	—	68	—	—	32	2106	30
4.848	16	Virginia	2000	—	85	—	—	15	2676	30
4.848	16	Virginia	2000	—	75	—	—	25	3244	30
4.848	16	Virginia	2000	—	71	—	—	29	1663	30
4.993	16	Pennsylvania	2000	—	75	—	—	25	1991	30
5.094	16	New Jersey	2000	—	86	—	—	14	1260	30
5.5	16	Pennsylvania	2000	—	82	—	—	18	1570	30
5.543	16	Pennsylvania	2000	—	84	—	—	16	1933	30
5.565	16	Pennsylvania	2000	—	77	—	—	23	2262	30
5.565	16	Pennsylvania	2000	—	68	—	—	32	2854	30
5.565	16	New Jersey	2000	—	58	—	—	42	1253	30
5.565	16	New Jersey	2000	—	79	—	—	21	1928	30
5.565	16	New Jersey	2000	---	84	---	---	16	1953	30

**Vehicle Pass-By Rates by Land Use**

Source: ITE Trip Generation Manual , 11th Edition

Land Use Code	945									
Land Use	Convenience Store/Gas Station									
Setting	General Urban/Suburban									
Time Period	Weekday PM Peak Period									
# Data Sites	12 Sites with between 2 and 8 VFP					28 Sites with between 9 and 20 VFP				
Average Pass-By Rate	56% for Sites with between 2 and 8 VFP					75% for Sites with between 9 and 20 VFP				
Pass-By Characteristics for Individual Sites										
						Non-Pass-By Trips			Adj Street Peak	
GFA (000)	VFP	State or Province	Survey Year	# Interviews	Pass-By Trip (%)	Primary (%)	Diverted (%)	Total (%)	Hour Volume	Source
2.1	8	Maryland	1992	31	52	13	35	48	1785	25
2.1	6	Maryland	1992	30	53	20	27	47	1060	25
2.2	< 8	Indiana	1993	115	48	16	36	52	820	2
2.3	< 8	Kentucky	1993	67	57	16	27	43	1954	2
2.3	6	Maryland	1992	55	40	11	49	60	2760	25
2.4	< 8	Kentucky	1993	—	58	13	29	42	2655	2
2.6	< 8	Kentucky	1993	68	67	15	18	33	950	2
2.8	< 8	Kentucky	1993	—	62	11	27	38	2875	2
3	< 8	Indiana	1993	80	65	15	20	35	1165	2
3.6	< 8	Kentucky	1993	60	56	17	27	44	2505	2
3.7	< 8	Kentucky	1993	70	61	16	23	39	2175	2
4.2	< 8	Kentucky	1993	61	58	26	16	42	2300	2
4.694	12	Maryland	2000	—	78	—	—	22	3549	30
4.694	12	Maryland	2000	—	67	—	—	33	2272	30
4.694	12	Maryland	2000	—	66	—	—	34	3514	30
4.848	12	Virginia	2000	—	71	—	—	29	2350	30
5.06	12	Pennsylvania	2000	—	91	—	—	9	4181	30
5.242	12	Virginia	2000	—	70	—	—	30	2445	30
5.242	12	Virginia	2000	—	56	—	—	44	950	30
5.488	12	Delaware	2000	—	73	—	—	27	—	30
5.5	12	Pennsylvania	2000	—	84	—	—	16	4025	30
4.694	16	Maryland	2000	—	89	—	—	11	2755	30
4.694	16	Delaware	2000	—	73	—	—	27	1858	30
4.694	16	Delaware	2000	—	59	—	—	41	1344	30
4.694	16	Delaware	2000	—	72	—	—	28	3434	30
4.694	16	New Jersey	2000	—	81	—	—	19	1734	30
4.694	20	Delaware	2000	—	76	—	—	24	1616	30
4.848	16	Virginia	2000	—	67	—	—	33	2,954	30
4.848	16	Virginia	2000	—	78	—	—	22	3086	30
4.848	16	Virginia	2000	—	83	—	—	17	4143	30
4.848	16	Virginia	2000	—	73	—	—	27	2534	30
4.993	16	Pennsylvania	2000	—	72	—	—	28	2917	30
5.094	16	New Jersey	2000	—	86	—	—	14	1730	30
5.5	16	Pennsylvania	2000	—	90	—	—	10	2616	30
5.543	16	Pennsylvania	2000	—	87	—	—	13	2363	30
5.565	16	Pennsylvania	2000	—	81	—	—	19	2770	30
5.565	16	Pennsylvania	2000	—	76	—	—	24	3362	30
5.565	16	New Jersey	2000	—	61	—	—	39	1713	30
5.565	16	New Jersey	2000	—	86	—	—	14	1721	30
5.565	16	New Jersey	2000	---	81	---	---	19	2227	30



September 23, 2024

**VIA ELECTRONIC MAIL: [Cassandra.martinez@cfi.woodburn.or.us](mailto:Cassandra.martinez@cfi.woodburn.or.us)**

Planning Commission  
c/o Planning Division  
City of Woodburn  
270 Montgomery St  
Woodburn, OR 97071-4730

RE: Open Record Response Submittal (CU24-02)  
US Market Gas Station 2540 & 2600 Newberg Hwy  
Our File No: 43690-00001

Dear Honorable Planning Commissioners:

The Applicant, Ronald (“Ron”) James Ped, as President of Ronald James Ped Architect PC, an Oregon professional corporation, (the “**Applicant**”) and Woodburn Petroleum LLC, an Oregon limited liability company, the owner of the above referenced property (herein “**Property Owner**” and/or my “**Client**”) does hereby submit the following documents into the record for CU24-02 case:

1. The following exhibits from Ronald James Ped Architect PC:
  - a. Sign Maneuvering Plan;
  - b. Sensory Considerations;
  - c. Site Sections- Noise Analysis;
  - d. McMinnville Example; and
2. Memorandum by Joe Bessman, PE of Transight Consulting, LLC.

Park Place, Suite 200  
250 Church Street SE  
Salem, Oregon 97301  
Post Office Box 470  
Salem, Oregon 97308

tel 503.399.1070  
fax 503.371.2927  
[www.sglaw.com](http://www.sglaw.com)

September 23, 2024  
Honorable Planning Commissioners  
Page 2

Please confirm that the enclosed submittal items have been incorporated into the record prior to 5pm,  
on September 23, 2024.

Sincerely,

A handwritten signature in blue ink that reads "Alan Sores". The signature is written in a cursive style with a large initial "A" and "S".

ALAN M. SOREM  
asorem@sglaw.com  
Voice Message #303

AMS:hst

cc: Applicant

Client

Colin Cortes

Chris Killmer

Enclosures:

Sign Maneuvering Plan

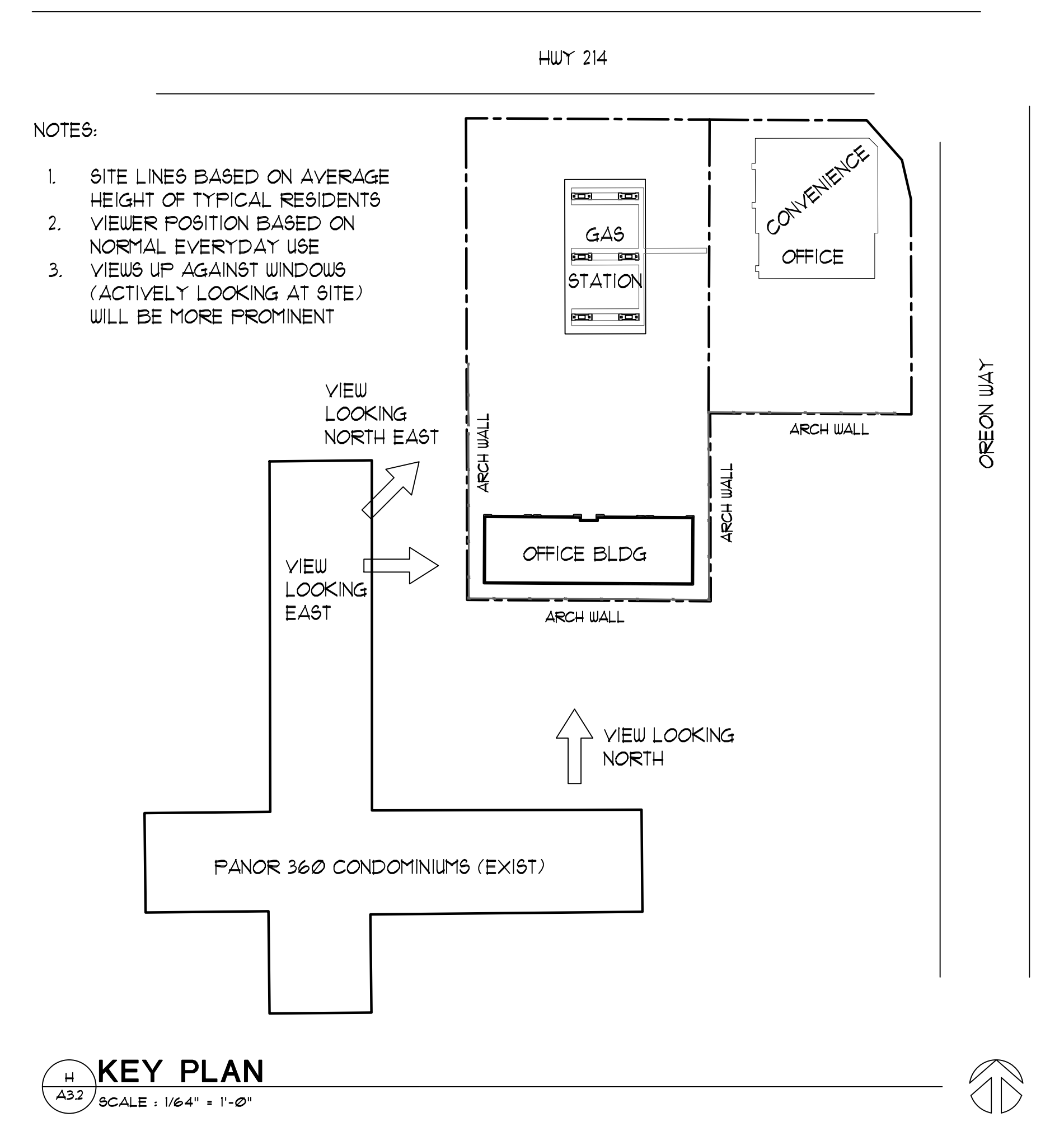
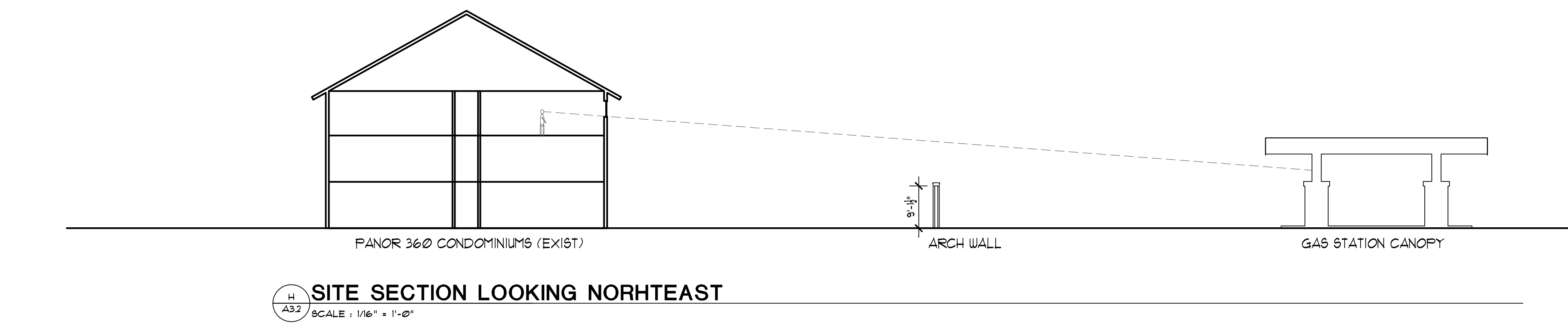
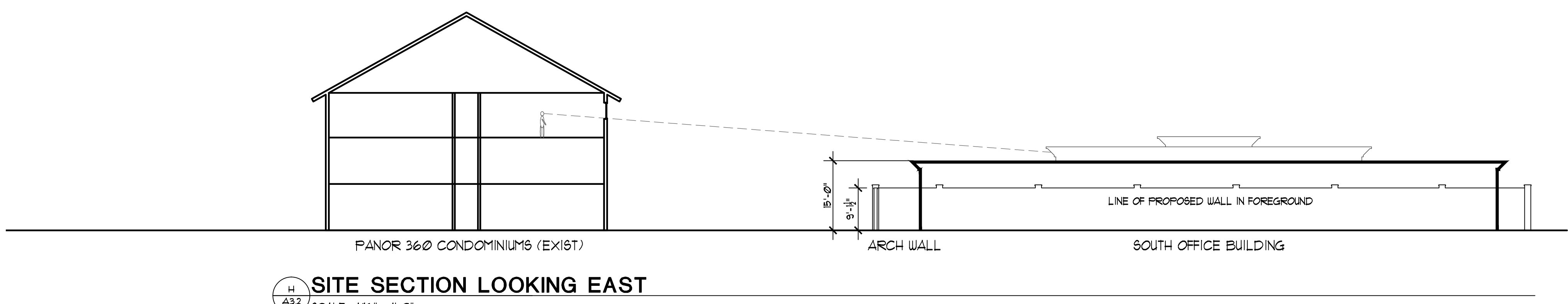
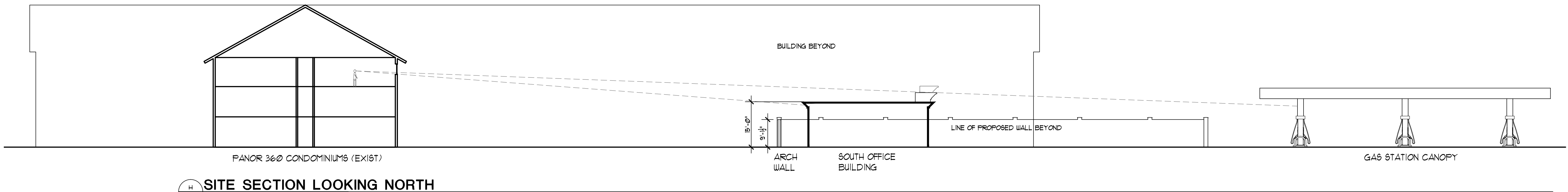
Sensory Considerations

Site Sections- Noise Analysis

McMinnville Example

Memorandum by Joe Bessman, PE of Transight Consulting, LLC





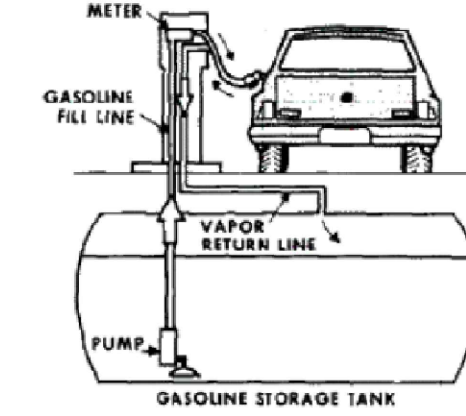
- NOTES:
1. SITE LINES BASED ON AVERAGE HEIGHT OF TYPICAL RESIDENTS
  2. VIEWER POSITION BASED ON NORMAL EVERYDAY USE
  3. VIEWS UP AGAINST WINDOWS (ACTIVELY LOOKING AT SITE) WILL BE MORE PROMINENT

**ODOR & AIR QUALITY ASSESSMENT**



Gasoline vapor recovery systems are categorized under two stages. Stage I gasoline vapor recovery systems capture vapors expelled from underground storage tanks at gas stations when being refilled by tank trucks. Stage II systems capture gasoline vapors that would otherwise be vented during individual vehicle refueling at gas stations. Stage I and stage II systems can reduce air pollution, save money by conserving gasoline that would be lost into the air and protect public health by reducing inhalation of toxic gasoline vapors. The effectiveness of the vapor recovery program, and ultimately the quality of the air, depends on correct use and functioning of both stage I and stage II gasoline vapor recovery systems.

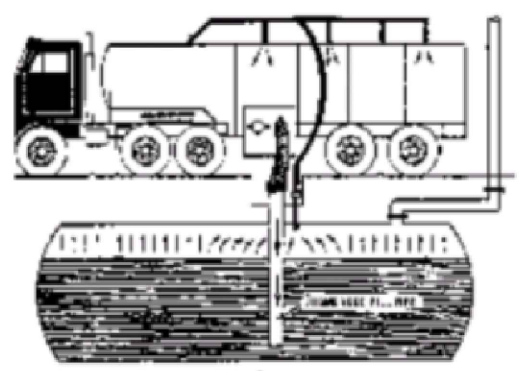
**Typical Stage II Vapor Recovery**



Stage II systems include installation of special fuel dispensing nozzles at the pump. Some nozzles have a rubber boot that forms an airtight seal against the vehicle's gasoline filler opening. Other systems use a more convenient "blow-less" (or "bootless") nozzle. During refueling, vapors are pushed out of the vehicle's gas tank by the incoming fuel. The vapors are then captured by the special nozzle and directed into the underground storage tanks, where they are stored until a bulk delivery is made.

Stage I works in much the same way. Fumes captured and stored by stage II systems during individual vehicle refueling are directed back to the tank truck during refilling of the underground storage tanks. From there, the vapors captured in the tank truck are returned to the bulk-dispensing terminal where they are either recycled or destroyed.

**Typical Stage I Vapor Recovery**



**Stage I and Stage II Gasoline Vapor Recovery Systems in Oregon**

<https://www.oregon.gov/deq/aa/programs/pages/gasoline-vapor-recovery-stages.aspx>

STAGE I VAPOR RECOVERY: TRANSFER OF FUEL FROM DELIVERY TRUCK TO UNDERGROUND TANKS (OAR Chapter 340, Division 244, Rules 0232 through 0252, Emission Standards for Gasoline Dispensing Facilities)  
 STAGE II VAPOR RECOVERY: TRANSFER OF FUEL FROM UNDERGROUND TANKS TO MOTOR VEHICLE PHASED OUT DUE TO REQUIRED ONBOARD REFUELING VAPOR RECOVERY SYSTEMS (ORVR) IN NEWER VEHICLES.



**Guidance on Removing Stage Two Gasoline Vapor Control Programs from State Implementation Plans and Assessing Comparable Measures**

This guidance document provides both technical and policy recommendations to states and local areas on how to develop and submit an approvable State Implementation Plans (SIP) revision seeking to remove or phase-out an existing State Two program. This guidance introduces methods and equations that could be used to calculate the emissions consequences of discontinuing State Two control programs for purposes of demonstrating compliance with specific Clean Air Act (CAA) provisions in sections 110(l) and 193 governing EPA approval of SIP revisions.

- [Guidance on Removing Stage Two Gasoline Vapor Control Programs from State Implementation Plans and Assessing Comparable Measures](#)

**Final Rule Waives Requirements for Gas Pump Vapor Recovery**

May 16, 2012 - EPA has determined that the systems used at gas station pumps to capture harmful gasoline vapors while refueling cars can be phased out. Modern vehicles are equipped to capture those emissions. Beginning later this year, states may begin the process of phasing out vapor recovery systems at the pump.

<https://www.epa.gov/ground-level-ozone-pollution/ozone-stage-two-vapor-recovery-rule-and-guidance>

**SOUND IMPACT ASSESSMENT**

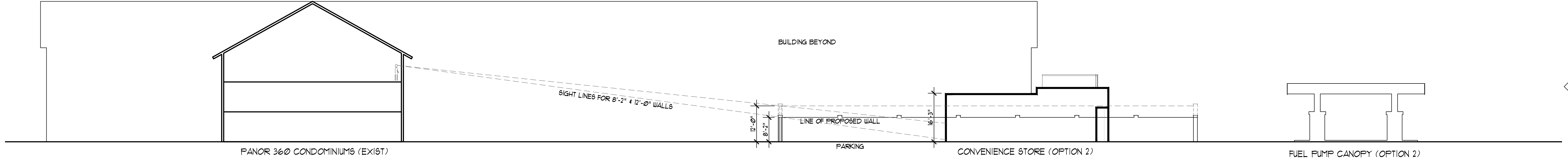
EXISTING SOUND LEVEL AT PANOR 360 CONDOMINIUMS BASED ON NOISE FROM HWY 214 + I-5		
	DISTANCE	SOUND LEVEL
Hwy 214	400ft	63dB
I-5	1500ft	55dB
TOTAL		63.6dB

ESTIMATED SOUND LEVEL OF PROPOSED USE		
Metro area (avg)		65dB
Suburban area (avg)		47dB
TOTAL		56dB

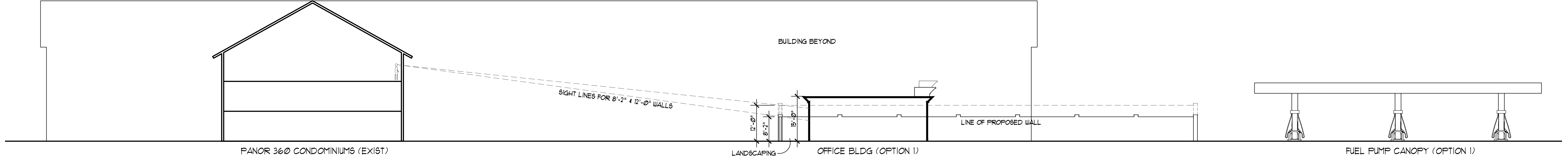
ESTIMATED NEW SOUND LEVEL  
 63.6dB (existing) + 56dB (new) = 64.3dB  
 (less than 1dB increase, insignificant, almost imperceptible)

CONCLUSION: The proposed use will be no louder than some of the existing surrounding uses and the increase in sound level will be barely perceptible. With the increased mitigation provided by the proposed 8ft high wall at the perimeter of the property no further action is needed.

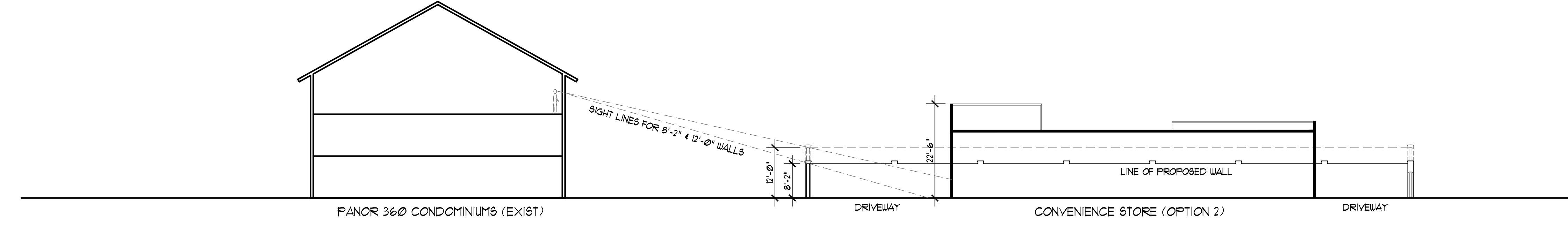
1.  $L = 10 \log_{10} \left( \sum_{i=1}^n 10^{(L_i/10)} \right)$
2. Existing sound level is likely to be higher due to noise from adjacent uses not factored into this assessment
- SOURCES: 1 - Doelling, Robert & Popper, Arthur. (2007). The Effects of Highway Noise on Birds.  
 2 - NoiseMeters.com  
 3 - U.S. Environmental Protection Agency 1978



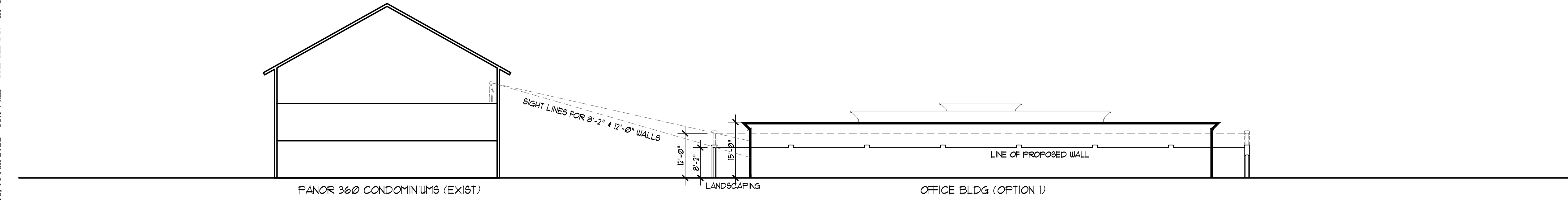
**SITE SECTION LOOKING WEST (OPTION 2)**  
 SCALE: 1/16" = 1'-0"



**SITE SECTION LOOKING WEST (OPTION 1)**  
 SCALE: 1/16" = 1'-0"



**SITE SECTION LOOKING WEST (OPTION 2)**  
 SCALE: 1/16" = 1'-0"



**SITE SECTION LOOKING NORTH (OPTION 1)**  
 SCALE: 1/16" = 1'-0"

**SOUND IMPACT ASSESSMENT**

EXISTING SOUND LEVEL AT PANOR 360 CONDOMINIUMS BASED ON NOISE FROM HWY 214 1-5

	DISTANCE	SOUND LEVEL
Hwy 214	400ft	63dB
1-5	1500ft	55dB
TOTAL		63.6dB

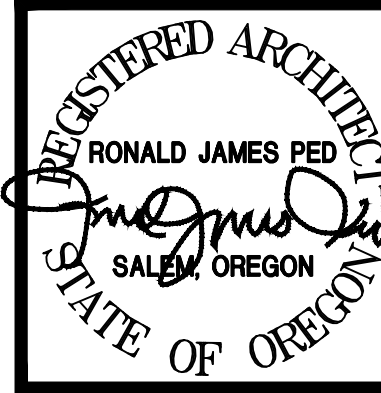
ESTIMATED SOUND LEVEL OF PROPOSED USE

Metro area (avg)	65dB
Suburban area (avg)	47dB
TOTAL	56dB

ESTIMATED NEW SOUND LEVEL  
 63.6dB (existing) + 56dB (new) = 64.3dB  
 (less than 1dB increase, insignificant, almost imperceptible)

CONCLUSION: The proposed use will be no louder than some of the existing, surrounding uses and the increase in sound level will be barely perceptible. With the increased mitigation provided by the proposed 8ft high wall at the perimeter of the property no further action is needed.

- 1  $L = 10 \log_{10} \left( \sum_{i=1}^n 10^{L_i/10} \right)$
- 2 Existing sound level is likely to be higher due to noise from adjacent uses not factored into this assessment
- SOURCES 1 - Doelling, Robert & Popper, Arthur. (2007). The Effects of Highway Noise on Birds.  
 2 - NoiseMeters.com  
 3 - U.S. Environmental Protection Agency 1978

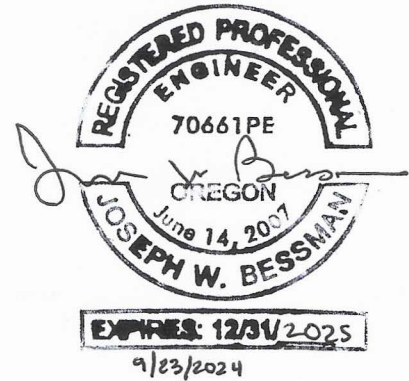


P:\1964 Woodburn C-Store 2600\SITE REDESIGN 4.8.22\A3.1 REDDESIGN 4.25.22.dwg Site Sections  
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 PRINTED: Wed, 01 Jun 2022 - 11:54 am PRINTED BY: kevin





McMinnville Example



Date:	September 23, 2024
To:	Colin Cortes, AICP City of Woodburn
From:	Joe Bessman, PE
Project Reference No.:	1584
Project Name:	Woodburn US Market

The purpose of this memorandum is to provide information into the record during the open record review period, and to address public comments received on the US Market proposal located at the OR 214/Oregon Way intersection in Woodburn, Oregon. Key findings and recommendations of this open record review include the following:

- In response to public comments related to traffic on Oregon Way, the team is proposing to fund the construction of two speed humps on this street. It is recommended that this treatment be provided in lieu of the contemplated truck channelization as it would avoid potential residential driveway impacts, and could prevent right-turning movements for local residents. Addition of traffic calming also addresses concerns with sight lines on Oregon Court, cut-through travel, and residential compatibility. It is recommended that signage indicating no right-turns for trucks should be installed on the exit.
- As part of the City's next scheduled periodic maintenance it is recommended that Oregon Way be restriped to replace the dashed-center line with double yellow markings, consistent with the City's standard *Access Street* section.
- A preliminary access design has been provided in response to ODOT's conditional OR 214 access approval. Additional coordination on this design will occur with ODOT and the City to ensure that the right-in only movement restrictions from OR 214 can be enforced.
- The proposed fuel center is a conditional use within the commercial zoning due to the presence of nearby residential uses. This report shows that more traffic-intense uses could be permitted outright within this property.
- Additional information is presented on the Woodburn Street Adjustments.
  - For OR 214 this highlights that the side-by-side left-turn lanes between Oregon Way and Evergreen Avenue extend beyond the City's typical five-lane section and ROW, supporting the operational needs of the adjacent traffic signals.
  - Parking along the Oregon Way frontage adjacent to the traffic signal would not be recommended for safety and functionality reasons, and the ample on-site parking supply adequately mitigates this issue.
- Additional clarifying information and revisions to truck turning templates, on-site loading accommodations, and internal circulation are also provided within this document.

Overall, the information presented shows that the layout of the proposed US Market site not only addresses Woodburn Development Ordinance requirements, as agreed by all parties, but provides a safe and functional site layout that can support deliveries, employees, and site patrons. The layout of the site improves on the older design of surrounding fuel centers, with separate loading, fueling, and parking areas.

**PUBLIC COMMENTS**

**Comment #1:** The Woodburn Planning Commission requested information on the scheduling of trucks for the fuel center and convenience market.

**Response:** The developers of the US Market site own and operate several other locations within the northwest and have provided the typical vendor delivery information shown in Table 1. Vendor deliveries to US Market are scheduled to occur only during off peak late morning hours. Vendor scheduling allows the Applicant to both avoid conflicts with AM or PM peak trips and avoid simultaneous on-site deliveries with other food or drink vendors or fuel deliveries. Bulk fuel deliveries occur once every other day (unless sales dictate additional needs), with a maximum of one fuel delivery per day.

**Table 1. Summary of US Market Vendor Deliveries**

Time	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
6-7A							
7-8A							
8-9A				Pepsi	Western Bev		
9-10A	Maletis	Coco Cola	Coremark	Columbia			
10-11A	Dairy	Frito Lay			Frito Lay		
11-12P			Southern Glaciers				
12P-9P							

**Comment #2:** Neighbors state that operating speeds on Oregon Way commonly exceed the posted speed of 25 miles per hour.

**Response:** Oregon Way is classified as an *Access Street* (which is a functional classification designed and intended to accommodate greater traffic volumes than unclassified local street), serving as one of only three traffic signals onto OR 214 between the I-5 ramps and N Settlemier Avenue. The traffic signal forms the eastern border of the commercially-zoned lands surrounding the I-5 interchange and provides a through route to W Hayes Street. South of the site, the road provides a two-lane curbed section with a dashed yellow centerline throughout its length. This section does not include sidewalks. The 34-foot pavement width includes direct residential driveway access and prohibits through trucks. On-street parking is permitted but was not observed to be utilized by the adjacent residents.

No traffic speed measurements were obtained south on Oregon Way through the residential area as part of the traffic study. However, as a connection between the highway and Hayes it is likely that the route is used as a cut-through. Such traffic is more likely to occur during periods of higher congestion along the parallel Evergreen Avenue route.

As a potential mitigation measure to address increased speeds and traffic volumes using this route, installation of traffic calming measures could be effective. The posted speed of 25 miles per hour would be supportive of typical traffic calming features such as speed humps, which provide lower noise and a less obtrusive treatment than a conventional speed bump, with typical installations shown in Figures 1 and 2.



Figure 1. Example of a Speed Hump. Source: ITE Traffic Calming Fact Sheets.



Figure 2. Example of a Speed Hump. Source: ITE Traffic Calming Fact Sheets.

In addition to speed humps, the current “skip striping” along Oregon Way could also be modified (see Figure 3), to help transform the feel of this road away from a rural design that implies that passing is legal. Installation of a double yellow would be a more appropriate treatment and would also comply with the City’s typical section for this classification of facility.



Figure 3. Existing skip striping along Oregon Way.

Provision of traffic calming north of Oregon Court and south of the commercial site could be helpful in maintaining the posted travel speed, particularly given the other concerns noted related to sight lines, use of golf carts, and shared use of the street pavement by cyclists and pedestrians. If deemed appropriate by the City’s Public Works department the development is willing to construct this traffic calming mitigation as part of its initial infrastructure. *See attached Traffic Calming Fact Sheet..*

**Comment #3:** During the public meeting there were comments about vehicles racing and driving recklessly along OR 214, particularly during late-night off-peak hours.

**Response:** As a State Highway the City and Applicant have limited options to address these types of issues outside of increased traffic enforcement and monitoring, particularly as the issues appear to occur outside of the typical operating hours of the US Market and occurs today without the development proposal. Expected contributing factors that are not related to the proposed development include: access-controlled section of OR 214, highway width, lack of traffic control signals east of Oregon Way, limited development on the south side of the highway, and proximity to I-5. Field observation noted that there is a concrete block sound wall along OR 214 east of Oregon Way to shield the adjacent residents, as well as street trees with overhanging canopies that help to narrow the perceived width and cobra-head luminaires for safety.

The planned addition of vegetation and the building frontage near the highway will provide a different development pattern than the setback buildings that are present to the east that may help, but increased enforcement will be the most effective treatment of this pre-existing condition.

**Comment #4:** There are limited sight lines turning from Oregon Court onto Oregon Way, with visibility limited by the slight horizontal curvature toward the north. This condition is worsened by the elevated travel speeds.

**Response:** See Comment #2. If supported by the City's Public Works department, the addition of traffic calming along Oregon Way could provide an effective means of managing the 25 mile per hour travel speed along this segment. One of the more critical locations for traffic calming would be north of the Oregon Court intersection. As shown in Figures 4 and 5, sight lines are somewhat limited from this connection by the horizontal curvature, and ensuring motorists comply with the posted speed through traffic calming would improve safety for vehicles turning from Oregon Court.



Figure 4. View from Oregon Court facing north.



Figure 5. View from Oregon Court facing south.

**Comment #5:** Opposition traffic consultant review comments filed from David Petersen dated August 20, 2024 listing Wayne Kittelson, PE as the engineer of record state “We found the analysis approach and findings to be reasonable and consistent with the applicable City policies and concur with the findings and recommendations of the study.”

**Response:** Comments from the City, the City’s transportation reviewing consultant (DKS Associates, Inc.), ODOT, and the opposition engineer all agree that the analysis approach and findings are reasonable and appropriate. This comment indicates that all parties agree that the governing Woodburn Development Ordinance 3.04.05 are adequately satisfied.



In response to public comments and concerns raised within the public hearing, the following should be noted:

- With the available trip credits from the demolished banks the project does not trigger a formal Transportation Impact Analysis (TIA) per the City’s adopted trip generation thresholds. However, the project was elevated to require a formal TIA both to address ODOT access requirements per Division 051 and in response to the safety issues present on the OR 214 corridor.
- Due to the safety issues present along the corridor, the City has established a funding mechanism for both traffic signal timing improvements and safety improvements, as detailed within Attachment 202 of the staff report. These fees are imposed as site mitigation requirements and will provide additional studies to identify traffic signal timing and phasing strategies that can further benefit area safety.
- The recommendations of the TIA were to restrict OR 214 access to right-in movements only in response to safety concerns. If outbound right-turns were permitted, motorists could weave across both through lanes to enter the left-turn bay within a short distance, then making a U-turn to return to I-5. The revised configuration requires that all outbound traffic utilize Oregon Way to access the traffic signal and make a left-turn to return to OR 214. This was recommended to improve safety on the highway, which was raised as a concern by the Woodburn City Council.
- ODOT manages access to OR 214. The western parcel had been approved for right-in, right-out access onto the highway, but the eastern parcel was precluded from accessing the highway or any location other than along its southeastern boundary onto Oregon Way, where ODOT ended its access control. We requested modifications to these restrictions which have been conditionally approved by ODOT to allow both parcels to utilize the shared inbound-only access onto OR 214 and both parcels are allowed full turning movements onto Oregon Way.
- Oregon Way is designated as a “No Truck” route. Per Oregon Revised Statute (ORS) 811.450, this means that through trucks are not permitted to use this route. Local deliveries without other viable access options are permitted to use Oregon Way, which does allow fuel and vendor delivery vehicles to exit onto Oregon Way and return northbound toward OR 214.

In summary, the TIA addresses the applicable requirements within City Code, and the findings of the study were reviewed and agreed to by the City’s transportation consultant, ODOT, and the opposition traffic engineer.

**Comment 6:** Opposition traffic consultant review comments further state “We also agree with the conclusion that the proposed fueling center, convenience market, and office will result in more vehicular trips on Oregon Way than was predicted in the previous 2022 application.”

**Response:** The trip generation was slightly modified within the revised application based on modifications to building sizes but the general rate and approach remains consistent with the prior materials and methodology that had also been reviewed and deemed appropriate by all review parties.

For clarification, while the 2022 application had shown seven fewer net new weekday p.m. peak hour trips than the trip generation potential of the prior banks, the revised application now shows five additional weekday p.m. peak hour trips (12 more weekday p.m. peak hour trips than the prior application). The reason for this change related to modifications to the site plan:

- 204 square-foot reduction in the convenience store size
- No change in the number of fueling positions
- 3,214 additional square-feet of office space

The additional office space was provided within this modified application to further buffer the residential uses from the fuel center, with office located on the southern portion of the convenience market and along the southern edge of the property adjacent to the convenience market.

Again, due to safety reasons the revised layout includes elimination of the right-out onto OR 214, which requires all outbound trips (and westbound inbound trips) use Oregon Way. This configuration was provided in direct response to safety concerns with the right-in, right-out access to the highway. ODOT has conditionally approved this configuration.

**Comment 7:** The opposition traffic consultant provides several “comments for consideration” related to internal circulation.

**Response:** These comments provided by the opposition engineer do not respond to Woodburn Development Ordinance requirements; however, they were reviewed to identify whether there are modifications to the site layout that could provide improved site functionality. Our team considers public safety to be paramount, and we are open to suggestions that would further improve safety. In terms of experience, I have personally been involved with the design, review, and layout of numerous fuel centers throughout the northwest, ranging from the design of truck stops, big-box fuel centers, stand-alone fuel centers, and integrated convenience markets with fuel centers for more than twenty years.

In addition to my experience with other similar fuel centers, the US Market team who assisted in developing this layout owns, operates, and manages other similar sites in the region. Accordingly, the layout of the site reflects provisions and accommodations for the types of vehicles and circulation that occurs in fuel centers, with the site designed in a manner that will make the site efficient to operate long-term. In fact, many of the comments from the opposition imply a need for site design elements absent from their own facilities.

**Comment 7a:** The opposition traffic consultant states that “safety or operational issues *will occur*”

I find that Mr. Kittelson’s statements are exaggerated and misleading. As detailed herein, there are numerous aspects of the proposed site that improve on the design of surrounding fuel centers, such as clear and separate walking routes, separation of fueling and loading areas, suitable on-site parking, and the improvements to the ingress/egress design. While the nearby Arco and Chevron sites omit even these basic design components, there is no record of any current or historical safety issues within either site. The enhancements made to the proposed US Market improves on the internal circulation of these sites and includes an access route that will better support safe and efficient access onto OR 214.

**Comment 7b.** Design of the site access onto OR 214 does not prevent outbound right-turns.

**Response:** Our team agrees with this comment based on the preliminary site plan, and we have been in discussion with Casey Knecht, PE, the ODOT Region 2 Access Management Engineer, to identify suitable designs for the right-turn only access to enforce the inbound-only movement restriction. The proposed driveway includes a concrete “dustpan” driveway apron to maintain priority for pedestrians along the OR 214 sidewalks, and ODOT does not have a standard drawing for this specific access configuration.

An example treatment identified by ODOT was at the Rite-Aid pharmacy in McMinnville (address of 448 OR 99W). The project civil team has reviewed this design and incorporated similar channelization into the revised site plan. This design has also been reviewed to ensure that it is compatible with the turning radii of fuel trucks, as shown in the drawing. As ODOT manages the design of access onto OR 214 (and all work within the ODOT ROW) we will continue to coordinate with ODOT to ensure that the design appropriately

restricts turning movements and complies with ODOT’s permit requirements. In addition, signage and striping will be installed (as required by the City’s approval conditions) to alert motorists of the movement restrictions. The current layout is shown in Figure 6 and remains preliminary subject to City and ODOT design review and approval.

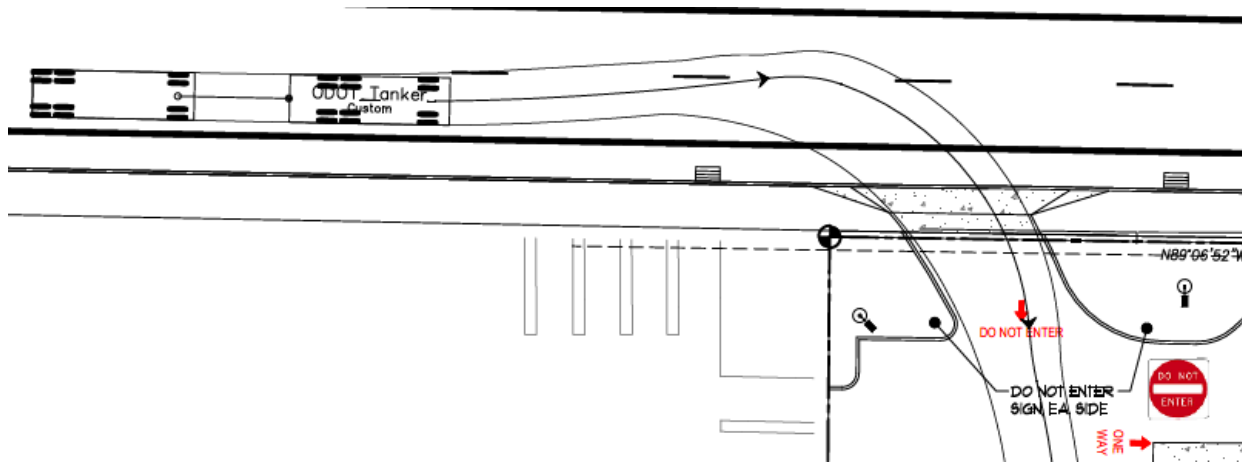


Figure 6. Preliminary access drawing reflecting the right-in only channelization required by ODOT’s conditional approach permit.

As a suitable design supporting the turning movement restrictions will be imposed through ODOT’s driveway permitting and approval process, no additional conditions of approval will be required by the City of Woodburn. The conditional grant of access requires that “Traffic movements for the private approach at the subject location shall only allow right turns off Hillsboro-Silverton Highway [OR 214]. All other traffic movements shall be restricted.” However, to provide assurance to the City that these restrictions are imposed, a condition of approval could be added as follows:

*“The Design of the OR 214 access shall include appropriate signing, striping, and channelization to enforce the right-in only restrictions. As a permitted access onto a State facility the design will be subject to ODOT’s review and approval.”*

**Comment 7c.** The northernmost fueling positions result in limited on-site queue storage space.

**Response:** The proposed fuel center layout provides 65 feet from the center of the northwesternmost fueling position to the back of sidewalk, or about 50 feet of queue storage space (room for two passenger vehicles) if a vehicle was situated within this fueling position. While not labeled, the diesel fuel pumps are located in the southernmost portion of the site so that longer vehicles (pick-up trucks, RVs, or passenger vehicles towing boats) will be provided additional queue storage space. This site does not cater to commercial truck fueling, and the fuel demands at US Market are not similar to those at a Costco or other high-demand locations. The site can readily accommodate 18 simultaneous fueling and queued vehicles.

**Comment 7d.** The cross-access easement may affect off-site operations and safety.

**Response:** A cross-access easement is situated along the western edge of the site as required by the City of Woodburn. The City has required that this connection omit any curbing. While accommodations for a future connection are provided as required, a connection is not proposed and will not occur with this development. Any future cross-access connection will be subject to further analysis and evaluation by the City (and ODOT) at the time of redevelopment of the eastern properties. This will include a formal site

plan review that will allow public notice and comment. The City's intent of requiring this cross-access easement is to limit circulation between adjacent uses from using the highway to travel between adjacent businesses. With OR 214 access limited to right-in access only, the location identified in the plans provides suitable spacing from OR 214 (there will be no outbound queues due to the movement restriction) and no modifications to the location of the easement are necessary.

In discussions with the team, it was recommended that the cross-access easement not only be provided in the location shown in the plan, but the cross-access easement should extend along the entire western length of the property. As future redevelopment of the subject property or those adjacent occur in the future this will provide flexibility to locate inter-parcel circulation routes where they make the most functional sense. At this time, no connection to properties to the west is provided or supported by the conditionally approved ODOT permit.

**Comment 7e.** Parking stalls directly adjacent to the fueling positions will interfere with internal circulation.

**Response:** The layout of the fuel center provides a one-way circulation pattern that will avoid conflicts between the parking stalls adjacent to the convenience market and the fueling positions. The parking stalls along the western boundary will experience low utilization (serving more as overflow parking) as convenience market patrons tend to park within the closest stalls near the store entrance. Based on discussions with the owners/managers of the US Market these stalls could be designated for employees to provide more capacity within the closer stalls. No conflicts are anticipated with the design given the available queue storage and number of fueling dispensers provided.

**Comment 7f.** Trucks making fuel and goods deliveries will cause safety and operational issues...fuel trucks are unable to enter without going beyond the curblines...similar results will occur with other truck-trailer combinations delivering goods to the store.

**Response:** Per comment #7b, the design of the entrance has been modified from the original plan to restrict movements to inbound only access (as required by ODOT) and support delivery trucks from OR 214.

In addition to bulk fuel deliveries, other types of vendor trucks will also visit the site. Most of these are smaller single-unit box trucks that typically travel between stores, but semi-trucks could occasionally also enter the site. Space is available within the northern edge of the site for smaller trucks to park and load (with loading typically occurs via hand truck), with secondary delivery space co-located with fuel deliveries to accommodate larger semi-trucks. Additional details, including turning movement diagrams, on service vehicle and fuel deliveries are included within the attachments. Overall, the maneuvers within a fuel center parking lot occur at low speeds, with drivers expecting to yield to fuel attendants, other patrons, and delivery vehicles.

As previously provided, the scheduled vendor trips to the US Market have been developed to avoid multiple trucks loading simultaneously. These trips occur outside of peak hours in the late morning to reduce impact on nearby residential areas. The provision of two separate loading areas will also help to ensure that customers, office tenants, and employees are provided safe routes between parking areas, building entrances, fueling positions, and loading points.

**Comment 7g.** The opposition engineer overlaid assumed delivery routes on top of the conceptual queuing figure, indicating that delivery vehicles cannot enter the site if there are 24 vehicles fueling at once.

**Response:** The submitted architectural queuing plan is an illustrative figure demonstrating that more than adequate queue storage space is available within this site. This figure was developed by placing vehicle icons onto the site plan, showing that numerous passenger vehicles can easily fit within the site’s queue storage area (which also included generous spacing between queued vehicles). This was not an engineering diagram and does not reflect actual vehicular positioning, nor is it intended to represent actual fuel center demands. A revised (and more representative) graphic is provided within Figure 7, showing storage space for 18 vehicles while maintaining a clear two-way aisle. This storage space will be suitable to meet peak demands, as well as to accommodate the occasional larger vehicle.

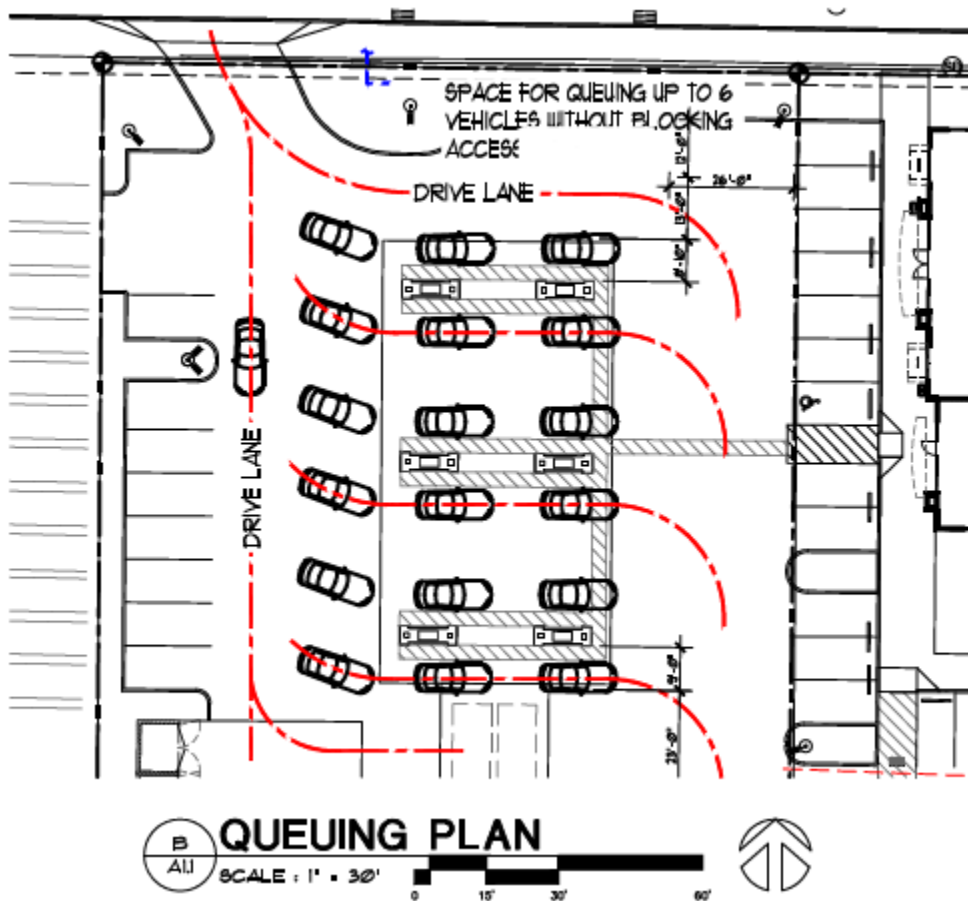


Figure 7. Revised Queuing Plan (only one-way eastbound flow permitted). *Source: Ronald James Ped Architect.*

A review was provided of the nearby Chevron and Arco fueling stations to further identify how the layout of the site improves on the circulation design of these older nearby sites.

#### Chevron Field Review

Field review was conducted at the nearby Chevron on September 12, 2024. This site is a 0.81-acre parcel, which is which is approximately 40% smaller than the US Market properties and provides only 16 parking stalls. Access to the site is provided from a single 40-foot width driveway onto Lawson Avenue; while the driveway permits full turning movements, Lawson Avenue is restricted to right-in, right-out movements

at its connection to OR 214. With the wide driveway and circulation patterns many vehicles do not align perpendicular with the access prior to making turning movements (see Figure 8).

Pedestrian access from OR 214 occurs in the northeast corner near the Lawson Avenue crosswalks, but orients pedestrians into the fueling canopy without a designated route to the convenience market entrances. The southern pedestrian entrance from Lawson Avenue is more direct, but orients pedestrian behind the dumpsters.

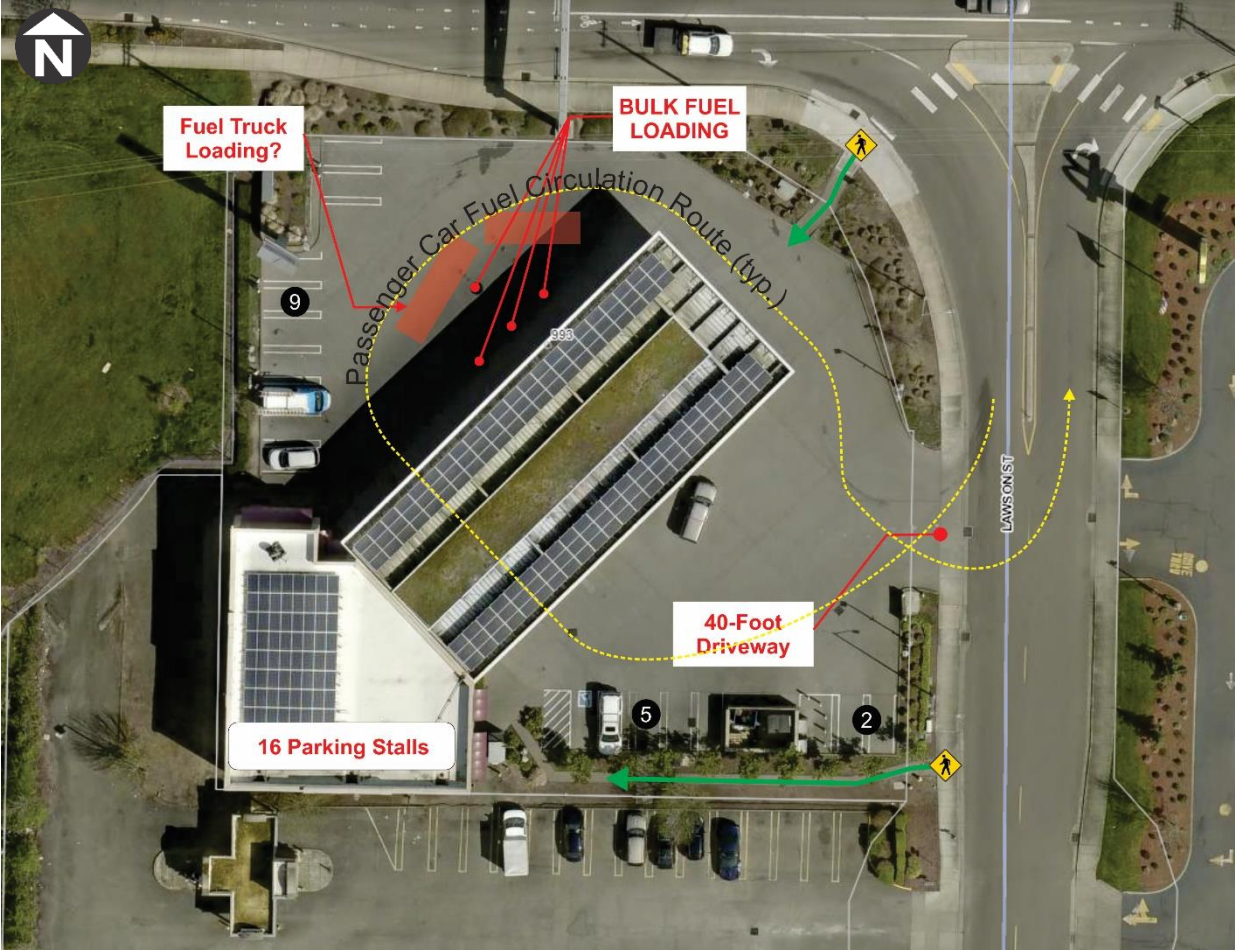


Figure 8. Chevron facility layout. Aerial Source: Marion County GIS.

As part of the evening peak hour field review we observed a vendor semi-truck (WB-67) entering the Chevron site from the south (blocking the southbound Lawson Avenue travel lane to enter the site diagonally), circling around the entire perimeter past the front doors, and parking along the southern boundary (adjacent to the parking) to unload (see Figures 9 through 11). There did not appear to be a designated loading area within the Chevron site to prevent conflicts between this vehicle and customer parking, and with the single access point this type of maneuver will be necessary for any large truck. We also noted that the bulk fuel loading point is directly west of the pumps, and it was unclear how fuel drops occur while maintaining site operations (this condition was not observed).

To address these design issues, within the proposed US Market site we have provided dedicated loading space, increased the on-site parking to prevent parking spillover (the proposed site includes about three times the parking supply of the Chevron), and provided a dedicated loading space for smaller single-unit delivery vehicles in an area separate from the fuel loading and situated closer to the building entrance.

The two points of access also support through truck maneuvers and prevent the need for internal U-turns or truck backing maneuvers, and provide access to the parking while deliveries occur. While motorists will still be required to yield to trucks maneuvering within the site, this design separation will reduce conflict points and blind spots for trucks. The layout of the US Market site also ensures that site circulation occurs within a low-speed environment with open and clear sight lines.



Figure 9. Semi-truck entering the Arco at a shallow angle through the southbound Lawson Avenue travel lane to avoid driving over curbs



Figure 10. Motorist required to yield to inbound semi-truck at the nearby Chevron site.



Figure 11. Truck maneuvering around the perimeter of the fuel islands, then past the convenience market entrance prior to parking along the southern boundary.



As shown in the photos, the ability for vendor trucks to circle around the parking lot and fuel pumps would not be possible at the nearby Chevron site if all the fueling positions were in use, let alone if there were queued vehicles at each fueling position. Of course, no conflicts were observed at the Chevron when the truck entered the site, as the evening commute period photos indicate, actual fuel center demands during this evening peak hour delivery were only six vehicles.

We also noted that there were no observed markings indicating a single fueling direction at this site, but most vehicles directly entered the site from Lawson Avenue and faced toward the northwest. The exit from the fueling positions is where the Chevron fuel tanks are located, and while bulk fueling was not observed it appears that a fuel tanker would need to park at the fueling position exit aisle, blocking the circulation route of several of the fuel islands.

Provisions within the proposed US Market site to address these observations:

- ✓ The proposed site includes directional markings to provide a “one-way” fueling circulation, reducing confusion, congestion, and backing maneuvers near the fueling positions.
- ✓ The access design requires that vehicles exit onto Oregon Way in a perpendicular manner, optimizing sight lines and preventing overlapping paths.
- ✓ The proposed US Market includes a separate truck loading area suitable for accommodating vendor and bulk fuel deliveries. This space is adequately designed for a semi-truck.
- ✓ A separate smaller vendor loading area is provided in the northern portion of the parking lot for single-unit vendor deliveries.
- ✓ With the proposed layout, access to the loading areas do not require that semi-trucks circulate adjacent to the fueling positions or building entrances.
- ✓ The proposed access design for the US Market will include a “dustpan” driveway apron similar to the Chevron access, highlighting pedestrian priority along the public OR 214 and Oregon Way sidewalks. The driveway will be narrowed to reduce the conflict area with pedestrians.
- ✓ The separation of the bulk fuel delivery area at the US Market site will better accommodate fuel deliveries while maintaining fueling, convenience market, and office operations.
- ✓ The proposed US Market site includes direct pedestrian connections from the adjacent sidewalks along OR 214 and Oregon Way that maintains separation from the fueling area. The sidewalk system connects to each building entrance, with a marked crossing of the single conflict point with the egress route.

### Arco Field Review

Observed demands at the nearby Arco site showed that this site generated far less trips than the Chevron, likely because it is located farther from the I-5 corridor. The Arco is a 24-hour fuel center and includes a carwash, fueling positions, and convenience market within a 0.82-acre parcel (the subject properties are 1.42 acres for comparison). This fuel center contains space for fuel trucks adjacent to its single diesel dispenser along its western boundary, which would require closure of the diesel pump when any type of delivery truck is present. A separate stall is adjacent to the dumpsters that could support single-unit vendor trucks.

This site appears to have space for about 16 fueling vehicles to simultaneously queue without blocking circulation (the proposed US Market could accommodate 18) and 15 parking stalls, and contains a one-way southbound queuing pattern facing toward the convenience market, similar to the layout of the proposed site but with a narrower separating drive aisle between the fuel exit and the convenience market parking (see Figure 12).



Figure 12. Arco facility layout. Aerial Source: Marion County GIS.

The southern shared access serves the fuel patrons, carwash exit, and shared access from the parcel to the south. The short driveway throat depth results in varied vehicular positioning at the exit, and it would require larger vehicles headed back toward OR 214 to swing wide (into the southbound Lawson Avenue lanes) to make the U-turn.

The layout of the site does not include any pedestrian connections; the sidewalks terminate along the shared drive to the north leaving pedestrians between the fueling islands and convenience store.

Provisions within the proposed US Market site to address Arco field observations:

- ✓ The US Market site provides expanded fuel queue storage space with a similar one-way circulation layout.
- ✓ On-site parking within the proposed US Market site is expanded to avoid spillover.
- ✓ The US Market layout allows motorists to access the provided diesel pumps while bulk fuel deliveries are received. The designated space for vendor trucks and semi-trucks will improve circulation and operations.
- ✓ The proposed site has been designed with a narrowed entry to the public streets, reducing the potential lineal conflict area along sidewalks in comparison to the Arco site.
- ✓ The proposed access onto Oregon Way includes an extended driveway throat depth that will allow trucks to appropriately position before entering the public right-of-way.
- ✓ There is a clear pedestrian route through the US Market site to building entrances, and the convenience market is located adjacent to sidewalks.
- ✓ The egress design of the US Market allows all exiting vehicles to appropriately position in a 90-degree angle to Oregon Way, optimizing sight lines at the driveway.

The proposed US Market site has been designed to incorporate current “best practice,” and has been designed to meet the needs of the managing team based on their insights and experience with their other owner/operator fuel centers. The larger US Market site has accommodations for delivery vehicles (semi-trucks and single-unit trucks), separate pathways for pedestrians to the building entrances, and improved access points that will better support safe and efficient turning movements.

**Comment 7g.** Fuel trucks must maintain a protective safety zone when delivering fuel, which could impact circulation.

**Response:** The site layout includes a dedicated space for fuel trucks to park during bulk fuel deliveries. With the available circulation routes within the site, and the 36-foot spacing between fueling dispensers, there are multiple options for passenger cars to circulate around the fuel truck while this loading occurs. Commonly, at locations where fuel trucks create conflicts with the safe use of dispensers, these dispensers can be temporarily closed while the loading occurs (many fueling facilities require closure of specific dispensers for refilling the tanks, including the nearby fuel centers – the fuel point for the Chevron is located directly in front of the fueling positions, and the Arco requires closure of its only diesel pump).

These types of temporary fueling position closures do not appear necessary with the layout of the US Market site given the separation of the space from the fueling positions. As shown in Figure 13, there is approximately 23-feet of spacing within the drive aisle between the fueling point and the nearest dispenser. However, if the fuel delivery technician found temporary closure of the nearby fueling positions necessary this could occur with no impact on site circulation given the redundant travel options (see Figure 14). The site could continue to operate acceptably with 10 of its 12 dispensers operational.

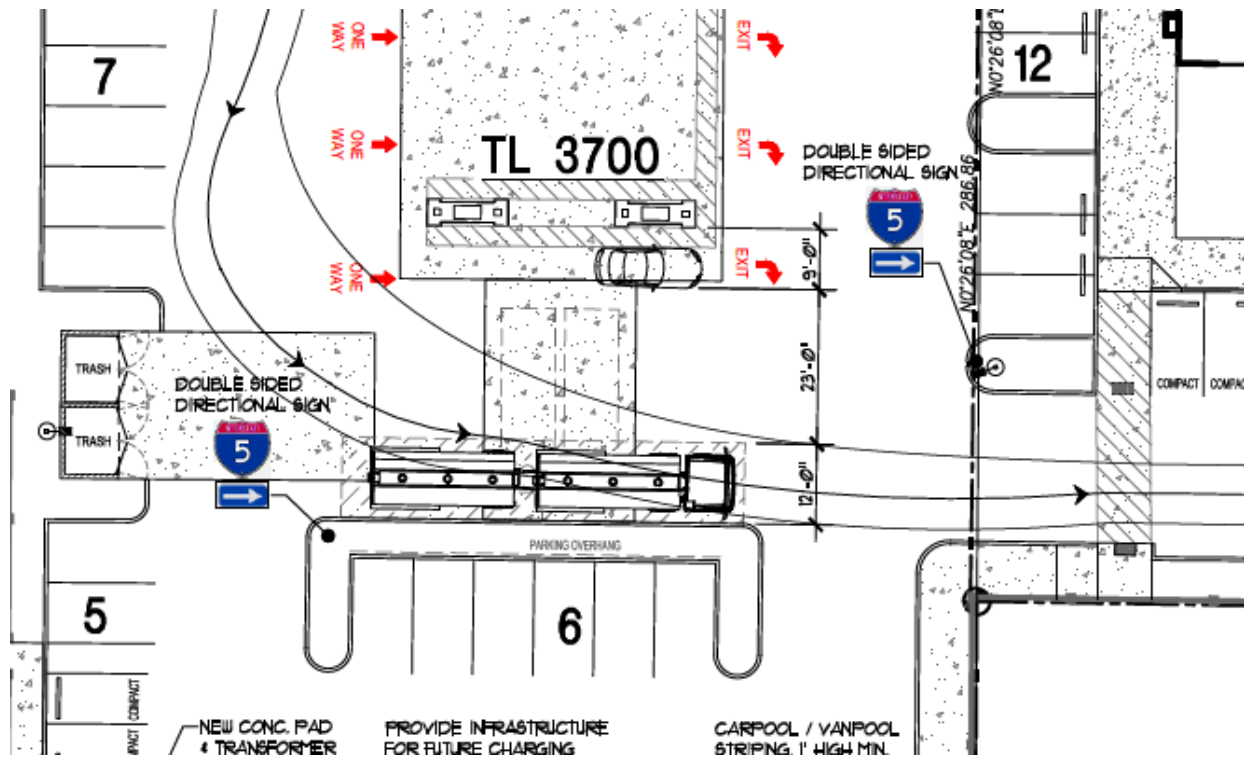


Figure 13. Layout of the site showing the location of a fuel truck within the designated delivery area.

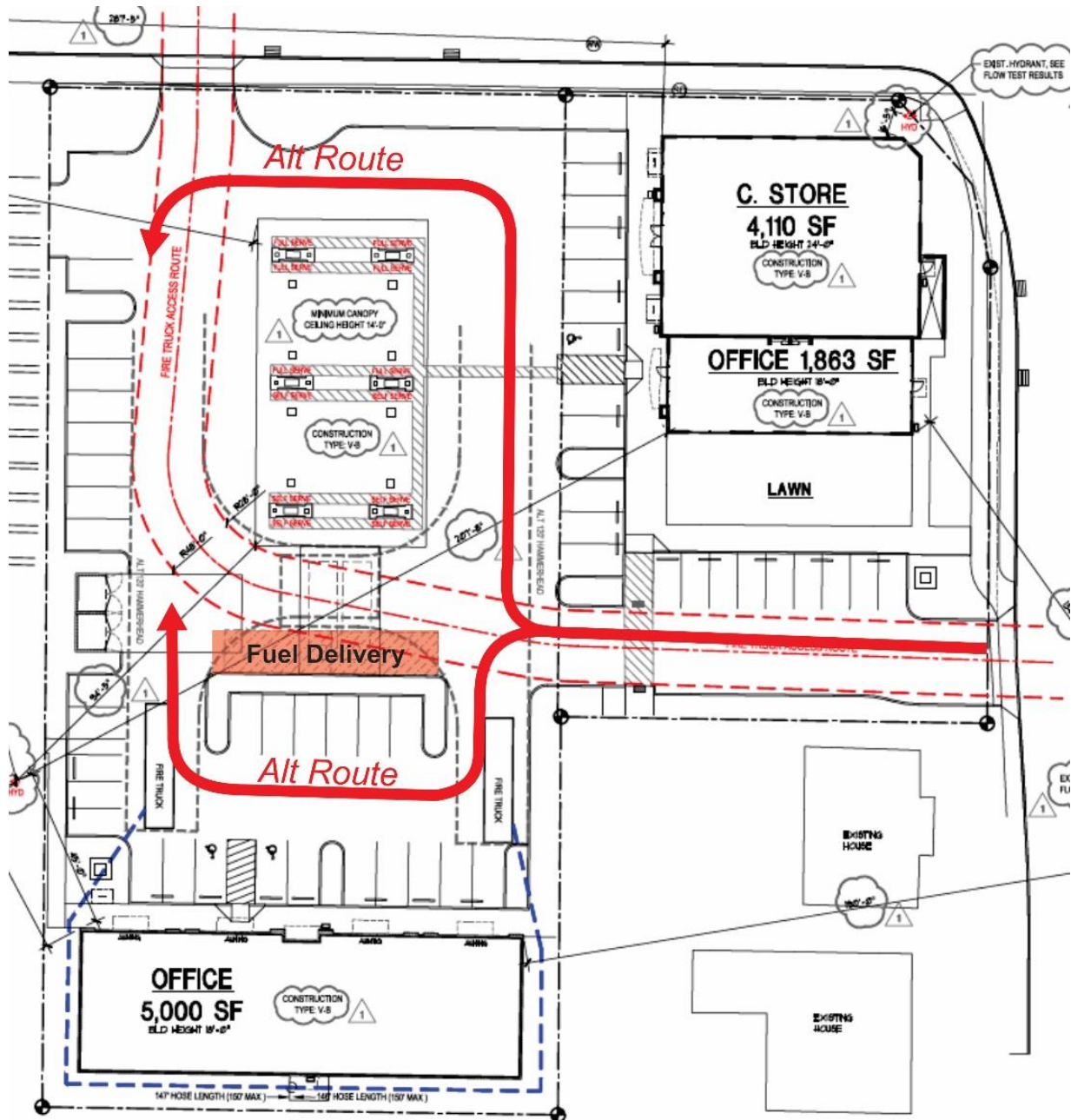


Figure 14. Potential use of the Alternative Routes if a fuel delivery blocked access.

**Comment 8.** Mr. Petersen argues that the application makes traffic worse with the right-in only access.

**Response:** The modification to right-in only access was proposed by our team to ODOT in response to comments received at the prior public hearings and in review of the historical safety issues along OR 214. The safety review prepared within the traffic study, and reviewed by multiple agencies, highlighted the elevated safety risk associated with turning movements at the Evergreen Avenue and Oregon Way traffic signals, which was due both to the prior permissive signal phasing and the allowance of U-turns. In fact, prior comments from Mr. Petersen and his opposition traffic engineer also recommended this movement restriction within the prior application.

Accordingly, this modification of access directly responds to the prior concerns within the opposition’s June 21, 2022 letter stating that weaving maneuvers from a right-turn onto OR 214 could exacerbate the existing safety issue at Oregon Way. This modification of the application directly addresses the safety concerns previously raised, and now includes ODOT’s specific approval and support for this modification following their review of the revised plan.

We recognize and acknowledge that the revisions to site circulation will increase travel on Oregon Way north of the driveway location. From the prior application, we listened to staff concerns and understand the Council’s priority for overall safety. This configuration addresses the primary concerns that were raised. It is supported by the City and ODOT, specifically in responding to the safety concerns along the highway.

**Comment 9.** Mr. Petersen states that “unlike the two nearby gas stations located closer to Interstate-5, within the city’s interchange management area, this site would be bounded by properties that are used solely for residential purposes.”

**Response:** To clarify Mr. Petersen’s arguments, the proposed development is a commercially-zoned property that is seeking conditional approval due to the adjacent residential uses south of the site (buffered by the office building) and to the east across Oregon Way. The submitted Transportation Impact Analysis includes a literature review of the I-5 Interchange Area Management Plan (IAMP), and highlights within Figure 5 (TIA pages 4 and 5) that the subject US Market property is part of the Interchange Management Area Overlay District, but not subject to the specific trip allocations as the properties that were identified within the Overlay Area.

Because the subject properties were already developed with the two banks at the time the IAMP was prepared in 2005, it was excluded from some of the more restrictive measures that undeveloped properties are subject to. The streets serving the existing fuel centers on either side of the interchange do not comply with ODOT’s access spacing standards; the IAMP was prepared to help protect the State’s investment despite the close proximity of these commercial lands and accesses, which led to the right-turn restrictions at Lawson Avenue.

**Comment 10.** Mr. Petersen states that Oregon Way “is a local street” and “The secondary access to the site would be along a local residentially-classified street”, and “Oregon Way (a local, residential street)”

**Response:** Mr Petersen’s citations of Oregon Way as a local street are incorrect. Per the City’s adopted September 2019 Transportation System Plan (which was prepared by Mr. Petersen’s opposition traffic engineer), Oregon Way is an *Access Street* (and a *Major Collector* per the Federal Classification system), not a *Local Street*. This classification of facility is defined by Woodburn within its Transportation System Plan as shown in Figure 15:

- Access Streets – Primary function is to connect residential neighborhoods with service collectors or arterials. On-street parking and access to adjacent properties is prevalent. Slower speeds should be provided to ensure community livability and safety for pedestrians and cyclists. In many cases, cyclists can “Share the road” with motor vehicles because of low traffic volumes and speeds. Sidewalks or pathways should be provided for pedestrians.

Figure 15. TSP Definition of Access Streets. *Source: 2019 Woodburn Transportation System Plan*

In contrast, the primary role of *local streets* is to provide direct access to adjacent land uses. Therefore, an access street, (i.e., Oregon Way), is intended to serve higher traffic volumes to a higher number of uses as compared to a local street. Interestingly, Lawson Avenue, which serves the Chevron and Arco sites, is a local street serving commercial uses. Lawson Avenue also provides access to the Arco. The higher functional designation of Oregon Way recognizes its role in connecting Hayes Street with OR 214, the traffic signal control at the OR 214 intersection that supports full turning movements, and its adjacency to commercially-zoned lands. The adopted functional classification of Oregon Way (which is equivalent to a type of *Collector*) balances the facility’s elevated connectivity role with the access and livability needs of the adjacent residential uses.

The proposed traffic calming measures identified within this report (e.g., speed humps and modifications to centerline striping) will help ensure that the functional role of this facility remains unchanged yet compatible with its dual roles.

**Comment 11.** Mr. Petersen argues that the proposed site plan cannot reasonably accommodate the traffic that the project will generate.

**Response:** As noted within the comments from the City, the City’s consultant reviewer, ODOT, and Mr. Petersen’s opposition traffic engineer, “the analysis approach and findings...reasonable and consistent...concur with the findings and recommendations of the study.” The opinions posited by Mr. Petersen appear to relate to concerns with the site layout and truck maneuvering.

Related to truck movements, as is common on all streets, truck maneuvers can require travel within adjacent travel lanes. For example, a fuel semi-truck exiting the site onto Oregon Way will swing wide through the northbound left- and right-turn lane with its front passenger-side cab wheel positioned near the eastern curbline before heading north, limiting the trailer tracking within the opposing travel lane. Turning into the site from OR 214 is no different; most semi-truck drivers will either hug the inside eastbound travel lane line if a vehicle is adjacent to their vehicle, or if outside of more congested periods will encroach into the median-side through lane to turn into the site. As trucks are wider and longer than passenger vehicles this type of maneuvering is common; however, it only occurs with semi-trucks. Single-unit delivery vehicles used by most vendors contain a wheelbase more similar to large passenger vehicles. This type of maneuvering is common in commercial properties, and as documented within these responses, is occurring to a greater degree at the nearby fuel centers due to site design issues.

Mr. Petersen also cites queuing on OR 214 as a concern. As shown in Figure 18 of the TIA, the 95<sup>th</sup> percentile queue during the peak fifteen minutes of the summertime evening commute hour can extend beyond the Oregon Way driveway location. ODOT’s signal timing provides priority to through travel along

the highway, resulting in fairly long cycle lengths for the Oregon Way approaches. However, once the traffic signal turns green these queues clear, and motorists can then maneuver unimpeded. Similar conditions occur along OR 214 at the Chevron station, with the Evergreen Avenue queue extending past and blocking the right-out access from Lawson Avenue (see Figure 16), which clears with the green cycle and allows vehicles to maneuver (see Figure 17).



Figure 16. View from the southeast quadrant of OR 214/Lawson Avenue toward I-5 showing that eastbound OR 214 queues commonly extend beyond Lawson Avenue.





Figure 17. View of Lawson Avenue at its connection to OR 214. The standing queue quickly cleared following the green signal cycle at Evergreen Avenue.

Field review conducted on September 12, 2024 (following the start of the school year) between 4:00 and 5:00 p.m. observed a maximum queue on Oregon Way of three vehicles, which fully cleared during each signal cycle and did not extend to the driveway location. This is not the maximum possible queue, but shows *typical conditions*, which are readily accommodated at this site (see Figure 18) and will allow patrons to directly turn onto Oregon Way.



Figure 18. Maximum observed northbound queue on Oregon Way.  
*Observations conducted on September 12, 2024 between 4:00 and 5:00 p.m.*

**Comment 12.** Mr. Petersen expresses concern with inbound circulation from Oregon Way, and the ability for these motorists to access the fuel pumps or convenience market.

**Response:** This comment appears to relate to the original queuing figure which has been revised (see Figure 7 within Comment 7g). Motorists entering from Oregon Way or from OR 214 will enter the fueling positions from the west side of the site, and using the one-way (eastbound) circulation will fuel, and then head toward the Oregon Way egress. The width of the drive aisle on either side of the fueling station is 36- to 38-foot wide, which can accommodate backing and parking maneuvers without encroaching into the vehicles that are fueling. As addressed within the field review in Comment 7g, the proposed layout improves on many of the circulation, queuing, and loading issues present at the nearby Arco and Chevron sites.

The provision of 12 fueling positions at the US Market will help reduce customer wait times and queues, and unlike high-volume fuel distributors (like Costco) the US Market typically operates with no more than a single vehicle in queue. This is similar to conditions observed at the nearby Chevron and Arco; the layout

supports 18 total vehicles being fueled or queued, which is more than would be expected at this fueling center.

Mr. Petersen’s comment about the potential fuel dispenser location on the vehicle’s passenger side is simplified with a one-way circulation pattern. Vehicles with a driver-side fueling position will use the southern row within the island, whereas those with a passenger-side fueling cap will typically fuel on the northern position. Commonly, smaller vehicles can be fueled from either side of the island using the longer hose lengths that are now common.

Mr. Petersen also expressed concern with the fuel center and parking near the convenience market conflicting. This is the same configuration as the nearby Arco, and there are no historical records indicating any type of safety issue present. Patrons moving from a stopped position, whether exiting the fueling positions or exiting a parking stall, will be required to yield before moving, following conventional parking lot driving rules as contained within the Oregon’s Drivers Manual (see Figure 19). This is a common layout at fuel centers throughout the country (including the nearby Arco, see Figure 20). It is unclear what specific concerns with this layout Mr. Petersen may have from the comments that have been submitted.



Figure 19. Parking and stopping guidance. *Source: 2024/2025 Oregon Driver Manual, page 66.*



Figure 20. View of the Lawson Street Arco and AM/PM layout with the fueling positions immediately adjacent to the convenience market parking area.

**Comment 13.** Mr Petersen argues that a proposed median on Oregon Way cannot restrict only trucks (and not cars) and has not been illustrated in the site plan.

**Response:** The traffic study does not recommend a raised median along Oregon Way and a design has not been provided by the City to understand how this will impact access and turning movements. This condition is not necessary to meet the City’s Development Ordinance, but was raised by the City as a means of assuring residents that through truck trips will not be increased along Oregon Way. It is our understanding that the City is contemplating some type of raised median along Oregon Way that would prevent larger vehicles from turning right.

While we support the City’s desire to restrict through trucks from using Oregon Way, we are concerned that this type of design could conflict with residential driveways on the east side of Oregon Way or would otherwise prevent local residents using an RV or towing a boat from safely making the [legal] right-turn maneuver.

Instead of a condition that could be difficult for passenger vehicles with boats or RVs to maneuver around (including those that may live on Oregon Way or nearby), it is instead recommended that the City allow the applicant to fund installation of speed humps on Oregon Way, and at the exit the applicant has proposed installation of signage indicating that trucks are not permitted to turn right at the egress. This overall approach will be more effective in managing through trucks and will avoid impacts on nearby residential driveways located immediately south of the driveway.

As we have not seen the City’s proposed design for this channelization we remain open to working with the City to craft a suitable condition that provides flexibility for the truck restriction or the applicant to fund the City installation of speed humps in lieu of the truck restriction on Oregon Way. Based on the

comments received from the neighbors there may be additional benefits of the traffic calming related to sight lines, livability, and speed compliance on Oregon Way.

**CONDITIONAL USE PROVISIONS**

The proposed fuel center is a conditional use within the commercial zoning because of the proximity to residential uses; the office and convenience market are both permitted outright within the zoning. One of the conditional use criteria relates to vehicular traffic. This section is provided to convey the potential impacts of other types of use that are more intense than the fueling center based on the number of driveway trips (excluding pass-by trips to better convey the impacts on nearby residences along Oregon Way).

Each of these land uses would be allowed outright within the Commercial zoning, and each could result in more intense land use scenarios than the proposed fueling center with a convenience market and office space. Table 2 shows the cumulative weekday daily and weekday p.m. peak hour trip rates on a square-footage basis. Note that this includes two office tenants; the site could include entirely retail uses (e.g., convenience market, fast food restaurant(s), bank, etc.) that would generate more trips than those in the proposed layout.

**Table 2. Trip Generation Comparison (Total Driveway Trips)**

Land Use	Weekday Daily Trip Rate	Weekday PM Peak Hour Trip Rate	Higher Than Proposed Uses?
<b>Proposed Site Uses</b>			
Small Office	14.8 Trips/1,000 SF	2.24 Trips/1,000 SF	n/a
Convenience Store/ Gas Station	187.6 Trips/1,000 SF (64 Trips/Fuel Pos.)	16.54 Trips/1,000 SF (5.67/Fuel Pos.)	n/a
<b>Outright Allowed Retail Uses</b>			
Convenience Market (Without Fuel)	762.28 Trips/1,000 SF	49.11 Trips/1,000 SF	Yes
Fast Food Restaurant with Drive-Through	467.48 Trips/1,000 SF	33.03 Trips/1,000 SF	Yes
Coffee/Donut Shop w/ Drive-Through	533.57 Trips/1,000 SF	38.99 Trips/1,000 SF	Yes
Fast Food/No Drive- Through	450.49 Trips/1,000 SF	33.21 Trips/1,000 SF	Yes
Coffee/Donut No Drive-Through	No Data	32.29 Trips/KSF	Yes
<b>Outright Allowed Office Uses</b>			
Medical Office Building	36.0 Trips/KSF	3.93 Trips/KSF	Yes
Post Office	103.94 Trips/KSF	11.21/KSF	Yes

Table 2 shows that there are outright permitted uses that are more intense on a square-footage basis than a fuel center (some of these are two or three times as intense as the proposed fuel center), and there are also more intense office types that would similarly be permitted on this site. While the fuel center is

a conditional use, and traffic is one of the conditional use criteria, this shows that other uses that generate more traffic would not be subject to this same conditional use criteria.

## ADJUSTMENT TO STREET IMPROVEMENT REQUIREMENTS

As part of the application, the proposed US Market has requested a deviation from the City's street standards that are based on the designated functional classification within the Woodburn Transportation System Plan. Each of these street sections are addressed below.

### Oregon Highway 214 Streetscape

OR 214 is a State Highway that is classified by the City of Woodburn as a *Major Arterial*. The identified cross-section for this street includes 100-feet of ROW (50-feet from centerline) with a five-lane roadway section, six-foot bicycle lanes, 6-foot landscape strip, and 6-foot sidewalk. The current highway frontage includes a curb-tight sidewalk, which is generally consistent with the design throughout the adjacent commercial portion of this corridor toward I-5 and lacks a planter strip and street trees. The frontage of OR 214 actually includes a six-lane section, as there are side-by-side left-turn lanes between Oregon Way and Evergreen Avenue, resulting in an approximately 88-foot wide pavement section that provides limited additional right-of-way.

There are six-foot wide sidewalks present today, and landscaping will be provided at the back of these sidewalks within the site. This design allows the existing sidewalks to remain free of the overhead utility poles and signal poles, providing a clear and unobstructed walkway configuration.

**Criterion 1:** *The estimated extent, on a quantitative basis, to which the rights-of-way and improvements will be used by persons served by the building or development, and whether the use is for safety or convenience;*

**Response:** The proposed US Market includes an auto-centric fuel center and office buildings, which like other nearby highway-oriented commercial uses provides limited reliance on the sidewalk system. The current sidewalks exceed this dimensional requirement but are curb-tight.

Data from the census bureau shows that the City of Woodburn contained a walking share of its commute transportation of less than one percent, with about 87% of residents driving and 11% of residents working from home (see Figure 21). The specific walk share was identified as 0.382%, though this metric only relates to commute trips and there are certainly other trip purposes (retail, recreation, entertainment, etc.). Ultimately, the percentage of users of the proposed US Market fuel center, convenience market, and office space will be low. The use of sidewalks is for convenience goods and services in its location adjacent to the proposed US Market.

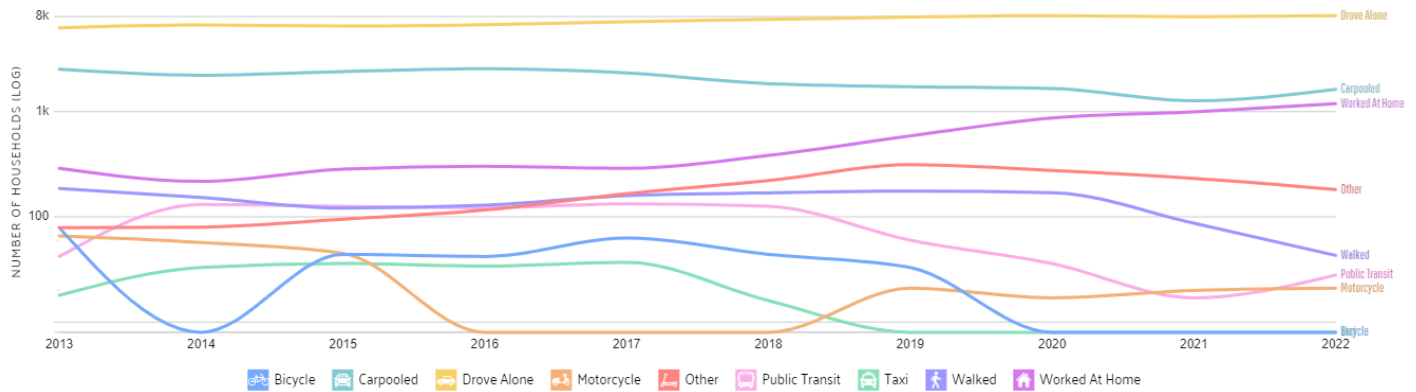


Figure 21. Woodburn Census Data. <https://datausa.io/profile/geo/woodburn-or#civics>

Traffic counts collected in April, 2023 show that there were three total pedestrians observed along the frontage between 4:30 and 5:30 p.m. along the south side of OR 214, or approximately one pedestrian every twenty minutes.

**Criterion 2:** *The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;*

**Response:** The existing sidewalks meet the functional needs of pedestrian activity along OR 214, readily supporting the current (limited) pedestrian levels and those of the proposed auto-oriented site.

**Criterion 3:** *The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights-of-way and improvements will be a part;*

**Response:** The proposed convenience-commercial uses within the site will have limited impact on the sidewalks. There will be few walking trips to the commercial site, and the trips that do occur can be accommodated within the existing curb-tight sidewalk.

**Criterion 4.** *The estimated level, on a quantitative basis, of rights-of-way and improvements needed to mitigate the estimated impact on the public infrastructure system.*

**Response:** As the sidewalks provide a suitable walking area to support demands, the landscape area will be provided behind the back of curb within the site. No other mitigation should be necessary.

**Criterion 5.** *The application is not based primarily on convenience for a developer or reducing civil engineering or public improvements construction costs to a developer.*

**Response:** The purpose for the street adjustment is to maintain a consistent streetscape with the adjacent corridor and reflect the constrained right-of-way that results from the side-by-side left-turn lanes. Constructing the road to City standards would remove one of the left-turn lanes thereby providing space for the landscape strip. If the project were to build a property-tight sidewalk it would be required to meander back to a curb-tight design to avoid the overhead utility pole and meander again at the OR 214/Oregon Way corner (to avoid the traffic signal pole). Maintaining the current streetscape design provides a consistent corridor that is suitable for its purpose and function, and adjusts the section to accommodate the side-by-side left-turn lanes on the highway.

**Criterion 6.** *The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.*

**Response:** Similar to the adjacent properties, the design of the highway (whether the side-by-side left-turn lanes along the subject property frontage, or the presence of right-turn deceleration lanes on abutting properties) results in a wider pavement section than the typical section. This is common surrounding signalized intersection, where the section conforms to the capacity needs. The Street Adjustment is not based on the non-conformance of the adjacent properties, rather it recognizes that OR 214 is wider than the City’s typical section and requires a modified cross-section to fit within the highway right-of-way.

Unlike the adjacent properties that were designed to a prior standard, the proposed development will conform with City setbacks and current landscape requirements that will improve the separation of the on-site parking areas from the sidewalks. Similar utility constraints exist within the adjacent parcels, and these adjacent sidewalks also provide a clear sidewalk unencumbered with signs, poles, or other utilities.

***Criterion 7.** Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.*

**Response:** Narrowing of the right-of-way is not proposed; it is requested through this street adjustment that the highway right-of-way remain as-is, which conforms with City requirements.

***Criterion 8.** A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such.*

**Response:** Discussions with the City have indicated that a Street Adjustment is appropriate along with a fee in lieu for the planter strip and street trees, which could not fit within the standard ROW. This will provide a customized cross-section for the adjacent highway section and mitigation for the lack of these features.

In summary, the overall streetscape revisions for OR 214 are requesting that the cross-section remain in its current configuration. The side-by-side left-turn lanes between Evergreen Avenue and Oregon Way do not allow the typical section to fit within the available right-of-way width, resulting in the curb-tight sidewalk design. If additional ROW was dedicated and the sidewalks were rebuilt to a property-tight design they would then be impacted by the overhead utility pole and signal pole, at best providing a meandering design. Given the low use of the pedestrian system and the sufficiency of the current sidewalks, a fee in-lieu payment is requested to address typical frontage requirements.

**Oregon Way Streetscape**

Typical requirements for an Access Street include provision of on-street parking, a landscape strip with street trees, and 6-foot sidewalks. The proposed design fully omits on-street parking along the Oregon Way frontage. Even if on-street parking were desired, it would not be recommended within the project frontage given the proximity to the traffic signal, and the addition of parking would be subject to ODOT approval. ODOT has access control along Oregon Way extending to the driveway, and while this is typically interpreted as restricting access across the right-of-way boundary, on-street parking is a form of access. The addition of any on-street parking within ODOT’s access control limits should be provided for their review, as well as the review of the City. With the elevated crash experience on OR 214, adding on-street parking near a traffic signal would not be recommended. Parallel on-street parking requires that motorists



stop within the travel lane to back into stalls, which would not be an expected maneuver for following vehicles. Exiting the parking stall would not provide adequate sight lines and would also be unexpected.

On-street parking is generally avoided within the queue storage bay of suburban traffic signals (to the south edge of the driveway), as any parking maneuvers within this section would be unexpected for following motorists, could result in queuing through the traffic signal, and exiting maneuvers would provide limited time for motorists focused on the traffic signal indication to react. Parking adjacent to the access driveway should also be prohibited to maintain clear Sight Triangles and corner clearance dimensions for vehicles exiting the site.

The City's cross-section standards are not intended to be applied to streets adjacent to a traffic signal. Within the influence area of a traffic signal safety and operational needs dictate the design configuration, which is the case at Lawson Avenue (which does not allow on-street parking) and Evergreen Avenue (which contains a unique cross-section). Not only would the on-street parking not be supported if it were desired, but the site provides more than the required on-site parking to prevent any spillover onto the street, which serves as mitigation for the parking.

**Criterion 1:** *The estimated extent, on a quantitative basis, to which the rights-of-way and improvements will be used by persons served by the building or development, and whether the use is for safety or convenience;*

**Response:** The proposed US Market includes an auto-centric fuel center and office buildings. On-street parking on Oregon Way is not needed given that the site exceeds the City's parking requirements. Specific to on-street parking, the quantitative establishment of need would be City Code requirements, which are fully met (and exceeded) within the on-site parking supply. Field observation did not identify any current demand for on-street parking within this area, and it was further noted that parking along the frontage would impede the southbound travel lane.

**Criterion 2:** *The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;*

**Response:** Current design plans show more parking spaces than required by City Code. The sufficiency of the Code-based parking would address the expected need, but this surplus on-site parking fully mitigates for any lack of parking.

**Criterion 3:** *The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights-of-way and improvements will be a part;*

**Response:** No impact will result from the lack of on-street parking. Prohibition of on-street parking within the Oregon Way queuing area will provide a safer transportation system and will be consistent with driver expectations near a signalized intersection. Prohibition of this on-street parking should be required of the project.

**Criterion 4:** *The estimated level, on a quantitative basis, of rights-of-way and improvements needed to mitigate the estimated impact on the public infrastructure system.*

**Response:** Improvements needed to mitigate this issue are being addressed on-site. The presence of suitable on-site parking supply eliminates the need for any on-street parking. If on-street parking is identified within the City standards to help serve as a traffic-calming treatment, the proposed contributions toward traffic calming will mitigate this function of the streetscape.

**Criterion 5.** *The application is not based primarily on convenience for a developer or reducing civil engineering or public improvements construction costs to a developer.*

**Response:** The purpose for the street adjustment is to conform to the context of this site, which is within an area with ODOT access control, within the queue storage area on the signal approach, and in the influence area of a highway traffic signal. On-street parking should be prohibited along the site frontage for safety and operational purposes.

**Criterion 6.** *The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.*

**Response:** On-street parking is allowed to the south along Oregon Way, and is only recommended to be prohibited within the striped storage area (which extends across the entire frontage to the driveway). The parking restriction should only encompass the area impacted by the three-lane section, which is also not a typical section for an access street, but reflects the operational needs of the traffic signal.

**Criterion 7.** *Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.*

**Response:** Narrowing of the right-of-way is not proposed. The widening of the street to provide separate turn lanes at the traffic signal would require further widening if on-street parking were suitable.

**Criterion 8.** *A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such.*

**Response:** The design of the traffic signal provides the justification for the alternative street section. The parking prohibition through the traffic signal queuing area is not a section that should be continued south of the access driveway.

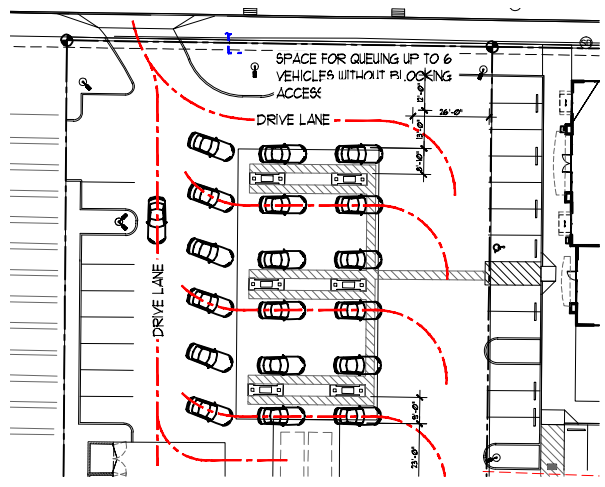
In summary, the City's typical cross-section standards do not apply within the influence area of a traffic signal, where operational and safety needs dictate the design. The presence of parking maneuvers within this area would introduce new and unexpected conflicts, and could result in queuing impacts with traffic extending back onto the highway. Provision of on-street parking along the US Market frontage is not recommended, and it is doubtful that ODOT (or the City) would allow its installation even if it were desired by the applicant. The applicant's on-street parking exceeds City standards, and provides a suitable amount of parking to prevent overflow. This on-site accommodation provides a safer overall design, and serves as effective mitigation for this typical streetscape element.

## NEXT STEPS

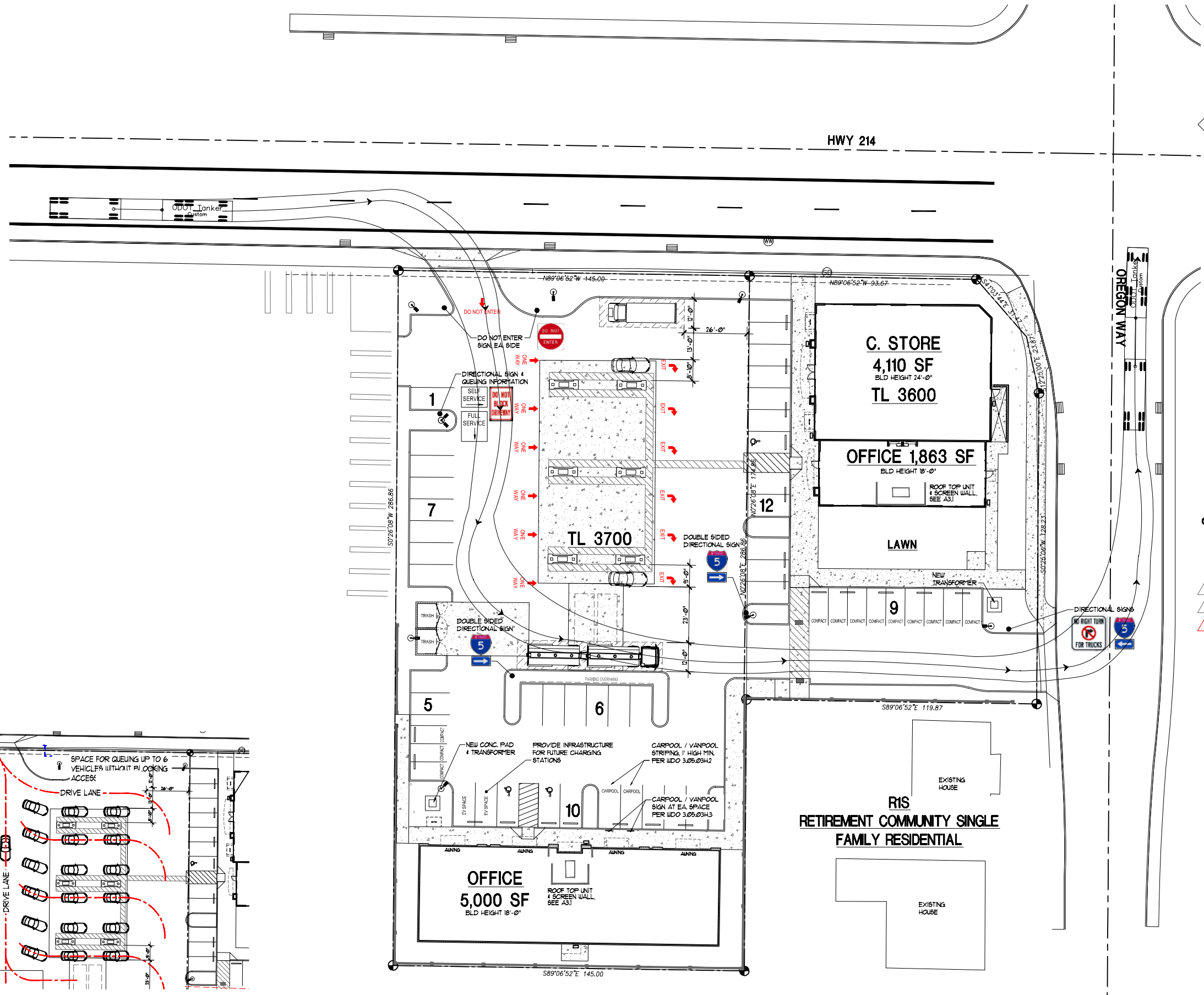
I appreciate the opportunity to provide this supplemental information as part of the US Market application. Thank you for the opportunity to provide this additional evidence and responses to public comments. If you have any questions I can be reached at (503) 997-4473 or via email at [joe@transightconsulting.com](mailto:joe@transightconsulting.com).

Attachments:

- Revised Site Layout
- ITE Traffic Calming Fact Sheet: Speed Hump
- Correspondence with Casey Knecht, ODOT RAME
- ODOT Conditional Grant of Access



**QUEUING PLAN**  
SCALE: 1" = 30'



**SIGN / MANEUVERING PLAN**  
SCALE: 1" = 20'



- 1 DESIGN REVIEW COMMENTS 4.12.24 - REVISION 1
- 2 DESIGN REVIEW COMMENTS 5.14.24 - REVISION 1
- 3 DESIGN REVIEW COMMENTS 6.12.24 - REVISION 3

RONALD JAMES PED ARCHITECT P.C.  
600 385-906

NEW OFFICE, RETAIL AND GAS STATION  
US MARKET  
2600 NEWBERG HIGHWAY WOODBURN OREGON  
DATE: DEC. 1, 2020  
DRAWN: AK / KDB  
JOB NO.: 1864  
A1.4

## Speed Hump

### Description:

- Rounded (vertically along travel path) raised areas of pavement typically 12 to 14 feet in length
- Often placed in a series (typically spaced 260 to 500 feet apart)
- Sometimes called road humps or undulations

### Applications:

- Appropriate for residential local streets and residential/neighborhood collectors
- Not typically used on major roads, bus routes, or primary emergency response routes
- Not appropriate for roads with 85<sup>th</sup>-percentile speeds of 45 mph or more
- Appropriate for mid-block placement, not at intersections
- Not recommended on grades greater than 8 percent
- Work well in combination with curb extensions
- Can be used on a one-lane one-way or two-lane two-way street



(Source: City of Boulder, Colorado)



(Source: PennDOT Local Technical Assistance Program)

**ITE/FHWA Traffic Calming EPrimer:** [https://safety.fhwa.dot.gov/speedmgt/traffic\\_calm.cfm](https://safety.fhwa.dot.gov/speedmgt/traffic_calm.cfm)

### Design/Installation Issues:

- ITE recommended practice - "Guidelines for the Design and Application of Speed Humps"
- Typically 12 to 14 feet in length; other lengths (10, 22, and 30 feet) reported in practice in U.S.
- Speed hump shapes include parabolic, circular, and sinusoidal
- Typically spaced no more than 500 feet apart to achieve an 85th percentile speed between 25 and 35 mph
- Hump heights range between 3 and 4 inches, with trend toward 3 - 3 ½ inches maximum
- Often have associated signing (advance warning sign before first hump in series at each hump)
- Typically have pavement markings (zigzag, shark's tooth, chevron, zebra)
- Taper edge near curb to allow gap for drainage
- Some have speed advisories
- Need to design for drainage, without encouraging means for motorists to go around a hump

### Potential Impacts:

- No impact on non-emergency access
- Average speeds between humps reduced between 20 and 25 percent
- Speeds typically increase approximately 0.5 to 1 mph midway between humps for each 100 feet Beyond the 200-foot approach and exit of consecutive humps
- Traffic volumes diversion estimated around 20 percent; average crash rates reduced by 13 percent

### Emergency Response Issues:

- Impacts to ease of emergency-vehicle throughput
- Approximate delay between 3 and 5 seconds per hump for fire trucks and up to 10 seconds for ambulances with patients

### Typical Cost (2017 dollars):

- Cost ranges between \$2,000 and \$4,000

## Joe Bessman

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**From:** KNECHT Casey <Casey.KNECHT@odot.oregon.gov>  
**Sent:** Thursday, August 22, 2024 3:26 PM  
**To:** Joe Bessman  
**Subject:** RE: Channelized Right-in Only

I don't know that I've seen a standard drawing for it. There is a pretty good example of a channelized right-in right-out with curb-tight sidewalk at the Rite Aid in McMinnville ([streetview](#) and [aerial](#)). Curbing has been the most effective for showing the channelization.

**Casey Knecht, P.E.**  
Region Access Management Engineer  
ODOT Region 2

---

**From:** Joe Bessman <Joe@transightconsulting.com>  
**Sent:** Thursday, August 22, 2024 12:29 PM  
**To:** KNECHT Casey <Casey.KNECHT@odot.oregon.gov>  
**Subject:** Channelized Right-in Only

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.

Good afternoon Casey,  
We have the hearing for the Woodburn fuel center on OR 214 tonight, I wanted to reach out and see if there's a standard drawing (or even a good example) of a channelized right-in only private access that does not include a decel lane? I didn't see one in the standard drawings – we can use the truck templates if needed to develop something that could provide the appropriate channelization, just was curious if you had anything specific in mind!

Thanks,  
Joe

Joe Bessman, PE  
*(Licensed in OR, WA, ID)*  
Principal, Owner

Transight Consulting, LLC  
Bend, Oregon  
cell: (503) 997-4473  
email: [joe@transightconsulting.com](mailto:joe@transightconsulting.com)



# Oregon

Tina Kotek, Governor

Department of Transportation  
Engineering & Technical Services  
4040 Fairview Industrial Drive SE, MS1  
Salem, Oregon, 97302-1142  
Phone: (503) 986-3305

Ronald James Ped, Architect, PC  
6850 Burnett Street SE  
Salem, Oregon 97317

on behalf of Lai Sidu  
Woodburn Petroleum, LLC  
1038 Broadway St. NE  
Salem, Oregon 97301

FILE CODE: 30-24

Subject: **Conditional Approval of Grant of Access**  
Hillsboro-Silverton Highway No. 140 (OR-214), MP 37.09 R (Sta. 522+80)  
CHAMPS No. 093457  
City of Woodburn

Dear Mr. Ped,

The Oregon Department of Transportation (ODOT) has reviewed your application for a Grant of Access at the subject location. Tax Lot 3600 currently does not have access to Hillsboro-Silverton Highway. A Grant of Access is required to allow Tax Lot 3600 to use the existing private approach at the subject location.

ODOT reserves the right to grant access to a state highway for a private approach when all the conditions of Oregon Administrative Rule (OAR) 734-051-2020(3) are met. A key condition is whether the Grant of Access will benefit the state highway system. ODOT has determined that the Grant of Access can benefit the state highway system if traffic movements for the private approach are restricted to only allow right turns off Hillsboro-Silverton Highway, prohibiting right turns onto the highway.

Based on the above finding, a Grant of Access can be approved provided you agree to the following conditions:

1. Traffic movements for the private approach at the subject location shall only allow right turns off Hillsboro-Silverton Highway. All other traffic movements shall be restricted.
2. Traffic from Tax Lot 3700 shall be allowed to cross Tax Lot 3600 to access Oregon Way.
3. Decisions regarding the character or type of traffic control devices to be used on the subject highway are subject to the delegated authorities of the State Traffic Engineer according to OAR 734-020-0410.

When a Grant of Access is conditionally approved, it is necessary for the applicant to purchase the appraised value of the Grant of Access in accordance with OAR 734-051-2020(12).

To complete the process and move ahead with the Grant of Access, please contact Casey Knecht at 503-507-2023 to confirm acceptance of the grant conditions. The ODOT region and/or district office will work with ODOT's Property Management Unit to convey the Grant of Access. If you have any questions on the process, please contact Casey Knecht at 503-507-2023.

Sincerely,

Michael Kimlinger 2024.01.23  
15:37:47 -08'00'

Michael Kimlinger, P.E.  
Technical Services Manager/Chief Engineer

cc: Casey Knecht, Interim Region 2 Access Management Engineer  
Cole Mullis, District 3 Manager  
Angela Kargel, Interim State Traffic-Roadway Engineer  
Georgine Gleason, State Right of Way Manager

ESL/bj/kbj



David J. Petersen  
david.petersen@tonkon.com  
Admitted to Practice in Oregon and California

503.802.2054 direct  
503.221.1440 main

August 21, 2024

VIA E-MAIL – [planning@ci.woodburn.or.us](mailto:planning@ci.woodburn.or.us)

Woodburn Planning Commission  
City of Woodburn  
Attn: Planning Division  
270 Montgomery Street  
Woodburn, OR 97071

CU24-02  
RECEIVED

AUG 21 2024

COMMUNITY DEVELOPMENT  
DEPARTMENT

Re: US Market gas station  
2540-2600 Newberg Highway, Woodburn, OR  
City File No. CU 24-02

Dear Commissioners:

This law firm represents Woodburn Fast Serv Inc. and LB Group, LLC, which both own real property in the City of Woodburn. We have reviewed the staff report and related materials in the above-referenced land use matter and have the following comments on behalf of our clients in opposition to the proposal. Also, enclosed please find separate comments specific to traffic-related issues prepared on behalf of our clients by Kittelson & Associates.

**1. The applicant has addressed none of the City Council's prior concerns with this project, and to the contrary has made traffic impacts worse.**

This is the second time this proposal is before the City. The last proposal was rejected by the City Council in 2022.<sup>1</sup> The applicant apparently did not take the City Council's rejection to heart since this proposal is, with one small exception, *exactly the same proposal that the City Council rejected in 2022*. The only difference is that this time, the applicant has proposed that the site entrance from Hwy. 214 be right-turn-in-only, whereas in 2022 the applicant proposed a right-in-right-out only driveway at this location. And the only reason for this one change is that the applicant had to do it in order to gain ODOT's agreement to lift the cross-parcel access restriction on the two lots that make up this site.<sup>2</sup>

<sup>1</sup> See August 8, 2022 Final Land Use Decision, CU 21-02 ("2022 Decision").

<sup>2</sup> See January 23, 2024 letter from ODOT to applicant: "ODOT has determined that the Grant of Access can benefit the state highway system if traffic movements for the private approach are restricted to only allow right turns off [Hwy. 214], prohibiting right turns onto the highway."



In the 2022 Decision, the City Council found that the proposed project did not meet WDO 5.03.01.B.3 because it was incompatible with surrounding properties in several ways. Specifically, the Council found:

[U]nsafe traffic patterns and increased daily trips to and from the site would cause additional road safety hazards and an unreasonable level of congestion to the adjacent neighborhood of single and multi-family dwellings that primarily house senior citizens. Additionally, the adverse noise, odors, illumination, air quality, and aesthetic impacts from adding a third gas station within a two block area would negatively affect the quality of the living environment of the residential properties in the vicinity of the site.<sup>3</sup>

The City Council also found:

With regards to vehicle traffic on Oregon Way, that street is a local street that provides a connection from OR 214 to the residential neighborhood of Woodburn Estates, [which is] a 55+ senior community with residents that have homes along Oregon Way, both adjacent to and across from the proposed site. Residents testified to regularly using Oregon Way (which does not have sidewalks) for walking and traveling by golf cart to and from their club house for recreational activities. ...

Unlike the two nearby gas stations located closer to Interstate-5, within the city's interchange management area, this site would be bounded by properties that are used solely for residential purposes. The secondary access to the site would be along a local residentially-classified street. Additionally, current single family homes that are located directly across from the site, separated only by Oregon Way, would have little buffer from an intensive gas station and commercial use ....

For these reasons, the location of this site for the proposed gas station use is unsuitable.<sup>4</sup>

Regarding the proposed 9-foot buffer wall, the City Council in 2022 found that it would "help mitigate some noise and site issues, [but] it would still not alleviate every concern related to typical convenience store and gas station operations."<sup>5</sup> Overall, the Council found that "[d]ue to the negative impacts that the proposed use would

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<sup>3</sup> 2022 Decision, p. 5.

<sup>4</sup> 2022 Decision, pp. 10-11.

<sup>5</sup> 2022 Decision, p. 10.



have on the quality of the living environment, it is clear that the proposed gas station is unsuitable."<sup>6</sup>

With findings like these, one would expect the applicant in its second bite at the apple to redesign the project in an attempt to address these issues. But the applicant has done no such thing. While the staff report claims on page 4 that "[s]taff and the developer have worked to produce a good site development," we fail to see any results of that work. Instead, the applicant has just re-proposed the same project all over again with no effort to address the Council's concerns. Furthermore, the one thing that has changed (vehicle circulation through the site) will only make the incompatibility with surrounding properties *worse*, since under the current proposal all of the traffic through the site will necessarily have to leave the property via the exit onto Oregon Way, directly next to and across from residential properties.<sup>7</sup> Most of these vehicles will be making a left-hand turn onto Oregon Way (a local, residential street) in anticipation of turning left again onto Hwy. 214 to go back to I-5, and that turn may often be blocked by the northbound cars queueing at the intersection (see Kittelson letter, Figs. 1 and 2). Thus, the one change that the applicant does propose will exacerbate rather than mitigate impacts by sending even more traffic onto Oregon Way to the detriment of nearby residential areas.

Because the project will have all of the same impacts that the City Council found unacceptable in 2022, plus worse traffic impacts on Oregon Way, it does not satisfy WDO 5.03.01.B.3 and should be denied.

**2. The proposed site plan cannot reasonably accommodate the traffic that the project will generate, and the traffic flow restrictions are unlikely to be enforced.**

The applicant's site circulation proposal suffers from several flaws. First, the proposed 20-foot wide driveway on Hwy. 214 is inadequate to accommodate a smooth right hand turn for larger trucks entering the site. Fuel and other delivery trucks, which will visit the site several times per day, will have to first swing left into traffic before turning back right to make the turn into the site (see Kittelson letter, Figs. 1 and 2). And, if there is any significant queueing of fuel customers on the site, trucks will either be blocked from entry or will block traffic on Hwy. 214 while waiting for the queued vehicles to clear. Both of these situations create hazards for eastbound traffic on Hwy. 214.

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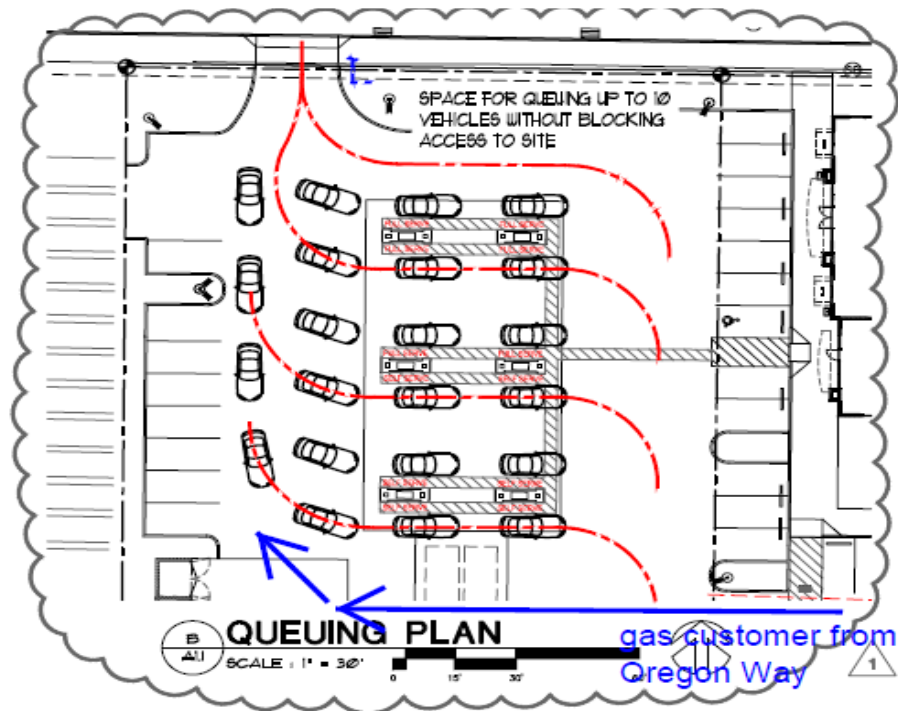
<sup>6</sup> 2022 Decision, p. 12.

<sup>7</sup> As discussed further below, this also potentially includes traffic that originates on the Dairy Queen/Dutch Bros. site to the west of the project site, given the condition of approval requiring cross access between that property and the applicant's property.



Second, the applicant proposes to limit use of the driveway on Hwy. 214 only to right turns into the site; outbound traffic back on to Hwy. 214 will be prohibited. The applicant proposes a few signs and some striping to notify drivers of this restriction, but otherwise provides no information on how this restriction will be enforced. Practically speaking, without physical barriers or strict enforcement by on-site personnel, the ban on right turns out of the driveway onto Hwy. 214 will regularly be violated, leading to the same dangerous conditions at the 214/Oregon Way intersection that were part of the basis for the City Council's denial of this project in 2022.

On the other hand, if the mandatory one-way travel through the site to Oregon Way is respected, this creates additional site circulation problems. Any cars entering from Oregon Way will need to turn right in front of the pump island exits to access the convenience store or drive west across the designated fuel delivery zone (which will regularly be blocked with a delivery truck) and try to enter the queues on the west side of the pump islands. If there are any cars in the queue at all, this will be very difficult. Imagine a local Woodburn resident who has entered the site from Oregon Way trying to get into the gas queue under these conditions, particularly if the gas fill is on the passenger side:<sup>8</sup>



<sup>8</sup> This is the applicant's own queuing plan – see February 5, 2024 Design Review Set, Sheet A.1.1. Note that this many cars would fit on the site only if they were all under 15 feet long (i.e., a Toyota Prius). Any trucks, trailers, RVs or larger cars in the queue would result in room for less vehicles.



Meanwhile, vehicles exiting the pump islands will need to maneuver through on-site traffic to the exit onto Oregon Way. As discussed above, almost all traffic exiting the site onto Oregon Way will be trying to turn left, creating significant conflicts with both southbound and northbound traffic on Oregon Way.

Third, proposed condition D4(b) through (d) requires the applicant to grant a cross-access easement to the neighboring Dairy Queen/Dutch Bros. property to the west. The staff report does not explain why this condition is imposed, or what approval criterion the condition is supposedly helping the applicant to meet. Nonetheless, if vehicle traffic from Dairy Queen/Dutch Bros. is allowed onto this site, it will combine with the one-way traffic through the site from Hwy. 214 and the cars that enter from Oregon Way to create one massive traffic outflow at the driveway onto Oregon Way. This is more traffic on Oregon Way than was evaluated for the 2022 proposal, and will make conflicts with through traffic, pedestrians and residential properties on Oregon Way worse. Given that the City Council already has found that the traffic on Oregon Way from the 2022 proposal was incompatible with the neighborhood, then surely the greater traffic from this proposal must also be incompatible.

To address the impacts at Oregon Way, the only condition of approval proposed by staff is condition CU8(d) requiring a median on Oregon Way to prevent right turns by trucks from the site. However, no median is shown on the site plan and it is unclear how one can install a median that affects only trucks and not cars and does not interfere with through southbound traffic on Oregon Way.<sup>9</sup> There is no evidence in the record that this condition will meaningfully mitigate traffic impacts.

Fourth, the site plan has numerous other deficiencies, as follows:

- Cars parked along the west side of the site will be unable to back out when there are any cars in the pump queue (see diagram above).
- Cars parked on TL 3600 south of the office building also will have a difficult time backing out given the heavy two-way traffic on the drive aisle leading to Oregon Way.
- The site plan and the queueing diagram fail to account for any cars larger than a Prius. The site plan does not designate the diesel pumps, which will attract larger vehicles and vehicles with trailers that will create longer queues more quickly. And there are no designated parking spaces for larger vehicles such as trucks or RVs. Given that this gas station is intended to attract

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<sup>9</sup> And if the median blocks all southbound turns out of the site onto Oregon Way, that means 100% of the vehicles and trucks visiting the site can only leave the site by a northbound left turn onto Oregon Way, creating significant conflicts with through traffic in both directions.



customers from I-5, it should expect a large portion of its clientele to be driving larger vehicles.

- The site plan makes no accommodation for non-fuel delivery trucks. These trucks can be up to 52 feet long and arrive multiple times per day. If a fuel delivery truck is on site at the same time then the designated loading zone over the fuel tanks will not be available, and there are no other parking spaces on site that could accommodate those trucks.
- Fuel delivery trucks, which can be up to 85 feet, will have no access to the fuel tanks if there are any cars in the queue. Deliveries can take 45-60 minutes and occur more than once per day, making the already challenging circulation around the site (particularly for cars entering from Oregon Way) even more difficult. Even if it is able to reach the tanks, a fuel truck is going to have to position itself and its safety cones in such a manner as to block any east-west traffic south of the pump islands. (See Kittelson letter, Figs. 3, 4 and 5.)
- Lighting of a gas station and convenience store is very different from the lighting for the banks that used to be on this property. Lights will be on (and noise will be generated) seven days per week, early in the morning and late at night, all to the detriment of neighboring residences.

The site plan is not well thought out and is a victim of the applicant's desire to crowd too much development onto this challenging site. The right-turn-in-only restriction at the Hwy. 214 is set up to fail, absent better enforcement mechanisms that neither staff nor the applicant have proposed. And even if vehicles respect this restriction, the site has other design deficiencies that will lead to hazards on Hwy. 214, problems with circulation through the site, and exacerbated traffic problems on Oregon Way.

**3. The staff report proposes legally inadequate findings that improperly defer determinations of compliance and fail to explain how compliance is feasible with the imposition of conditions.**

Attachment 102 to the staff report sets forth staff's proposed findings of compliance with the applicable approval criteria. When relying on a condition of approval to ensure compliance with a criterion, findings must find that compliance with the criterion is feasible, which means that "substantial evidence supports findings that solutions to certain problems ... are possible, likely and reasonably certain to succeed." *Meyer v. City of Portland*, 67 Or App 274 fn. 5 (1984), *rev den* 297 Or 82 (1984). Findings must be written "to establish the factual and legal basis for the particular conclusions drawn." *Thormalen v. City of Ashland*, 20 Or LUBA 218, 229 (1990). Once those findings are made, conditions may then be imposed to evaluate the details of how to achieve compliance and to select the precise solution. *Meyer* at 274.



In Attachment 102, staff on several instances makes conclusory findings without the required analysis, or in some cases makes no finding at all. For example, in response to WDO 3.05.02.J regarding on site directional markings, staff makes no finding that the criterion is or can be met. Instead staff defers, finding that "[b]ecause of the room for interpretation, *and that the applicant will later refine the site plan*, it is during building permit review that administratively establishing details, specifications, and revisions to administer the WDO section would be timely and fruitful."<sup>10</sup> And in other cases, staff finds that a criterion is not met but provides no analysis whatsoever that it is feasible to meet the criterion, instead just stating that a condition will be imposed to insure compliance. Findings that either defer a determination of compliance or provide no analysis as to how they can feasibly be satisfied with a condition are inadequate to support approval of a land use application.

Moreover, staff has conceded in the findings that the applicant will later need to revise the site plan (see above and fn. 10). This is also fatal to the application. It is not some later site plan that is under review but rather the site plan that the applicant has proposed. Staff's findings essentially concede that the site plan before the Planning Commission now is inadequate to meet all the approval criteria and must be revised later. The application must therefore be denied for failure to propose an approvable project.

The staff report is also deficient in its findings of conformance with applicable Comprehensive Plan policies because it lacks any analysis of the relevant policies or citation to any facts in evidence as to how those policies are met. Instead, staff merely lists the policies that it thinks are applicable and states that conditions are imposed "in support of" those policies, but then none of the conditions cross-reference any of the policies so there is no way to cross-check to see if appropriate conditions have in fact been recommended. Any analysis of how the proposal meets or does not meet those policies, or of the facts that support imposition of conditions to meet those policies, is completely absent and therefore meaningful review by the public or the Commission is impossible.

#### **4. Several proposed conditions improperly defer compliance determinations to a non-public forum.**

Staff also improperly employs conditions of approval that defer the determination of compliance to administrative staff. For example, see condition D4(h) which purports

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<sup>10</sup> Staff Report, Attachment 102, p. 17 (emphasis added). See also the findings at p. 19 (parking space and drive aisle dimensions), p. 21 (bicycle parking) and p. 22 (EV charging stations), where in each case staff similarly defers any determination of compliance to the building permit stage, in each case conceding again that the applicant will eventually revise the site plan.



to give the Director administrative authority to make unspecified changes to the project if needed to address an ODOT objection in the future. Similarly, condition D5(b) states that "[t]o conform to WDO 3.05.02J, during building permit review the Director may administratively establish details, specifications, and revisions to administer the WDO section." This gives the Commission and the public absolutely no insight into how unspecified "details, specifications and revisions" might possibly insure that WDO 3.05.02J is met. The Director's obligation is not even mandatory, as they only "may" establish standards.

Conditions of approval that shift discretionary decisions to administrative personnel expressly violate the requirements of *Meyer* and also the WDO. See WDO 4.01.06.A, which states that "[a]ll conditions of approval shall be clear and objective or if the condition requires discretion shall provide for a subsequent opportunity for a public hearing," and WDO 4.02.07 which requires that any request to subsequently modify a condition of approval must be considered pursuant to the procedures and standards that applied to the original application (i.e., notice and a public hearing). This process cannot be superseded by conditions of approval giving the Director plenary authority to revise the project without public input.

**5. The burden of proof has not been met for the requested street adjustments.**

WDO 5.02.04.A states that street adjustment reviews "provide discretionary flexibility for unusual situations ... they do not serve to except or exempt from or lessen or lower minimum standards for ROW improvements."<sup>11</sup> But an exemption from minimum standards is plainly what the applicant seeks. In the February 8, 2024 narrative for its street adjustment application, the applicant notes that the street frontages do not meet current WDO requirements and argues:

We question the need to reconstruct fairly new improvements that are more than functional for the site improvements and surrounding area, and the same basic effect of street landscaping will be accomplished by installation of the landscaping areas proposed in the site plan.

The applicant then explains that compliance with the WDO street frontage requirements would increase development costs by about "\$50,000 or more." Nothing in the applicant's analysis identifies an "unusual situation" requiring "discretionary

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<sup>11</sup> WDO 5.02.04.A lists certain exceptions to this policy, none of which apply here.



flexibility." The applicant simply wants an exemption to save money.<sup>12</sup> This is not the purpose of street adjustments and the request should be denied.

Furthermore, even if the applicant's request somehow meets the overall purpose of a street adjustment, it does not show compliance with the applicable approval criteria. WDO 5.02.04.C requires a weighing and balancing of eight criteria. The first criterion requires quantification of the expected use of street improvements by persons visiting the project site. The applicant makes no effort to quantify this, and instead strangely argues that compliance with the regular street standard would require narrowing of Hwy. 214 by 6 feet, a contention staff debunks in the staff report (see p. 48). In response to the second and fourth criteria requiring quantification of the improvements needed to serve the site, the applicant merely restates its cost savings argument, which staff also debunks. In response to the third criterion requiring quantification of the impact of the project on street improvements, the applicant's response is nonsensical, claiming that the project will not impact street improvements if left as they are but will have an increased impact if the improvements are brought up to code. This is non-sensical; the project will generate the same number of pedestrians, bicyclists and vehicles regardless of the condition of adjoining street frontages.

Despite the obvious shortcomings of the applicant's analysis, staff goes to great lengths to try to save the applicant. In response to the first through fourth criteria, staff creates a new argument on the applicant's behalf (staff report, p. 49). This argument is no more persuasive, however, since in essence staff argues that because the frontages are currently so uninviting, almost nobody uses them, and since almost nobody uses them, there is no reason to upgrade them. By this logic, a street full of potholes should never be fixed because the potholes keep traffic away.

The applicant fails to address the fifth through eighth criteria at all. The applicant has the burden of proof to show that all criteria are met, a burden the applicant clearly has not carried by ignoring half of the criteria. Nonetheless, starting on page 52 staff analyzes the fifth through eighth criteria that the applicant ignored, and expressly finds that:

- the fifth criterion precludes what the applicant wants to do, but for some reason staff still supports approval of the adjustment;

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<sup>12</sup> See also staff report, p. 52: "The developer's chief justification for the [street adjustment request] ... was convenience, saving money, and be of no profit to the gas station or commercial office enterprises [sic]."





- the sixth criterion is met solely because the applicant did not affirmatively assert that it was not met, which is both illogical and inconsistent with the applicant's burden of proof;
- the seventh criterion is inapplicable; and
- the eighth criterion can be met by imposing fees-in-lieu.

Lastly, staff notes on page 52 that "the Public Works Department is content with the [existing] frontages along the corridor" and has made a "*de facto* policy decision" to leave ODOT frontages alone, which is interesting but also irrelevant since it is the City Council and not the Public Works Department that establishes the City's policy for frontage requirements.

The effort of both the applicant and staff to justify the requested street adjustments is ludicrously inadequate. The applicant took on only half the criteria and relied on expressly prohibited arguments mainly focused on saving money. Staff then tried to save the applicant with unpersuasive and illogical arguments, and in doing so ignored its own express conclusion that at least one criterion is not met. The requested street adjustments must be denied.

Thank you for your consideration of these comments. Please enter this letter into the record of this matter.

Best regards,



David J. Petersen  
DJP/rkb  
Enclosure

cc (via e-mail):      Robert J. Barman  
                                 Garry L. LaPoint  
                                 Jason LaPoint  
                                 Wayne K. Kittelson  
                                 Julia Kuhn  
                                 Mick Harris



August 20, 2024

Project #: 27861.0

David Petersen  
Tonkon Torp LLP  
888 SW Fifth Avenue, Suite 1600  
Portland, OR 97204-2030

RE: Woodburn Conditional Use Application CU 24-02, DR 24-02, PP 24-01 &amp; SA 24-01 "US Market gas station"

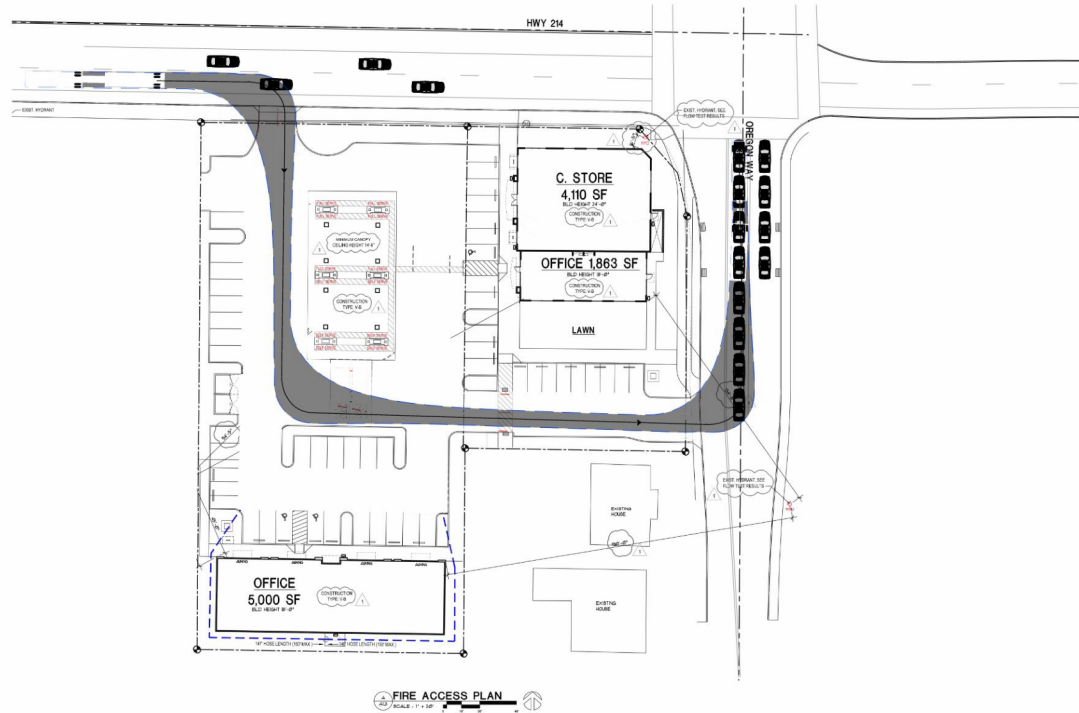
Dear David,

At the request of Woodburn Fast Serv Inc. and LB Group, LLC, we have reviewed the Transportation Impact Analysis (TIA) submitted in support of City Case File No. CU 24-02, DR 24-02, PP 24-01, and SA 24-01 "US Market gas station" and dated June 23, 2023. We found the analysis approach and findings to be reasonable and consistent with the applicable City policies and concur with the findings and recommendations of the study. We also agree with the conclusion that the proposed fueling center, convenience market and office will result in more vehicular trips on Oregon Way than was predicted in the previous 2022 application.

Additionally, we offer the following comments for your consideration with respect to the proposed site access design, site layout, and internal circulation:

- 1) The design of the site access drive on OR 214 will not prevent right-turn-out movements. Notwithstanding proposed signs and pavement markings to the contrary, drivers may use the proposed right-in only driveway on OR 214 to also egress the site and turn right onto OR 214. Based on the trip distribution included in the TIA, many of these drivers will want to make a U-turn at the OR 214/Oregon Way intersection to return to the freeway or other destinations to the west. This would result in a weaving maneuver on OR 214 that is made even more difficult under peak hour conditions by the long eastbound through and left-turning queues predicted in Figure 18 on page 35 of the TIA. The weaving maneuvers associated with the right-out movement were discussed in detail as part of the 2022 City Council hearing and also form the basis of ODOT's 2024 requirement to restrict access at this location to right-in movements only.
- 2) The northern-most fueling positions result in limited on-site queue storage space. The northern-most fueling positions are located in close proximity to OR 214 and as such one could reasonably expect that queued vehicles waiting to fuel will occasionally block inbound traffic at the right-in driveway. Such blockages will be problematic with respect to both the operating and safety characteristics of OR 214. The application states that staff will be available on-site to manage such situations when they occur, but it is important to note that these blockages will occur at random times and there will be very little time to resolve them before they begin to adversely affect traffic on OR 214. Therefore, any staff-managed approach to mitigating this issue should demonstrate that such staff are available and do not have other responsibilities that might interfere with a prompt response.
- 3) The location of the cross-easement may affect off-site operations and safety. The cross-easement provided to the property to the west is situated in close proximity to the right-in driveway on OR 214. When this easement is used by the adjacent property for ingress purposes, the increased vehicular demand at this location to serve both sites may impede inbound vehicles at the site driveway. Easy and efficient movements into and out of the cross-easement driveway could also be impeded by the northern-most fueling positions.
- 4) Parking stalls directly in front of and behind fueling positions will interfere with internal circulation. The parking maneuvers that must be made for parking stalls located directly in front of and also directly behind the fueling positions could cause interactions with the arrival, departure, and queuing movements of gas station customers.

- 5) Trucks making fuel and goods deliveries will cause safety and operational issues when entering and exiting the site. Figure 1 shows the swept path of a typical fuel truck approaching the site from the west on OR 214 as and then entering the site from the right lane. It is clear from this figure that the fuel truck is unable to enter without going beyond the curbline. A similar result will occur whenever other truck-trailer combinations deliver goods to the convenience store, which typically happens periodically throughout the day. Any vehicle queue that might be present at one or more of the fuel pumps during this time can also block the truck's pathway.



**Figure 1. Swept path of truck entering the site from the near lane on OR 214.**

Figure 1 also illustrates the swept path of a fuel truck exiting the site onto Oregon Way before returning to the west on OR 214. The 95<sup>th</sup> percentile queue lengths reported in the application's traffic study are also shown on Oregon Way so that the truck's swept path can be superimposed. It is clear from this Figure that the truck's exiting maneuver will be blocked or impeded until these queues dissipate.

Figure 2 illustrates how an arriving fuel truck and any other truck trailer combination of similar design would need to position itself to fit within the site's access drive. These trucks would need to be positioned slightly to the left of the left-most through lane on OR 214. Such positioning creates the potential for interactions with other eastbound through vehicles. Once again, any vehicle queue that might be present at one or more of the fuel pumps during this time will still block the truck's entering pathway.



**Figure 2. Truck positioning on OR 214 necessitated by the site driveway.**

Figure 3 provides scaled perspective of both a fuel truck and a delivery truck superimposed onto the applicant's queuing plan. The blue and red blocks are scaled representations of the footprint of delivery and fuel vehicles, respectively. The yellow block is a scaled representation of the protective safety zone that is always established around fuel trucks while the off-loading process is underway; examples of this are shown in Figures 4 and 5. The fuel delivery process typically takes 45 minutes to an hour to complete, and so the net result can be long-durations when truck movements are blocked by customers or vice versa.

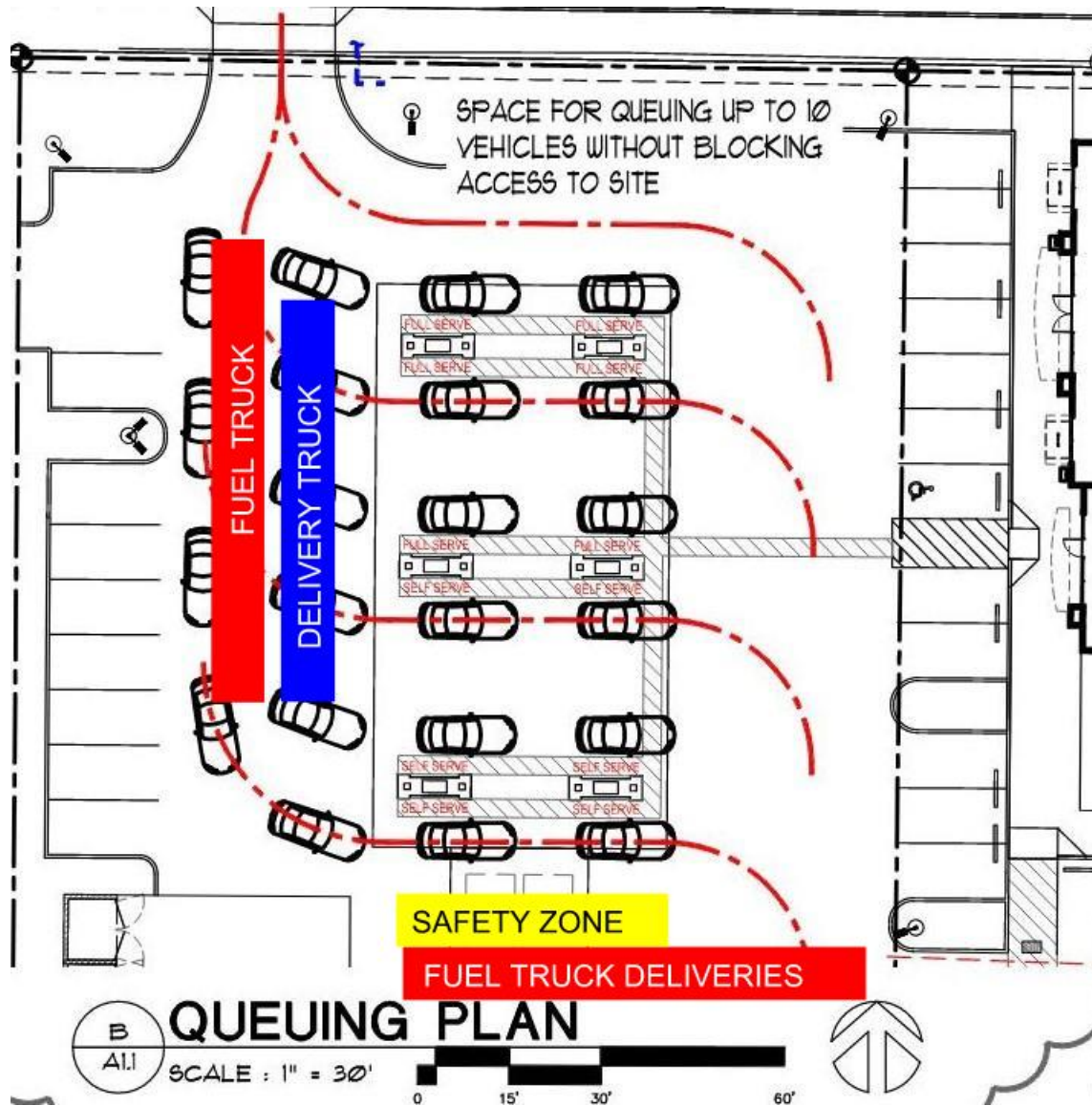


Figure 3. Truck footprints superimposed on application's Queuing Plan



Figure 4. Typical fuel truck offloading process.



Figure 5. Safety perimeter established around a fuel truck during the offloading process.

We hope these comments are useful, and please let me know if you have any additional questions.

Sincerely,

  
Wayne Kittelson  
Senior Principal Engineer

## CU 24-02: Analyses & Findings

This attachment to the staff report analyzes the application materials and finds through statements how the application materials relate to and meet applicable provisions such as criteria, requirements, and standards. They confirm that a given standard is met or if not met, they call attention to it, suggest a remedy, and have a corresponding recommended condition of approval. Symbols aid locating and understanding categories of findings:

<i>Symbol</i>	<i>Category</i>	<i>Indication</i>
✓	Requirement (or guideline) met	No action needed
✗	Requirement (or guideline) not met	Correction needed
⊖	Requirement (or guideline) not applicable	No action needed
▲	<ul style="list-style-type: none"> <li>Requirement (or guideline) met, but might become unmet because of condition applied to meet separate and related requirement that is not met</li> <li>Plan sheets and/or narrative inconsistent</li> <li>Other special circumstance benefitting from attention</li> </ul>	Revision needed for clear and consistent records
■	Deviation: Planned Unit Development, Zoning Adjustment, and/or Variance	Request to modify, adjust, or vary from a requirement

Section references are to the [Woodburn Development Ordinance \(WDO\)](#).

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## Project Name & Case File Numbers

The applicant submitted the project name US Market. The land use application master/parent case file number is Conditional Use CU 24-02, and the children/corollary case file numbers are Design Review 24-02, Phasing Plan PP 24-01, & Adjustment to Street Improvement Requirements ("Street Adjustment") SA 24-01.

The subject property is composed of two lots, and the developer of the proposed strip commercial development proposes no Property Line Adjustment (PLA) or lot consolidation.

The gas station development is:

1. On Tax Lot 3600 (east, corner lot), a convenience store of 4,110 square feet (sq ft), 6 pump islands with 12 pumps, a commercial office tenant space of 1,863 sq ft attached to the south side of the convenience store, and;
2. On Tax Lot 3700 (west, interior lot), as Phase 2 a southwest commercial office building of 5,000 sq ft.

## Location

<i>Address(es)</i>	2540 & 2600 Newberg Hwy (SW corner of Oregon Hwy 214 / Newberg Hwy & Oregon Way)
<i>Tax Lot(s)</i>	052W12DB03700 (primary) & 3600; respectively 0.95 & 0.47 acres, totaling 1.42 acres
<i>Nearest intersection</i>	Oregon Hwy 214 / Newberg Hwy & Oregon Way

## Land Use & Zoning

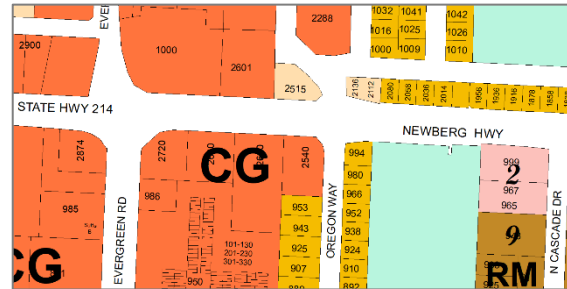
<i>Comprehensive Plan Land Use Designation</i>	Commercial
<i>Zoning District</i>	Commercial General (CG)
<i>Overlay District(s)</i>	none
<i>Existing Use(s)</i>	None following demolition of two vacant bank buildings no later than 2022



For context, the comprehensive plan land use map designations and zoning are illustrated below with excerpts from the City geographic information system (GIS) and the zoning is tabulated further below:



Comprehensive Plan land use map excerpt



Zoning map excerpt

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	Across OR Hwy 214: Commercial General (CG)
East	Across Oregon Way: Retirement Community Single Family Residential (R1S)
South	East to west: R1S (943 & 953 Oregon Way; houses) and CG (950 Evergreen Rd; Panor 360 condominiums)
West	CG (950 Evergreen Rd; Panor 360 condominiums; and 2620 Newberg Hwy; Dairy Queen)

## Statutory Dates

<i>Application Completeness</i>	July 3, 2024
<i>120-Day Final Decision Deadline</i>	October 31, 2024 per Oregon Revised Statutes (ORS) <a href="#">227.178</a> . (The nearest and prior regularly scheduled City Council date would be October 28, 2024.

# Design Review Provisions

## DR Provisions

### Volume 1 Organization and Structure

#### 1.04 Nonconforming Uses and Development

The developer already obtained demolition permits from the Building Division, and the site is cleared. Because the proposal is full redevelopment, nonconformance of private, on-site improvements is not an applicable concept and the development will conform to the WDO and conditions of approval. Regarding nonconforming public street improvements, staff further addresses this nonconformance under the Adjustment to Street Improvement Requirements ("Street Adjustment") section of this document.

⊖ Not applicable.

### Volume 2 Land Use Zoning and Specified Use Standards

#### 2.03 Commercial Zones

#### 2.05 Overlay Districts

#### 2.06 Accessory Structures

#### 2.07 Special Uses

#### 2.08 Specific Conditional Uses

Uses Allowed in Commercial Zones Table 2.03A		
Use		Zone
Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)		CG
<b>B</b>	<b>Commercial Retail and Services</b>	
2	Automotive maintenance and gasoline stations, including repair services	CU <sup>3</sup>
6	Business services	P
16	Office and office services and supplies	P
19	Printing, publishing, copying, bonding, finance, insurance, medical, data processing, social assistance, legal services, management, and corporate offices	P
20	Professional services	P
3. Allowed outright if not within 200 feet of residentially zoned properties		

A proposed use is a gasoline station, hereafter referred to as gas station. Because it is within 200 ft of residentially zoned property – 943 & 953 Oregon Way to the southeast that is zoned R1S, for the subject property the use and its convenience store remain a conditional use. Commercial office is a permitted use.

<b>Commercial General (CG) - Site Development Standards</b>			
<b>Table 2.03C</b>			
<b>Lot Area, Minimum (square feet)</b>		<b>No minimum</b>	
<b>Lot Width, Minimum (feet)</b>		<b>No minimum</b>	
<b>Lot Depth, Minimum (feet)</b>		<b>No minimum</b>	
<b>Street Frontage, Minimum (feet)</b>		<b>No minimum</b>	
<b>Front Setback and Setback Abutting a Street, Minimum (feet)</b>		<b>5 <sup>1</sup></b>	
<b>Side or Rear Setback, Minimum (feet)</b>	<b>Abutting RS, R1S, or RM zone</b>	<b>10 <sup>4</sup></b>	
	<b>Abutting CO, CG, DDC, NNC, P/SP, IP, SWIR, or IL zone</b>	<b>0 or 5 <sup>4, 5</sup></b>	
<b>Setback to a Private Access Easement, Minimum (feet)</b>		<b>1</b>	
<b>Lot Coverage, Maximum</b>		<b>Not specified <sup>2</sup></b>	
<b>Building Height, Maximum (feet)</b>	<b>Primary or accessory structure</b>	<b>Outside Gateway subarea</b>	<b>70</b>
		<b>Western Gateway subarea</b>	<b>50</b>
		<b>Eastern Gateway subarea</b>	<b>40</b>
	<b>Features not used for habitation</b>		<b>100</b>
<ol style="list-style-type: none"> <li><b>1. Measured from the Street Widening Setback (Section 3.03.02), if any</b></li> <li><b>2. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements.</b></li> <li><b>3. Only allowed in the Gateway Overlay District</b></li> <li><b>4. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use.</b></li> <li><b>5. A building may be constructed at the property line, or shall be set back at least five feet.</b></li> </ol>			

The site plans and elevations show that the proposed development conforms with the basic development standards that Table 2.03C contains.

## 2.05 Overlay Districts

### 2.05.02 Interchange Management Area Overlay District

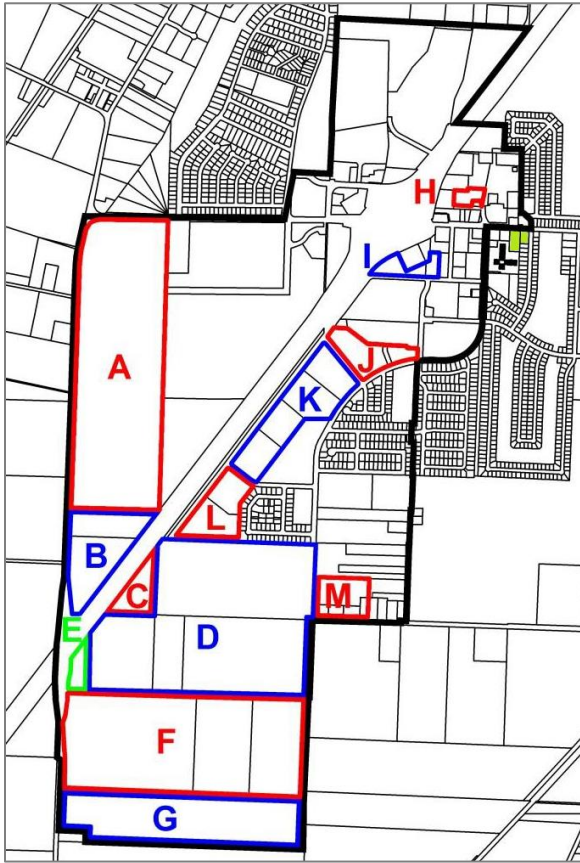


Figure 2.05B – Interchange Management Area Boundary and Subareas (with subject property at NE marked in green)

For those aware of the Interchange Management Area Overlay District (IMA), the above WDO figure marked to show the subject property confirms that the property lies just outside the IMA, that is, the property is *not* in the IMA. (Also, none of the other overlay districts are applicable.)

⊖ Not applicable.

## 2.06 Accessory Structures

### 2.06.02 Fences and Walls

Regarding the “Architectural Wall” as a buffer or screen wall per 3.06.05 to the standards of 3.06.06 and any fence or fencing the developer would build and install, a condition or conditions of approval would secure conformance, as well as a fence permit application type per 5.01.03 “Fence and Free Standing Wall”.

▲ In order to secure conformance to 2.06.02, staff applies a condition or conditions.

### **2.06.03 Structures**

Within the proposal, which is phased development, neither phase includes accessory structures such as sheds, making this WDO section not applicable; however, even if the fuel pump canopy were considered an accessory structure instead of a primary one, it remains proposed more than 5 ft away from a property line. (Other WDO sections address the proposed trash enclosure.)

– Not applicable.

### **2.07 Special Uses**

#### **2.07.08 Facilities During Construction**

This is not directly relevant to land use review. Contractor behavior is to conform during construction. No condition of approval is necessary to reiterate the requirement.

– Not applicable.

### **2.08 Specific Conditional Uses**

None relate to a gas station.

– Not applicable.

## **Volume 3 Development Guideline and Standards**

### **3.01 Streets**

Regarding public street improvements, staff further addresses this under the Adjustment to Street Improvement Requirements ("Street Adjustment") section of this document.

■ SA: Staff further addresses public street improvements further under the Street Adjustment Provisions section (under criterion 3, factor b).

### **3.02 Utilities and Easements**

#### **3.02.01 Public Utility Easements**

**A. The Director shall require dedication of specific easements for the construction and maintenance of municipal water, sewerage and storm drainage facilities located on private property.**

**B. Streetside:** A streetside public utility easement (PUE) shall be dedicated along each lot line abutting a public street at minimum width 5 feet. Partial exemption for townhouse corner lot: Where such lot is 18 to less than 20 feet wide, along the longer frontage, streetside PUE minimum width shall be 3 feet; or, where the lot is narrower than 18 feet, the longer side frontage is exempt from streetside PUE.

**C. Off-street:** The presumptive minimum width of an off-street PUE shall be 16 feet, and the Public Works Director in writing may establish a different width as a standard.

**E.** As a condition of approval for development, including property line adjustments, partitions, subdivisions, design reviews, Planned Unit Developments (PUDs), Street Adjustments, Zoning Adjustments, or Variances, the Director may require dedication of additional public easements, including off-street public utility easements and other easement types such as those that grant access termed any of bicycle/pedestrian access, cross access, ingress/egress, public access, or shared access, as well as those that identify, memorialize, and reserve future street corridors in place of ROW dedication.

**F. Streetside PUE maximum width:**

- 1. Purpose:** To prevent developers and franchise utilities from proposing wider than minimum streetside PUEs along tracts or small lots after land use final decision; to prevent particularly for a tract or lot abutting both a street and an alley; to encourage developers to communicate with franchise utilities and define streetside PUE widths during land use review and how to what is defined; to avoid overly constraining yards, and to avoid such PUEs precluding front roofed patios, porches, or stoops.
- 2. Standards:** Exempting any lot or tract subject to Figure 3.01B “Major Arterial”, the following standards are applicable to a lot or tract with:
  - a. No alley or shared rear lane:** 8 feet streetside.
  - b. Alley or shared rear lane:** Either 8 feet streetside and 5 feet along alley or shared rear lane, or, 5 feet streetside and 8 feet along alley or shared rear lane.

**Nothing in this section precludes a streetside PUE from variable width where necessary such as to expand around public fire hydrants.**

Regarding A, the Public Works Department handles this through its own conditions and processes. Additionally, one of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT).

Regarding B, because the site plan calls out a streetside PUE along Oregon Way but does not indicate its width, staff applies a condition or conditions. The highway is subject to a superseding standard requiring a 10-ft wide easement: Figure 3.01B “Major Arterial”, and the site plan calls out a streetside PUE and indicates a 10-foot width.

Regarding C, the Public Works Department implements this through its own permit processes, standards, and specifications, and Planning Division also staff apply a condition or conditions for WDO conformance and to deal with existing context of public utilities. Additionally, one of the two frontages is a state highway, which involves ODOT standards and permitting processes.

▲ In order to secure conformance with Figure 3.01B and 3.02.01B & F.2, staff applies a condition or conditions.

### 3.02.02 Creeks and Watercourse Maintenance Easements

There are no creeks or watercourses.

⊖ Not applicable.

### 3.02.03 Street Lighting

The Public Works Department handles this through its own permit processes, standards, and specifications. Additionally, one of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT).

▲ In order to secure conformance to 3.02.03, the Public Works Department might apply public works standards and specifications.

### 3.02.04 Underground Utilities

**B. Street: All permanent utility service within ROW resulting from development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist as the electric utility documents and the developer submits such documentation.**

1. **Developments along Boundary Streets shall remove existing electric power poles and lines and bury or underground lines where the following apply:**
  - a. **A frontage with electric power poles and lines is or totals minimum 250 feet; and**
  - b. **Burial or undergrounding would either decrease or not increase the number of electric power poles. The developer shall submit documentation from the electric utility.**

**Where the above are not applicable, a developer shall pay a fee in-lieu, excepting residential development that has 4 or fewer dwellings and involves no land division.**

2. **Fees in-lieu: Per Section 4.02.12.**

Because the application materials fail to show that the development would conform along the highway where electric power poles and overhead electric power lines existing, staff applies a condition or conditions. (Absent direction by the applicant otherwise, staff will proceed as if the developer intends to conform by paying the fee in-lieu and will assess it through the building permit.)

▲ In order to secure conformance to 3.02.04, staff applies a condition or conditions.

### **3.03 Setbacks and Open Space**

#### **3.03.02 Special Setbacks**

This is a street widening setback. Because the development proposes and/or is conditioned to conform regarding ROW widths, the Special Setback is not applicable.

⊖ Not applicable.

#### **3.03.03 Projections into the Setback Abutting a Street**

#### **3.03.04 Projections into the Side Setback**

#### **3.03.05 Projections into the Rear Setback**

Because the development is strip commercial with conventional setbacks that meet or exceed zoning minimums, there are no projections. Were that to change later, the developer would still have to demonstrate conformance and the development conform.

⊖ Not applicable.

#### **3.03.06 Vision Clearance Area**

The application materials indicate that the applicant is aware of and intending to conform regarding driveways and the building closest to the site NE corner, which is the SW corner of the highway and Oregon Way, because the NE building (the convenience store and attached NE commercial office) is notched at the NE to keep out of the vision clearance area (VCA) or sight triangle. The building isn't near any driveway. (Were a site plan to fall out of conformance upon building permit application, staff would prompt the developer to correct during permit reviews.)

✓ The requirement is met.

### **3.04.01 Applicability and Permit**

#### **A. Street Access**

Every lot shall have:

- 1. Direct access to an abutting public street, or**
- 2. Access to a public street by means of a public access easement and private maintenance agreement to the satisfaction of the Director, revocable only with the concurrence of the Director, and that is recorded. The easement shall contain text that pursuant to Woodburn Development Ordinance (WDO) 3.04.03B.3, the public shared access (ingress and egress) right of this easement is revocable only with the written concurrence of the Community Development Director.**



This standard plus the highway being a state highway affects access management. A main reason the developer proposes the highway driveway as one-way inbound is because of an Oregon Department of Transportation (ODOT) "Conditional Approval of Grant of Access", file code 30-24 and "CHAMPS" No. 093457 dated January 23, 2024, of which the applicant submitted a copy to the City among the February 8, 2024 application materials. It states, "Traffic movements for the private approach at the subject location shall only allow right turns off Hillsboro-Silverton Highway."

In any case, there would be full physical access to and from the highway via the Oregon Way driveway and Oregon Way itself, which intersects the highway to the north of that driveway; however, because the subject property is two lots that the applicant proposes neither to adjust nor consolidate, and motorists would have to cross Tax Lot 3600 (2540 Newberg Hwy) to get from the fuel pump canopy on Tax Lot 3700 (2600 Newberg Hwy) onto Oregon Way as a means to get to the highway, the developer needs to grant what is termed any of cross access, ingress/egress, or shared access across the two lots revocable only with the written concurrence of the Community Development Director in order to conform with 3.04.01A.2.

▲ In order to secure conformance with 3.04.01A.2, staff applies a cross access condition to the two lots composing the subject property.

### **3.04.02 Drive-Throughs**

The strip commercial development includes none.

⊖ Not applicable.

### **3.04.03 Driveway Guidelines and Standards ...**

#### **B. Number of Driveways**

- 3. For nonresidential uses, the number of driveways should be minimized based on overall site design, including consideration of:**
  - a. The function classification of abutting streets;**
  - b. The on-site access pattern, including parking and circulation, joint access, turnarounds and building orientation;**
  - c. The access needs of the use in terms of volume, intensity and duration characteristics of trip generation.**
- 5. For all development and uses, the number of driveways shall be further limited through access management per subsections C & D below.**

#### **C. Joint Access**

- 1. Lots that access a Major Arterial, Minor Arterial, Service Collector, or Access Street should be accessed via a shared driveway or instead to an alley or shared rear lane.**

2. **A partition, subdivision, or PUD should be configured so that lots abutting a Major Arterial, Minor Arterial, Service Collector, or Access Street have access to a local street, alley, or shared rear lane. Access to lots with multiple street frontages should be from the street with the lowest functional class.**
3. **Every joint driveway or access between separate lots shall be per the same means as in Section 3.04.01A.2.**
4. **Standards: ...**

One of the two frontages is a state highway, which involves the standards and permitting processes of the Oregon Department of Transportation (ODOT). The developer wants to narrow the highway driveway from 30 to 20 ft, which involves ODOT permitting and standards. That width is within WDO maximum for a one-way driveway (per Table 3.04A). The Oregon Way driveway width is 24 ft. Section 3.04.03 encourages and in part requires joint or shared driveways, and because of the analysis and findings for 3.04.01A related to street access, cross access causes the Oregon Way driveway to be required as a joint or shared one. Through the conditional use process staff applies conditions limiting driveway widths for both frontages.

▲ In order to secure conformance to conditional use criteria, staff applies a condition or conditions.

**D. Access management:**

2. **Commercial: Any development within a commercial zoning district that Section 2.03A lists shall grant shared access to adjacent lots and tracts partly or wholly within any of the same districts. An alley or shared rear lane may substitute for meeting this standard if the alley provides equivalent public access. Zoning Adjustment is permissible.**

<b>Access Requirements</b>		
<b>Table 3.04A</b>		
		<b>Commercial or Industrial Use</b>
<b>Paved Width of Driveway (feet)</b> <small>3, 4, 7, 8</small>	<b>1-way</b>	<b>10 minimum</b> <b>20 maximum</b>
	<b>2-way</b>	<b>Commercial/Mixed-Use:</b> <b>20 minimum</b> <b>24 maximum*</b> <b>*(Add 12 ft maximum if a turn pocket is added)</b>
		<b>Industrial:</b> <b>22 minimum</b> <b>36 maximum*</b> <b>*(Add 8' if a turn pocket is added)</b>
<b>Throat Length (feet) <sup>5</sup></b>	<b>Major Arterial, Minor Arterial, Service Collector</b>	<b>Commercial:</b> <b>36 minimum;</b> <b>Industrial:</b> <b>50 minimum</b>
	<b>Access or Local Street</b>	<b>18 minimum</b>

<b>Access Requirements</b>	
<b>Table 3.04A</b>	
<b>1.</b>	<b>The separation should be maximized.</b>
<b>2.</b>	<b>Driveways on abutting lots need not be separated from each other, and may be combined into a single shared driveway.</b>
<b>3.</b>	<b>Driveways over 40 feet long and serving one dwelling unit may have a paved surface minimum 8 feet wide.</b>
<b>4.</b>	<b>Notwithstanding the widths listed in this table, the minimum clearance around a fire hydrant shall be provided (See Figure 3.04D).</b>
<b>5.</b>	<b>Throat length is measured from the closest off-street parking or loading space to the right-of-way. A throat applies only at entrances (See Figure 3.05B).</b>
<b>6.</b>	<b>Maximum of 4 individual lots can be served from single shared driveway (See Figure 3.04A) except where and as Section 3.04.03D.3 “Flag Lots” supersedes.</b>
<b>7.</b>	<b>It is permissible that the Oregon Fire Code (OFC) as administered by the independent Woodburn Fire District may cause driveway widths to exceed minimums and maximums. It is a developer’s responsibility to comply with the OFC.</b>
<b>8.</b>	<b>Width measurement excludes throat side curbing, if any.</b>
<b>9.</b>	<b>Refer to OFC Appendix D, Figure D103.1.</b>

The site plan shows proposed driveways that conform.

✓ The requirement is met.

**3.04.05 Transportation Impact Analysis**

**B. A transportation study known as a transportation impact analysis (TIA) is required for any of the following:**

- 1. Comprehensive Plan Map Change or Zone Change or rezoning that is quasi-judicial, excepting upon annexation designation of zoning consistent with the Comprehensive Plan.**
- 2. A development would increase vehicle trip generation by 50 peak hour trips or more or 500 average daily trips (ADT) or more.**
- 3. A development would raise the volume-to-capacity (V/C) ratio of an intersection to 0.96 or more during the PM peak hour.**

4. Operational or safety concerns documented by the City or an agency with jurisdiction, such as ODOT or the County, and submitted no earlier than a pre-application conference and no later than as written testimony entered into the record before the City makes a land use decision.
5. A development involves or affects streets and intersections documented by ODOT as having a high crash rate, having a high injury rate of persons walking or cycling, having any cyclist and pedestrian deaths, or that partly or wholly pass through school zones that ODOT recognizes.
6. Where ODOT has jurisdiction and ORS or OAR, including OAR 734-051, compels the agency to require.

The applicant submitted a revised traffic impact analysis (TIA) dated June 23, 2023 on May 1, 2024 as well as a supplement dated and submitted July 23, 2024.

Page 36, "Findings and Recommendations" proposed no mitigation measures. Staff addresses the TIA further under the Conditional Use Provisions section of this document.

#### **3.04.03E. Interconnected Parking Facilities.**

1. All uses on a lot shall have common or interconnected off-street parking and circulation facilities.
2. Similar or compatible uses on abutting lots shall have interconnected access and parking facilities.

Because the proposal is a single, integrated site development for several primary uses – a gas station, composed of the fuel pump canopy and convenience store – plus NE attached commercial office and a (Phase 2) SW commercial office building, it would be like a commercial strip mall. The site plan shows continuous drive aisles and obvious shared parking across the two lots composing the subject property.

✓ The requirement is met.

#### **3.04.04 Improvement Standards**

The site plans illustrate pavement that conforms.

✓ The requirement is met.

### 3.05 Off-Street Parking and Loading

#### 3.05.02 General Provisions

Because the application materials fail to show that the development would conform fully to the requirements, staff applies a condition or conditions.

▲ In order to secure conformance with the above subsections of 3.05.02, staff applies a condition or conditions.

#### E. Setback

1. In commercial and industrial zones, the parking, loading, and circulation areas shall be set back from a street a minimum of five feet.
2. Parking, loading, and circulation areas shall be set back from a property line a minimum of five feet, excepting any of (a) interior lot lines of lots in a development that have the same owner or that have outbuildings as part of a complex of buildings sited amid parking, such as in an office or industrial park or strip mall, (b) a shared access and use agreement between or among landowners per Section 3.04, and (c) shared access in the specific context of residential development of other than multiple-family dwellings.

Subsection 2(a) is applicable and, because of conditioning for other WDO sections related to cross access and shared parking, 2(b) will be applicable.

✓ The requirement is met.

#### J. All uses required to provide 20 or more off-street parking spaces shall have directional markings or signs to control vehicle movement.

The phrase, “directional markings or signs to control vehicle movement” leaves room for interpretation about what kinds of markings or signs, number, size, placements, and symbols and text. A gas station involves a lot of queuing and conflicts among vehicles moving across the site. The site plan shows some detail, but in staff opinion not enough to direct gas station motorists to pump queues and distinguish queuing areas from drive aisles.

Also, because of how access management would work, motorists returning to I-5 would exit to Oregon Way to turn left/north to then turn left/west at OR 214.

With ODOT highway access management as describe earlier above for 3.04.01A, Planning Division staff intends that markings and signage direct motorists seeking I-5 to go to Oregon Way. Because of the room for interpretation, and that the applicant will later refine the site plan, it is during building permit review that administratively establishing details, specifications, and revisions to administer the WDO section would be timely and fruitful.

**3.05.03 Off-Street Parking**

**3.05.03 Off-Street Parking**

**A. Number of Required Off-Street Parking Spaces**

1. Off-street vehicle parking spaces shall be provided in amounts not less than those set forth in this Section (Table 3.05A).
2. Off-street vehicle parking spaces shall not exceed two times the amount required in this Section (Table 3.05A).

...

C. A maximum of 20 percent of the required vehicle parking spaces may be satisfied by compact vehicle parking spaces.

D. Off-street vehicle parking spaces and drive aisles shall not be smaller than specified in this Section (Table 3.05C).

**F. Garages ...**

2. For multi-family dwellings, one-half of the parking spaces required by this Section (Table 3.05A) shall be in a garage or garages, whether conventional or tandem, or, in a carport or carports.

**Table 3.05A**

<b>Off-Street Parking Ratio Standards</b> <b>Table 3.05A</b>	
<b>Use<sup>1</sup></b>	<b>Parking Ratio - spaces per activity unit or square feet of gross floor area</b>
<b>COMMERCIAL / PUBLIC</b>	
<b>6. Motor vehicle service</b>	<b>1/ 200 retail area + 3/ service bay + 1/ pump island</b>
<b>12. Offices (such as professional, scientific and technical services, finance and insurance, real estate, administrative and support services, social assistance, and public administration – but not including ambulatory health services)</b>	<b>1/ 350 square feet</b>
<b>1. The Director may authorize parking for any use not specifically listed in this table. The applicant shall submit an analysis that identifies the parking needs, and a description of how the proposed use is similar to other uses permitted in the zone. The Director may require additional information, as needed, to document the parking needs of the proposed use.</b>	

Minimum required off-street parking is:

<i>Land use</i>	<i>Ratio</i>	<i>Square Footage</i>	<i>Spaces</i>
Gas station	1 per 200 sq ft of retail area (4 per 1,000) + 1 per island	4,110	20.6
Commercial office	1 per 350 sq ft (2.86 per 1,000)	1,863 (NE)	5.3
		5,000 (SW)	14.3
All sitewide			40.2 → 40

Even without counting any space under the fuel pump canopy, the site plan proposes 50 spaces sitewide, exceeding the minimum requirement sitewide, but not so much it would exceed the maximum parking or parking cap per 3.05.03A.2 above. (Staff concurs with the applicant assumption that that the “1/ pump island” parking minimum has no practical effect on minimum parking, the area under any gas station fuel pump canopy being its own minimum parking.) There are 12 compact parking spaces. Because there are 10 excess parking spaces, a fraction of the compact parking could be considered part of minimum parking. Of 40, 20% is 8 compact spaces, and with 10 extra spaces sitewide, the site plan minimum parking of 40 can be interpreted to meet the compact parking maximum of 8.

However, while Tax Lot 3700 (2600 Newberg Hwy) would meet minimum parking for the fuel pumps and exceed that for the SW commercial office building, Tax Lot 3600 (2540 Newberg Hwy) would have 19 or 20 spaces, short of the minimum 26 parking stalls for the convenience store and attached NE commercial office space. This raises the issue of shared parking, which staff addresses further below under 3.05.05.

✓ The requirement is met.

**Table 3.05.05 Parking Space and Drive Aisle Dimensions**

The site plan appears to conform. The applicant opted for standard size stalls to be 19 ft long, 1 ft longer than the minimum length of 18 ft.



**Carpool/Vanpool Parking  
Table 3.05C**



Development or Use	Description	Stall Minimum Number or Percent
1. Non-residential development within commercial zoning districts	Zero to 19 total minimum required off-street parking spaces	n/a
	20 to 33 total	1 stall
	34 to 65 total	2 stalls
1. Standard applies even if the site is not zoned P/SP. 2. See Section 3.05.03H for carpool/vanpool (C/V) development standards.		

The site plan shows the minimum 2 C/V spaces at the east central front corner of the SW office building, as indicated by “CARPOOL”. Because there is no additional information about specifications such as for signage and striping per 3.05.03H, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with Table 3.05.03H, staff applies a condition or conditions.

**3.05.05 Shared Parking ...**

**D. Shared parking may be allowed if the following standards are met:**

- 1. Future changes of use, such as expansion of a building or establishment of hours of operation which conflict with, or affect, a shared parking agreement, shall require review and authorization of a subsequent Design Review or Modification of Conditions.**
- 2. Legal documentation, to the satisfaction of the Director, shall be submitted verifying shared parking between the separate developments. Shared parking agreements may include provisions covering maintenance, liability, hours of use, and cross-access easements.**
- 3. The approved legal documentation shall be recorded by the applicant at the Marion County Recorder’s Office and a copy of the recorded document shall be submitted to the Director, prior to issuance of a building or other land use permit.**


The subject property is two lots that the applicant proposes neither to adjust nor consolidate, with Tax Lot 3600 (2540 Newberg Hwy) having the convenience store and attached NE commercial office area and Tax Lot 3700 (2600 Newberg Hwy) having the fuel pump canopy and SW office building.

As mentioned earlier above regarding minimum parking, while Tax Lot 3700 (2600 Newberg Hwy) would meet minimum parking for the fuel pumps and exceed that for the SW commercial office building, Tax Lot 3600 (2540 Newberg Hwy) would have 19 or 20 spaces, short of the minimum 26 parking stalls for the convenience store and attached NE commercial office space.

For these reasons, shared parking is *de facto* proposed and a shared parking agreement becomes required.

The application materials lack a draft shared parking agreement. Staff applies a condition to secure conformance during building permit review.

▲ In order to secure conformance with 3.05.05D, staff applies a condition or conditions.

<b>Off-Street Bicycle Parking</b> <b>Table 3.05D</b>		
		
Development or Use	Description	Stall Minimum Number, Percent, or Ratio
<b>2. Non-residential development within commercial zoning districts</b>		<b>Whichever of the two rates is greater:</b> <b>(1) 2 stalls or 15% of total minimum required parking spaces, whichever is greater; or</b> <b>(2) 2 stalls or equal to 0.6/ 1,000 square feet GFA, whichever is greater.</b>
<b>3. The Director may authorize off-street bicycle parking for any use that the Development or Use column does not clearly include.</b>		
<b>4. See Section 3.05.06 for bicycle parking development standards.</b>		

Minimum bicycle parking is whichever of the two rates is greater:

- (1) 2 stalls or 15% of 25 parking spaces, whichever is greater; or
- (2) 2 stalls or equal to 0.6 x (4,394/1,000) square feet GFA of the convenience store, whichever is greater.

This is the same as:


- (1) 2 stalls or (40 x 0.15) → 6 stalls, whichever is greater; or
- (2) 2 stalls or equal to (0.6 x 6.863) = 4.1 stalls →, whichever is greater.

So, rate (2) is applicable, and of that, the second rate is applicable, yielding the minimum required bicycle parking of 6 stalls. The site plan shows 4 at the convenience store and 2 at the SW commercial office building.

Because the SW commercial office building of 5,000 sq ft per the site plan and elevations would have as many as 4-5 tenant spaces, staff believes more than 2 are necessary at that building and by conditional use requires a sitewide minimum of 8 with minimum 4 of these being at the SW office commercial building. For reasons why, see farther below under the Conditional Use Provisions section (Table CU-3, row CU2, third column).

The Table 3.05C minimum ratio is met, and conceptually the bicycle parking could conform with 3.05.06. Because there is no additional information about specifications, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with 3.05.06, staff applies a condition or conditions.

<b>Electric Vehicle Parking</b> <b>Table 3.05E</b>		
		
Development or Use	Description	Stall Minimum Number or Percent
<b>2. Non-residential development within commercial zoning districts</b>	<b>Zero to 19 total minimum required spaces</b>	<b>n/a</b>
	<b>20 to 39 total</b>	<b>2 stalls</b>
	<b>40 or more total</b>	<b>2 stalls or 5%, whichever is greater</b>
<b>2. The Director may authorize EV parking for any use that the Development or Use column does not clearly include.</b>		
<b>3. See Section 3.05.03I below for EV development standards.</b>		
<b>4. Administrative note: As of January 2022, electrical permitting remains through the County instead of the City by agreement between the City and County.</b>		

The site plan shows the minimum 2 EV spaces at the site northwest front of the SW commercial office building symbolized with “EV SPACE”, meeting Table 3.05E. (Regarding, “2 stalls or 5%, whichever is greater”, 5% of 40 minimum parking spaces equals 2.)

Because there is no additional information about specifications such as for charging level, signage, and striping per 3.05.03I, staff applies a condition to secure clarification and conformance during building permit review. Because the applicant will later refine the site plan, it is during building permit review that determining full conformance with the WDO specifications would be timely and fruitful.

▲ In order to secure conformance with 3.05.03I, staff applies a condition or conditions.

### **3.05.04 Off-Street Loading & Unloading**

The proposal conforms.

✓ The requirement is met.

### **3.06 Landscaping**

#### **3.06.03 Landscaping Standards**

##### **A. Street Trees**

Staff addresses this further under both the Conditional Use Provisions and the Adjustment to Street Right of Way and Improvement Requirements (“Street Adjustment”) Provisions sections of this document.

■ *CU & SA:* Staff further addresses street trees further under both the Conditional Use Provisions section (under criterion 3, factor b) and the Adjustment to Street Right of Way and Improvement Requirements (“Street Adjustment”) Provisions section.

#### **3.06.05 Screening**

##### **A. Screening between zones and uses shall comply with Table 3.06D.**

The row “Property being Developed – must provide screening if no comparable screening exists on abutting protected property” and “CG or MUV zone” that intersects with the columns “Adjacent properties – zone or use that receives the benefit of screening” and both “RS, R1S, or RSN zone” and “Multiple-family dwelling” necessitates an “Architectural Wall” (AW) along the lot lines abutting the lots with the two houses at 943 & 953 Oregon Way and the Panor 360 condominiums at 950 Evergreen Road.

▲ In order to secure conformance with Table 3.06D, staff applies a condition or conditions.

**B. All parking areas, except those for single-family and duplex dwellings, abutting a street shall provide a 42-inch vertical visual screen from the abutting street grade. Acceptable design techniques to provide the screening include plant materials, berms, architectural walls, and depressed grade for the parking area. All screening shall comply with the clear vision standards of this ordinance (Section 3.03.06).**

Because the landscape plan symbolizes some shrubbery or hedges that don't quite fully line parking and vehicular circulation areas so as to screen them, staff applies a condition or conditions.

▲ In order to secure conformance with the screening requirement, staff applies a condition or conditions.

### **3.06.06 Architectural Walls**

Because the application materials fail to show that the development would conform to the requirement, staff applies a condition or conditions.

▲ In order to secure conformance with AW standards, staff applies a condition or conditions.

### **3.06.07 Significant Tree Preservation & Removal**

See the Conditional Use Provisions section under criterion 3, factor c5) "aesthetics", for analysis.

Through conditional use process, staff applies a fee to mitigate the loss of Significant Trees and to increase the City tree fund. For the explanation why, see the paragraph farther below under the Conditional Use Provisions section (under criterion 3, factor c5).

▲ In order to secure Significant Tree removal mitigation, staff applies a condition or conditions.

## **3.07 Architectural Design**

### **3.07.06 Standards for Non-Residential Structures in Residential, Commercial and Public/Semi Public Zones**

Per 3.07.01A, the architectural provisions are standards for land use review Type I and guidelines for higher types. The application types composing the consolidated package result in Type III.

The site plans and building elevations show largely what the guidelines describe; however, without conditions applied through the conditional use process, guidelines would remain just that – optional for the developer and subject to “value engineering”.

▲ In order to secure adequate architecture in the context of strip commercial development, staff applies a condition or conditions.

### 3.08 Partitions and Subdivisions

None proposed.

– Not applicable.

### 3.10 Signs

Land use application types generally are not the means for the City to review or approve signage. Signage, including wall and monument signs, remain subject to review and approval through a Type I sign permit through 5.01.10 “Sign Permit”.

– Not applicable.

### 3.11 Lighting

The site plans through Sheet E1.1 “Lighting Plan” appears to conform with 3.11.02. Regarding color temperature / hue in particular per 3.11.02C, the application materials submitted May 1, 2024 included cut or spec sheets indicating that parking area pole lights would be the model of 4,000° Kelvin (K) color temperature, a conforming value. However, the color temperature is not specified for either the wall-mounted fixture model or the fuel pump canopy ceiling light fixture model nor, it is necessary to specify model purchase and installation of the 4,000° K and not the 5,000° K models. This may be through marked cut or spec sheets, plan sheet revisions, or both. Staff conditions accordingly.

▲ In order to secure conformance with 3.11.02C & F, staff applies a condition or conditions.

## Conditional Use Provisions

### CU Provisions

#### 5.03.01 Conditional Use

**A. Purpose:** A conditional use is an activity which is permitted in a zone but which, because of some characteristics, is not entirely compatible with other uses allowed in the zone, and cannot be permitted outright. A public hearing is held by the Planning Commission and conditions may be imposed to offset impacts and make the use as compatible as practical with surrounding uses. Conditions can also be imposed to make the use conform to the requirements of this Ordinance and with other applicable criteria and standards. Conditions that decrease the minimum standards of a development standard require variance approval.

**B. Criteria:**

1. The proposed use shall be permitted as a conditional use within the zoning district.
2. The proposed use shall comply with the development standards of the zoning district.
3. The proposed use shall be compatible with the surrounding properties.

Relevant factors to be considered in determining whether the proposed use is compatible include:

- a. The suitability of the size, shape, location and topography of the site for the proposed use;
- b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;
- c. The impact of the proposed use on the quality of the living environment:
  - 1) Noise;
  - 2) Illumination;
  - 3) Hours of operation;
  - 4) Air quality;
  - 5) Aesthetics; and
  - 6) Vehicular traffic.
- d. The conformance of the proposed use with applicable Comprehensive Plan policies; and
- e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.

#### *Scope of review*

The applicant duly consolidated the development applications per WDO 4.01.07 – master/parent case file number is Conditional Use CU 24-02, and the children/corollary case file numbers are Design Review 24-02, Phasing Plan PP 24-01, & Adjustment to Street Improvement Requirements ("Street Adjustment") SA 24-01. Under consolidated review, City policy is not to segment development review into discrete parts in a manner that could preclude comprehensive review of the entire development and "its cumulative impacts" (4.01.07). The proposed development includes a mix of uses, with the gas station being a conditional use

pursuant to the WDO and the convenience store being a permitted use. However, the mixed uses on the property are arguably tied together under a singular business model, each reliant on the other components and benefitting from their assembled presence on a singular site. It is reasonable to assume that individuals using the fueling islands will also use the convenience store, whether for paying for fuel, purchasing food and beverages, using the restroom, etc. The City is not required to identify a subarea of the property as the “gas station site” and consider impacts framed by a smaller area. The uses have a grouped impact that generally cannot be separated. In particular and as evident from the transportation impact analysis (TIA), the site development traffic effects result from the whole and all of the site uses. For that reason, it is reasonable for the City in evaluating the effects of the proposed gas station, convenience store, and office areas, to also assume and condition the reasonable convenience store impacts along with the other uses. Also, the City reviewed and considered the effects of the mixed uses on the development site on the surrounding properties to the full extent of the property lines as part of its evaluation.

#### *Criteria and factors*

Looking at each criterion and factor:

*1 “The proposed use shall be permitted as a conditional use within the zoning district.”*

The use of gas station is permitted as a conditional use as examined under the Design Review Provisions section of this document.

✓ The criterion is met.

*2 “The proposed use shall comply with the development standards of the zoning district.”*

It complies with some but not others as examined under other sections in this document, particularly the Design Review Provisions section.

▲ In order to secure full compliance, staff applies a condition or conditions.

*3 “The proposed use shall be compatible with the surrounding properties.*

Recommended conditions of approval make the proposed conditional use compatible with the surrounding properties.

*Relevant factors to be considered in determining whether the proposed use is compatible include:*

*a. The suitability of the size, shape, location and topography of the site for the proposed use;”*

CU 24-02 US Market Gas Station 2540 & 2600 Newberg Hwy Staff Report

Attachment 102

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The site is composed of two lots totaling 1.42 acres, zoned Commercial General (CG), L-shaped, located at a street corner, and flat. Nothing about these are compelling factors against a gas station.

*“b. The capacity of public water, sewerage, drainage, street and pedestrian facilities serving the proposed use;”*

Regarding the capacity of public water, sewerage, and drainage facilities, the Public Works Department Engineering Division handles this through its own conditions and processes. Public Works comments (Attachment 102A, August 13, 2024) identify no objections to development. The proposed use for any given facility is either sufficient or will be after the developer upgrades per the Public Works Department Engineering Division, except where and as Oregon Dept. of Transportation (ODOT) is applicable. Typically, ODOT accommodates developers drawing and constructing street improvements to City standards even along Oregon Highways 99E, 211, 214, & 219.

Regarding street and pedestrian facilities, the Planning Division is taking the lead. The developer applied for an Adjustment to Street Improvement Requirements ("Street Adjustment"), SA 24-01, for both the highway and Oregon Way. Both frontages are nonconforming relative to Figures 3.01B "Major Arterial" and 3.01E "Access Street". They lack both landscape strips with street trees per 3.06.03A and sidewalk that is not curb-tight. Development requires ROW dedication per 3.01.01A & Fig. 3.01B and street improvements per WDO 3.01.01B & D, 3.01.02A & E, 3.01.03A & C.1, Fig. 3.01A, 3.01.04B, and Fig. 3.01B.

Allowing the existing context to remain with strip commercial development would make the walking and cycling environment along highly-trafficked streets (for those cyclists who feel and are safer riding on sidewalk) no less hostile. Additionally, an SA is a discretionary application type. Second, staff applies conditions that secure improvements though less than WDO standards, and that are reasonably proportional to the development. For reasons why, see Table CU-3 below, row CU4, third column.

*“c. The impact of the proposed use on the quality of the` living environment:*

*1) Noise;”*

See Table CU-3, row CU8, third column below.

*“2) Illumination;”*

See Table CU-3, row CU7, third column below.

*“3) Hours of operation;”*

See Table CU-3, row CU8, third column below.

*“4) Air quality;”*

Staff addresses climate change simply to say, it’s a gas station with all the greenhouse gas and volatile organic compound (VOC) emissions that it would enable.

Putting aside climate change, what else is “air quality?” A gas station comes with fumes, particularly easy to get a whiff of near the pumps. However, once a gas station is in place, a city government can do little to change that fact. If this factor is important to someone, the question would be a simple yes or no to a gas station.

Otherwise regarding air quality, staff applies conditions for additional trees in the east and north yards and a wider sidewalk along Oregon Way as a public bicycle pedestrian path, serving as transportation demand management (TDM) by inducing adjacent and nearby residents to drive less often, especially to and from the proposed development and nearby destinations in the commercial area around the intersections of the highway with Country Club Road and Evergreen Roads and with Lawson Avenue, and with fewer driving trips comes better air quality. Also, regarding on-site trees, see factor 5) below.

*5) Aesthetics; and*

Staff interprets this to include:

- a. The look and feel of street frontage for passers-by walking, cycling, and driving;
- b. The look and feel of yard landscaping along streets for passers-by walking, cycling, and driving as well as on-site employees and customers;
- c. Urban design: how close buildings are to sidewalk, how many and how large are windows, are their entrances visible from sidewalk and whether the public can see main entrances to buildings from sidewalk, and whether placements of entrances orient to those who walk or cycle no worse than to those who drive and park;
- d. How safely and comfortably pedestrians and cyclist can access and circulation among on-site buildings through walkways and visibly distinct crossings of drive aisles, including decorative pavement that would connect the Oregon Way sidewalk with the NE commercial office area main entrance;
- e. Having enough on-site trash receptacles near sidewalk to lessen the likelihood of litter of yards along streets and street frontage by convenience store customers on foot;
- f. Avoiding excessive exterior lighting;
- g. Having adequate architecture in the context of strip commercial development;
- h. Having the Architectural Wall look adequate;
- i. Getting highway electric power poles and overhead electric power lines buried or fees in-lieu paid to fund such elsewhere in town;
- j. Having a few evergreen trees among newly planted trees; and
- k. Increase street trees and on-site trees in yards along streets, and provide for fee in-lieu to fund tree plantings elsewhere in town;

- l. Administering Street Adjustment SA 24-01 to have the developer improve Oregon Way to be the best of the two frontages for pedestrians and cyclists to give the City some public benefit for leaving the highway frontage as is or largely as is; and
- m. Mitigation of the unpleasant aspects of neighboring and patronizing a gas station and convenience store.

Significant Tree removal: Also, regarding on-site trees, for a condition and Attachment 203 (fee table) regarding contribution to the City tree fund, having a fee is based on conditional use compatibility with surrounding properties (criterion 3) and impact of the proposed use on the quality of the living environment (factor 3c) including air quality and aesthetics (factors 3c4 & 3c5). The reason is that a demolition contractor, while demolishing the two vacant banks, removed from the subject property at least two but likely three Significant Trees (as 1.02 defines) in May 2021 without City authorization, particularly a Significant Tree Removal Permit per 5.01.11. Staff had seen and photographed on-site trees during at least two site visits, one each on November 9, 2018 and April 26, 2019. The removal prompted neighbor complaints to the City Council at the May 24, 2021 meeting, and there was code enforcement. The Council on August 9, 2021 adopted Ordinance No. 2592 “establishing an enhanced penalty” for violations of WDO tree preservation and removal provisions.

Through conditional use process, staff applies a fee to mitigate the loss and to increase the City tree fund.

Staff applies conditions towards these objectives.

#### *6) Vehicular traffic.*

The proposal is strip commercial development of a gas station with convenience store and two commercial office spaces, one at the northeast attached to the south side of the convenience store, and at the southwest an office building.

The applicant recycled the traffic impact analysis (TIA) dated August 13, 2021 from CU 21-02 as a CU 24-02 submittal February 8, 2024. The applicant revised the TIA June 23, 2023 and submitted it May 1, 2024. The applicant submitted a five-page supplement dated and submitted July 23, 2024 clarifying how the applicant’s consultant applied the Institute of Transportation Engineers (ITE) *Trip General Manual* rates of vehicle trips that would pass by the site, i.e., “pass-by” trip rates. Staff had the transportation consultant to the City review the revised TIA and draft a memo (February 26, 2024).

TIA page 36, “Findings and Recommendations” proposed no mitigation measures.

Page 14 of the revised TIA identifies high vehicle turning and angle crash rate at most intersections in Table 4, reproduced below, and p. 12 of the revised TIA references crash history. The crash history states:

“The table also provides a crash rate per million entering vehicles, which is often used to assess whether a geometric or traffic control deficiency is present when the crash rate is greater than 1.0 per million entering vehicles.”

**Table 4. Intersection Crash Summary (January 2015 to December 2019)**  
*(Note that 2020 crash data is available but is impacted by COVID trends)*

Intersection	# of Crashes	Severity			Crash Rate per MEV	ODOT 90 <sup>th</sup> % Rate
		Fatal	Injury	Non-Injury		
1: I-5 SB Ramps/ Newberg Hwy	48	0	35	13	0.93	3SG: 0.509 Urban
2: I-5 NB Ramps/ Newberg Hwy	48	0	27	21	0.90	3SG: 0.509 Urban
3: Evergreen Rd/ Newberg Hwy	67	0	39	28	1.36	4SG: 0.860 Urban
4: RI Access/ Newberg Hwy	1	0	0	1	0.05	Right-In/ Right-Out
5: Oregon Way/ Newberg Hwy	43	0	30	13	1.08	4SG: 0.860 Urban
6: Oregon Way/ Access	0	0	0	0	0.00	3ST: 0.293 Urban

3SG: Three-legged signalized, 4SG: Four-legged signalized, 3ST: Three-legged stop-controlled

From p. 14

**Table 9. Trip Generation Estimates (ITE 11<sup>th</sup> Edition)**

Land Use	ITE Code	Metric	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
				Total	In	Out	Total	In	Out
<b>Existing Uses</b>									
Drive-in Bank	912	5,714 SF	573	57	33	24	120	60	60
Pass-by Trips			-201	-17	-10	-7	-42	-21	-21
<b>Net New Trips</b>			<b>372</b>	<b>40</b>	<b>23</b>	<b>17</b>	<b>78</b>	<b>39</b>	<b>39</b>
<b>Proposed Uses</b>									
Small Office Building	712	6,863 SF	99	11	9	2	15	5	10
Convenience Store/ Gas Station	945	4,110 SF 12 pos.	3,086	324	162	162	273	137	136
Pass-by Trips			-2,315	-246	-123	-123	-205	-103	-102
<b>Total Proposed Uses</b>			<b>3,185</b>	<b>335</b>	<b>171</b>	<b>164</b>	<b>288</b>	<b>142</b>	<b>146</b>
<b>Total Pass-by Trips</b>			<b>-2,315</b>	<b>-246</b>	<b>-123</b>	<b>-123</b>	<b>-205</b>	<b>-103</b>	<b>-102</b>
<b>Net New Trips</b>			<b>870</b>	<b>89</b>	<b>48</b>	<b>41</b>	<b>83</b>	<b>39</b>	<b>44</b>
<b>Total New Trips (Proposed Trips – Approved Bank Trips)</b>									
Total Trip Difference			+2,612	+278	+138	+140	+168	+82	+86
Pass-by Trip Difference			-2,114	-229	-113	-116	-163	-82	-81
<b>Net New Trip Difference</b>			<b>+498</b>	<b>+49</b>	<b>+25</b>	<b>+24</b>	<b>+5</b>	<b>+0</b>	<b>+5</b>

From p. 26

Modeling predicts that the proposed development would generate net 870 daily vehicle trips, more than the two banks, now demolished, did – a net 498 more per revised TIA Table 9 on p. 26, of which AM peak trips are total 89 or net 49 and PM peak trips are total 83 or net 5.

This would include greater numbers of left turns (from Oregon Way), suggesting that crash risk remains or rises. The p. 36, “Findings and Recommendations” section, third bullet, acknowledges, “The safety analysis identified high crash rates at the I-5 ramp intersections, Evergreen Road, and Oregon Way on OR 214.” The fourth bullet states:

“The Evergreen Road/OR 214 and Oregon Way/OR 214 intersections were included on the ODOT SPIS[\*] lists in 2019, 2020, and 2021 at a 95th percentile. The signal phasing was recently changed at these signals from protected-permissive to protected only left-turn phasing, which is not reflected in the crash data. As most crashes at these intersections were turning collisions on the highway, this is expected to reduce the number of crashes reported at these intersections and further monitoring is recommended.”

\*Safety Priority Index System.

However, it’s not known if crash risks are actually lower, and with Table 4 indicating that this intersection of those studied has the highest crash rate and that the intersection of the highway and Country Club Road / Oregon Way has the second highest, staff finds the revised TIA unconvincing about crash safety and errs on the side of caution.

#### *Country Club Road / Oregon Way*

For this second-highest crash rate intersection, staff applies Condition T-A1 as a mitigation measure to fund the Transportation System Plan (TSP) Project R11, a signal timing study from TSP p. 32, and to supplement with addition funding both to examine improving safety and to account for inflation after the City Council adopted the TSP in September 2019, using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) to adjust \$15,000 from then to July 2024, the latest month the calculator made available as of August 14, 2024. Staff applies Condition T-A1a.

#### *I-5 Interchange*

The City conditioned the approval of the DR 21-07 Amazon warehouse, formerly known as “Project Basie”, at 450 Butteville Road through Condition 10 to provide a proportionate share contribution of \$10,000 towards TSP Projects R8 & R9, signal/intersection studies estimated at \$15,000 each and totaling \$30,000, to address the elevated crash rate along the highway at the I-5 northbound on and off-ramps, the third-highest crash rate per TIA Table 4 above.

Page 22, Table 7 of the revised TIA lists developments including Amazon and cites its trip generation as 457 trips during the AM Peak hours and 176 during the PM peak hour; however the DR 21-7 revised TIA dated July 6, 2021 totals 599 AM peak hour trips per p. 33 Fig. 13 and 224 PM peak hour trips per p. 35 Fig. 14.

The subject CU 24-02 US Market as examined earlier above would generate 89 AM peak trips compared with 83 PM peak hour trips. Both Amazon and the gas station have higher trips during the AM peak than the PM one. The gas station 89 trips equals 14.9% of the 599 of Amazon. Because of Amazon having given \$10,000, 14.9% of that would be \$1,490 towards the total remaining \$20,000 needed for the estimated total cost of \$30,000 of both TSP Projects R8 & R9. Staff adjusts from September 2021, the date of the DR 21-07 Planning Commission staff report, to July 2024, the latest month the aforementioned calculator made available, and this yields \$1,709 rounded. Staff applies Condition T-A1b.

#### *Evergreen Road*

The City for DR 2019-05 Allison Way Apartments at 398 Stacy Allison Way through Condition T-A3 required a proportionate share contribution of \$15,000 toward a signal/intersection study related to TSP Project R10 to alleviate the crash condition for the 67 additional PM peak hour trips added to the intersection. (The Public Works Department has not reported that there has been study. For the gas station first attempt, CU 21-02, the dollar amount of this share would have been \$15,000.)

CU 24-02 US Market would add 61 trips to that intersection, almost that of the apartments, and as Table 4 above shows, the intersection has a high crash rate. The proportionate share calculation is 61 gas station trips compared to 67 apartment trips,  $61 / 67 = 91.0\%$ , which when applied to \$15,000 yields \$13,657. Because the base amount dates from May 2020, the date of the DR 2019-05 Planning Commission staff report, staff adjusts the \$13,657 for inflation to be in July 2024 dollars, the latest month the aforementioned calculator made available. This yields \$16,755 rounded. Staff applies Condition T-A1c.

#### *Bus transit*

To further transportation demand management (TDM) through bus transit, regarding the Woodburn Transportation System (WTS) Oregon Way northbound stop that is adjacent to 966 & 980 Oregon Way, where because ROW and streetside PUE are too narrow relative to the street to accommodate installation staff applies a condition for fees in lieu of a bus shelter and bus stop bicycle parking. The cost is based on the City Transit Development Plan (TDP; Resolution No. 2213 on June 12, 2023). (The TDP follows the Transit Plan Update, also known as the Transit Update Plan, adopted via Resolution No. 1980 on November 8, 2010.) TDP Fig. 68 from p. 94, footnote 6, estimated \$15,000 for a bus stop improved with a shelter.

Staff adjusts from June 2023 to July 2024, the latest month the aforementioned calculator made available. Staff had determined the cost of bus stop bicycle parking was \$510.20 through ANX 2019-01 Woodburn Eastside Apartments (known Woodburn Place Apartments), and staff adjusts from October 2020 to July 2024. Staff applies Condition T-T.

*“d. The conformance of the proposed use with applicable Comprehensive Plan policies; and”*  
 Staff applies conditions in support of [Comprehensive Plan](#) Policies:

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
Residential Land Development and Housing:		
D-1.9	15	<p>“Industrial and commercial uses that locate adjacent to a residential area should buffer their use by screening, design, and sufficient setback that their location will not adversely affect the residential area.”</p> <p>The site is abouts two houses in Woodburn Senior Estates to the southeast and a three-story condominium building, Panor 360, to the southwest. East across Oregon Way are three more houses in the Estates.</p> <p>Conditions address the policy and thereby address CU criterion 3, factor d. The conditions also address factors among c1)-5) &amp; e, the ones addressing:</p> <ul style="list-style-type: none"> <li>• Front yard landscaping that has more trees and shrubs</li> <li>• Architectural Wall (AW) along the southeast and southwest property lines abutting the properties with the two houses and the condominium building</li> <li>• Lights on number and placements of exterior light fixtures</li> <li>• Gas station operations – including regarding noise; hours of operation of the convenience store and vacuums; trash; and fuel pump vehicle queuing</li> <li>• Lighting regarding electronic changing imagery within front yard signage.</li> </ul>
Commercial Land Development and Employment:		
F-1.2	24	<p>“Lands for high traffic generating uses (shopping centers, malls, restaurants, etc.) should be located on well improved arterials. The uses should provide the necessary traffic control devices needed to ameliorate their impact on the arterial streets.”</p>

Policy	Page	Policy & Analysis
		<p>A gas station is a high traffic generating use, and its proposed site is at the corner of a state highway and a street, the developer being conditioned to upgrade the street frontage. A T transportation condition secures transportation mitigation fees as examined under CU factor 6) about vehicular traffic and as different means of meeting the intent of the Comprehensive Plan policy than changing the traffic signal at the highway intersection with Oregon Way.</p>
F-1.3	24	<p>“Strip zoning should be discouraged as a most unproductive form of commercial land development. Strip zoning is characterized by the use of small parcels of less than one acre, with lot depths of less than 150 feet and parcels containing multiple driveway access points. Whenever possible, the City should encourage or require commercial developments which are designed to allow pedestrians to shop without relying on the private automobile to go from shop to shop. Therefore, acreage site lots should be encouraged to develop "mall type" developments that allow a one stop and shop opportunity. Commercial developments or commercial development patterns that require the use of the private automobile shall be discouraged.”</p> <p>The two lots total 1.42 acres with highway and Oregon Way frontages of 265 and 178 ft respectively.</p> <p>Conditions implement access management to not increase the number of driveways within the development and across successive developments along the major thoroughfares that are the spines of the CG zoning district.</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses.</p>
F-1.4	24	<p>“Architectural design of commercial areas should be attractive with a spacious feeling and enough landscaping to reduce the visual impact of large expanses of asphalt parking areas. Nodal and mixed use village commercial areas should be neighborhood and pedestrian oriented, with parking to the rear or side of commercial buildings, and with pedestrian connections to neighboring residential areas.”</p>



<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>Conditions make a dent in large expanses of asphalt parking areas through more trees in yards along streets and hedge or shrubbery screening parking areas from streets. Conditions require minimum window area on street-facing walls for attractiveness, and wide walkways connecting sidewalks with all building main entrances on the site. An objective is to make a gas station development less ugly than it might otherwise be.</p>
F-1.6	25	<p>“Commercial office and other low traffic generating commercial retail uses can be located on collectors or in close proximity to residential areas if care in architecture and site planning is exercised. The City should ensure by proper regulations that any commercial uses located close to residential areas have the proper architectural and landscaping buffer zones.”</p> <p>The WDO and conditions secure care in architecture and site planning for the commercial development close to residential area to the southeast and southwest through a combination of wall, slatted fencing, vegetation, and height limits on light poles and wall-mounted lights.</p>
Transportation:		
H-1.1	33	<p>“Develop an expanded intracity bus transit system that provides added service and route coverage to improve the mobility and accessibility of the transportation disadvantaged and to attract traditional auto users to use the system.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p> <p>Conditions also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
H-1.3	34	<p>“Develop a low stress network of bicycle lanes and routes that link major activity centers such as residential neighborhoods, schools, parks, commercial areas and employment centers. Identify off-street facilities in City greenway and park areas. Ensure all new or improved collector and arterial streets are constructed with bicycle lanes.”</p> <p>Conditions induce cycling by requiring rain canopies at building entrances, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, and wide sidewalk along Oregon Way, the less trafficked and noisy street. The wide sidewalk is minimum 8 ft, enough to serve as a bicycle/pedestrian path (or “multi-use path”) for most cyclists who feel safer riding outside a roadway when possible.</p>
H-1.4	34	<p>“Develop a comprehensive network of sidewalks and off-street pathways. Identify key connections to improve pedestrian mobility within neighborhoods and link residential areas to schools, parks, places of employment and commercial areas. Ensure all new collector and arterial streets are constructed with sidewalks.”</p> <p>Conditions induce walking and cycling by requiring rain canopies at building entrances, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The wide sidewalk is minimum 8 ft, enough to serve as a bicycle/pedestrian path (or “multi-use path”) for most cyclists who feel safer riding outside a roadway when possible.</p>
H-2.3	34	<p>“Encourage multi-modal transportation options, including park-and-ride facilities, carpooling, and use of transit services.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
H-2.5	34	<p>“Provide inter-parcel circulation through crossover easements, frontage or backage roads, or shared parking lots where feasible.”</p> <p>DR conditions secure access management based on WDO 3.04.03 and Table 3.04A.</p>
H-3.1	35	<p>“Continue coordination with ODOT to improve safety on state facilities within the City and citywide access management strategies.”</p> <p>CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p>
H-3.2	35	<p>“Implement strategies to address pedestrian and bicycle safety issues, specifically for travel to and from local schools, commercial areas, and major activity centers.”</p> <p>Conditions induce walking and cycling by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses.</p> <p>CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
H-4.1	35	<p>“Evaluate the feasibility of various funding mechanisms, including new and innovative sources.”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		CU transportation conditions secure transportation mitigation fees relating to study of highway signal timing and intersection crash reduction. They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.
H-5.1	35	<p>“Implement, where appropriate, a range of potential Transportation Demand Management (TDM) strategies that can be used to improve the efficiency of the transportation system by shifting single-occupant vehicle trips to other models [<i>sic</i>] and reducing automobile reliance at times of peak traffic volumes.”</p> <p>Conditions induce walking and cycling, which could make a dent in some vehicular traffic at least for the convenience store and commercial office area, by requiring rain canopies at building entrances, minimum window area on street-facing walls, bicycle parking and some covering/sheltering of it, wide walkways connecting sidewalks with all building main entrances on the site, trees in yards along streets, and landscape strip with street trees and wide sidewalk along Oregon Way, the less trafficked and noisy street and the one closest to and serving the nearest houses. The easier walking and cycling are, the more likely they become the means of “last mile” travel for those who ride the bus.</p> <p>They also secure fees in lieu of a bus shelter and bus stop bicycle parking relating to the Oregon Way northbound stop.</p> <p>The development site NE corner is approximately 1,000 ft walking distance southeast from the Woodburn Memorial Transit Center / Woodburn Park and Ride at 2900 Tom Tennant Drive.</p>
Natural ... Resources:		
J-1.1	40	<p>“... Outside of designated floodplains and riparian corridors, developers should be required to leave standing trees in developments where feasible.”</p> <p>See the Conditional Use Provisions section under criterion 3, factor c5) “aesthetics”, for analysis relating to Significant Tree removal mitigation. A condition secures contribution to the City tree fund.</p>
Energy Conservation:		
M-1.2	49	<p>“The City shall increase its commitment to energy conservation, including alternative energy vehicles, increased recycling, and reduction in out-of-direction travel. ... .”</p>

<i>Policy</i>	<i>Page</i>	<i>Policy &amp; Analysis</i>
		<p>CU conditions induce walking and cycling by requiring a wide landscape strip and wide sidewalk and trees in the yards abutting the highway and the street. A wider, shadier sidewalk along Oregon Way induces more walking and cycling trips and by reducing vehicle trips lowers risk of collisions.</p> <p>Conditions limit number of exterior light fixtures.</p>

*“e. The suitability of proposed conditions of approval to ensure compatibility of the proposed use with other uses in the vicinity.”*

The City Engineer through Attachment 102A did not identify any deficiencies of or threats to public infrastructure in regards to factor b. of the third CU criterion – subsection B.3b – and the proposal sketches street improvements, construction level details to be determined in conformance with the conditions of approval and in concert with the Oregon Dept. of Transportation (ODOT).

Staff applies conditions regarding chiefly a few main topics to ensure compatibility of the development:

- a. WDO conformance;
- b. Mitigation of the unpleasant aspects of neighboring and patronizing a gas station and convenience store, through CU conditions;
- c. Traffic mitigation through a transportation condition – a “T” condition; and
- d. Aesthetics as examined above for 3c5), both (1) on-site and (2) through Street Adjustment SA 24-01 regarding Oregon Way frontage, especially landscape strip and sidewalk.

<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
CU1	3c, 3c5), 3e	<ul style="list-style-type: none"> <li>• To have the Oregon Way front yard, the yard closest to nearby houses, look more attractive from the street.</li> <li>• To delineate the route from Oregon Way to the northeast commercial office main entrance.</li> <li>• To have the northeast commercial office area south side lawn feel more park-like for tenants and customers.</li> </ul>

Table CU-3		
CU Condition	CU Criteria/Factors	Reasons
CU2	3b, 3c, 3c4), 3c6)	<ul style="list-style-type: none"> <li>• Because the SW commercial office building of 5,000 sq ft per the site plan and elevations would have as many as 4-5 tenant spaces, staff believes more than 2 are necessary at that building and by conditional use requires a sitewide minimum of 8 with minimum 4 of these being at the SW office commercial building.</li> <li>• One stall per tenant space seems more reasonable</li> <li>• If bicycle parking is adequate, tenants and customers are more likely to make use of it, contributing to traffic reduction and better air quality.</li> </ul>
CU3	3c, 3c5)	<ul style="list-style-type: none"> <li>• To ensure that landscape areas are just that and mostly green, not mostly bark dust.</li> <li>• To reduce the urban heat island effect.</li> <li>• To screen at-grade electrical transformers and other equipment.</li> <li>• To provide for variety of trees, specifically to have a few evergreens that can grow large for habitat and for visual wayfinding.</li> </ul>
CU4	3a, 3c, 3c5), 3e	<ul style="list-style-type: none"> <li>• The proposal is whole redevelopment of a demolished site.</li> <li>• There is room within the proposed site plan to omit the northernmost parking space for deeper highway front yard landscaping.</li> <li>• Regarding the highway frontage, invite the Oregon Dept. of Transportation (ODOT) and the City Public Works Dept. Engineering Division, one or both of which would have <i>de facto</i> jurisdiction over the streetside public utility easement (PUE) of 10-foot width per WDO Fig. 3.01B "Major Arterial", to agree to the planting of trees within the streetside PUE, allowing the applicant to keep the depth of proposed south site perimeter landscaping as is.</li> <li>• Have trees in the Oregon Way front yard complementing the street trees, making the frontage more pedestrian-friendly.</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• To have the northeast commercial office area south side lawn feel more park-like for tenants and customers by providing along the lawn a tiny plaza in which a bench that is both proposed and required bench can be sited.</li> <li>• To provide ample, paved, and covered outdoor common area for the southwest commercial office building tenants in the rear south yard large enough to fit a table and chairs away from door swing.</li> </ul>
CU5	3c, 3c5)	<ul style="list-style-type: none"> <li>• To establish clear standards for the required Architectural Wall (AW).</li> <li>• To require that the AW be 9 ft, the maximum height per WDO 2.06.02 and what the Planning Commission ordered for CU 21-02, to provide a better buffer/screen from Panor 360, the three-story condominium building at 950 Evergreen Road.</li> <li>• Staff allows a portion of an AW to consist of cedar wood to allow the developer to shave some construction cost. This is in keeping with precedent established for the AW at 1750 Park Avenue and recently the Commission approval of CU 24-01 for the US Market gas station at 2115 Molalla Road. The use of cedar wood is not precluded by WDO 3.06.06B.</li> <li>• An AW is practical and makes the development compatible with the adjacent two houses and the Panor 360 condominium building, thereby meeting a part of the CU purpose statement in 5.03.01A.</li> </ul>
CU6	3c, 3c5)	<ul style="list-style-type: none"> <li>• To prevent “value engineering” or similar: the developer omitting improvements that neither the WDO requires nor are conditioned, but the City expected per the land use review site plan, including minimum percentage % window areas on building elevations and a single small window in the angled northeast elevation of the convenience store, as well as some masonry cladding at the base along much of the front and the sides of the convenience store, and sheltering from the elements at building main entrance and employee side doors.</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>To require some WDO 3.07.06B architectural provisions that are “should’s” for Type III land use reviews into “shall’s”.</li> <li>Regarding the fuel pump canopy, acknowledging that federal highway clearances range from 14-16 feet, with the lower end more common along state highways, a canopy with 16 ft of clearance is practical and safe even for box trucks and recreation vehicles (RVs).</li> </ul>
CU7	3a, 3c, 3c2), 3c5), 3e	<ul style="list-style-type: none"> <li>Same as the WDO 3.11.01A purpose statement.</li> <li>At gas stations generally, fuel pumps come with fixed canopies with high ceilings and many ceiling lights, sometimes with neon-like exterior trim.</li> <li>The development would be next to two houses and a three-story condominium building.</li> <li>Whatever one’s feelings and perceptions of safety from crime, gas stations and convenience store fronts are brightly lit. Lighting by itself doesn’t prevent assault or theft.</li> <li>To avoid lighting annoyances to neighbors as well as to passers-by on the sidewalks.</li> </ul>
CU8	3c, 3c1), 3c5), 3e	<ul style="list-style-type: none"> <li>To preclude audible advertising from pump speakers – in other words, those loud obnoxious video ads that play while refueling at some gas stations – reaching apartment patios and balconies and through windows.</li> <li>To prevent obnoxious intrusion of advertising, especially sudden and loud – into every aspect and moment of life.</li> <li>To allow reasonable hours for use of vacuums and reasonable placement of tire pumps and vacuums away from residences. No particular Planning Division permit is required for such equipment, so a condition of approval is the only regulatory way to address their noise outside of the Ordinance No. 2312 (April 8, 2002). (Staff goes easy on any tire pump that might appear because motorists expect a gas station any time of day or night to have a pump available and working when their car tires suddenly need air.)</li> </ul>



<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• Because convenience stores can at times, especially at night, attract customers or would-be customers who are homeless, as well as wayward juveniles, and because the noise associated with interacting with such persons can reasonably be expected to cause nuisance to residential neighbors, it is reasonable to require closure of the convenience store for much of the night for hours similar to that of other convenience stores not open 24/7, for example, the US Market at 1030 Broadway NE, Salem, OR and the recently approved CU 24-01 US Market at 2115 Molalla Road conditioned with the same hours as CU 24-02, it being surrounded by residential development. The Woodburn gas stations that have stores open 24/, though clustered at the west side of town at I-5, are surrounded by commercial properties. The proposed convenience store might not have been open 24/7 anyway.</li> <li>• Limiting the convenience store hours is especially justified because the development would abut two houses and a three-story condominium building.</li> <li>• For customers of the convenience store not getting gas, especially those coming and going on foot or by bicycle, to provide a trash can to lessen temptation to litter at or in the right-of-way.</li> <li>• Regarding the part of a condition about vehicle queuing, to provide for orderly arrival of vehicles at the pump and to provide for organized queuing when needed to lessen motorist frustration and honking.</li> <li>• The conditioned hours of operation, trash receptacle, and prohibitions of audible audio visual advertising and electronic changing imagery other than fuel prices within signage are practical and make the development compatible with the adjacent residences, thereby meeting a part of the CU purpose statement in 5.03.01A.</li> </ul>
CU9	3c, 3c2), 3c5), 3e	<ul style="list-style-type: none"> <li>• To prevent obnoxious intrusion of advertising, especially sudden and loud – into every aspect and moment of life, including at the gas pumps.</li> </ul>

<i>Table CU-3</i>		
<i>CU Condition</i>	<i>CU Criteria/Factors</i>	<i>Reasons</i>
		<ul style="list-style-type: none"> <li>• The presence of front yard permanent signage that is permissible per WDO 3.10 that would brand the gas station and have fuel prices is enough to catch the attention of would-be customers, and electronic changing imagery within the sign face that is on 24/7 is unnecessary to identify the development or attract customers.</li> <li>• Electronic changing image advertising is of no need during convenience store closure.</li> <li>• Regarding lighting, the same as the WDO 3.11.01A purpose statement and the same intent as Ordinance No. 2338 (June 9, 2003), Sect. 5A (as amended by Ordinance No. 2522 September 22, 2014).</li> <li>• An unnecessary distraction to highway and Oregon Way motorists is precluded, particularly helpful during the evening and at night.</li> </ul>

▲ In order to secure the development meeting criteria 2 & 3, staff conditions.

## **Adjustment to Street Improvement Requirements ("Street Adjustment") Provisions**

### **SA Provisions**

#### **5.02.04 Adjustment to Street Improvement Requirements ("Street Adjustment")**

**A. Purpose:** The purpose of a Type II Street Adjustment is to allow deviation from the street standards required by Section 3.01 for the functional classification of streets identified in the Woodburn Transportation System Plan. The Street Adjustment review process provides a mechanism by which the regulations in the WDO may be adjusted if the proposed development continues to meet the intended purposes of Section 3.01. Street Adjustment reviews provide discretionary flexibility for unusual situations. They also allow for alternative ways to meet the purposes of Section 3.01. They do not serve to except or exempt from or to lessen or lower minimum standards for ROW improvements, with exceptions of subsections B & H. A Street Adjustment is for providing customized public improvements that substitutes for what standards require, while a Variance is for excepting or exempting from, lessening, or lowering standards, with exceptions of subsections B & H. A Street Adjustment for a development reviewed as a Type I or II application shall be considered as a Type II application, while development reviewed as a Type III application shall be considered a Type III application.

**B. Applicability:** Per the Purpose subsection above about improvements, and regarding ROW Street Adjustment may be used to narrow minimum width. Regarding alleys or off-street bicycle/pedestrian corridor or facility standards, see instead Zoning Adjustment.

**C. Criteria:**

1. The estimated extent, on a quantitative basis, to which the rights-of-way and improvements will be used by persons served by the building or development, and whether the use is for safety or convenience;
2. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;
3. The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights-of-way and improvements will be a part;
4. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to mitigate the estimated impact on the public infrastructure system.
5. The application is not based primarily on convenience for a developer or reducing civil engineering or public improvements construction costs to a developer.
6. The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.
7. Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.

**8. A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such.**

**D. Minimum Standards:** To ensure a safe and functional street with capacity to meet current demands and to ensure safety for vehicles, bicyclists and pedestrians, as well as other forms of non-vehicular traffic, the minimum standards for rights-of-way and improvements for Boundary and Connecting Streets per Sections 3.01.03C & D continue to apply. Exempting from or lessening or lowering those standards shall require a Variance. Deviation from applicable public works construction code specifications would be separate from the WDO through process that the Public Works Department might establish.

**E. Factors:** Street Adjustment applications, where and if approved, shall have conditions that customize improvements and secure accommodations for persons walking and cycling, not only driving, that meet the purposes of Section 3.01. The City may through approval with conditions require wider additional ROW dedication along the part or the whole of an extent of the subject frontage to accommodate either adjusted improvements or improvements that vary from standards.

**F. Bicycle/pedestrian facility:** If and where a Street Adjustment application requests to substitute or omit one or more required bicycle facilities, such as bicycle lanes, and the City approves the application, then the following should apply: For each substitute or omitted facility, the developer would construct a minimum width 8 feet bicycle/pedestrian facility on the same side of street centerline as the substituted or omitted facility. The City may condition wider.

**G. Landscape strip:** If and where a Street Adjustment application requests to adjust one or more required landscape strips from between curb and sidewalk, and the City approves the application, then the list below should apply. This subsection is not applicable to bridge / culvert crossing.

- 1. Sidewalk:** Construction of sidewalk minimum width 8 feet on the same side of street centerline as the adjusted landscape strip. The City may condition wider.
- 2. Planting corridor:** For each landscape strip that is relocated, delineation and establishment of a street tree planting corridor along the back of sidewalk in such a way as to allow newly planted trees to not conflict with any required streetside PUE to the extent that the Public Works Department Engineering Division in writing defines what constitutes a conflict. To give enough room for root growth, the corridor minimum width would be either 6 feet where along open yard or 7 ft where it would be flush with a building foundation. This would include installation of root barriers between the trees and street centerline to public works construction code specification.
- 3. ROW:** Where necessary to meet the above standards, dedication of additional ROW even if the additional is more than the minimum additional dedication that Section 3.01 requires.
- 4. Planting in ROW required:** Street trees would not be planted in the yard outside ROW.

**H. If the applicable Boundary Street minimums are the lesser minimums for residential development of 4 or fewer dwellings and where no land division is applicable, as Section 3.01.03C.2 allows, then allowed adjustment is: ...**

**I. Plan review:** An applicant shall submit among other administratively required application materials scaled drawings, including plan and cross section views, of proposed street improvement widths, extents, and details as well as existing conditions and proposed development site plans that include

property and easement lines and physical features some distance beyond the boundaries of the subject property for fuller context.

What would have been the standard cross sections are below:

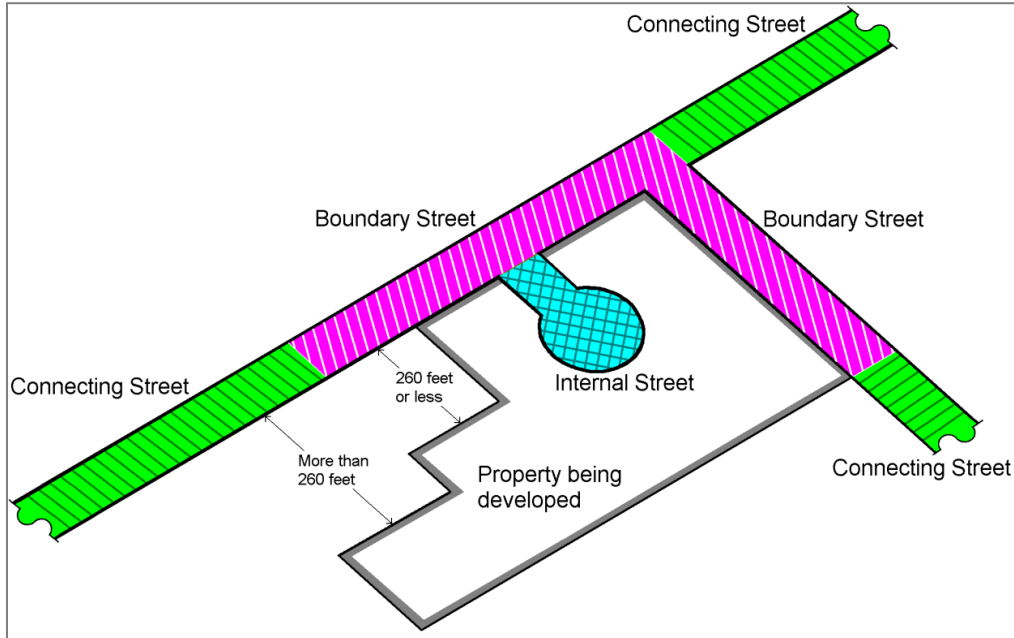


Figure 3.01A – Internal, Boundary, and Connecting Streets

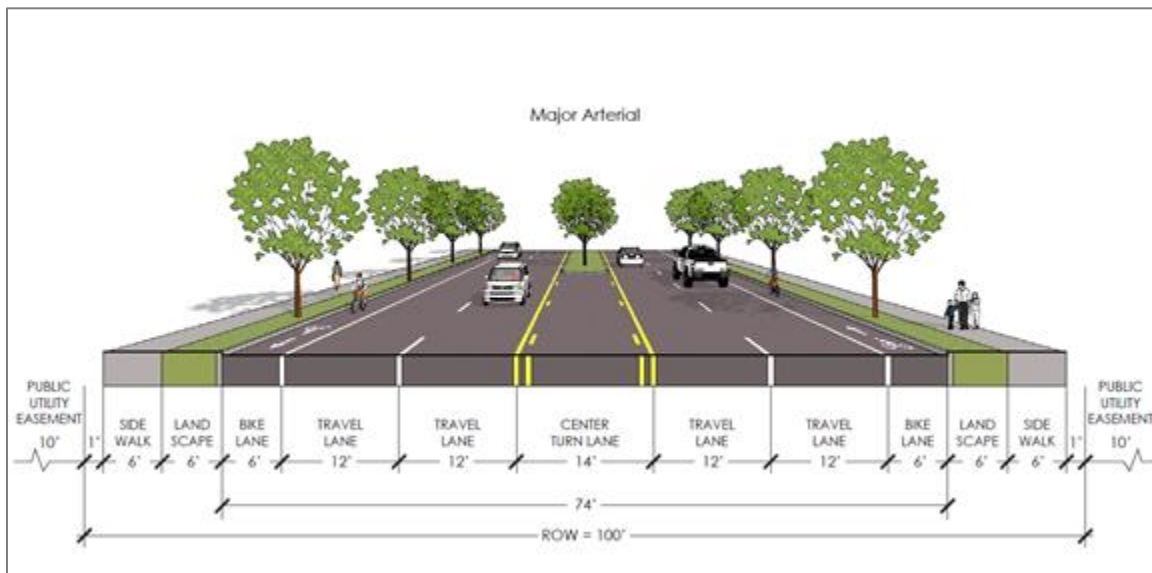


Figure 3.01B – Major Arterial (Oregon Hwy 214 / Newberg Hwy)

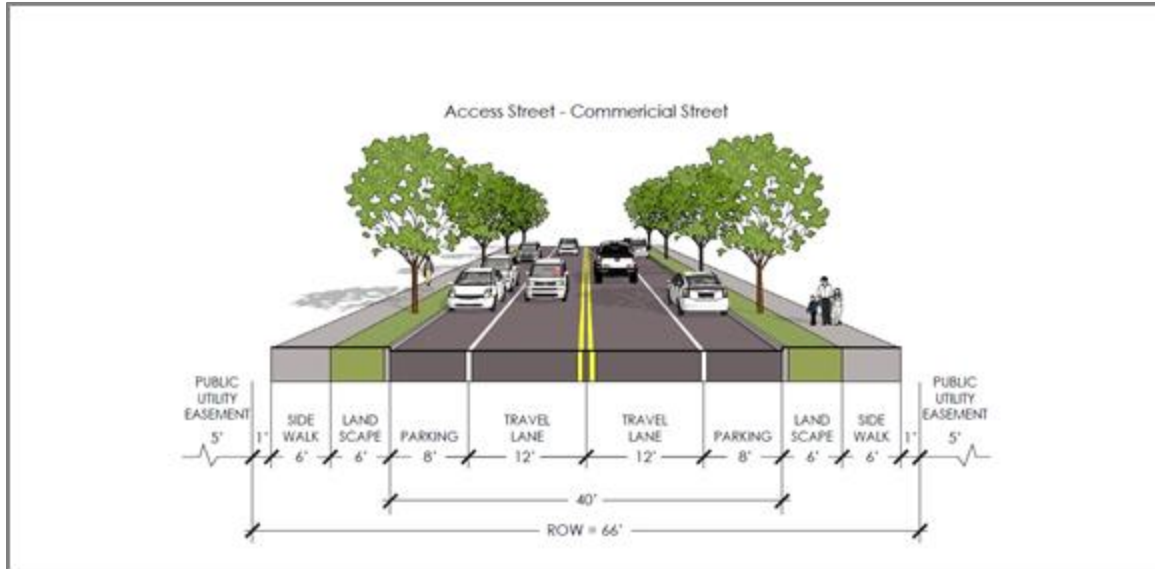


Figure 3.01E – Access Street (Oregon Way)

The application materials include a Street Adjustment narrative (“Exception to Street Right of Way Narrative”) dated February 5, 2024 and submitted February 8, 2024.

Regarding criterion 1, the applicant’s narrative (p. 2) states:

“The existing frontages on Hwy 214 and Oregon Way meet the WDO standards with the exception of the landscape strip and sidewalk being reversed. On Hwy 214 conforming strictly to the WDO standards would actually narrow the road by 6’ to add a landscape strip adjacent to the roadway, see A1.1. Changing this would not affect ‘the extent to which the right of way and improvements will be used by persons served by the building or development.’”

Though staff disagrees about the narrowing – of course a developer would dedicate right-of-way to fit in a landscape strip and sidewalk, not remove the right travel lane – staff otherwise concurs about no effect on the extent to which the right of way and improvements will be used by persons served by the development in the sense that there are at present and will remain the same number of vehicular lanes along both frontages, highway bicycle lane, and sidewalks. The proposed land uses of gas station and convenience store are for convenience and not safety.

*Paragraph 1*

Relative to Figure 3.01B, highway non-conformance is limited to lack of planter strip and street trees. Conventional traffic engineering does not address effects of development on walking and cycling as it does for vehicular trips, there is no widely recognized norm for how to address such, and the WDO provides no guidance on the topic. Second, the north frontage context is strip commercial along a heavily trafficked state highway, the kind of dangerous and noisy environment that repels pedestrian and cyclists. Those who do walk and cycle are likely those who are living nearby, the homeless, those without access to car, and those few who wish to brave existing conditions. The presence of a sidewalk is sufficient for sheer practicality for those who wish to walk along a highway or cycle outside of the bicycle lane because they don't feel safe in a highway bicycle lane. In this context, the number of pedestrians and off-street cyclists is moot. Pedestrians and cautious cyclists can and do use the wide sidewalk today, and the pedestrians and cautious cyclists the development might attract would use the same wide sidewalk.

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

*Paragraph 2*

Relative to Figure 3.01E, Oregon Way non-conformance is limited to lack of parking lane, planter strip, and street trees. Staff applies conditions that excepts only the parking lane but also requires fee in lieu of such parking. Additionally, the conditions require wider planter strip and wider sidewalk exceeding the minimums of Figure 3.01E. Like conventional development and zoning codes, the WDO requires off-street parking for almost all developments, including the subject development, so the absence of on-street parking is not of concern from this perspective. Second, pedestrians and cautious cyclists can and do use the narrow curb-tight sidewalk today, and the pedestrians and cautious cyclists the development might attract would use the new wider sidewalk. A wide sidewalk encourages walking and cycling, particularly for cyclists afraid to ride on-street. Third, Figure 3.01E does not account for the presence of a left turn lane at intersections, and such exists because of ODOT, and given that ODOT and the Public Works Department assume its continued existence, Public Works assumes that the developer would adapt required Oregon Way half-street improvements to fit along the turn lane, and that ODOT typically asks that there be no on-street parking within a certain distance of state highway intersections, usually 50 ft, it is reasonable in this case to allow for fee in lieu of what little on-street parking a civil engineer could fit.

Staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, the criterion 1 is met.

Regarding criterion 2, the applicant's narrative (p. 2) states:

"As stated above there is no change to the extent of use from existing conditions to WDO standards, thus no improvements are needed to meet the estimated use, beyond those shown on the submitted plans. According to our engineer of record;

I would estimate that the quantitative impact to remove and replaced existing infrastructure to the current standard would be on the order of \$150/lf over the approximately 425 feet of frontage is around \$65,000 not including engineering, permitting and survey work which may add another \$25,000 when dealing with ODOT. The addition of a parking lane on Oregon Way would require ROW dedication, additional paving, adjustment of utilities, etc... to potentially gain 1 or 2 parking spaces since we have a driveway on the south end and you can't park too close to the intersection. The additional cost for that might be \$50,000 or more."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 2 is met.

Regarding criterion 3, the applicant's narrative (p. 3) states:

"The extent to which the building or development will impact the public infrastructure would be unaffected by maintaining the existing conditions vs an increased impact the change to strict conformance to the WDO requirements would create."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 3 is met.



Regarding criterion 4, the applicant's narrative (p. 3) states:

"Changing to conform strictly to the WDO requirements, rather than letting the existing conditions that meet the intent of the code remain, is what would create an impact on the public infrastructure system that is unnecessary. According to our engineer of record;

I would estimate that the quantitative impact to remove and replaced existing infrastructure to the current standard would be on the order of \$150/lf over the approximately 425 feet of frontage is around \$65,000 not including engineering, permitting and survey work which may add another \$25,000 when dealing with ODOT. The addition of a parking lane on Oregon Way would require ROW dedication, additional paving, adjustment of utilities, etc... to potentially gain 1 or 2 parking spaces since we have a driveway on the south end and you can't park too close to the intersection. The additional cost for that might be \$50,000 or more.

The changes needed to meet the requirements of WDO would cost approximately \$140,000 and would create a discontinuity to the frontage along the affected areas. Furthermore the existing conditions provide both a sidewalk and landscape strip in of a size required by the code if not in the exact locations intended."

Staff has no interest in the developer's estimated civil engineering improvements cost, and cost concern goes against criterion 5.

Here, the same as criterion 1 analysis "Paragraph 1" and "Paragraph 2".

Staff conditions fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and staff conditions fee in lieu of Oregon Way on-street parking.

With conditioning, criterion 4 is met.

The applicant's narrative fails to cite and address the remaining criteria, criteria 5-8:

"5. The application is not.

6. The application is not based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages.

7. Narrowing of ROW minimum width, if proposed, is not to a degree more than necessary to meet other criteria. In no case shall ROW total fewer than 35 feet, whether or not the total is allocated across centerline or to its side, except that this base requirement would not apply if subsection H below applies.

8. A Street Adjustment would provide a customized cross section alternative to the standard or standards and that meets the relevant purposes of Section 3.01, or the City reasonably can condition approval to achieve such."

Regarding criterion 5, the developer's comments cited earlier above clearly show intent to base the SA application based primarily on convenience for the developer or reducing civil engineering or public improvements construction costs to the developer. The criterion precludes this.

Regarding criterion 6, at least the developer did not assert that the application is based primarily on the existence of adjacent or nearby nonconforming Boundary Street frontages, which allows staff to find the criterion met.

Criterion 7 is not applicable because the developer did not propose to narrow any required right-of-way (ROW) dedication.

Criterion 8 is met with conditioning of fees in lieu of highway street trees per WDO 3.06.03A, the landscape strip landscaping that 3.01.04B would have required, and new sidewalk along a landscape strip, and conditioning of fee in lieu of Oregon Way on-street parking.

About Street Adjustments in general, Planning staff adds that the Public Works Department is content with frontages along the corridor, and defers to ODOT for developments where ODOT has jurisdiction. By 2015, ODOT improved the I-5 interchange and as part of that project widened OR 214 east of the interchange to a little east of Oregon Way. As expected, the agency constructed to its own economized standards, which resulted in curb-tight sidewalk, though wide at about 8 ft, no street trees, and no burial of the south side overhead electric power lines. Also, until late 2017 and early 2018, staff approved any Street Exception (as the application type was then termed) that a developer requested, and Planning staff experience in these years was that the Public Works Department prefers curb-tight sidewalk and existing conditions anyway generally beyond curbs as long as there were minimum improvements to driving area between curbs and subsurface/underground potable water, sanitary sewer, and stormwater utilities. In more recent years, Planning staff took the lead in at least imposing conditions on Street Exception and Street Adjustment approvals to get a degree of improvements and/or fees in-lieu. Regarding the highway, Planning staff years ago recognized the *de facto* policy decision by other departments to leave the ODOT-improved segment as is and not have individual redevelopments upgrade their frontages to have landscape strips, new sidewalk that conforms, and buried power lines redevelopment by redevelopment.

The developer's chief justification for the SA, which for CU 21-02 originally (that which the City Council denied in 2022) had proposed no upgrades of nonconforming street frontages, was convenience, saving money, and be of no profit to the gas station or commercial office enterprises. For any development, if and where the City grants Street Adjustments, it implicitly assumes the taxpayer cost of upgrading frontages itself through capital improvement projects. This guided Planning staff applying the SA criteria and conditioning.

Through both conditional use and Street Adjustment, Planning staff applies conditions that grant SA approval for both frontages, but also to give the City some public benefit for leaving the highway as is or mostly as is and for Oregon way not having required on-street parking; require the developer to make the Oregon Way frontage the best for pedestrians through wide landscape strip with street trees, wide sidewalk, and setting maximums for Oregon Way driveway width; and securing fees in-lieu.

#### *Fees in-Lieu*

For Condition SA1 and Attachment 202 (fee table) regarding fee in lieu of upgrading highway sidewalk to conform with Fig. 3.01B, staff derived as follows:

- Poured concrete at \$33.00 per sq ft adjusted for inflation using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) from June 2022 (CU 21-02) to July 2024, the latest month the calculator made available as of August 14, 2024, which equals \$35.03;
- Sidewalk 6 ft wide per Fig. 3.01B;
- Frontage width of 265 ft per Tax Map 052W12DB as sidewalk extent; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A “Fees in-Lieu”.

This calculates as  $(\$35.03 \times 6 \times 265) \times 1.5 = \$83,547$ .

Regarding fee in lieu of highway landscape strip to conform with Fig. 3.01B and 3.01.04B, staff derived as follows:

- Grass at \$2.21 per sq ft;
- Landscape strip 5.5 ft wide, excluding curb width, per Fig. 3.01B;
- Frontage width of 265 ft per Tax Map 052W12DB as landscape strip extent; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A “Fees in-Lieu”.

This calculates as  $(\$2.21 \times 5.5 \times 265) \times 1.5 = \$4,832$ .

For Condition SA2 and Attachment 202 (fee table) regarding fee in lieu of Oregon Way on-street parallel parking, staff derived as follows:

- Asphalt at \$15.00 per sq ft adjusted for inflation using the [U.S. Bureau of Labor Consumer Price Index \(CPI\) Inflation Calculator](#) from June 2022 (CU 21-02) to July 2024, the latest month the calculator made available as of August 14, 2024, which equals \$15.92;
- Parking stall dimensions of 8 ft wide by 22 ft long;
- 3.5 parking stalls after taking the distance from in line with the south property line at Oregon Way north to the stop bar at the intersection with the highway (172 ft), then subtracting 50 ft (minimum parking distance from intersection), 30 ft (driveway and its curb flares), and 16 ft (two 8-ft long transition areas of curb at each end of parking aisle) resulting in  $(172 - [50+30+16]) / 22 = 3.5$ ; and
- 150% of the subtotal to account for construction public labor instead of private labor, based on the percentage in WDO 4.02.08 as a means of implementing WDO 4.02.12A "Fees in-Lieu".

This calculates as  $(\$15.92 \times [8 \times 22] \times 3.5) \times 1.5 = \$14,713$ .

Through Condition G6c and Attachment 202 (fee table) regarding fee in lieu of electric powerline burial/undergrounding to conform with WDO 3.02.04B and 4.02.12A, because as of August 14, 2024 the City has not yet adopted a fees in-lieu schedule, staff establishes a default fee the would be applicable if by the time necessary to assess the fee in order to issue building permit, the City would have not yet established this among other fees in lieu. The default fee is based on a Pacific Gas and Electric Company, a subsidiary of PG&E Corp., estimate that in general burial costs \$3 million per mile (PG&E "Currents" newsletter, article "Facts About Undergrounding Electric Lines", October 31, 2017 <<https://www.pgecurrents.com/2017/10/31/facts-about-undergrounding-electric-lines/>>). This equates to  $\$3,000,000 / 5,280 \text{ ft} = \$568.18$  rounded to \$568 per foot.

- ▲ In order to secure the development meeting the conditional use criteria and justify Street Adjustment, staff applies conditions.



## Phasing Plan Provisions

### 5.03.05 Phasing Plan for a Subdivision, PUD, Manufactured Dwelling Park or any other Land Use Permit

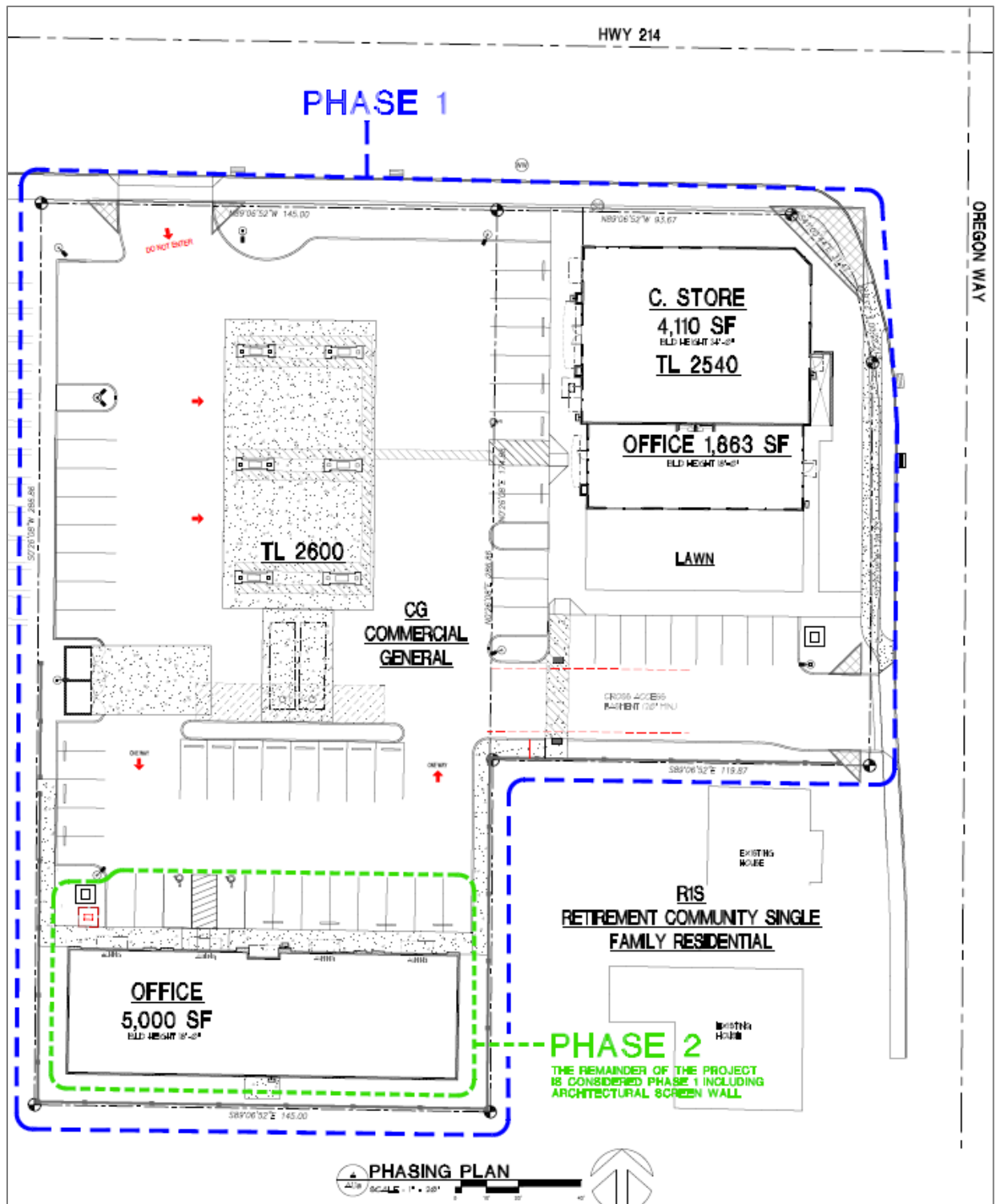
**A. Purpose:** The purpose of a Type III Phasing Permit is to allow phased construction of development while meeting the standards of this ordinance (Sections 2 and 3), while providing fully functional phases that develop in compliance with the tentative approval for the development.

**B. Criteria:** The proposed phasing of development shall:

1. Ensure that individual phases will be properly coordinated with each other and can be designed to meet City development standards; and
2. Ensure that the phases do not unreasonably impede future development of adjacent undeveloped properties;
3. Ensure that access, circulation, and public utilities are sized for future development of the remainder of the site and adjacent undeveloped sites.

The applicant's phasing plan narrative dated February 2, 2024 and submitted February 8, 2024 parrots the criteria with answers almost identical to the criteria text.

From the site plans, specifically Sheet A1.1a "Phasing Plan" dated February 5, 2024 and submitted February 8, 2024, staff was able to determine what the proposed phasing is: the southwest commercial office building and its immediate vicinity including north front parking constitute Phase 2. The plan notes, "The remainder of the project is considered Phase 1 including architectural screen wall", which staff makes sure is the case through a PP condition.



Phasing plan excerpt from Sheet A1.1a dated February 5, 2024 and submitted February 8, 2024

The phasing plan sheet makes apparent that the Phase 1 gas station – fuel pump canopy, convenience store, and northeast commercial office area – can be constructed and meet the criteria on its own.

Staff applies PP conditions and CU modification one in case Phase 2 were to lag in construction, never manifest, or become the subject of a developer’s request to construct something slightly or wholly different. These ensure criteria are met.

Also, as is routine for its land use review of developments, the Public Works Department through Attachment 102A has the usual kind of infrastructure text for the development in question and that is premised on the department approach to *de facto* approve any development, in turn premised on the idea that during its own department processes and reviews following the land use review stage, such as for civil engineering plan (CEP) plan review and right-of-way (ROW) permits, it will coordinate with ODOT to apply specific agency and City public works requirements and have the developer make so whatever is necessary to get ODOT and Public Works Department approvals that both respect conditions of approval that the Department sees as led and administered by the Planning Division while also meeting public works requirements for public infrastructure both on-site and in ROW and public utility easements (PUEs), the “public utilities” that criterion B.3 mentions. Essentially, the Public Works Department indicates that criterion B.3 is met or can be met through Attachment 102A and its later department processes and reviews following the land use review stage, such as for civil engineering plan (CEP) plan review and right-of-way (ROW) permits, so Planning Division staff defer and concur.

Lastly, City staff act on the premise that while a local government can and should deny an application that is inconsistent with applicable land use regulations, it can and should avoid denial if staff can impose reasonable conditions of approval. For virtually every land use review, staff can impose reasonable conditions of approval to avoid denial, and the review of the subject development is such a case.

The legislature gives implicit support for the concept in at least two statutes. The statutes are not applicable as regulations but are relevant regarding legislative intent. ORS 197.522 “Local government to approve subdivision, partition or construction; conditions” is about partition, subdivision, and needed housing, none of which are relevant to the subject development; however, its subsection (4) states, “A local government shall deny an application that is inconsistent with the comprehensive plan and applicable land use regulations and that cannot be made consistent through amendments to the application or the imposition of reasonable conditions of approval.” The second, OS 227.185 “Transmission tower; location; conditions” – no transmission tower being relevant to the subject development – states, “The governing body of a city or its designee may allow the establishment of a transmission tower over 200 feet in height in any zone subject to reasonable conditions imposed by the governing body or its designee”. These statutes indicate that the legislature expects local governments to apply land use conditions of approval in preference to denying. Also, neither statute defines the term

“reasonable”, and the term is elastic. Staff drafted the conditions to be reasonable and based on the characteristics of the subject development. Staff emphasizes that besides the Phasing Plan, the master or parent application type is Conditional Use, a term that says it all about the premise of conditioning.

Criterion B.3 is met.





## Remaining Provisions

These are applicable provisions not already addressed in the application type provisions sections above.

### 4.01.07 Consolidated Applications

**An applicant may request, in writing, to consolidate applications needed for a single development project. Under a consolidated review, all applications shall be processed following the procedures applicable for the highest type decision requested. It is the express policy of the City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.**

The proposal is consolidated.

In conclusion to the above analyses and findings, staff would recommend that the Planning Commission consider the staff report and its attachments and approve the consolidated applications package with conditions.



# Agenda Item

February 10, 2025

TO: Honorable Mayor and City Council through City Administrator

FROM: Jesse Cuomo, Community Services Director

SUBJECT: **Approve Grant Contract with Oregon Parks and Recreation Department Local Government Grant Award**

**RECOMMENDATION:**

Approve the Contract with Oregon Parks and Recreation Department, Local Government Grant Program award of \$698,167.00 and authorize the City Administrator to sign.

**BACKGROUND/DISCUSSION:**

In 2000, the City of Woodburn granted final land use approval for the development known as Boones Crossing PUD, situated along South Boones Ferry Road. This PUD was originally intended to occur in 3 phases of development and include dedication of certain park land with improvements. However, the project was subsequently broken up into a greater number of smaller development phases (six total) and only two were completed prior to the economic downturn of the Great Recession. Following recovery of the economy, property owners and developers for later phases of the PUD and the City convened to negotiate and re-“vest” land use approvals for the remaining Phases (3-6) of the development. The City memorialized this agreement through an adopted Statutory Development Agreement in 2016. As a result of the negotiations, the City secured the dedication of three acres of park land, generally located between the boundaries of Phases 5 and 6 of the PUD.

After the completion of Phases 4 and 5 of the Boones Crossing Development in 2023, City staff initiated the development process for Boones Crossing Park. This involved hiring Dougherty Landscape Architects (DLA) to facilitate community listening sessions and gather input from residents regarding their preferences for the neighborhood park. Invitations were mailed to all addresses within a half-mile radius of the park location, resulting in two planning sessions attended by over 40 participants.

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

Based on this community feedback, DLA provided a conceptual design for the three-acre park, which includes a walking trail, an accessible playground, a picnic shelter, a basketball court, and open lawn spaces. Upon finalizing the concept designs, a cost estimate determined the project funding would need to be diversified.

Recognizing that funding this project through Park System Development Charges would impose a significant financial burden on the Park SDC fund—thereby limiting the City's capacity to undertake additional system-wide projects—City staff applied for the Oregon Parks and Recreation Department Local Government Large Grant in February 2024. This grant application was in the amount of \$1,396,334.00, with the City required to contribute a matching amount of \$698,167.00 (50%).

**DISCUSSION:**

In July 2024, the City received notification of approval from the Oregon State Parks Department regarding the allocation of \$698,167.00 in Local Government Grant funds for the completion of the Boones Crossing Park project. Staff are currently collaborating with DLA to finalize the construction documents and plan to issue a request for bids to contractors in February. The project is anticipated to commence in Spring 2025.

The terms and conditions of the award are detailed in the attached Grant Contract.

**FINANCIAL IMPACT:**

The City is required to provide a 50% matching contribution for the project, totaling \$698,167.00. These funds will be sourced from the Park SDC Fund, along with a land appraisal valuation of \$475,000.00.

Attachments

- Oregon Parks and Recreation Department, Local Government Grant Program Agreement
- Boones Crossing Park Concept Design

# Oregon Parks and Recreation Department

## Local Government Grant Program Agreement

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THIS AGREEMENT (“Agreement”) is made and entered into by and between the State of Oregon, acting by and through its **Oregon Parks and Recreation Department**, hereinafter referred to as “OPRD” or the “State” and the **City of Woodburn**, hereinafter referred to as the “Grantee”.

**OPRD Grant Number:** LG24-019  
**Project Title:** Development of Boones Crossing Park  
**Project Type (purpose):** Development  
**Project Description:** The project will develop new parkland with site preparation and earthwork, stormwater facilities, accessible pathways, topsoil, lawn, landscaping and irrigation, at Boones Crossing Park in Woodburn, Oregon. The Project is further described in Attachment A - Project Description and Budget.

**Grant Funds /**  
**Maximum Reimbursement:** \$ 698,167 (50.00%)  
**Grantee Match Participation:** \$ 698,167 (50.00%)  
**Total Project Cost:** \$1,396,334

**Grant Payments / Reimbursements:** Grant funds are awarded by the State and paid on a reimbursement basis, and only for the Project described in this Agreement, and the Project Description and Budget included as Attachment A. To request reimbursement, Grantee shall use OPRD’s online grant management system accessible at oprdgrants.org. The request for reimbursement shall include documentation of all project expenses plus documentation confirming project invoices have been paid. Grantee may request reimbursement as often as quarterly for costs accrued to date.

**Fiscal Year-End Request for Reimbursement:** Grantee must submit a Progress Report and a Reimbursement Request to OPRD for all Project expenses, if any, accrued up to **June 30**, of each fiscal year. The Fiscal Year-End Reimbursement Request must be submitted to OPRD by **July 31**.

**Reimbursement Terms:** Based on the estimated Project Cost of **\$1,396,334**, and the Grantee’s Match participation rate of **50.00%**, **the reimbursement rate will be 50.00%**. Upon successful completion of the Project and receipt of the final reimbursement request, the State will pay Grantee the remaining Grant Funds balance, or **50.00%** of the total cost of the Project, whichever is less.

**Matching Funds:** The Grantee shall contribute matching funds or the equivalent in labor, materials, or services, which are shown as eligible match in the rules, policies and guidelines for the Local Government Grant Program. Volunteer labor used as a match requires a log with the name of volunteer, dates volunteered, hours worked, work location and the rate used for match, to be eligible.

**Progress Reports:** Grantee shall submit Progress Reports with each Reimbursement Request or, at a minimum, at **three-month intervals**, starting from the effective date of the Agreement. Progress Reports shall be submitted using OPRD’s online grant management system accessible at oprdgrants.org.

**Agreement Period:** The effective date of this Agreement is the date on which it is fully executed by both parties. Unless otherwise terminated or extended, the Project shall be completed by **December 31, 2026**. If the Project is completed before the designated completion date, this Agreement shall expire on the date final reimbursement payment is made by OPRD to Grantee.

**Retention:** OPRD shall disburse up to 90 percent of the Grant Funds to Grantee on a cost reimbursement basis upon approval of invoices submitted to OPRD. OPRD will disburse the final 10 percent of the Grant Funds upon approval by OPRD of the completed Project, the Final Progress Report and the submission of five to ten digital pictures of the completed project site.

**Final Request for Reimbursement:** Grantee must submit a Final Progress Report, a Final Reimbursement Request and five to ten digital pictures of the completed project site to OPRD within 45 days of the Project Completion Date.

**Project Sign:** When project is completed, Grantee shall post an acknowledgement sign of their own design, or one supplied by the State, in a conspicuous location at the project site, consistent with the Grantee's requirements, acknowledging grant funding and the State's participation in the Project.

**Agreement Documents:** Included as part of this Agreement are:

- Attachment A: Project Description and Budget
- Attachment B: Standard Terms and Conditions
- Attachment C: Inadvertent Discovery Plan

In the event of a conflict between two or more of the documents comprising this Agreement, the language in the document with the highest precedence shall control. The precedence of each of the documents is as follows, listed from highest precedence to lowest precedence: this Agreement without Attachments; Attachment B; Attachment A; Attachment C.

**Contact Information:** A change in the contact information for either party is effective upon providing notice to the other party:

Grantee Administrator

Jesse Cuomo  
City of Woodburn  
270 Montgomery St  
Woodburn, OR 97071  
503-982-5266  
jesse.cuomo@ci.woodburn.or.us

Grantee Billing Contact

Jesse Cuomo  
City of Woodburn  
270 Montgomery St  
Woodburn, OR 97071  
(503) 982-5266  
jesse.cuomo@ci.woodburn.or.us

OPRD Contact

Mark Cowan, Coordinator  
Oregon Parks & Rec. Dept.  
725 Summer ST NE STE C  
Salem, OR 97301  
503-951-1317  
[mark.cowan@opr.oregon.gov](mailto:mark.cowan@opr.oregon.gov)

**Signatures:** In witness thereof, the parties hereto have caused this Agreement to be properly executed by their authorized representatives as of the last date hereinafter written.

**GRANTEE**

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Oregon Department of Justice (ODOJ)** approved for legal sufficiency for grants exceeding \$250,000:

By: Jeffrey B. Grant, AAG  
ODOJ Signature or Authorization

\_\_\_\_\_  
Printed Name/Title

by email on October 9, 2024  
Date

**STATE OF OREGON**

**Acting By and Through Its  
OREGON PARKS AND RECREATION DEPT.**

By: \_\_\_\_\_  
Stefanie Coons, Deputy Director of Administration

\_\_\_\_\_  
Date

**Approval Recommended:**

By: \_\_\_\_\_  
Michele Scalise, Grants Section Manager

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Mark Cowan, Grant Program Coordinator

\_\_\_\_\_  
Date

## Attachment A: Project Description and Project Budget

**OPRD Grant Number:** LG24-019  
**Project Title:** Development of Boones Crossing Park  
**Grantee Agency:** City of Woodburn

**Project Description:**

The project will develop new parkland with site preparation and earthwork, stormwater facilities, accessible pathways, topsoil, lawn, landscaping and irrigation, at Boones Crossing Park in Woodburn, Oregon.

**Project Budget Worksheet**

Engineering and Concept Planning (Pre-Agreement)	\$ 48,400
Appraisal and Desk Review Appraisal costs (Pre-Agreement)	\$ 6,500
Land acquisition cost/appraisal valuation	\$ 475,000
Construction mobilization and bonding/insurance	\$ 52,000
Site Preparation and Earthwork	\$ 87,588
Pedestrian Paving and Pathways	\$ 131,590
Landscaping & Irrigation	\$ 208,506
Bike Storage	\$ 3,000
Pavilion	\$ 70,000
Sports Courts	\$ 110,000
Playground	\$ 150,000
Final Design/Engineering and Bid Documents	\$ 48,750
Wetland Delineation report (estimated cost)	\$ 5,000
<b>Total Project Cost</b>	<b>\$ 1,396,334</b>

**Match from Sponsor**

Appraisal and Desk Review Appraisal costs (City of Woodburn SDCs)	\$ 6,500
Land Acquisition Cost / Appraised Value (City of Woodburn SDCs)	\$ 475,000
City of Woodburn Park SDCs	\$ 206,667
Donated Soil	\$ 10,000
<b>Total Match from Sponsor</b>	<b>\$ 698,167</b>

**Summary**

Total Project Cost	\$ 1,396,334
Total Match from Sponsor	\$ 698,167
<b>Grant Funds Requested</b>	<b>\$ 698,167</b>

# Attachment B – Standard Terms and Conditions

## Oregon Parks and Recreation Department Local Government Grant Program Agreement

1. **Compliance with Law:** Grantee shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to the Agreement or to implementation of the Project, including without limitation, OAR chapter 736, Division 6 (the Local Government Grant Program administrative rules).
2. **Compliance with Workers Compensation Laws:** All employers, including Grantee, that employ subject workers who provide services in the State of Oregon shall comply with ORS.656.017 and provide the required Worker's Compensation coverage, unless such employers are exempt under ORS 656.126. Employer's liability insurance with coverage limits of not less than \$500,000 must be included.
3. **Compliance with Prevailing Wage:** Grantee shall comply with the prevailing wage rate requirements set forth in ORS 279C.800 through 279C.870 and the administrative rules promulgated thereunder ("Prevailing Wage Rate Law" or "PWR"), or, if applicable, 40 U.S.C. 3141 et seq. ("Davis-Bacon Act").
4. **Amendments:** This Agreement may be amended only by a written amendment to the Agreement, executed by the parties.
5. **Expenditure Records:** Grantee shall document, maintain and submit records to OPRD for all Project expenses in accordance with generally accepted accounting principles, and in sufficient detail to permit OPRD to verify how Grant Funds were expended. These records shall be retained by the Grantee for at least six years after the Agreement terminates. The Grantee agrees to allow Oregon Secretary of State auditors and State agency staff access to all records related to this Agreement for audit and inspection and monitoring of services. Such access will be during normal business hours, or by appointment. Grantee shall ensure that each of its subgrantees and subcontractors complies with these requirements.
6. **Equipment:** Equipment purchased with Local Government Grant Program funds must be used as described in the Project Agreement and Application throughout the equipment's useful life. The Grantee will notify the State prior to the disposal of equipment and will coordinate with the State on the disposal to maximize the equipment's ongoing use for the benefit of the Local Government Grant Program.
7. **Use of Project Property:** Grantee warrants that the land within the Project boundary described in the Application shall be dedicated and used for a period of no less than 25 years from the completion of the Project. Grantee agrees to not change the use of, sell, or otherwise dispose of the land within the Project boundary, except upon written approval by OPRD. If the Project is located on land leased from the federal government, the lease shall run for a period of at least 25 years after the date the Project is completed. If the Project is located on land leased from a private or public entity, other than the federal government, the lease shall run for a period of at least 25 years after the date the Project is completed, unless the lessor under the lease agrees that, in the event the lease is terminated for any reason, the land shall continue to be dedicated and used as described in the Project Application for a period of at least 25 years after the date the Project is completed.

Land acquired using Local Government Grant funds shall be dedicated, by an instrument recorded in the county records, for recreational use in perpetuity, unless OPRD or a successor agency consents to removal of the dedication.

8. **Conversion of Property:** Grantee further warrants that if the Grantee converts lands within the Project boundary to a use other than as described in the grant application or disposes of such land by sale or any other means ("Converted Land"), the Grantee must provide replacement land acceptable to OPRD within 24 months of the date of the conversion or disposal or, if the conversion or disposal is not discovered by OPRD until a later date, within 24 months after the discovery of the conversion or disposal.

If replacement land cannot be obtained within the 24 month period, the Grantee will provide payment of the grant program's prorated share of the current fair market value of the Converted Land to the State. The prorated share is measured by that percentage of the original grant (plus any amendments) as compared to the original Project cost(s). The replacement land must be equal to the current fair market value of the Converted Land, as determined by an appraisal. The recreation utility of the replacement land must also be equal to that of the Converted Land.

If conversion occurs through processes outside of the Grantee's control such as condemnation or road replacement or realignment, the Grantee must pay to the State a prorated share of the consideration paid to the Grantee by the entity that caused the conversion. The State's prorated share is measured by the percentage of the original grant (plus any amendments) as compared to the original Project cost(s).

The warranties set forth in Section 6 and this Section 7 of this Agreement are in addition to, and not in lieu of, any other warranties set forth in this Agreement or implied by law.

9. **Contribution:** If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against a party (the "Notified Party") with respect to which the other party ("Other Party") may have liability, the Notified Party must promptly notify the Other Party in writing of the Third Party Claim and deliver to the Other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Either party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by the Other Party of the notice and copies required in this paragraph and meaningful opportunity for the Other Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to the Other Party's liability with respect to the Third Party Claim.

With respect to a Third Party Claim for which the State is jointly liable with the Grantee (or would be if joined in the Third Party Claim), the State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the Grantee in such proportion as is appropriate to reflect the relative fault of the State on the one hand and of the Grantee on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the State on the one hand and of the Grantee on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if the State had sole liability in the proceeding.

With respect to a Third Party Claim for which the Grantee is jointly liable with the State (or would be if joined in the Third Party Claim), the Grantee shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the State in such proportion as is appropriate to reflect the relative fault of the Grantee on the one hand and of the State on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the Grantee on the one hand and of the State on the other hand shall be determined by reference to, among other things, the parties' relative intent,



knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The Grantee's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if it had sole liability in the proceeding.

Grantee shall take all reasonable steps to cause its contractor(s) that are not units of local government as defined in ORS 190.003, if any, to indemnify, defend, save and hold harmless the State of Oregon and its officers, employees and agents ("Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including attorneys' fees) arising from a tort (as now or hereafter defined in ORS 30.260) caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Grantee's contractor or any of the officers, agents, employees or subcontractors of the contractor ("Claims"). It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by the contractor from and against any and all Claims.

10. **Inspection of Equipment and Project Property:** Grantee shall permit authorized representatives of the State, the Oregon Secretary of State, or their designees to perform site reviews of the Project, and to inspect all Equipment, real property, facilities, and other property purchased by Grantee as part of the Project.
11. **Public Access:** The Grantee shall allow open and unencumbered public access to the completed Project to all persons without regard to race, color, religious or political beliefs, sex, national origin or place of primary residence.
12. **Condition for Disbursement:** Disbursement of grant funds by OPRD is contingent upon OPRD having received sufficient funding, appropriations, limitations, allotments, or other expenditure authority sufficient to allow OPRD, in the exercise of its reasonable administrative discretion, to make the disbursement and upon Grantee's compliance with the terms of this Agreement.
13. **No Third Party Beneficiaries.** OPRD and Grantee are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly or indirectly, to a third person unless such a third person is individually identified by name herein and expressly described as intended beneficiary of the terms of this Agreement.
14. **Repayment:** In the event that the Grantee spends Grant Funds in any way prohibited by state or federal law, or for any purpose other than the completion of the Project, the Grantee shall reimburse the State for all such unlawfully or improperly expended funds. Such payment shall be made within 15 days of demand by the State.
15. **Termination:** This Agreement may be terminated by mutual consent of both parties, or by either party upon a 30-day notice in writing, delivered by certified mail or in person to the other party's contact identified in the Agreement. On termination of this Agreement, all accounts and payments will be processed according to the financial arrangements set forth herein for Project costs incurred prior to date of termination. Full credit shall be allowed for reimbursable expenses and the non-cancelable obligations properly incurred up to the effective date of the termination.
16. **Governing Law:** The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Agreement, including, without limitation, its validity, interpretation, construction, performance, and enforcement. Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County. Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum. In no event shall this section be

construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, from any claim or from the jurisdiction of any court.

17. **Entire Agreement:** This Agreement constitutes the entire Agreement between the parties. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, Agreements, or representations, oral or written, not specified herein regarding this Agreement. The Grantee, by signature of its authorized representative on the Agreement, acknowledges that the Grantee has read this Agreement, understands it, and agrees to be bound by its terms and conditions.
18. **Notices:** Except as otherwise expressly provided in this Agreement, any communications between the parties hereto or notices to be given hereunder shall be given in writing by personal delivery, facsimile, email, or mailing the same, postage prepaid, to Grantee contact or State contact at the address or number set forth in this Agreement, or to such other addresses or numbers as either party may hereinafter indicate. Any communication or notice delivered by facsimile shall be deemed to be given when receipt of the transmission is generated by the transmitting machine, and to be effective against State, such facsimile transmission must be confirmed by telephone notice to State Contact. Any communication by email shall be deemed to be given when the recipient of the email acknowledges receipt of the email. Any communication or notice mailed shall be deemed to be given when received, or five days after mailing.
19. **Counterparts:** This agreement may be executed in two or more counterparts (by facsimile or otherwise), each of which is an original and all of which together are deemed one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart.
20. **Severability:** If any term or provision of this agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular term or provision held to be invalid.

# ATTACHMENT C

## ARCHAEOLOGICAL INADVERTENT DISCOVERY PLAN (IDP)

Archaeological materials are the physical remains of the activities of people in the past. This IDP should be followed should any archaeological sites, objects, or human remains be found. Archaeological materials are protected under Federal and State laws and their disturbance can result in criminal penalties.

This document pertains to the work of the Contractor, including any and all individuals, organizations, or companies associated with the project.

### **WHAT MAY BE ENCOUNTERED**

Archaeological material may be found during any ground-disturbing activity. If encountered, all excavation and work in the area **MUST STOP**. Archaeological objects vary and can include evidence or remnants of historic-era and pre-contact activities by humans. Archaeological objects can include but are not limited to:

- **Stone flakes, arrowheads, stone tools, bone or wooden tools, baskets, beads.**
- Historic building materials such as **nails, glass, metal** such as cans, barrel rings, farm implements, **ceramics, bottles, marbles, beads.**
- Layers of **discolored earth** resulting from hearth fire
- Structural remains such as **foundations**
- **Shell Middens** (mounds)
- **Human skeletal remains** and/or **bone fragments** which may be whole or fragmented.

**If in doubt call it in.**

### **DISCOVERY PROCEDURES: WHAT TO DO IF YOU FIND SOMETHING**

1. Stop ALL work in the vicinity of the find
2. Secure and protect area of inadvertent discovery with 30 meter/100 foot buffer—work may continue outside of this buffer
3. Notify Project Manager and Agency Official
4. Project Manager will need to contact a professional archaeologist to assess the find.
5. If archaeologist determines the find is an archaeological site or object, contact SHPO. If it is determined to *not* be archaeological, you may continue work.

### **HUMAN REMAINS PROCEDURES**

1. If it is believed the find may be human remains, stop ALL work.
2. Secure and protect area of inadvertent discovery with 30 meter/100 foot buffer, then work may continue outside of this buffer with caution.
3. Cover remains from view and protect them from damage or exposure, restrict access, and leave in place until directed otherwise. **Do not take photographs. Do not speak to the media.**

4. Notify:
  - Project Manager
  - Agency Official
  - Contracted Archaeologist (if applicable)
  - Oregon State Police - **DO NOT CALL 911** . . . . . 503-378-3720
  - SHPO (State Historic Preservation Office) . . . . . 503-986-0690
  - LCIS (Legislative Commission on Indian Services) . . . . . 503-986-1067
  - Appropriate Native American Tribes (as provided by LCIS)
5. If the site is determined not to be a crime scene by the Oregon State Police, do not move anything! The remains should continue to be *secured in place* along with any associated funerary objects, and protected from weather, water runoff, and shielded from view.
6. Do not resume any work in the buffered area until a plan is developed and carried out between the State Police, SHPO, LCIS, and appropriate Native American Tribes, and you are directed that work may proceed.

**CONFIDENTIALITY**

The Agency and employees shall make their best efforts, in accordance with federal and state law, to ensure that its personnel and contractors keep the discovery confidential. The media, or any third-party member or members of the public are not to be contacted or have information regarding the discovery, and any public or media inquiry is to be reported to the Agency. Prior to any release, the responsible agencies and Tribes shall concur on the amount of information, if any, to be released to the public.

*To protect fragile, vulnerable, or threatened sites, the National Historic Preservation Act, as amended (Section 304 [16 U.S.C. 470s-3]), and Oregon State law (ORS 192.501(11)) establishes that the location of archaeological sites, both on land and underwater, shall be confidential.*



# Oregon

Tina Kotek, Governor

## Parks and Recreation Department

Oregon Heritage/  
State Historic Preservation Office  
725 Summer St. NE, Suite C  
Salem, OR 97301-1266  
(503) 986-0690  
Fax (503) 986-0793  
oregonheritage.org



August 28, 2024

Mr. Mark Cowan  
Oregon Parks and Recreation Department  
725 Summer St NE STE C  
Salem, OR 97301

RE: SHPO Case No. 24-1584  
OPRD Woodburn Boones Crossing Park  
park improvements  
, Woodburn, Marion County

Dear Mark Cowan:

Thank you for submitting information for the project referenced above. According to our records there are no identified archaeological objects or sites (Oregon Revised Statute [ORS] 358.905), and no Native American cairn, burial, human remains, sacred objects and objects of cultural patrimony (ORS 97.740-760) in or adjacent to the project area. Based on the information provided, Oregon SHPO does not have any concerns with the project proceeding as planned.

Under ORS 358.920 and ORS 97.745, archaeological sites, objects and human remains are protected on both state public and private lands in Oregon. Please know that if any archaeological artifacts are found during construction all activity in the area should cease and our office should be contacted. We also advise having an Inadvertent Discovery Plan (IDP) in place during construction. A template is available on our website (<https://www.oregon.gov/oprd/OH/pages/projectreviewresources.aspx>). The IDP explains what to do in the event of a discovery and provides examples of archaeological materials. Using this form can reduce confusion, risk, and liability.

If the project has a federal nexus (lands, funding, permitting, or oversight) coordinate with the lead federal agency to ensure compliance with Section 106 of the National Historic Preservation Act.

If you have not already done so, be sure to consult with all appropriate Native American tribes regarding the proposed project. Additional consultation regarding this case must be sent through Go Digital. In order to help us track the project accurately, reference the SHPO case number above in all correspondence.

Please contact our office if you have any questions, comments or need additional assistance.

Sincerely,

Koren Tippett  
Special Project Archaeologist, OPRD/SHPO Liasion  
(971) 304-4737  
Koren.Tippett@oprd.oregon.gov

cc: Jesse Cuomo, City of Woodburn



## Request for Reimbursement Guide

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All **Progress Reports** and **Reimbursement Requests** must be submitted using OPRD's online grant application and management system. An account with [OPRDgrants.org](http://OPRDgrants.org) is required for access.

For detailed instruction on how to submit Progress Reports and Reimbursement Requests, see the **Grant Reporting and Reimbursement Instructions** at:

- > [oprdrants.org](http://oprdrants.org)
- > Grant Programs
- > Local Government
- > Management & Reporting Requirements
- > **Grant Reporting and Reimbursement Instructions**

All files for projects benefiting from Oregon Parks and Recreation Department administered grant funds must be able to pass a State audit. When preparing to submit a Request for Reimbursement, plan on submitting the following documentation:

- Progress Report** – Once you submit a Progress Report, you will be able to access the Reimbursement Request form.
- Project Bills / Invoices**
- Bill Payment Confirmation** – Please submit documentation confirming that all project bills/invoices have indeed been paid. The best way to document this is with some type of **Accounts Paid Report** or **Check Ledger Report** for the project that lists **Payments, Payee, Payment Date** and **Check Number**. (This is different from an Accounts Payable Report which would only list payments pending.) If an Accounts Paid Report is not available, please submit copies of canceled payment checks (with account numbers blocked out).

Once the project is completed . . .

- Project Pictures** – Please plan to submit 5-10 digital pictures of the completed project site and specific project elements, for the project file. Digital pictures can be attached to any Progress Report or Request for Reimbursement. For **Planning Projects**, rather than pictures, please submit a digital copy of the final **Planning Document**.
- As-Built Map** – If the completed project is different from the original Site Plan submitted with the application, please submit an *As-Built Map* the shows the actual layout of the completed project.
- Acknowledgement Sign** - Is there any type of signage on site acknowledging OPRD grant support for the project? If not, we will send you one. (An acknowledgement sign is not necessary for Planning projects.)

If you have questions, please contact:

Mark Cowan  
Grant Program Coordinator  
[mark.cowan@oprdrants.org](mailto:mark.cowan@oprdrants.org)  
503-951-1317  
<https://www.oregon.gov/oprdrants>

# Conceptual Design





# Agenda Item

February 10, 2025

TO: Honorable Mayor and City Council through City Administrator  
FROM: Jesse Cuomo, Community Services Director  
SUBJECT: **Approve of Substance Use Treatment Agreement with Bridgeway Recovery**

**RECOMMENDATION:**

Approve the multi-year contract with Bridgeway Recovery and authorize the City Administrator to sign.

**BACKGROUND/DISCUSSION:**

In July 2021, the State of Oregon reached a settlement regarding national lawsuits against several companies implicated in the opioid crisis. As a result of these agreements, Oregon is set to receive nearly \$600 million over an 18-year period.

The settlement funds will be allocated between the State of Oregon (45%) and local jurisdictions (55%). Of the latter, cities and counties with populations exceeding 10,000 will receive a share, distributed according to a population-based model established in the settlement agreement (refer to Exhibit A). Specifically, Woodburn is projected to receive approximately \$1.2 million during the 18-year payout schedule.

Local jurisdictions possess the authority to determine the allocation of their designated funds, provided that such use adheres to the National Opioid Settlement Agreement and the approved remediation activities. Additionally, jurisdictions are mandated to submit annual reports to the Oregon Department of Justice outlining the utilization of the funds. These reports will be made publicly available, and the State will facilitate public meetings to discuss the contents of each annual report.

**DISCUSSION:**

Many smaller cities throughout the state have opted to allocate their designated funds to County Health Departments. However, City staff in

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_



Woodburn assessed this approach and determined it would not be the most effective means of expanding drug treatment services in the community. Instead, they explored potential partners capable of delivering direct services, considering the Family Resource Center as a possible operational base.

After discussions with Bridgeway Recovery, it became evident that they possess both the capability and resources to serve Woodburn's diverse population. Bridgeway Community Health stands as the largest provider of comprehensive behavioral health care in Marion and Polk Counties, offering outpatient mental health and substance use disorder (SUD) services. This includes the region's only medically managed withdrawal (detox) and residential SUD treatment programs, as well as intensive outpatient (IOP) SUD services, problem gambling treatment, and primary care for OHP members. Bridgeway is nationally accredited by the Council on Accreditation and recognized as a Patient-Centered Primary Care Home (PCPCH) Tier 4 Provider. They operate under a full license for all services and hold a Certificate of Approval from the Oregon Health Authority. Furthermore, Bridgeway has consistently been acknowledged by the Oregon Business Council as one of the Top Non-Profits in the state for five consecutive years.

Bridgeway is prepared to offer outpatient substance use treatment specifically designed for adults. The services provided will include:

- Substance Use Screening
- Comprehensive Assessments
- Group Counseling
- Individual Therapy Sessions
- Family Therapy Sessions
- Urinalysis
- Case Management
- Consultations
- Referrals to additional providers and levels of care

**FINANCIAL IMPACT:**

The City will provide \$120,000 of dedicated Opioid Settlement Funds to Bridgeway Recovery in fiscal year 2024-25. Any future funds are subject to the availability of settlement funds and will not exceed \$120,000 per year.

Attachments

- State of Oregon Subdivision Agreement Regarding Distribution and Use of Settlement Funds (Exhibit A)
- Substance Use Treatment Services Agreement

**State of Oregon Subdivision Agreement  
Regarding Distribution and Use of  
Settlement Funds**

**1. Introduction**

Pursuant to the Distributor Settlement Agreement, dated as of July 21, 2021, and any revision thereto (the “Distributor Settlement Agreement”), and the Janssen Settlement, dated as of July 21, 2021, and any revision thereto (the “Janssen Settlement Agreement, and collectively with the Distributor Settlement Agreement, the “Distributor and Janssen Agreements”), including Sections V and Exhibits O to the Distributor and Janssen Agreements, this agreement (the “OR Allocation Agreement”) is entered into between the State of Oregon and the OR Participating Subdivisions (the State of Oregon and OR Participating Subdivisions each a “Party,” and, collectively, the “Parties”) and governs the allocation, distribution, and use of Settlement Fund payments made to Oregon pursuant to Sections IV and V of the Distributor Settlement Agreement and Sections V and VI of the Janssen Agreement. For the avoidance of doubt, this OR Allocation Agreement does not apply to payments made pursuant to Sections IX or X of the Distributor Settlement Agreement or Sections X or XI of the Janssen Agreement.

Pursuant to Exhibits O, Paragraphs 4, of the Distributor and Janssen Agreements, acceptance of this OR Allocation Agreement is a requirement to be an Initial Participating Subdivision.

**2. Definitions**

The following terms shall have the meaning set forth below when used in this OR Allocation Agreement. Additional terms defined within this OR Allocation Agreement shall have that meaning when used in this OR Allocation Agreement. In addition, terms used in this OR Allocation Agreement that are defined in the Distributor and Janssen Agreements will have that meaning unless otherwise defined in this OR Allocation Agreement.

- a) ***OR Participating Subdivision*** means (i) a governmental entity listed on Exhibit A to this OR Allocation Agreement that executes this OR Allocation Agreement and has taken all necessary steps under the Distributor and Janssen Agreements to be entitled to receive Settlement Funds, and (ii) any Additional Participant who becomes entitled to a share of the OR Subdivision Funds as described in Section 4(c)(ii) below.

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- b) ***Opioid Defendant*** means any defendant (including but not limited to Johnson & Johnson, Janssen Pharmaceuticals, Inc., Purdue Pharma L.P., Cardinal Health, Inc., Amerisource Bergen Corporation, and McKesson Corporation) named in a lawsuit seeking damages, abatement, or other remedies related to or caused by the opioid public health crisis in any lawsuit brought by any state or local government on or before October 1, 2020.
- c) ***State of Oregon or State*** has the same meaning as “Executive Department” as set forth in ORS 174.112, but does not include the Oregon State Treasurer or the Office of the Oregon State Treasurer. When used in any provision of this OR Allocation Agreement the term State of Oregon or State means, as the context requires, an agency, department, division, board, commission or other entity within the Executive Department that has the authority to undertake the obligations or receive the benefit of the particular provision.
- d) ***Oregon*** means the geographic territory of Oregon and the State and its local governments therein.

- e) ***Approved Abatement Uses*** means the Opioid Remediation activities described in Exhibits E to the Distributor and Janssen Agreements.
- f) ***Litigating Local Governments*** means the Counties of Clackamas, Clatsop, Columbia, Coos, Curry, Jackson, Josephine, Lane, Multnomah, Washington, Yamhill, and the City of Portland.

### **3. General Terms**

This OR Allocation Agreement is subject to the requirements of the Distributor and Janssen Agreements, as well as applicable law. If the terms of this OR Allocation Agreement conflict with the terms of the Distributor Settlement Agreement or the Janssen Settlement Agreement the terms of the Distributor Settlement Agreement and/or the Janssen Settlement Agreement will take precedence over the inconsistent provisions of this OR Allocation Agreement.

### **4. Allocation of Settlement Funds**

- a) **Allocation Generally.** The total Settlement Fund payments made to Oregon pursuant to the Distributor and Janssen Agreements (collectively, the “Oregon Settlement Funds”) shall be combined pursuant to this OR Allocation Agreement, and 45% of the Oregon Settlement Funds shall be allocated to the State of Oregon (such funds, the “OR State Funds”) and 55% of the Oregon Settlement Funds shall be allocated to the OR Participating Subdivisions (such funds, the “OR Subdivision Funds”).

#### **b) State of Oregon Allocation**

- i. For purposes of this OR Allocation Agreement, “Enabling Legislation” means legislation passed by the Oregon Legislative Assembly and presented to the Oregon Governor for signature, that establishes the authority within the State of Oregon to accept, administer, and expend the OR State Funds, and addresses other matters related to this OR Allocation Agreement. It is the intent of the Parties that the Enabling Legislation will provide, without limitation, that:
  - 1. The OR State Funds will be deposited in a Prevention, Treatment and Recovery Fund (the “PTR Fund”), overseen by a board (the “PTR Board”), which shall be used by the State solely for future Approved Abatement Uses as follows:
    - (i) Administration of the PTR Fund and PTR Board;
    - (ii) Development of a unified and evidence-based state system for collecting, analyzing and publishing data about the availability and efficacy of substance use prevention, treatment and recovery services across the state; and
    - (iii) Funding statewide and regional Approved Abatement Uses.
  - 2. The PTR Board is constituted and authorized so that the State and OR Participating Subdivisions shall have equal representation and voting power on the PTR Board, whether directly or by designated representatives.
  - 3. Effects a release of potential claims against the Settling Distributors and Janssen by local governments or local service districts, as those terms are defined in ORS 174.116, and special government bodies, as defined in ORS 174.117, that have not released their claims through execution of a Subdivision Settlement Participation Form in substantially the form set forth in Exhibit K of the Distributor and Janssen Agreements.
- ii. The OR State Funds will be accepted, administered, and spent in accordance with the Enabling Legislation when it becomes law. The State of Oregon will draft and promote passage of the

Enabling Legislation. The OR Participating Subdivisions acknowledge the need for the Enabling Legislation and will support passage of the Enabling Legislation consistent with Section 4(b)(i)(1)-(2) of this OR Allocation Agreement and will not oppose with respect to any portion of the Enabling Legislation reflecting Section 4(b)(i)(3) of this OR Allocation Agreement. Until the Enabling Legislation becomes law, the OR State Funds shall be deposited in the Oregon Department of Justice's Client Trust Account and may be expended or distributed by the Oregon Department of Justice for Approved Abatement Uses.

**c) OR Subdivision Allocation**

- i. The Settlement Fund Administrator will be instructed to allocate the OR Subdivision Funds to OR Participating Subdivisions based on the allocation model developed in connection with the proposed negotiating class in the National Prescription Opiate Litigation (MDL No. 2804), as adjusted to reflect only those cities and counties that are eligible to receive Settlement Funds, based on population or litigation status. The percentage for each OR Participating Subdivision is set forth in Exhibit A in the column entitled "Abatement Percentage" (the "Local Allocation"). For the avoidance of doubt, non-litigating Oregon towns, cities, and counties with a population less than 10,000 are not eligible to receive an allocation of OR Subdivision Funds.
- ii. An OR Participating Subdivision will be allocated its Local Allocation share beginning on the date it becomes an OR Participating Subdivision but shall not be entitled to any Local Allocation share of Oregon Settlement Funds distributed by the Settlement Administrator before the date it becomes an OR Participating Subdivision.
- iii. The Local Allocation share for a city that is an OR Participating Subdivision will be paid to the county in which the city is located, rather than to the city, so long as: (a) the county is an OR Participating Subdivision, and (b) the city has not advised the Settlement Fund Administrator that it requests direct payment at least 60 days prior to a Payment Date. A Local Allocation share allocated to a city but paid to a county is not required to be spent exclusively for Approved Abatement Uses in that city but will become part of the county's share of the OR Subdivision Funds, which will be used in accordance with Section 4.c of this OR Allocation Agreement and reported on in accordance with Section 5 of this OR Allocation Agreement.
- iv. A city within a county that is an OR Participating Subdivision may opt in or out of direct payment at any time, and it may also elect direct payment of only a portion of its share, with the remainder going to the county, by providing notice to the Settlement Fund Administrator at least 60 days prior to a Payment Date. For purposes of this OR Allocation Agreement, the City of Portland will be deemed to have elected direct payment if it becomes an OR Participating Subdivision.
- v. The State will receive the Local Allocation share of any payment of Oregon Settlement Funds distributed on a Payment Date that would otherwise be paid to a county or city is eligible to become an OR Participating Subdivision but that has not, as of that Payment Date, become an OR Participating Subdivision.
- vi. Funds received by an OR Participating Subdivision, and not expended or encumbered within five years of receipt and in accordance with the Distributor and Janssen Agreements and this OR Allocation Agreement shall be transferred to the fund to which OR State Funds are paid pursuant to Section 4(b)(ii). OR Participating Subdivisions have seven years from receipt of funds to expend or encumber OR Subdivision Funds designated to support capital outlay projects before they must be transferred to the State.
- vii. Except as set forth in Sections 4.d and 4.e, Settlement Funds received by an OR Participating Subdivision shall be used for Approved Abatement Uses.

- viii. For the avoidance of doubt, and subject to the requirements of the Distributor and Janssen Agreements and applicable law, an OR Participating Subdivision may form agreements or ventures, or otherwise work in collaboration with, federal, state, local, tribal or private sector entities in pursuing Approved Abatement Uses funded from the OR Participating Subdivision's Local Allocation. Further, provided that OR Subdivision Funds are used for Approved Abatement Uses, a county and any cities or towns within the county may agree to reallocate their respective Local Allocation shares of OR Subdivision Funds among themselves, provided that any direct distribution may only be to an OR Participating Subdivision and any OR Participating Subdivision must agree to its share being reallocated.
- ix. Each OR Participating Subdivision is responsible for obtaining necessary budget or expenditure authority under applicable law for its distribution or expenditures of OR Subdivision Funds in accordance with this OR Allocation Agreement.

**d) Provision for State Back-Stop Agreement**

- i. The OR Participating Subdivisions will establish an Oregon attorney fee back-stop fund (the "OR Back-Stop Fund"). The OR Back-Stop Fund will be funded by and deducted from OR Subdivision Funds prior to the distribution of any Local Allocation share to any OR Participating Subdivisions, shall be equal to no more than \$2,500,000, and may be used only to pay the contingency fees due to Contingency Fee Counsel of the Litigating Local Governments, subject to the limitations set forth in Section 4(d)(ii).
- ii. The parties will notify the Settlement Fund Administrator to withhold and pay the OR Back-Stop Fund from the OR Subdivision Funds according to the national fee fund payment schedule, and the Parties will otherwise cooperate to so instruct the Settlement Fund Administrator. In addition, the Parties will notify the Settlement Fund Administrator to distribute the amounts in the OR Back-Stop Fund to private counsel seeking contingency fees from a Litigating Local Government ("Contingency Fee Counsel") in accordance with this OR Allocation Agreement.
- iii. Contingency Fee Counsel must first seek contingency fees and costs from the Attorney Fee Fund or Cost Funds created under the Distributor and Janssen Agreements and only upon receiving the maximum amount of fees available under the Distributor and Janssen Agreements may a Contingency Fee Counsel seek payment of any fees from the OR Back-Stop Fund. In addition, under no circumstances shall the cumulative fees paid from the Attorney Fee Fund and the OR Back-Stop Fund exceed 12% of the Litigating Local Government's Local Allocation share of 50% of the Oregon Settlement Funds. For the avoidance of doubt, below is the formula to calculate the amount any particular Contingency Fee Counsel for a Litigating Local Government may be paid from the OR Back-Stop Fund:

$[[\text{OR SETTLEMENT FUNDS}] \times .5 \times [\text{DIRECT ALLOCATION PERCENTAGE OF CONTINGENCY FEE COUNSEL'S LITIGATING LOCAL GOVERNMENT}] \times .12] \text{ minus } [\text{AMOUNT OBTAINED BY COUNSEL FROM ATTORNEY FEE FUND FOR COUNSEL'S LITIGATING LOCAL GOVERNMENT}]$

- iv. A Contingency Fee Counsel may only receive fees paid from the OR Back-Stop Fund pursuant to a written Oregon Back Stop Agreement, substantially in the form of attached hereto as Exhibit B, between the Contingency Fee Counsel, the Litigating Local Government it represents, and the Oregon Department of Justice.
- v. For the avoidance of doubt, this OR Allocation Agreement does not require a Litigating Local Government to request or enter into an Oregon Back-Stop Agreement, and no Oregon Back-Stop Agreement shall impose any duty or obligation on the State of Oregon or any of its agencies or officers, including without limitation the Oregon Department of Justice or the Oregon Attorney

General.

**e) Additional Costs**

- i. Each OR Participating Subdivision may contribute up to 5% of its Local Allocation to pay opioid related expenditures such as unreimbursed administrative expenses, costs, professional fees and attorney fees of outside legal counsel and in-house legal counsel employed by the OR Participating Subdivision (collectively, “Additional Costs”). Each OR Participating Subdivision is responsible for determining the amount of its Local Allocation that it uses to pay Additional Costs (subject to the limit in the previous sentence and as set forth in Section 4(e)(ii) below), and which Additional Costs it chooses to pay.
- ii. The Additional Costs may only be used consistent with the Distributor and Janssen Agreements, and pursuant to the August 6, 2021, order by Judge Polster of the US District Court for the Northern District of Ohio issued an Order (the Order), docket number 3814, in In Re National Prescription Opiate Litigation, MDL 2804, addressing contingent attorney fee contracts between political subdivisions eligible to participate in the Distributor and Janssen Agreements and their counsel. In addition, to the extent the Additional Costs are used to pay the attorney’s fees of Contingency Fee Counsel, the cumulative amount of such fees paid to the Contingency Fee Counsel for a Litigating Local Government from the Attorney Fee Fund, the Cost Fund, the OR Back-Stop Fund, and as Additional Costs may not exceed 15% of the Litigating Local Government’s share of 50% of the Oregon Settlement Funds.
- iii. Each OR Participating Subdivision that pays Additional Costs shall report such payments as required by the Distributor and Janssen Agreements and this OR Allocation Agreement.
- iv. Neither the State of Oregon, including the Oregon Department of Justice, nor the Oregon Attorney General shall have any responsibility for any Additional Costs, and shall have no responsibility or authority to resolve any disputes among the OR Participating Subdivisions, Contingency Fee Counsel of the Litigating Local Government, or any other parties with respect to any claims for payment of Additional Costs.

**5. State and Subdivision Reporting and Oversight**

- a) Prior to September 1 of each year each OR Participating Subdivision receiving payment of OR Subdivision Funds under this OR Allocation Agreement shall deliver an annual report to the Oregon Department of Justice, to the attention of the Deputy Attorney General regarding how it expended OR Subdivision Funds during the prior fiscal year (July 1 – June 30). The Oregon Department of Justice may share those reports with the PTR Board (or its equivalent as established by the Enabling Legislation) and other State entities to ensure expenditures of OR Subdivision Funds were made and will be made in accordance with the Distributor and Janssen Agreements and this OR Allocation Agreement. Each report delivered under this Section 5(a) will also include a certification that all OR Subdivision Funds received by the OR Participating Subdivision during the prior fiscal year have been used in compliance with the Distributor and Janssen Agreement and this OR Allocation Agreement. Each annual report delivered pursuant to this Section 5.a shall include, for the fiscal year that is the subject of the report, (1) the amount of the OR Subdivision Funds received by the reporting OR Participating Subdivision, (2) the allocation of any amounts of OR Subdivision Funds awarded or expended by the OR Participating Subdivision (by journal entry or substantially equivalent report, provided such report shall include, at a minimum, the amount awarded or expended, payee (if applicable) and a description of the expenditure), and (3) the amounts actually disbursed under any award reported under item 2. OR Participating Subdivisions may, for their convenience, adapt existing forms or reports otherwise used by the OR Participating Subdivision to meet the foregoing requirements.

- b) If the State has a reasonable basis to suspect that an OR Participating Subdivision's use of OR Subdivision Funds is inconsistent with the Distributor and Janssen Agreements or this OR Allocation Agreement the State may request from the OR Participating Subdivision, and the OR Participating Subdivision will provide, existing data or information about the use of the OR Subdivision Funds received by that OR Participation Subdivision. All requests for information must be reasonable.
- c) If an OR Participating Subdivision has a reasonable basis to suspect that the States' use of OR State Funds is inconsistent with the Distributor and Janssen Agreements or this OR Allocation Agreement an OR Participating Subdivision may request from the State, and the State will provide, existing data or information about the use of the OR State Funds received by the State. All requests for information must be reasonable.
- d) The State will prepare an annual written report regarding the use of Oregon Settlement Funds until those funds are fully expended and for one year thereafter. These reports will be made publicly available by the State.
- e) The State, the PTR Board (or its equivalent as established by the Enabling Legislation) and all OR Participating Subdivisions receiving OR Subdivision Funds will track all deposits and expenditures in accordance with Oregon laws each party is subject to. Each OR Participating Subdivision is responsible solely for the OR Subdivision Funds it receives. A county is not responsible for oversight, reporting, or monitoring of OR Subdivision Funds received by a city within that county that receives direct payment of OR Subdivision Funds.
- f) In each year in which the State prepares an annual report the State will also host a public meeting to discuss the annual report.

## **6. Audits**

- a) If the State or any OR Participating Subdivision has a reasonable basis to suspect that an OR Participating Subdivision's use of OR Subdivision Funds or the State's use of the OR State Funds is inconsistent with the Distributor Settlement Agreement, the Janssen Settlement Agreement, or this OR Allocation Agreement, such Party may request the Oregon Secretary of State conduct an audit pursuant to ORS Chapter 297, provided, however, if the Oregon Secretary of State declines to conduct such an audit, the Parties will select a third party auditor mutually agreed to by the Parties.
- b) No audit may be commenced under Section 6(a) related to a specific expenditure of funds more than five years after the date on which the OR Participating Subdivision's expenditure of the funds subject to the audit was last reported to the State in an annual report submitted pursuant to Section 5(a).
- c) Notwithstanding the foregoing, this OR Allocation Agreement does not limit the statutory or constitutional authority of the State of Oregon or a local agency or official to conduct audits, investigations, or other oversight activities, or to pursue administrative, civil, or criminal enforcement actions.

## **7. Medicaid Clawback**

The Parties understand that the United States may claim a portion of the OR Settlement Funds for Medicaid reimbursement pursuant to § 1903 (d)(3)(A) of the Social Security Act. The Parties agree that, to the extent a claim for Medicaid reimbursement is made, the Parties shall bear the liability for the reimbursement based upon the particular claims made by the United States pursuant to with § 1903 (d)(3)(A) of the Social Security Act. The Parties agree to meet, confer, and cooperate in good faith concerning the allocation of any such liability.



## 8. Applicability

This OR Allocation Agreement applies to all funds received by Oregon for the McKesson, Cardinal Health and AmerisourceBergen ("Distributors"), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, "J&J") settlements. In addition, the allocation percentage contained herein (45% to the OR State Fund, 55% to OR Subdivision Fund), shall apply to future multistate opioid settlements with distributors, manufacturers, and pharmacies, subject to consideration of other terms of such settlements that impact allocation considerations. For the Purdue bankruptcy, the allocation of funds set forth in this Section 8, shall apply to Oregon's share of funds under the bankruptcy plan confirmed by Judge Drain on September 17, 2021 (the "Purdue Bankruptcy Plan"). However, any additional amounts paid under the Purdue bankruptcy resulting from Oregon and other states' appeal of the that plan's confirmation shall be paid directly to the State of Oregon, and any such additional amounts shall not be included in the calculation of the amount of the OR State Funds due to the State of Oregon under Section 4. The Parties acknowledge that in order to obtain settlement funds under the Purdue Bankruptcy Plan the Parties will need to file with the bankruptcy court that approved the Purdue Bankruptcy Plan a proposed allocation agreement that complies with the approved Purdue Bankruptcy Plan, and, to the extent permitted by the Purdue Bankruptcy Plan, the default allocation set forth in the proposed allocation agreement shall provide that 45% of the funds distributed to Oregon under the Purdue Bankruptcy Plan will be allocated to the State of Oregon, and 55% of the funds distributed to Oregon under the Purdue Bankruptcy Plan will be allocated to OR Participating Subdivisions. The Parties further agree that they will reasonably cooperate with one another to complete the timely filing of the allocation agreement within any deadlines established by the bankruptcy court. In addition, this OR Allocation Agreement, and allocation percentages set forth in this Section 8, shall not apply to any legal actions pursued by or settled by the State of Oregon as an individual state or any legal actions pursued by or settled by any OR Participating Subdivisions as individual cities or counties.

## 9. Releases

All Parties agree to release all claims as required to participate in the Distributor and Janssen Agreements as set forth in Exhibits K to the Distributor and Janssen Agreements and execution of such releases is a condition of receiving Oregon Settlement Funds under this OR Allocation Agreement.

## 10. Miscellaneous

- a) **Enforcement.** The State or any OR Participating Subdivision may bring a motion or action in any Oregon State court having competent jurisdiction to enforce the requirements of this OR Allocation Agreement. Before filing such a motion or action the Party intending to file the motion or action will meet and confer with the Party that is or will be the subject of the anticipated motion or action.
- b) **No Intended Third Parties.** Except as provided in the Distributor and Janssen Agreements, this OR Allocation Agreement is not enforceable by any party other than the State and the OR Participating Subdivisions. There are no intended third-party beneficiaries to this OR Allocation Agreement, and this OR Allocation Agreement does not confer any rights or remedies upon, and shall not be enforceable by, any person, legal entity, or public body that is not a Party to this OR Allocation Agreement.
- c) **Severability.** Except as provided in the OR Allocation Agreement, if any provision of this OR Allocation Agreement or the application thereof to any person, entity, or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this OR Allocation Agreement, or the application of such provision to persons, entities, or circumstances other than those as to which it is invalid or unenforceable, will not be affected thereby, and each other provision of this OR Allocation Agreement will be valid and enforceable to the fullest extent permitted by law. In the event any provision or part of this OR Allocation Agreement is found to be invalid or unenforceable, only that particular provision or part so found, and not the entire OR Allocation Agreement, will be inoperative.

- d) **Additional Litigation.** Nothing in this OR Allocation Agreement alters or is intended to alter or change the right of the State of Oregon or any OR Participating Subdivision to pursue its own claims against any defendant, other than Janssen and the Settling Distributors, through separate opioid-related litigation.
- e) **Construction.** With regard to each and every term and condition of this OR Allocation Agreement, the Parties understand and agree that the same have or has been mutually negotiated, prepared and drafted. If at any time the Parties or any court, administrative hearings officer, mediator, arbitrator, or arbitration panel, are required to interpret or construe any such term or condition, no consideration shall be given to the issue of which Party actually prepared, drafted or requested any term or condition thereof.
- f) **Entire Agreement.** This OR Allocation Agreement contains the entire agreement between the Parties and supersedes and cancels all previous negotiations and agreements, if any.
- g) **Amendments.** Any and all amendments to this OR Allocation Agreement must be in writing and must be signed by all Parties.
- h) **Authority.** Each Party that enters into this OR Allocation Agreement represents that it has authority to enter into this OR Allocation Agreement and that all actions or authorizations by the Party's respective Commissions, Councils, Boards, or other governing bodies necessary to authorize the Party to enter into this OR Allocation Agreement have been completed or obtained.
- i) **Legal Advice.** Each Party to this OR Allocation Agreement acknowledges that it has been advised to seek legal counsel and has had the opportunity to have this OR Allocation Agreement reviewed by legal counsel.
- j) **Governing Law.** Except as provided in the Distributor and Janssen Agreements, this OR Allocation Agreement shall be governed by and interpreted in accordance with the laws of the State of Oregon.

**Exhibit A**  
**OR PARTICIPATING SUBDIVISIONS**  
**AND LOCAL ALLOCATIONS**

Participating Subdivision	Percentages
Albany City	1.1574421234%
Ashland City	0.5725593238%
Astoria City	0.1859283065%
Baker County	0.4771636205%
Beaverton City	0.9709676029%
Bend City	0.9443519043%
Benton County	1.0219885306%
Canby City	0.1716812437%
Central Point City	0.1718730043%
Clackamas County	7.7713142577%
Clatsop County	1.1423692099%
Columbia County	1.0096699413%
Coos Bay City	0.2538945929%
Coos County	1.5633002470%
Cornelius City	0.0949750265%
Corvallis City	0.6633711425%
Cottage Grove City	0.0910229575%
Crook County	0.3513229911%
Curry County	0.7612961295%
Dallas City	0.1606964683%
Deschutes County	2.2569753600%
Douglas County	2.5689481047%
Eugene City	2.7611039932%
Forest Grove City	0.2522169415%
Gladstone City	0.1181360032%
Grants Pass City	0.8232581895%
Gresham City	0.9831942718%
Happy Valley City	0.0103506009%
Hermiston City	0.1316304314%
Hillsboro City	1.5083519364%
Hood River County	0.3553687498%
Independence City	0.0808970601%
Jackson County	4.0769510640%
Jefferson County	0.3674692915%
Josephine County	1.6536523798%

**Exhibit A**

Keizer City	0.1916558451%
Klamath County	1.2169628601%
Klamath Falls City	0.3209275214%
La Grande City	0.2715648669%
Lake Oswego City	0.6934160342%
Lane County	6.3326808234%
Lebanon City	0.3269345282%
Lincoln County	1.5190343268%
Linn County	1.8185376689%
Malheur County	0.5014027023%
Marion County	4.1636475308%
McMinnville City	0.4803592635%
Medford City	1.5540758598%
Milwaukie City	0.2113647118%
Monmouth City	0.0706960930%
Morrow County	0.1351544937%
Multnomah County	13.9643815662%
Newberg City	0.4093257361%
Newport City	0.1908392623%
Ontario City	0.1869780182%
Oregon City	0.2765040475%
Pendleton City	0.3521049458%
Polk County	0.7074299681%
Portland City	8.2736702858%
Prineville City	0.0924861843%
Redmond City	0.1550311086%
Roseburg City	0.6370799877%
Salem City	3.0438221421%
Sandy City	0.0775015682%
Sherwood City	0.1404204928%
Silverton City	0.0775630731%
Springfield City	1.1667234659%
St. Helens City	0.1964453077%
The Dalles City	0.1723418738%
Tigard City	0.5049875956%
Tillamook County	0.9001228870%
Troutdale City	0.0899929610%
Tualatin City	0.1551565618%
Umatilla County	0.9738633884%

**Exhibit A**

Union County	0.4153841374%
Wasco County	0.4116278731%
Washington County	7.2167622210%
West Linn City	0.1600504983%
Wilsonville City	0.1383351396%
Woodburn City	0.2069349266%
Yamhill County	1.4120246444%

**EXHIBIT B**

**OREGON BACK-STOP AGREEMENT**

On August 6, 2021, Judge Polster of the US District Court for the Northern District of Ohio issued an Order (the Order), docket number 3814, in In Re National Prescription Opiate Litigation, MDL 2804, addressing contingent attorney fee contracts between political subdivisions eligible to participate in the Distributor and Janssen Agreements and their counsel.

In light of the Order, and at the request of [SUBDIVISION], the [SUBDIVISION], its counsel [COUNSEL], and the Oregon Department of Justice, on behalf of the State of Oregon, are entering into this Oregon Back-Stop Agreement (Back-Stop Agreement). Terms used herein have the meaning set forth in the Distributor and Janssen Agreements or the OR Allocation Agreement, as applicable.

[SUBDIVISION] and [COUNSEL] intend this Back-Stop Agreement to constitute a State Back-Stop Agreement as that term is used in the Order and in Exhibits R (Agreement on Attorneys’ Fees, Expenses and Costs) of the Distributor and Janssen Agreements.

[COUNSEL] certify that they first sought fees and costs from the Attorney Fee Funds and Cost Funds created under the Distributor and Janssen Agreements before seeking or accepting payment under this backstop agreement. [COUNSEL] further certify that they are not seeking and will not accept payment under this Back-Stop Agreement of any litigation fees or costs that have been reimbursed through prior settlements or judgments.

[COUNSEL] certify that it is requesting [\$ \_\_\_\_\_] (“Requested Amount”) from the OR Back-Stop Fund, which amount is to be paid in equal payments over the first seven Payment Dates set forth in the Distributor and Janssen Agreements. Counsel certify that the Requested Amount does not exceed an amount equal to:

**[[OR SETTLEMENT FUNDS]\*.5\*[DIRECT ALLOCATION PERCENTAGE OF CONTINGENCY FEE COUNSEL’S LITIGATING LOCAL GOVERNMENT]\*.12] minus [AMOUNT OBTAINED BY COUNSEL FROM ATTORNEY FEE FUND FOR COUNSEL’S LITIGATING LOCAL GOVERNMENT]**

Notwithstanding the provisions of this Backstop Agreement, [SUBDIVISION] may pay to [COUNSEL] additional fees consistent with the provision of Section 4(e)(i) and (ii) of the OR Allocation Agreement.

The Oregon Department of Justice is executing this agreement solely because the definition of “State Back-Stop Agreement” in Exhibits R of the Distributor and Janssen Agreements requires such agreements to be between “a Settling State” and private counsel for a Participating Subdivision. Neither the Oregon Department of Justice nor the State of Oregon have any obligations under this Back-Stop Agreement, and this Back-Stop Agreement does not require the payment of any funds of the State of Oregon, including OR State Funds (as defined in the OR Allocation Agreement) to [SUBDIVISION], [COUNSEL], or any other party.

[DATE] [SUBDIVISION SIGNATURE BLOCK]

[DATE] [COUNSEL SIGNATURE BLOCK]

[DATE] [OREGON DOJ SIGNATURE BLOCK]

**CITY OF WOODBURN**  
**Bridgeway Community Health —**  
**Substance Use Treatment Services Agreement**

THIS SUBSTANCE USE TREATMENT SERVICES AGREEMENT (“Agreement”), is made as of the last date of signatures indicated below (“Effective Date”), by and between the City of Woodburn, an Oregon municipal corporation (the “City”), and BRIDGEWAY RECOVERY SERVICES, INC., an Oregon nonprofit corporation, (the “Contractor”) together, (the “Parties”).

**BACKGROUND**

- (A) The City currently lacks the resources necessary to provide comprehensive substance use treatment to individuals experiencing Opioid Use Disorder (OUD), co-occurring Substance Use Disorder (SUD), and co-occurring Mental Health (MH) conditions.
- (B) As a result of its participation in the global opioid settlement with Johnson & Johnson (“J&J”) and its distributors (“Distributors”) the City receives funds that can be directed towards a broad range of approved opioid abatement programs, including comprehensive screening and treatment services for those experiencing OUD and co-occurring SUD and MH conditions.
- (C) The Contractor has extensive experience providing culturally appropriate, trauma-informed comprehensive treatment services for OUD and co-occurring SUD and MH conditions in Marion and Polk Counties.
- (D) The Contractor has expressed an interest in leasing space within the City-owned Family Resource Center to expand its services to serve Woodburn and North Marion County.
- (E) The City desires to enter into an agreement with Contractor the terms of which will allow Contractor to provide comprehensive treatment for OUD and co-occurring SUD and MH conditions to individuals experiencing those conditions in Woodburn and North Marion County.

THE PARTIES AGREE AS FOLLOWS:

**AGREEMENT**

1. Services.

- 1.1. Purpose. The Program’s purpose is to assist residents of the City of Woodburn and North Marion County who are experiencing OUD, and commonly co-occurring SUD and MH conditions by providing comprehensive substance use screening and treatment services.
- 1.2. Services. Contractor shall provide comprehensive OUD and co-occurring SUD and MH treatment services (the “Services”) including but not limited to substance use screenings, assessments, group counseling, individual therapy sessions, family therapy sessions, urinalysis, case management, consultations, and referrals to other providers and levels of care. Contractor may, upon prior consultation with the City, provide other services allowed under

Exhibit E, Schedule B Subsections A and B of the Universal Opioid Settlement Agreement, attached as Exhibit A to this Agreement and incorporated by reference herein.

2. Term. This Agreement shall begin on the date of last signature below and shall be valid through December 31, 2025. Pursuant to Section 5 of this Agreement and subject to the availability of settlement funds, this Agreement may be extended for up to two (2) subsequent two-year terms provided that the Parties mutually agree in writing to extend the Term of the Agreement.
3. Payment. The City shall pay Contractor a total of \$120,000.00 to be distributed as listed in the payment schedule below for program and services, in addition the City shall pay \$ 12,412.00 for tenant improvements at the Family Resource Center (970 Cascade Drive Woodburn, OR 97071)(Exhibit D).

Funding Cycle	Issuance Date	Total Funds
FY 2024-2025	Within 30 days of the Effective Date	\$60,000.00
FY 2024-2025	Within 30 days of the Effective Date (Tenant Improvements)	\$12,412.00
FY 2024-2025	June 30, 2025	\$60,000.00

4. Conditions of Funding.

- 4.1. Project Work Plan. On or prior to March 1, 2025, Contractor shall submit to the City a Project Work Plan that outlines Contractor’s proposed project activities for carrying out the Project Services. The work plan should include, at a minimum, a proposed budget plan for expenditure of the Grant Funding, a Program staffing plan, and any performance targets or goals for the upcoming year.
- 4.2. Service Provision. By no later than June 30, 2025, Contractor shall begin providing the Project Services operating out of the City’s Family Resource Center.
- 4.3. Quality of Services. Services shall be performed in a competent and professional manner by Contractor’s staff/volunteers who have been trained in the program eligibility requirements, Project Services provision, and reporting procedures.
- 4.4. Allowable Overhead Costs. Initial minor modifications to the Family Resource Center shall be allowed in a dollar amount not to exceed \$12,412.00. Thereafter, all funds allocated shall be expended on Project Services as defined in section 1.2 of this Agreement.
- 4.5. Disallowed costs. The following expenditures are disallowed: (i) religious instruction or recruitment; (ii) real estate purchases; (iii) lobbying or political activities; (iv) costs for providing services outside of North Marion County; (v) indirect costs and overhead not readily assignable to Project Services; and (vi) any activity prohibited by state, federal, or local law or rule.

Under no circumstances shall any project funds be expended on any costs not listed in Exhibit A of this Agreement, specifically Schedule B, Subsections A & B.



5. Additional Funding. Subject to the availability of settlement funds, the City may provide Contractor with additional funding under this Agreement in an amount not to exceed \$120,000 per year. Any additional allocation of funds beyond the initial term of this Agreement shall be strictly at the discretion of City and in an amount determined solely by City. Unless otherwise modified and agreed to in writing, any additional allocation of funds shall be used in the same manner and for the same purpose as set out in Section 1 of this Agreement.
6. Reporting. Contractor shall submit recurring reports and updates to the City related to the Project Services as follows:
  - (a) Bi-Annual. Contractor shall submit to the City bi-annual expenditure and data reports that capture a summarized form of the Program fund expenditures along with the service metric data for the Program for the previous bi-annual period. Along with the bi-annual reports, Contractor shall also include, as necessary, a summary of any material modifications Contractor has made to either its proposed budget or operational plan that differs significantly from its submitted Annual Project Work Plan.
  - (b) Annual. Contractor shall submit a comprehensive annual report to the City that includes: (i) a narrative report that provides a description of activities, challenges, successes, and progress Contractor has made in providing Project Services in Woodburn; (ii) a data report that captures information such as level of service and number of community members served; and (iii) an annual expenditure report that includes a complete accounting of Program Fund expenditures for the previous year.

6.1. Reporting Schedule. Contractor shall submit the bi-annual and annual reports as follows:

Year/Quarter	Reporting Period	Report Due Date
Y1 – Bi-Annual	January 1, 2025 – June 30, 2025	July 31, 2025
Y1 – Annual	July 1, 2025 – December 31, 2025	January 31, 2026

7. Contractor Representations and Warranties. Contractor represents and warrants to City that:
  - (a) Contractor is a non-profit entity duly organized and validly existing in the State of Oregon;
  - (b) Contractor has all necessary rights, powers, and authority under any organizational documents and under Oregon law to (i) execute this Agreement; (ii) incur and perform its obligations under this Agreement; and (iii) receive financing, including Program funds for the purposes of carrying out Project Services under this Agreement.
  - (c) There is no proceeding pending or threatened against Contractor before any court or governmental authority that if adversely determined would materially affect the ability of Contractor to carry out Project Services.

The representations and warranties set forth in this Section are in addition to, and not in lieu of, any other representations or warranties provided by Contractor.

8. Responsibilities of City.

8.1. Project Funding and Administration: The City shall, subject to availability of funds, distribute funds per Section 2 of this Agreement. The City's Community Services Director shall be the City's primary point of contact for Contractor for matters related to this Agreement.

9. Termination.

9.1. Mutual. This Agreement may be terminated at any time by the mutual written consent of the Parties.

9.2. By the City. The City may terminate this Agreement as follows:

- (a) At the City's discretion, upon sixty (60) days advanced written notice to Contractor;
- (b) Immediately upon written notice to Contractor should the City fail to receive funding or appropriations or other expenditure authority at levels sufficient in the City's reasonable administrative discretion to perform its obligations under this Agreement;
- (c) Immediately upon written notice to Contractor, if federal or state laws, rules, regulations, or program guidelines are modified or interpreted in such a way that the City's performance under this Agreement is prohibited.
- (d) Immediately upon written notice to Contractor, if Contractor is in default under Section 11.1 of this Agreement and such default remains uncured for thirty (30) days after written notice is provided to Contractor.

9.3. By Contractor.

- (a) At Contractor's discretion, upon ninety (90) days advanced written notice to City;
- (b) Immediately upon written notice to the City, if the City is in default under this Agreement and such default remains uncured for thirty (30) days after written notice is provided to the City.

10. Recovery of Program Funds. Contractor must return to the City, within thirty (30) days of City's written demand: (i) any Program Funds paid to Contractor that exceed the amount to which Contractor is entitled under this Agreement; (ii) any Program Funds received by Contractor that remain unexpended or contractually committed for Project Services by December 31, 2025; or (iii) any Program Funds determined by the City to be expended for purposes other than allowable Program Fund Expenditures under Sections 1 and 4 of this Agreement.

11. Default.

11.1. Contractor. Contractor will be in default under this Agreement upon the occurrence of any of the following events:

- (a) Contractor fails to use Program Funds for the intended purpose described in the Agreement or otherwise fails to perform, observe, or discharge any of its covenants, agreements, or obligations under this Agreement;
- (b) Any representation, warranty, or statement made by Contractor in this Agreement or in any documents relied upon by the City in issuing the Program Funding is untrue in any material respect when made; or
- (c) A petition, proceeding or case is filed by or against Contractor under any federal or state bankruptcy, insolvency, receivership or other law relating to reorganization, liquidation, dissolution, winding up or adjustment of debts; in the case of a petition filed against Contractor, Contractor acquiesces to such petition or such petition is not dismissed within twenty (20) calendar days after such filing, or such dismissal is not final or is subject to appeal; or Contractor becomes insolvent or admits its inability to pay its debts as they become due, or Contractor makes an assignment for the benefit of its creditors.

11.2. City. The City will be in default under this Agreement if, after thirty (30) days written notice specifying the nature of the default, the City fails to perform, observe, or discharge any of its covenants, agreements, or obligations under this Agreement; provided, however, the City will not be in default should the City fail to disburse Program Funds because there is insufficient expenditure authority for, or moneys available.

11.3. Remedies

11.3.1. City Remedies. In the event Contractor is in default under Section 11.1 of this Agreement, the City may, at its option, pursue any or all of the remedies available to it under this Agreement and at law or in equity, including, but not limited to: (i) termination of this Agreement under Section 9; (ii) reducing or withholding payment of Program Funds; (iii) requiring Contractor to complete, at Contractor's expense, additional activities necessary to satisfy its obligations or meet performance standards under this Agreement; (iv) initiation of an action or proceeding for damages, specific performance, or declaratory or injunctive relief; (v) exercise of its right of recovery of overpayments under Section 10; or (vi) declaring Contractor ineligible for the receipt of future awards from the City. These remedies are cumulative to the extent the remedies are not inconsistent, and the City may pursue any remedy or remedies singly, collectively, successively or in any order whatsoever.

11.3.2. Contractor Remedies. In the event the City is in default under Section 11.2 and whether or not Contractor elects to terminate this Agreement, Contractor's sole monetary remedy will be, within any limits set forth in this Agreement, the pro-rated amount of Program Funds owing to Contractor through the date of termination, less any claims the City has against Contractor. In no event will the City be liable to Contractor for any expenses, direct, indirect, consequential or otherwise related to termination of this Agreement.

12. Non-Discrimination. Contractor shall provide access to its services on a basis that does not discriminate against any person on the basis of the person's race, color, sex, sexual orientation,

religion, ethnicity, national origin, age, disability, familial status, marital status, gender identity, source of income, veteran status, or membership in any other protected class under state or federal law.

13. Limitation of Liability. Contractor shall take all necessary precautions and shall be responsible for the safety of its employees, volunteers, agents, and subcontractors in the performance of all services provided under this Agreement. The City shall not be liable for injury, damage, or loss suffered by Contractor, its employees, volunteers, agents, and subcontractors, not otherwise caused by the intentional acts of the City, its agents, employees, or contractors.
14. Insurance. Contractor shall provide insurance as indicated on Exhibit B, attached hereto and by this reference made a part hereof.
15. Liens and Assessments. Contractor agrees that it will pay all employment security contributions required to be paid as a result of any services performed for the City. The Contractor shall not allow any lien to be placed against the City by reason of non-payment of such contributions or any other reason and shall indemnify the City against such lien.
16. Miscellaneous.
  - 16.1. Compliance with Applicable Law. Contractor shall comply with all federal, state and local laws, regulations, and ordinances or to Contractor's obligations under this Agreement, as those laws, regulations, or ordinances may be adopted or amended from time to time.
  - 16.2. Records. Contractor must maintain all financial records relating to this Agreement in accordance with generally accepted accounting principles. In addition, Contractor must maintain any other records, whether in paper, electronic or other form, pertinent to this Agreement in such a manner as to clearly document Contractor's performance. All financial records and other records, whether in paper, electronic or other form, that are pertinent to this Agreement, are collectively referred to as "Records." Contractor acknowledges and agrees the City and the federal government and their duly authorized representatives will have access to all Records to perform examinations and audits and make excerpts and transcripts. Contractor must retain and keep accessible all Records for a minimum of six (6) years, or such longer period as may be required by applicable law, following termination of this Agreement, or until the conclusion of any audit, controversy or litigation arising out of or related to this Agreement, whichever date is later.
  - 16.3. Force Majeure. Neither the City, nor Contractor shall be held responsible for delay or default caused by fire, riot, acts of God, or war where such cause was beyond the reasonable control of the City or Contractor, respectively. Contractor shall, however, make all reasonable efforts to remove or eliminate such a cause of delay or default and shall, upon the cessation of the cause, diligently pursue performance of its obligations under this Agreement.
  - 16.4. Notice. Any Notice provided for or concerning this Agreement shall be in writing and be deemed sufficiently given when personally delivered or mailed by Certified mail, or emailed to the respective address of each party as follows:

**Contractor:** Attn: Carlos Obed Texidor Maldaonado, Chief Executive Officer, PO Box 17818, Salem, OR 97305

**City of Woodburn:** Attn: Jesse Cuomo, Community Services Director, 270 Montgomery Street, Woodburn, Oregon 97071.

- 16.5. **Relationship of the Parties.** Nothing in this Agreement is intended or is to be deemed to create a partnership or joint venture between the Parties. Contractor shall at no time hold itself out as a subsidiary or affiliate of the City. Further, nothing contained herein shall be deemed or construed by the Parties, nor by any third parties, as creating a relationship between the City and any officers, employees, volunteers, suppliers, contractors, or subcontractors used by Contractor to carry out any activities under this Agreement. The City is not required to pay, or make any contributions to, any social security, local, state, or federal tax, unemployment compensation, workers' compensation, insurance premium, profit-sharing, pension or any other employee benefit for the Contractor during the Term. The Contractor is responsible for paying, and complying with reporting requirements for, all local, state, and federal taxes related to payments made to the Contractor under this Agreement.
- 16.6. **Use of "Proprietary Marks".** Each party shall obtain prior written approval from the other party prior to using the other party's trademarks, trade names, logos, or images (collectively, " Proprietary Marks") in connection with carrying out projects or activities under this Agreement. This applies to all uses regardless of whether on the web, in print, or in any other media. Once approved, similar uses in the same context and format will not require additional approval. In the event this agreement expires or terminates for any reason, each party shall immediately discontinue using the other Party's Proprietary Marks.
- 16.7. **Subcontracts and Assignment; Successors and Assigns.** City has selected Contractor based on its reputation and specialized expertise. Contractor shall not enter into any subcontracts for any of the activities required by this Agreement or assign or transfer any of its interest in this Agreement without City's prior written consent.
- The provisions of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their respective successors and permitted assigns, if any.
- 16.8. **No Third-Party Beneficiaries.** The City and Contractor are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.
- 16.9. **Governing Law, Venue, Consent to Jurisdiction.** This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon without regard to principles of conflicts of law. Any claim, action, suit or proceeding (collectively, "Claim") between the City and Contractor that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Marion County for the State of Oregon.

Contractor hereby agrees to the in personam jurisdiction of such court and waives any claims of an inconvenience forum.

16.10. Severability. The parties agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.

16.11. Merger Clause; Waiver. This Agreement constitute the entire agreement between the parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of the City to enforce any provision of this Agreement shall not constitute a waiver by the City of that or any other provision.

The parties have executed this Agreement effective as of the last date of signature specified below.

*[Signature Page to Follow]*

**CONTRACTOR DATA, CERTIFICATION AND SIGNATURE**

*(please print or type)*

<b>Name (tax filing):</b>	<b>Address:</b>
<b>Email:</b>	<b>Phone #:</b> <b>Facsimile #:</b>
<b>Social Security #:</b> or <b>Federal Tax ID #:</b>	<b>State Tax ID#:</b>
<b>Citizenship</b> , if applicable: Non-resident alien <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Business Designation</b> (check one): <input type="checkbox"/> Corporation <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company	
Above payment information must be provided prior to Contract approval. This information will be provided to the Internal Revenue Service (IRS) under the name and taxpayer ID number submitted. Information not matching IRS records could subject Contractor to 31 percent backup withholding.	

**Certification and Execution:**

**Contractor, by execution of this contract, hereby acknowledges that contractor has read this contract, understands it, and agrees to be bound by its terms and conditions.**

The Contractor hereby certifies that: (a) the number shown on this form is Contractor’s correct taxpayer ID and (b) Contractor is not subject to backup withholding because (i) Contractor is exempt from backup withholding or (ii) Contractor has not been notified by the IRS that Contractor is subject to backup withholding as a result of failure to report all interest or dividends, or (iii) the IRS has notified Contractor that Contractor is no longer subject to backup withholding; (c) s/he is authorized to act on behalf of Contractor, s/he has authority and knowledge regarding Contractor’s payment of taxes, and to the best of her/his knowledge, Contractor is not in violation of any Oregon tax laws (including, without limitation, those listed in Exhibit B); (d) Contractor is an independent contractor as defined in ORS 670.600; and (e) the above Contractor data is true and accurate.

Signed by the Contractor:

**BRIDGEWAY RECOVERY SERVICES, INC.**

\_\_\_\_\_  
Name Carlos Obed Texidor Maldanando  
Title: Chief Executive Officer

\_\_\_\_\_  
Date

Bridgeway Recovery Services, INC.

750 Front St. NE Salem

Salem, OR 97301

Accepted and Signed by the City:

**City of Woodburn**

\_\_\_\_\_  
Scott Derickson  
City Administrator

\_\_\_\_\_  
Date

City of Woodburn  
270 Montgomery Street  
Woodburn, OR 97071



**EXHIBIT A**  
**UNIVERSAL SETTLEMENT ALLOWABLE EXPENDITURES**  
**(SETTLEMENT EXHIBIT E, SCHEDULE B, PART ONE: SECTIONS A & B)**

**Schedule B**  
**Approved Uses**

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

PART ONE: TREATMENT
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**A. TREAT OPIOID USE DISORDER (OUD)**

Support treatment of Opioid Use Disorder (“*OUD*”) and any co-occurring Substance Use Disorder or Mental Health (“*SUD/MH*”) conditions through evidence-based or evidenceinformed programs or strategies that may include, but are not limited to, those that:<sup>1</sup>

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (“*MAT*”) approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (“*ASAM*”) continuum of care for OUD and any co-occurring SUD/MH conditions.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (“*OTPs*”) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.

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<sup>1</sup> As used in this Schedule B, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

6. Provide treatment of trauma for individuals with OUD (*e.g.*, violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (*e.g.*, surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.
8. Provide training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
10. Offer fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Offer scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD/MH or mental health conditions, including, but not limited to, training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (“*DATA 2000*”) to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
13. Disseminate web-based training curricula, such as the American Academy of Addiction Psychiatry’s Provider Clinical Support Service–Opioids web-based training curriculum and motivational interviewing.
14. Develop and disseminate new curricula, such as the American Academy of Addiction Psychiatry’s Provider Clinical Support Service for Medication–Assisted Treatment.

**B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY**

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the programs or strategies that:

1. Provide comprehensive wrap-around services to individuals with OUD and any cooccurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and

- counseling, community navigators, case management, and connections to community-based services.
3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.
  4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.
  5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
  6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any cooccurring SUD/MH conditions.
  7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
  8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
  9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
  10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
  11. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
  12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
  13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
  14. Create and/or support recovery high schools.
  15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

**EXHIBIT B  
INSURANCE**

During the term of this Agreement, Contractor shall maintain at its own expense:

1. Workers' Compensation insurance in compliance with ORS 656.017, which requires subject employers to provide Oregon workers' compensation coverage for all their subject workers (contractors with one or more employees, and as defined by ORS 656.027);

2.  Required by the City  Not required by the City

**Professional Liability** insurance with a combined single limit, or the equivalent, of not less than [ ] \$500,000, [ X ] \$1,000,000 each claim, incident, or occurrence. This is to cover damages caused by error, omission or negligent acts related to the professional services to be provided under this Contract.

3.  Required by the City  Not required by the City

**General Liability** insurance with combined single limit, or the equivalent, of no less than \$1,000,000 each occurrence for Bodily Injury and Property Damage. It shall include contractual liability coverage for the indemnity provided under this Contract. It shall provide that the City of Woodburn and their divisions, officers and employees are Additional Insureds but only with respect to the Contractor's services to be provided under this Agreement.

4.  Required by the City  Not required by the City

**Automobile Liability** insurance with a combined single limit, or the equivalent, of not less than [ X ] Oregon Financial Responsibility Law (ORS 806.060), [ ] \$200,000, [ X ] \$500,000, [ ] \$1,000,000 each accident for Bodily Injury and Property Damage, including coverage for owned, hired or non-owned vehicles, as applicable.

5. **Notice of cancellation or change.** There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without 30 days written notice from the Contractor or its insurer(s) to the City.

6. **Certificates of insurance.** As evidence of the insurance coverages required by this Agreement, the Contractor shall have on file and furnish upon request acceptable insurance certificates to the City prior to commencing the work. The certificate will specify all of the parties who are Additional Insureds. Insuring companies or entities are subject to State acceptance. If requested, complete policy copies shall be provided to the State. The Contractor shall be financially responsible for all pertinent deductibles, self-insured retentions and/or self-insurance.

**EXHIBIT C**  
**CERTIFICATION STATEMENT FOR INDEPENDENT CONTRACTOR**

(All Contractors are required to complete Exhibit C unless they are registered as a Corporation)

Oregon Revised Statute (ORS) 670.600 provides a standard definition of “independent contractor” to be used by certain Oregon agencies. The City will rely on the factors provided in ORS 670.600 to verify Contractor’s independent contractor status.

To be considered an “independent contractor”, Contractor must: Provide services for remuneration and be free from direction and control over the means and manner of providing its services and be engaged in an “independently established business.”

Contractor is considered to be engaged in an “independently established business” if **three** of the following requirements are met (check all that apply):

- A.** The labor or services are primarily carried out at a location that is separate from Contractor’s residence or is primarily carried out in a specific portion of the Contractor’s residence, which is set aside as the location of the business.
- B.** Contractor assumes financial responsibility for defective workmanship related to the business or services (as evidenced by the ownership of performance bonds, warranties, errors and omission insurance or liability insurance relating to the services to be provided).
- C.** Contractor has provided contract services for two or more different people in the last twelve (12) month period.
- D.** Contractor routinely engages in business advertising, solicitations, or other marketing efforts.
- E.** Contractor makes a significant investment in the business (as evidenced by purchasing tools and/or equipment, paying for the premises or facilities where services are provided, or paying for all required licenses and/or certificates).
- F.** Contractor has the authority to hire other persons to provide or assist in providing the services (and has the authority to fire those persons).

Contractor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**EXHIBIT D**

dalke Construction Co. Inc.  
2180 16th Street NE, Salem, Oregon 97301

**Woodburn Bridgeway  
Reception Window Budget**

01/14/2025

Line Item	Description	Quantity	Unit	Unit Cost	Budget
01	General Conditions and Supervision	1	mo	\$ 2,500	\$ 2,500
02	Demolition Allowance	1	ls	\$ 1,500	\$ 1,500
03	Framing Allowance	1	ls	\$ 500	\$ 500
05	Finish Carpentry	1	ls	\$ 1,150	\$ 1,150
07	Countertop Allowance	1	ls	\$ 750	\$ 750
08	Floor covering Allowance	400	sf	\$ 7	\$ 2,800
09	Painting Allowance	1	ls	\$ 1,500	\$ 1,500
13	Subtotal				\$ 10,700
14	Contractors Insurance	1.00%			\$ 107
15	Profit and Overhead	15%			\$ 1,605
16	CAT	0.056%			\$ 6
17	<b>Total</b>				<b>\$ 12,412</b>



# Agenda Item

February 10, 2025

TO: Honorable Mayor and City Council (acting in its capacity as the Local Contract Review Board) through City Administrator

FROM: Curtis Stultz, Public Works Director

SUBJECT: **Award of Construction Contract for the First Street Sanitary Sewer Bypass Project**

**RECOMMENDATION:**

Award the construction contract for the First Street Sanitary Sewer Bypass Project to the lowest responsible and responsive bidder, Lawson Corp, in the amount of \$497,485.00. Staff recommends approving an additional \$80,000 for this project as a contingency for potential change orders that may arise during construction.

**BACKGROUND:**

The project will focus on addressing capacity issues within the existing sanitary sewer system. The current sanitary pipeline, which runs from Harrison Street to North Front Street Park and continues under the railroad tracks towards Commerce Street, is undersized and in need of replacement.

As part of this contract, a new 16-inch sanitary line will be installed along First Street. This new line will run parallel to the existing, undersized line located mid-block in an easement between North Front Street and North First Street. A future project will be required to upsize the remaining portion of the pipe network from North Front Street Park to Commerce Street.

In addition to the sanitary improvements, the scope of work includes the construction of nine (9) new ADA-compliant curb ramps, a 2-inch "mill and fill" on First Street from Harrison Street to No Name Street, and marking three previously unmarked crosswalks.

Bids for the Project were publicly opened January 30, 2025. Twenty (20) bids were received, and the results are as follows:

Lawson Corp	\$497,485.00
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Agenda Item Review: City Administrator  City Attorney  Finance

North Santiam Paving Co.	\$538,921.00
Dalke Construction	\$614,564.62
Turney Excavating Inc.	\$639,172.00
Grade Werks Excavating LLC	\$655,541.00
Canby Excavating, Inc.	\$660,525.00
Gelco Construction Company	\$716,332.50
Braun Construction & Design LLC	\$724,358.00
K&E Excavating Inc.	\$736,615.00
Titan Utilities LLC	\$739,943.00
Emery & Sons Construction Group LLC	\$744,140.00
Dewitt Construction Inc.	\$788,641.50
D&I Excavating Inc.	\$805,174.00
Dark Horse Construction LLC	\$821,787.00
J.W. Fowler Co.	\$865,751.00
Northcore USA LLC	\$887,718.83
Moore Excavation, Inc.	\$946,190.00
Pihl Inc	\$964,000.00
SLE Inc	\$1,043,797.00
ATK Construction Inc.	\$1,189,991.00

The Engineer's Estimate for the project was: \$822,480.86

**DISCUSSION:**

The contract award is in conformance with public contracting laws of the State of Oregon as outlined in ORS Chapter 279C, and the laws and regulations of the City of Woodburn.

**FINANCIAL IMPACT:**

The subject project is identified in the adopted fiscal year 2024/25 Budget and funded by the Sewer SDC Fund (Fund 475) and DOT Fund Exchange (Fund 140).





# Agenda Item

February 10, 2025

TO: Honorable Mayor and City Council through City Administrator

FROM: Chris Kerr, Community Development Director *CK*,  
Heidi Hinshaw, Associate Planner

SUBJECT: **Council Briefing of Planning Commission approval of a Conditional Use, Design Review, & Street Adjustment consolidated application package for the Les Schwab Tires modernization project at 1140 N. Pacific Hwy & 1735 Hardcastle Ave (DR 24-09, CU 24-04, & SA 24-05)**

### **RECOMMENDATION:**

Staff recommends that the City Council take no action on this item and provides this summary pursuant to [Woodburn Development Ordinance \(WDO\)](#) Section 4.02.02. The Council may call up this item if desired and, by majority vote, initiate a review of the Planning Commission decision.

### **BACKGROUND:**

The subject property is located at 1140 N. Pacific Hwy & 1735 Hardcastle Ave. The property is zoned Commercial General (CG) and is within 200 feet of residentially zoned property.

The proposed development is a Conditional Use for vehicle repair, with corresponding Design Review and Street Adjustment applications to partially redevelop a site of two lots totaling approximately 1.75 acres.

The partial redevelopment involves renovating existing buildings and constructing an addition/expansion of 492 square feet (sq ft) which will modernize the customer showroom and lounge spaces and relocate vehicle servicing operations indoors. The service bay canopy and slab and RV/truck servicing breezeway will be demolished, and the roofline will change. The parking lot will be reconfigured to incorporate directional striping, landscaping, bicycle parking, walkways, and additional vehicle parking spaces including accessible stalls and carpool/vanpool (C/V) stalls.

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Agenda Item Review: City Administrator \_\_\_x\_\_\_ City Attorney \_\_\_x\_\_\_ Finance \_\_\_x\_\_\_

The Planning Commission held a public hearing on January 23, 2025 and unanimously approved the consolidated applications package (Type III) with the conditions recommended by staff through the staff report published January 16, 2025.

No one testified (besides a member of the applicant's team).

The Commission final decision document includes conditions of approval that relate to topics including:

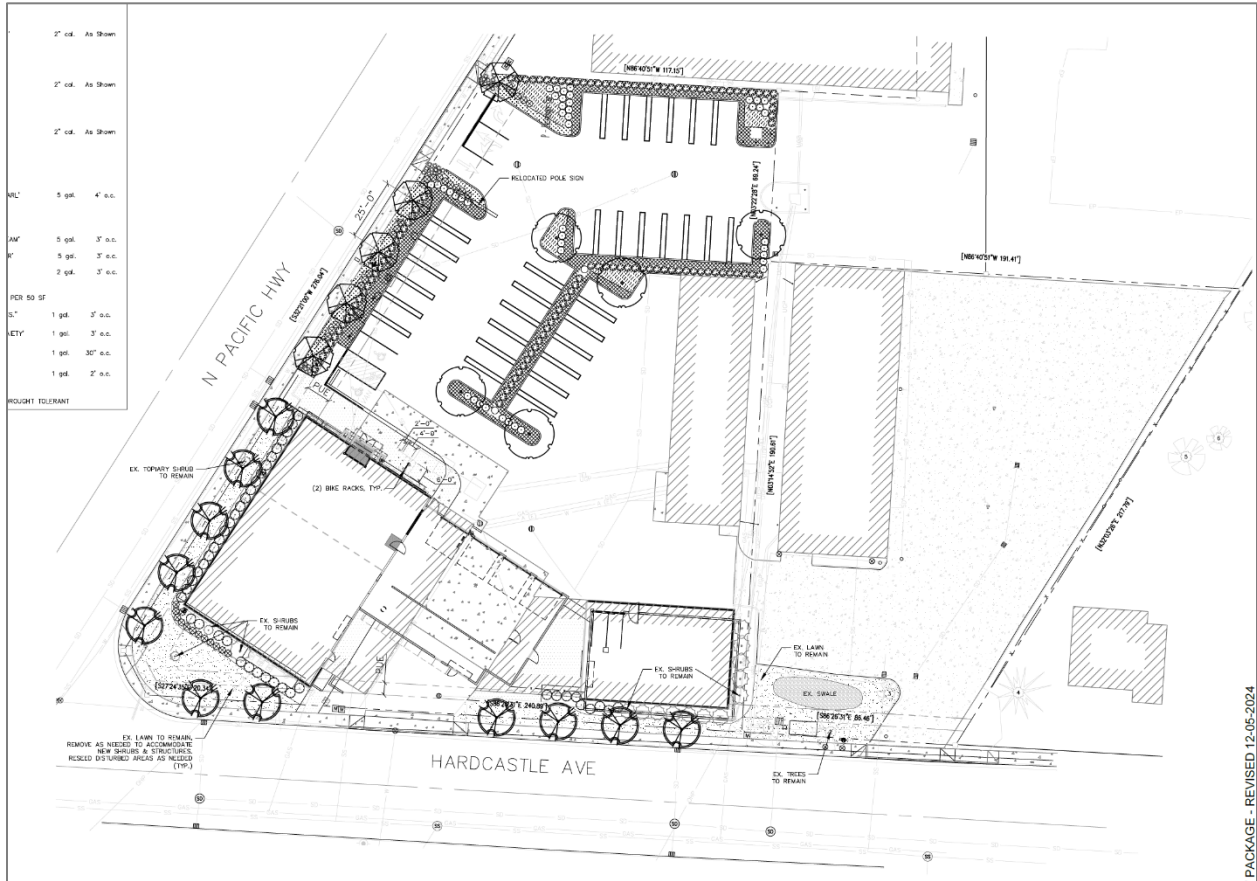
1. The look & feel of street frontage for passers-by walking, cycling, & driving-including street trees;
2. Pedestrian safety within parking lot including wide walkways;
3. Landscaping;
4. Addressing: reduce confusion by consolidating addresses;
5. Removal of barbed wire fencing;
6. A Transit development fee to help implement Transportation System Plan (TSP) Transit Projects T6 and T7;
7. Ensuring minimum off-street parking that meets WDO and Americans with Disabilities Act (ADA) standards;
8. Signage: removing the existing pole sign within the newly widened ROW and ensuring new signage meets current WDO standards;
9. Establishing the threshold for future development activity that would necessitate a new Conditional Use (which would likely require street improvements);
10. Narrowing the Hardcastle driveway to the current WDO standard and remediating adjacent sidewalk and curb;
11. Dedicating right-of-way (ROW) & granting streetside public utility easements (PUEs);
12. A transportation fee as a fair or proportionate share contribution towards the improvement of nearby intersections.

Additional application materials are found via the [DR 24-09 City project webpage](#).

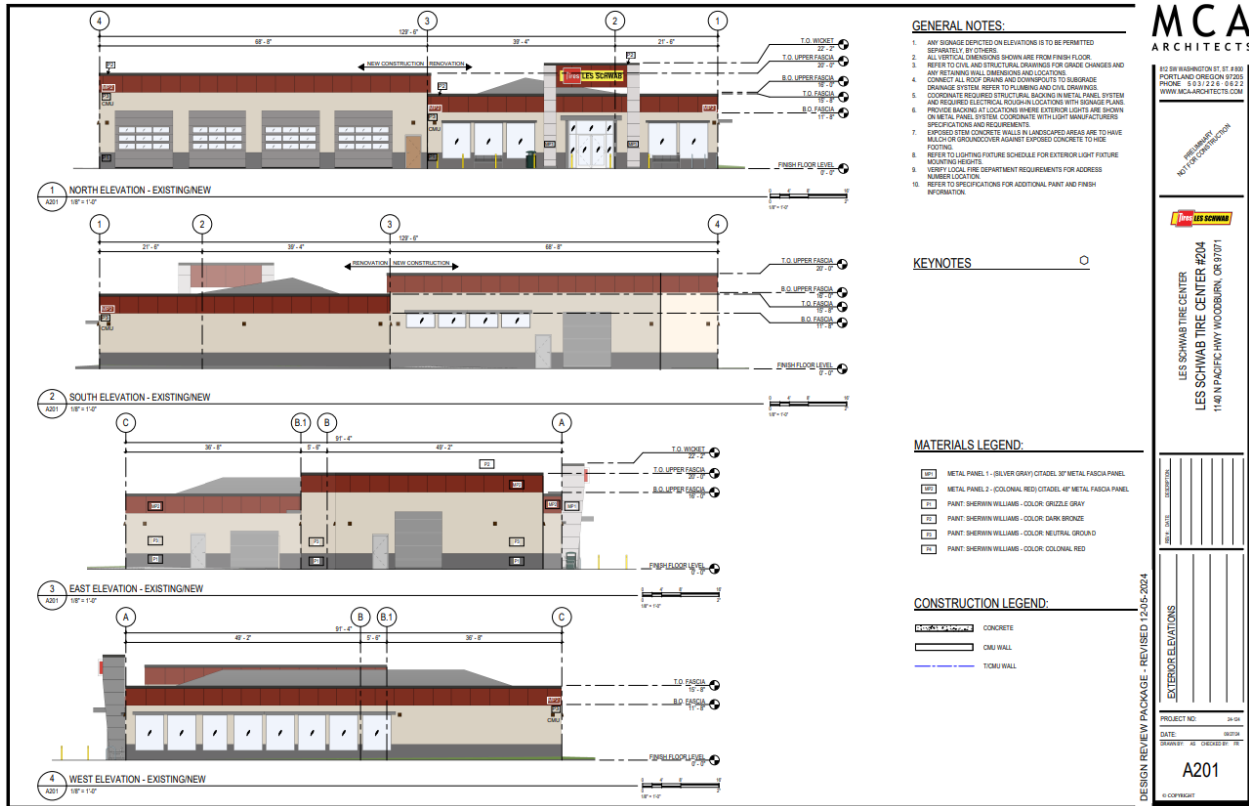
An aerial view, site plan, & elevations and/or perspective renderings are below:



*Subject property outlined in yellow*



Site Plan excerpt



Proposed elevations

**DISCUSSION:**

n/a

**FINANCIAL IMPACT:**

n/a

**Attachment(s):**

None.