



Staff Report

To: Planning Commission

Through: Chris Kerr, Community Development Director *C.K.*

From: Colin Cortes, AICP, CNU-A, Senior Planner

Meeting Date: May 28, 2020 (Prepared May 21, 2020)

Item: No Address along Stacy Allison Way “Allison Way Apartments” (DR 2019-05, EXCP 2020-05, PLA 2019-04, PP 2019-01, & VAR 2019-04)

Tax Lot(s): 052W14 02000, 02100, & 02300

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Issue before the Planning Commission

Action on a consolidated land use application package (Type III), Design Review DR 2019-03, Exception to Street Right of Way and Improvement Requirements (“Street Exception”) EXCP 2020-05, Property Line Adjustment PLA 2019-04, Phasing Plan PP 2019-01, & Variance VAR 2019-04 for six variance requests for a two-phase apartment complex of 586 dwellings across 23 apartment buildings, known as Allison Way Apartments, in the Commercial General (CG) base zoning district with the Interchange Management Area (IMA) Overlay District.

Executive Summary

Location Context

The subject property is three parcels totaling 19.03 acres along the west/northwest side of Stacy Allison Way, named for an Oregonian who was the first American woman to summit Mt. Everest, and along both sides of Hooper Street. It is bordered at the east side of Phase 1 by Cascade Meadow Apartments (2008), at the southeast by the Paradise Pointe residential subdivision (2006), and the south by city limits.

The property also is Lots 7-9 of the Town Center at Woodburn subdivision (2004), is undeveloped fields with no buildings or trees remaining, and is bordered street improvements that the subdivider had constructed and are now substandard. Of the entire Town Center subdivision, the vast majority was and is zoned commercial and remains undeveloped fields, and the small area at the southeast that was and is zoned residential is developed as Cascade Meadow Apartments and Paradise Pointe.

Proposal

The site development consists of 586 apartments across 23 buildings across Phases 1 & 2 such that the one parcel north of Hooper Street would 180 apartments across 7 buildings as Phase 1 and the two parcels south of Hooper would have 406 apartments across 16 buildings as Phase 2.

The buildings are three-story walk-ups, conventional for new construction. The unit mix is 148 one-bedroom (25%), 390 two-bedroom (67%), and 48 three-bedroom (8%). Each phase has a common building and landscaped and paved common areas. The general site plan is the applicant’s Exhibit 3 and the landscape plans are applicant’s Exhibits 38-43, all found within staff Attachment 105).

Phase 2 includes extension of Stacy Allison Way that relocates the dead-end from Hooper Street southwest along Interstate 5 (I-5) to city limits.

Stacy Allison Way, Interstate 5 (I-5)

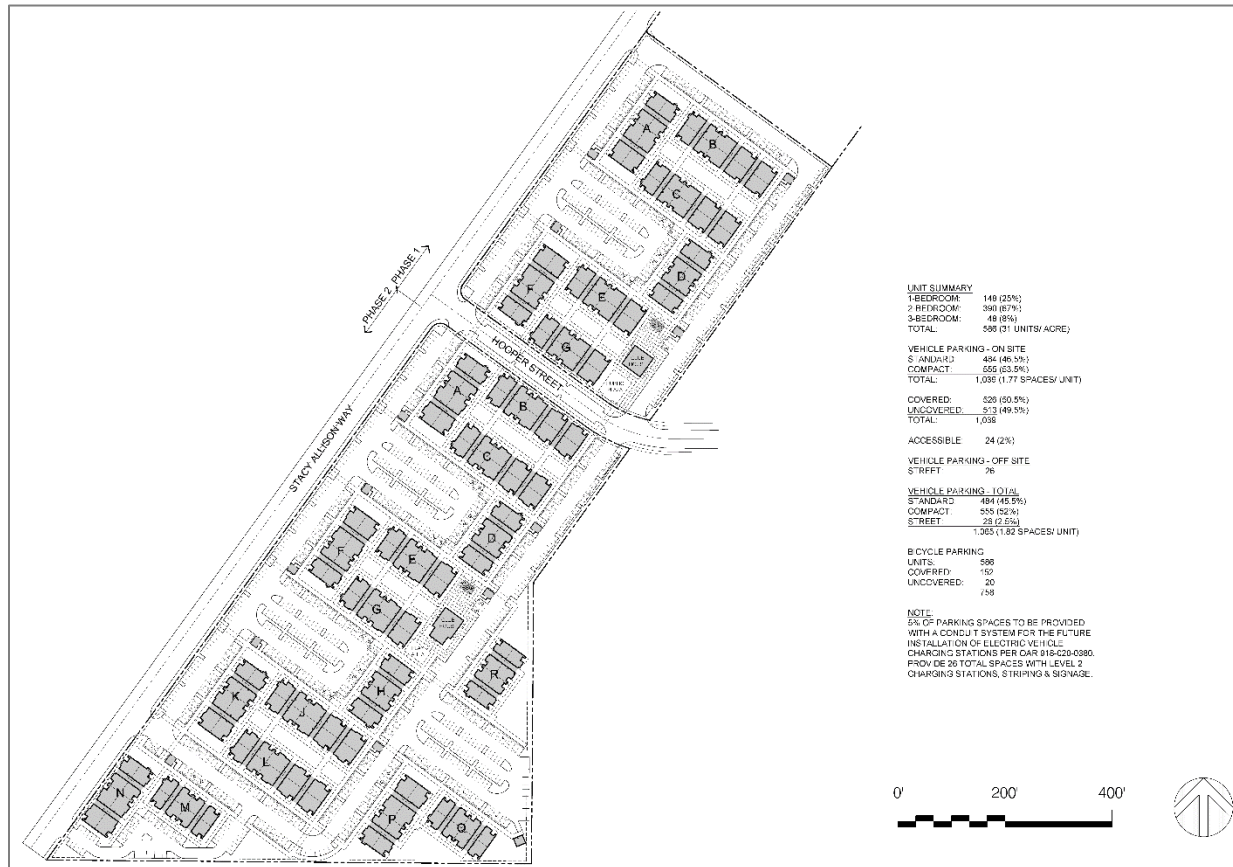
Towards Center Street



City limits



Aerial Map (2016)



Site plan (plan sheet Exhibit 3)



Applicant's artist's rendering: bird's eye perspective looking northwest

The project comes with several variance requests (VAR 2019-02) to vary from Woodburn Development Ordinance (WDO):

1. Driveway width minimum (Table 3.04A)
2. Parking ratio minimum (Table 3.05A);
3. Compact parking percentage maximum (3.05.03C);
4. Drive aisle width minimum (Table 3.05C);
5. Parking area curb height minimum (3.06.02I); and
6. Architectural Wall (Table 3.06D & 3.06.06).

Also included is a Street Exception request to keep and extend substandard street infrastructure. Staff counters the applicant's request through conditions that customize what the Transportation System Plan (TSP) and WDO 3.01.04 require yet also secure lasting infrastructure that contributes to the public good.

The applicant is Leeb Architects, representing Eugene Labunsky of West Coast Real Estate Holdings LLC as well as Stacy Allison Way Holdings LLC.

Pursuant to state law, staff reviews the application through the Woodburn Development Ordinance (WDO) as it existed on the date of application. On June 7, 2019, the WDO version was that of Ordinance No. 2562 adopted Sept. 10, 2018. Though at present in the CG zoning district multiple-family dwellings are prohibited in some areas of the district – including where there is the IMA overlay district – and a conditional use (CU) in others, this change occurred after application submittal though in response to the subject project. The City Council adopted

Legislative Amendment LA 2019-01 via Ordinance No. 2573 on June 24, 2019, which as is standard for ordinances per the City Charter, took effect 30 days later.

In short, the above paragraph means that had the applicant attempted to submit the consolidated application package after the WDO amendment, the City would have had to reject it.

Staff worked diligently with the cooperative applicant to revise the site plan several times to improve it by obtaining a number of benefits for future residents, the City, and the public through both street and on-site improvements.

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, excepting the variance request related to parking ratio minimum for which staff recommends denial. The conditions can also be found towards the end of the Analyses & Findings (Attachment 102).

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.

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: The descriptions below define certain words, phrases, and assumptions in the context of the conditions of approval:

- “Access way” means an on-site walkway paved at least eight (8) feet wide to serve as a bicycle/pedestrian path to and from sidewalk – or to and from an off-street public bicycle/pedestrian path – and that is ADA-compliant.
- “ADA” refers to the federal Americans with Disabilities Act of 1990.
- “Allison” refers to Stacy Allison Way.
- “A1, “A2”, & “A3” driveways refer to the three Allison driveways from north to south. A1 is in Phase 1, and A2 & A3 are in Phase 2.
- “County” refers to Marion County.
- “Courtyard” refers to each of five places – two in Phase 1 and three in Phase 2 – that is a landscaped linear central common area framed by three buildings forming a “U” shape or four buildings enclosing the common area.
- “Director” refers to the Community Development Director.
- “EV” refers to electric vehicle.
- “Evergreen” with a capital “E” refers to Evergreen Road, especially south from OR 214.
- “ft” refers to feet.
- “Hooper” refers to Hooper Street.
- “H1,”H2”, “H3,” & “H4” driveways refer to the four Hooper driveways clockwise from the northwest. H1 & H2 are in Phase 1, and H3 & H4 are in Phase 2.
- “Lawson” refers to Lawson Avenue.
- “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 214” refers to Oregon Highway 214 / Newberg Highway.
- “Oxford” refers to Oxford Street.
- “Parking court” means each of three peninsulas of on-site surface parking extending southeast and framed by a “U” of five buildings. Phase 1 has one and Phase 2 has two.
- “Phase 1” or “Phase I” encompasses Tax Lot 052W14 02300 (Town Center at Woodburn subdivision Lot 9) and the full extents of adjacent Allison and Hooper and the whole of their intersection.
- “Phase 2” or “Phase II” encompasses Tax Lots 052W14 02000 & 2100 (Town Center at Woodburn subdivision Lots 7 & 8) to be consolidated and the full extent of adjacent Allison from Hooper.

- “PLA” refers to property line adjustment.
- “PUE” refers to public utility easement.
- “PW” refers to Public Works (the department) or 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.
- “SDCs” refers to system development charges, also known as impact fees.
- “SE” means southeast.
- “Speed table” means a walkway crossing of a drive aisle that: is concrete; with a tabletop that is raised at least four (4) inches above drive aisle grade, at least six (6) ft wide, flat, and stamped or otherwise treated to have a pattern; and, with the vehicular ramps striped in compliance with *MUTCD* Figure 3B-30, Option A, and with minimum and maximum slope ratios of 1:25 and 1:10 respectively.
- “SS&Ds” refers to PW standard specifications and drawings.
- “Street trees” refer to trees that conform to the WDO, including 3.06.03A and Table 3.06B.
- “SW” means southwest.
- “TSP” means the Woodburn Transportation System Plan (TSP).
- “WDO” refers to the Woodburn Development Ordinance.
- “W. Hayes” refers to W. Hayes Street.
- “WTS” refers to the Woodburn Transit System.
- “VCA” refers to vision clearance area as WDO 1.02 and 3.03.06 establish.

G4. Due dates / public improvements:

- a. By application: Unless a condition specifies otherwise, conditions including those relating to any of final subdivision, final partition, property line adjustment or lot consolidation recordation are due by building permit application. Prior to both any recordation of any final subdivision, final partition, or property line adjustment and building permit application, the applicant shall submit and obtain approval of an Address Assignment Request.
- b. By issuance: Unless a condition specifies otherwise, ROW and easement dedications and recordation(s), construction of frontage/street improvements, and construction of off-site, park, and other public improvements are due by building permit issuance. Where phasing is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located. See also the Phasing Plan (PP) condition(s).

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than six (6) months past an anticipated Planning Commission tentative decision date, i.e. by December 30, 2022, and shall complete recordations no later than almost three years past, i.e. by May 25, 2023. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage.

G6. Public Improvements Civil Plan Review: The process by which to receive, review, and approve drawings and other documents related to public improvements required by these conditions of approval may be paired with or incorporated into building permit review, or, if directed by the City Engineer, through a civil engineering plans (CEP) review process led by the Engineering Division. If opting for CEP, the applicant shall not only follow the direction of the Engineer Division, but also take some actions to facilitate tracking by Planning staff and coordination with Engineering:

- a. Cover letter: Upon submitting application to the Engineering Division, simultaneously alert the Planning Division through a cover letter to the attention of the Planning Division referencing the intended or, if known, actual submittal date as well as the project name, project phase, tax lot number(s), street address(es), and the land use / planning / zoning final decision conditions of approval that require the public improvement that is the subject of the civil engineering plans. Referencing conditions may be by quotation or citing the identification numbers (e.g., T-A1). Identify the specific sheet (by number) or document page number that illustrates or notes how each subpart of a condition is met.
- b. Contact information: State the applicant's name, company, phone number, e-mail, and desired date for City staff to respond with review comments. The cover letter may include these.
- c. Plan copies: Submit to the attention of the Planning Division at least two plan size copies of plan sets (24 by 36 inches). Within the cover sheet title block(s), include the phrase "civil engineering plans" or "public improvements civil plans". Submit also Adobe PDFs using a fileshare service.
- d. Re-submittal fee: If there are multiple re-submittals, beginning with a third submittal / second revised submittal and continuing with each subsequent submittal, the applicant shall pay through the Planning Division into City general revenue a fee of \$100.

G-PW. Public Works: Follow the appended Public Works comments (May 19, 2020; Attachment 102A). If conflict arises between implementation of public works conditions and referenced standards in that document with implementation of the remaining conditions in this document, the Assistant City Administrator would arbitrate or mediate based on guidance from legal counsel, the Director, the Public Works Engineering Director, and the City Engineer.

Design Review 2019-05

D1. PUE(s): To meet WDO Figures 3.01D "Service Collector" & G "Local ...", as part of PLA recordation the applicant shall resolve existing easements with newly required easements so as to conform to the streetside PUE minimum width of five (5) ft per WDO 3.02.01B, conform to all other conditions, and follow the direction of the City Engineer per WDO 3.02.01A.

D2. Driveways:

- a. Number: To meet WDO 3.04.03B.1 regarding access management, the number of driveways is limited as follows:

ROW	Phase 1	Phase 2
Allison	1 joint (A1)	2 (A2 & A3)
Hooper	2 (H1 & H2)	2 (H3 & H4)

- b. Approach / apron / curb cut: Driveways shall conform to PW SS&Ds, Section 4150.
c. Traffic control: To meet WDO 3.05.02J:

(1) Parking on site: The central and narrowest drive aisle in each of the parking courts and between Buildings P & R shall have one-way traffic to the northwest, and the applicant shall:

- (a) Stripe on the pavement an arrow at each of the beginning and end of each aisle; and
(b) Install at the end of each aisle a do-not-enter sign that complies with *MUTCD* Figure 2B-11, sign R5-1.



(2) Allison: Outbound left turns are prohibited from driveway A3, and the applicant shall install a no left turn sign that complies with *MUTCD* Figure 2B-4, sign R3-2.



D3. Cross access / joint driveway A1: To meet WDO 3.04.03B, the applicant shall:

- a. On Tax Lot 052W14 02300 (Town Center of Woodburn subdivision Lot 9; Phase 1):
(1) Spur the easterly northeast-southwest drive aisle to the north property line of Tax Lot 052W13 01600 (subdivision Lot 10) at minimum width of twenty (20) ft minimum width between face of curb, and
(2) Spur the westerly northeast-southwest drive aisle to the north property line of Tax Lot 052W13 01600 (subdivision Lot 10) at minimum width of twenty (20) ft minimum width between face of curb.
b. To meet WDO 3.04.03B.1 & 3, dedicate a public access and utility easement that is to the satisfaction of the Director, revocable only with the concurrence of the Director, and connects the two bulges with driveway A1.

- c. Have the easement width be either (i) minimum twenty (20) ft and centered on the drive aisle centerlines or (ii) minimum twenty-eight and a half (28½) ft measured southwest from the north lot line.
- d. Have the easement text include a paragraph that states that the delineated easement area serves as a public access easement to the benefit of Lot 10 of the Town Center at Woodburn subdivision plat (Tax Lot 052W13 01600), and such cross access to and from the joint driveway at Stacy Allison Way shall not be revoked without concurrence of the City Community Development Director in conformance with Woodburn Development Ordinance (WDO) 3.04.03B.3. Place such text under a Cross Access & Joint Driveway Easement header.

D4. Parking signage/stripping: To meet WDO 3.05.02J, the applicant shall designate compact stalls "COMPACT" in lettering one (1) foot high minimum and stripe them as such in the field prior to building permit final inspection.

D5. Parking stall double striping: To meet WDO 3.05.02K, the applicant shall delineate parking stalls with double parallel lines pursuant to Figure 3.05C and stripe them as such in the field prior to building permit final inspection.

D6. Bicycle parking near main entrance: To meet WDO 3.05.03E, prior to building permit final inspection the applicant shall provide bicycle parking within fifty (50) ft of a main entrance. In the context of a new construction apartment complex with conventional three-story buildings with open stairwells, each apartment building has two main entrances as follows:

- a. In all apartment buildings except Phase 1 B & C and Phase 2 B, C, J, & L there are four points where a building main wall plane intersects the walkway serving building ground floor entrances and the stairwell to upper floor entrances;
- b. In Phase 1 Buildings B & C and Phase 2 Buildings B, C, J, & L there are six such points;
- c. Each building has either (a) two walkways with two points each totaling the four or (b) three walkways with six points total; and so
- d. The condition shall apply to three points minimum for each of Phase 1 Buildings B & C and Phase 2 Buildings B, C, J, & L and two points minimum for remaining buildings and apply to one point minimum per walkway.

D7. Patios: Visual separation shall conform to WDO 3.07.05B.1a as follows:

- a. Pavement: As proposed, patios shall be paved with brick, concrete pavers, or poured concrete.
- b. Railings/fencing & gate: The outermost edges of patio concrete slabs that do not abut building walls shall have either metal or wood railings or cedar wood fencing at least three (3) ft high. If the latter, then opacity shall be full, but if fencing is higher than the minimum height, it shall be no more than ninety percent (90%) opaque, such as by being fully

opaque from grade but from the top having a lattice pattern. The railings or fencing shall have a gated opening at least two (2) ft and four (4) inches wide.

- c. Height maximum: the railings or fencing maximum height shall be either five (5) ft or, where a patio faces a courtyard, three and a half (3½) ft.
- d. Shrubbery: Evergreen shrubbery shall line fully the outermost edges of patio concrete slabs, except along the gated opening.

Phasing Plan 2019-01

PP1. Phases / Phasing:

- a. Number and extent: As Condition G3 defines.
- b. Order / ordering: The applicant shall construct Phase 1 first.
- c. Improvements: Improvements within a phase are due by that phase.
- d. Vesting: Construction of Phase 1 shall vest land use / planning / zoning entitlement for Phase 2; but, were the applicant (or successors and assigns) to fail to make use of any of the two provisions of WDO 4.02.04B.1 or 3 to avoid expiration, expiration shall occur upon one of the two following events:
 - (1) The arrival of July 1, 2030; or
 - (2) City adoption of a unified development ordinance replacing the WDO were to have intervened on or between July 24, 2023 and June 24, 2030, approximately 3 to 10 years from the anticipated land use final decision date.

Property Line Adjustment 2019-04

PLA-1. Recording: To meet WDO 5.01.08B.5., upon City approval of the subject PLA, the applicant shall revise the drawing or drawings as needed and record the re-plat (or whatever it is that the County terms it) with the County. The expiration date is per WDO 4.02.04B, and were subsection 2 that refers to "the activity approved in the decision has commenced" to become relevant, that provision would mean recordation of the subject PLA, and to this end the applicant shall apply to Marion County for recordation by December 30, 2022 and complete recordation by May 25, 2023. In any case, the applicant shall record the re-plat prior to both City assignment of street addresses, which would follow the applicant submitting an address assignment request, and building permit application.

Street Exception

EX1. Hooper:

- a. Existing improvements: The planter strips, including curb widths, may remain 6½ ft instead of 7 ft, sidewalks may remain 5½ ft instead of 5 ft, and existing curbs may remain in place where not otherwise disturbed by newer improvements.
- b. Curb extensions: The applicant shall construct the proposed four curb extensions that cap the on-street parking aisles.
- c. Mid-block crossing: The applicant shall construct of the proposed two mid-block crossings of Hooper Street only the southeastern one and shall:
 - (1) Construct it of poured concrete minimum width of eight (8) ft;
 - (2) Stamp or otherwise treat the concrete to have a pattern that drivers would sense tactilely as well as visually.
 - (3) Install ADA-compliant curb ramps and pave connections to the sidewalks.
 - (4) Provide signage and striping per PW SS&Ds, or, if none exist for a given topic, per the direction of the City Engineer. Required signage may include two advance warning signs for drivers; and
 - (5) Meet federal or state criteria or guidelines that the City Engineer may establish in writing as standards for the mid-block crossing.
- d. Crosswalk upgrade: Instead of the proposed northwestern of the two proposed mid-block crossings, the applicant shall traffic calm the crosswalk of the southeast leg of the T-intersection of Allison & Hooper. The applicant shall construct a poured concrete crosswalk at minimum width of eight (8) ft and that is either stamped or otherwise treated to have a pattern tactilely that drivers would sense tactilely as well as visually. The applicant shall stripe the crosswalk.
- e. Street trees: The applicant shall plant trees at 1 per 30 ft of frontage, equaling fourteen (14) trees per frontage (instead of 1 per 50 typical, 9 trees per frontage). For up to no more than two (2) of the absolute number of trees required along each frontage (4 total), the applicant may pay a fee in-lieu of \$125 per tree. This fee provision is intended to substitute for the applicant invoking 3.06.03A.3 (Director modification/relocation).

EX2. Allison: The City modifies and approves the street exception request as follows regarding improvements and that applies to both phases:

- a. Phase 1:
 - (1) Northbound travel lane: Either narrow from twelve (12) to eleven (11) ft, or, restripe the center left turn lane from twelve (12) to eleven (11) and shift the travel lane accordingly. However, were the sidewalk described below within this list were to overlap the PUE by at least one and a half (1½) ft, if the bicycle lane is removed, or by up to four and a half (4½) ft, if the bicycle lane remains, no lane narrowing would be required.
 - (2) Bicycle lane: Remove or narrow to five (5) ft.

- (3) Planter strip: Install a planter strip six (6) ft wide and landscape with street trees at 1 per 30 ft of frontage, equaling twenty (20) trees along the Phase 1 frontage (instead of 1 per 50 typical). The total number shall be divided evenly between either *Betula pendula* [silver or European white birch] or another *Betula* [birch] species and an evergreen species among any of *Magnolia grandiflora* "Victoria" cultivar [magnolia cultivated for the Pacific Northwest], *Arbutus menziesii* [Pacific madrone], and *Tsuga heterophylla* [Western hemlock]. Ninety-seven percent (97%) of the remainder of the strip shall be medium size category shrubbery to the minimum size at planting per Table 3.06B and at maximum size that maintains conformance with VCA, and at least two (2) distinct openings in the shrubbery that total the remaining area of three percent (3%) shall be lawn grass.
 - (4) Sidewalk: Construct a sidewalk as a bicycle/pedestrian path at minimum width of eight (8) ft (whether or not a northbound bicycle lane remains) that the City shall allow to overlap the streetside PUE by at least a half (½) ft and as much as four and a half (4½) ft from edge of ROW. If and where sidewalk would need to deflect or meander, such as at driveway A1 or at the northeast corner of Allison & Hooper, it may fully overlap a streetside PUE.
 - (5) Striping:
 - (a) Bicycle: At the Phase 1 north end where the existing bicycle lane will continue at the north side of driveway A1, at the opening of the bicycle lane the developer shall stripe an *MUTCD*-compliant bicycle lane symbol or symbols.
 - (b) Turn: The applicant shall stripe a turn arrow within the existing center left turn lane southbound at Hooper.
 - (6) Utilities: Relocate underground/subsurface utilities that would conflict with street trees, such as a potable water line, and surface utilities such as street light poles and boxes to be within either or both of the planter strip and a streetside PUE. Existing covered vaults may be incorporated within altered or additional sidewalk if meeting PW SS&Ds.
 - (7) NW side landscaping: The following applies between the project north end and the south end of the existing stormwater detention pond fencing – a point approximately 330 ft southwest along Allison ROW from Hooper centerline. The applicant shall plant at least two hundred and forty-eight (248) woody shrubs of large size category as WDO Table 3.06B defines, of one or more evergreen species capable of growing to a mature minimum height of ten (10) ft (preferably *Taxus brevifolia* var. *reptaneta* [English yew reptaneta variant]), and with average o.c. spacing of four (4) ft.
- b. Phase 2 / extension:
- (1) Lanes, travel: Minimum width twelve (12) ft.
 - (2) Lane, center left turn lane and turn pockets: Width eleven (11) ft.
 - (3) Bicycle lane: Northbound: none; and, southbound, either none or minimum five (5) ft.

- (4) Planter strip: Install a planter strip six (6) ft wide and landscape with street trees at 1 per 30 ft of frontage, equaling forty-one (41) trees along the Phase 2 frontage (instead of 1 per 50 typical). The total number shall be divided evenly between *Betula pendula* [silver or European white birch] or another *Betula* [birch] species and an evergreen species among any of *Magnolia grandiflora* “Victoria” cultivar [magnolia cultivated for the Pacific Northwest], *Arbutus menziesii* [Pacific madrone], and *Tsuga heterophylla* [Western hemlock]. Ninety-five percent (95%) of the remainder of the strip shall be medium size category shrubbery to the minimum size at planting per Table 3.06B and at maximum size that maintains conformance with VCA, and at least six (6) distinct openings in the shrubbery that total the remaining area of five percent (5%) shall be lawn grass.
- (5) Sidewalk: Construct a sidewalk as a bicycle/pedestrian path at minimum width of eight (8) ft (whether or not there is a northbound bicycle lane) that the City shall allow to overlap the streetside PUE by at least a half (½) ft and as much as four and a half (4½) ft from edge of ROW. If and where sidewalk would need to deflect or meander, such as at driveways A2 and A3 or at the southeast corner of Allison & Hooper, it may farther overlap a streetside PUE.
- (6) Median: Because along I-5 and between Hooper and driveway A2 no center turn lane is needed, a median planter shall taper open as turning areas taper closed – a length of approximately 800 ft. The median shall be defined through either of the following two options:
 - (a) Conventional median: Two six-inch curbs with faces of curb defining the edges of travel lanes. The interior median width between conventional curbs, which shall be no fewer than ten (10) ft, shall be landscaped with street trees at 1 per 30 ft, and among them any of lawn, native grasses, groundcover, small size category shrubbery, or ornamental flowers. The trees shall consist of two (2) *Quercus garryana* [Oregon oak], four (4) *Magnolia grandiflora* “Victoria” cultivar [magnolia cultivated for the Pacific Northwest], at least ten (10) of either *Betula pendula* [silver or European white birch] or another *Betula* [birch] species, and six (6) of any among *Abies grandis* [Grand fir], *Arbutus menziesii* [Pacific madrone], *Thuja plicata* [Western red cedar], and *Tsuga heterophylla* [Western hemlock]. Based on condition subparts (6)(c)(i) & (7) below about turn areas and because civil engineering drawings do not yet exist for turn areas and tapers, the length of median wide enough to have trees shall be assumed to be minimum six hundred and fifty (650) ft, equaling twenty-two (22) trees. For up to no more than two (2) of the absolute number of trees required, the applicant may pay a fee in-lieu of \$125 per tree.
 - (b) Mountable curb median: Median curbing may be mountable curbs. A resulting interior median width of no fewer than nine (9) ft and as wide as ten (10) ft shall be landscaped as per Option (a).
 - (c) For either option:

- (i) Turnaround: Include roughly in the middle of the long axis of the median an emergency turnaround with civil engineering details as the City Engineer directs. To draft an initial design to which the City can respond during the permit stage, assume curb radii for design vehicle type P (passenger car) and along east/SE and west/NW curves mountable curb for AASHTO design vehicle type WB-67 (tractor trailer truck). Propose either an obvious or subtle concept, obvious meaning noticeable and usable by the general public in passenger cars and emergency trucks (e.g. U-turn asphalt flowing between the travel lanes), and subtle meaning visible and usable only by emergency trucks (e.g. mountable curb, curb reflectors, and with passage at a higher elevation than that of the travel lanes and paved with either generic “grasscrete” or concrete stamped or otherwise treated to have a pattern, something no passenger car drivers would perceive as for them). For the obvious, assume asphalt minimum width eighteen (18) ft width at narrowest point; for the subtle, assume concrete minimum width eleven (11) ft wide or grasscrete minimum width twenty (20) ft wide.
- (ii) Root barriers: Install to protect both travel lanes.

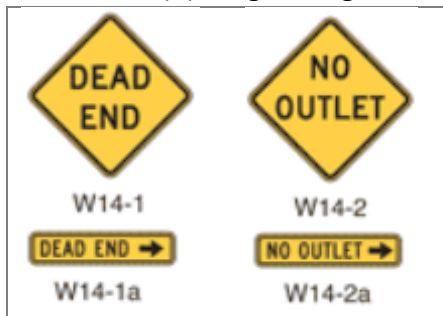


Exhibit EX2b (This median example concept is not to scale.)

- (7) Turn areas: At the north, the median shall taper to accommodate a turning radius as directed by the City Engineer for vehicles heading westbound on Hooper to Allison southbound. At the south, the median shall taper to accommodate the center left turn lane for vehicles eastbound into both driveways A2 & A3. The turn lane shall continue with the travel lanes to the dead-end of ROW. The taper shall be such that the turn lane is at minimum width for a length north from driveway A2 to accommodate at the same time the queuing of both an AASHTO design vehicle type WB-67 (tractor trailer truck) and design vehicle type P (passenger car) with distance

between the two. As a clear and objective standard, the developer may default to a hundred (100) ft. This means the median may taper open with curb beginning at the above minimum length from A2.

- (8) NW side landscaping: The following applies between the fencing south end and the south end of extended Allison. The applicant shall plant at least two hundred and fifty-two (252) woody shrubs of large size category as WDO Table 3.06B defines, of one or more evergreen species capable of growing to a mature minimum height of ten (10) ft (preferably *Taxus brevifolia* var. *reptaneta* [English yew reptaneta variant]), and with average o.c. spacing of four (4) ft.:
- (9) Interim signage: Signed barricades remain required per WDO 3.01.05A.2.b & c. and to PW SS&Ds. The developer shall also install an *MUTCD*-compliant dead-end sign, either W14-1 or W14-2, at the intersection of Allison & Hooper for southbound drivers. The City Engineer may require the developer to install either (a) also at the intersection either a W14-1a or a W14-2a sign to warn drivers turning south from Hooper that Allison ends in the left direction as the arrow within the sign copy would indicate, or (b) a sign or signs serving similar purpose.



Design Review 2019-05: Transportation

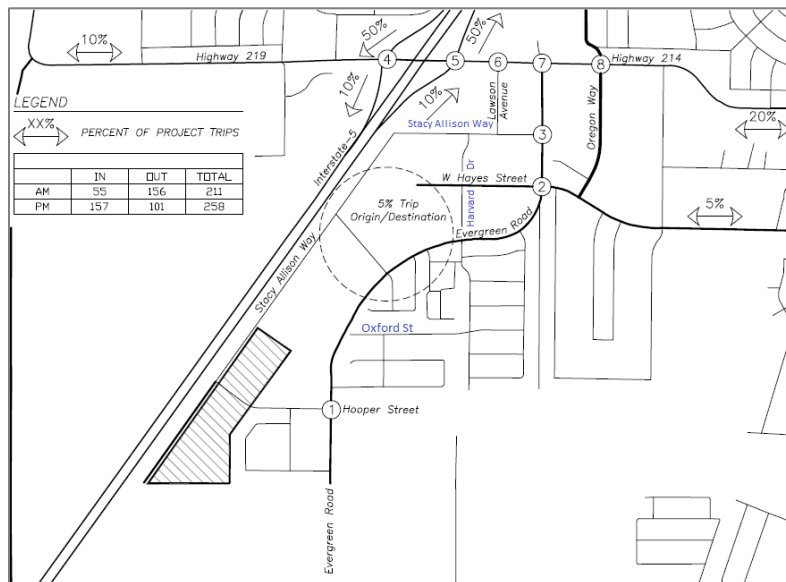


Exhibit T Vicinity map

T-A1. Evergreen & W. Hayes: The developer shall:

- a. Mitigation fee / Fee in-lieu: Pay a mitigation fee or fee in-lieu of \$33,000 to fund a transportation study. This is due by Phase 2, building permit issuance. [TIA]
- b. Evergreen sidewalk west: See Condition T-BP2.

T-A2. Allison & Evergreen: The developer shall pay a mitigation fee or fee in-lieu of \$33,000 to fund a transportation study. This is due by Phase 2, building permit issuance. [TIA]

T-A3. OR 214 & Evergreen: The developer shall pay a mitigation fee or fee in-lieu of \$15,000 to fund a transportation study, specifically to investigate corridor signal timing and coordination adjustments in coordination with ODOT. This is due by Phase 1, building permit issuance. [R10]

T-BP1. Allison & Lawson: The developer shall upgrade the T-intersection so that the south landing of either the east or west leg crosswalk has an ADA-compliant curb ramp and the crosswalk is striped. This is due by Phase 1, building permit issuance.

T-BP2. Evergreen sidewalk west: The developer shall fill in the sidewalk gap along the Evergreen frontage of Tax Lot 052W12C 01600 (601 Evergreen Road). The sidewalk shall be minimum eight (8) feet wide and located no closer than one (1) ft from edge of ROW and no more than six (6) ft from edge of ROW. The developer shall to the extent feasible meander the sidewalk as needed to save existing trees in or partially within existing ROW, upgrade the intersection west leg crosswalk by installing an ADA-compliant north curb ramp, and stripe the crosswalk. This is due by Phase 1, building permit issuance. [P6]

T-BP3. Evergreen sidewalk east: The developer shall fill in the sidewalk gap along the Evergreen frontage of Tax Lots 052W12DC01400 (2333 W. Hayes Street), 052W12DC01200 & 1300, and 052W12DB04400 (2330, 2340, & 2343 Oregon Court). The sidewalk shall be minimum six (6) feet wide and located no closer than one (1) ft from edge of ROW and no more than six (6) ft from edge of ROW. The applicant shall to the extent feasible meander the sidewalk as needed to save existing trees in or partially within existing ROW, upgrade the W. Hayes intersection east leg crosswalk by installing an ADA-compliant north curb ramp, and stripe the crosswalk. This is due by Phase 2, building permit issuance. [P6]

T-BP4. W. Hayes sidewalk: The developer shall fill in the sidewalk gap along the W. Hayes frontage of Tax Lot 052W12C 01600 (601 Evergreen Road). The sidewalk shall be minimum six (6) feet wide. The applicant shall to the extent feasible meander the sidewalk as needed to save existing trees in or partially within existing ROW, including to align sidewalk curb-tight. Within the parameters of this condition, the sidewalk placement shall otherwise reasonably conform to WDO Figure 3.01G, particularly regarding placement relative to centerline and establishing a planter strip with street trees where they can fit. This is due by Phase 2, building permit issuance.

T-BP5. Harvard curb ramp(s): At the T-intersection with W. Hayes, the developer shall install at least one ADA-compliant curb ramp at the west end of either the north or south leg crosswalk, pave new sidewalk minimum six (6) ft wide that connects to existing sidewalk, and stripe the crosswalk. The applicant shall to the extent feasible save existing trees in or partially within existing ROW, including by using returned curbs instead of flares along ramps. This is due by Phase 2, building permit issuance.



Exhibit T-BP North: This exhibit illustrates locations and represents improvements related to Conditions T-BP1 through 5. Sidewalk is in blue dashes and ADA ramps are in yellow trapezoids.

T-BP6. Evergreen sidewalk south: The developer shall fill in the sidewalk gap along the Evergreen frontage of Tax Lot 052W12C 02400 (0 Evergreen Road NE). The minimum width and placement shall conform to WDO Figure 3.01C, and within the planter strip the applicant shall plant at least two (2) street trees with root barriers, one each near Harvard and the driveway and to allow future adjacent site development to add trees to conform fully with the quantity required by WDO 3.06.03A (1 per 50 ft typical). This is due by Phase 2, building permit issuance.

T-BP7. Evergreen / Walmart driveway curb ramp: The developer shall fill in the sidewalk gap along the Evergreen frontage of the pole of the flag lot that is Tax Lot 052W12C 01900 (3002 Stacy Allison Way) and install an ADA-compliant curb ramp at the west side of the driveway. This is due by Phase 2, building permit issuance.

T-BP8. Evergreen curb ramp(s): At the T-intersection with Oxford, the developer shall install at least one ADA-compliant curb ramp at the west end of either the north or south leg crosswalk, pave new sidewalk minimum six (6) ft wide that connects to existing sidewalk, and stripe the crosswalk. The applicant shall to the extent feasible save existing street trees, including by using returned curbs instead of flares along ramps. This is due by Phase 1, building permit issuance.



Exhibit T-BP South: This exhibit illustrates locations and represents improvements related to Conditions T-BP6 through 8. Sidewalk is in blue dashes and ADA ramps are in yellow trapezoids.

T-BP9. Evergreen Path: The developer shall pave an ADA-compliant bicycle/pedestrian path minimum twelve (12) ft wide:

- a. Location: Within the unimproved Evergreen ROW from Points A to B. Point A is the north dead-end of the Mill Creek Greenway Trail within the yet-to-be platted Smith Creek Development Phase 1 Tract 'D', and Point B is the east dead-end of the off-street path within the public walkway easement of the Montebello 2 subdivision (2002) that extends from Baylor Drive at Citadel Street and straddles subdivision Lots 139 & 140 (364 & 376

Baylor Drive). (The centerline distance is approximately 350 ft.) The yet-to-be platted Point A is within the larger acreage that as of this writing is Partition Plat 2019-040, Parcel 2 (Tax Lot 052W13 00108).

- b. Pavement: Either asphalt or poured concrete. If asphalt, construction minimums shall include four (4) inches of hot mix (Level 3) above eight (8) inches of one-inch minus crushed aggregate base course.
- c. Widths: The mainline path shall be minimum twelve (12) ft wide, and at its interim north dead-end, the spur path that connects west to the public walkway easement shall be minimum eight (8) ft wide, tapering by 1 ft width for every 2 ft of run as it approaches the easement to match the easement width.
- d. Alignment: The mainline path shall be aligned to accommodate shoulders and furniture zones as specified below and such that its centerline is no closer than twenty-five (25) ft from the east boundary of the Evergreen ROW.
- e. Shoulders: The mainline path shall have shoulders minimum two (2) ft each, specifically a strip free of vertical improvements on each trail side. Maximum slope shall be two (2) to one (1) (2:1).
- f. Furniture, tree zones, and amenities / support facilities: The mainline path shall be sited to have zones minimum six (6) ft along each side unencumbered for installation of the support facilities per the following table:

<i>Table T-BP: Evergreen Path Amenities / Support Facilities</i>			
<i>Support Facilities</i>	<i>Min. No.</i>	<i>Placement*</i>	<i>Notes</i> <i>("min." = minimum; and</i> <i>"sq ft" = square feet)</i>
Benches	2	Near junction of mainline and spur paths, out of corridor of mainline extension. May be paired/grouped.	Min. bench width is 6 ft. At least 80.0% of benches shall have backs. There is a City spec.
Bicycle parking	2 (stalls)	Near junction of mainline and spur paths, out of corridor of mainline extension.	Stall size: Minimum 2 ft wide and 6 ft long, asphalt or poured concrete. Facility: Rack, such as "U" or wave racks. There is a City spec "U" rack.
Dog waste stations	1	Near junction of mainline and spur paths, out of corridor of mainline extension.	Each includes bag dispenser and either includes a trash receptacle or is sited within 10 ft of one. There is a City spec.
Recycling and trash receptacles	1 (pair)	Near junction of mainline and spur paths, out of corridor of mainline extension.	Place pairs near trail and path junctions with sidewalk. There is yet no City spec; staff recommends the model chosen by the developer of Smith Creek Development Phase 1A.

This is due by Phase 1, building permit issuance. [P49]



Exhibit T-BP10A. Location and Conceptual Alignment

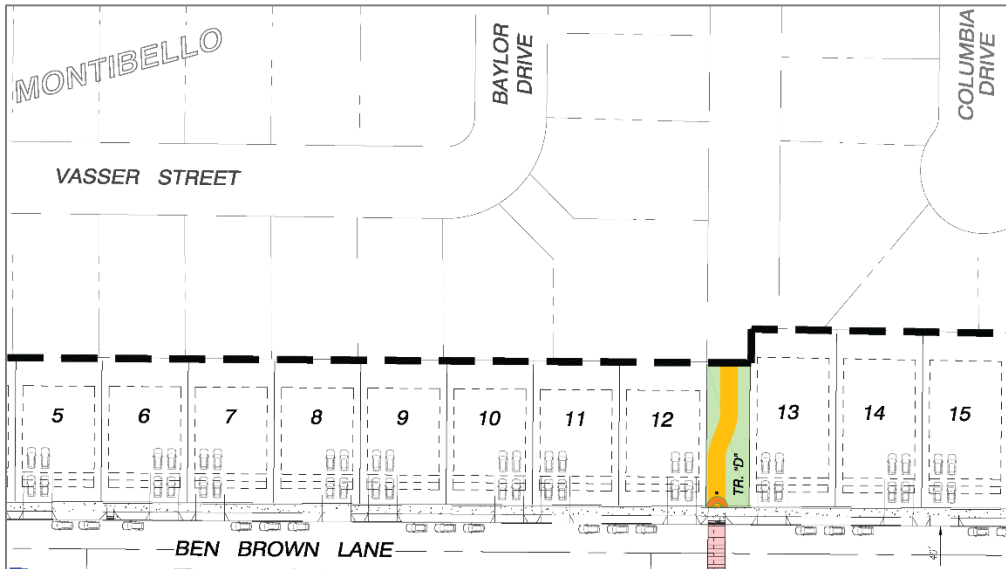


Exhibit T-BP10B. Starting Point Alignment Context: Smith Creek Development Phase 1A Tract "D" (from Stafford Land Co. Exhibit C-8A-1)

T-BP10. BP fee in-lieu option: In order for the City to construct any of the bicycle/pedestrian improvements that Condition T-A1b (Evergreen sidewalk west) and the T-BP conditions above describe, a developer may pay a fee in-lieu as follows:

- a. Percentage: Equal to at least one hundred and twenty (120%) of a licensed civil engineer's cost estimate.

- b. Estimate: An estimate shall have construction cost item estimates based on the improvements being bid on as a “Public Works Project” paying prevailing wages. The City Engineer shall review and approve a construction estimate prior to acceptance of a fee in-lieu payment.
- c. Bond/bonding/performance guarantee: If the applicant were to bond, then the above condition subparts a. and b. about percentage and estimate shall apply also to a bond.

T-T. Bus transit fee: The developer shall pay a mitigation fee that is a total of a fixed base amount plus a rate per dwelling of \$208.28. The fixed base amount shall be \$12,510.20 for Phase 1 and \$46,750 for Phase 2. (This condition relates to TSP projects T1, 2, 4, 16, 18 &, TSP Fig. F5, and TPU projects 9, 11, 12, & 20.)

Variance 2019-04

V1-1. Driveway (WDO Table 3.04A):

- a. The minimum driveway widths shall be per the table below (instead of 24 feet typical):

<i>Minimum Driveway Width (feet)</i>			
<i>One-way Travel</i>		<i>Two-way Travel</i>	
<i>Single Lane</i>	<i>Paired Lanes</i>	<i>Paired Lanes</i>	<i>With Left Turn Lane</i>
10	9 per lane; 18 total	20	30 total

- b. The maximum driveway widths shall be per the table below (instead of 38 feet typical):

<i>Maximum Driveway Width (feet)</i>			
<i>One-way Travel</i>		<i>Two-way Travel</i>	
<i>Single Lane</i>	<i>Paired Lanes</i>	<i>Paired Lanes</i>	<i>With Left Turn Lane</i>
11	10 per lane; 20 total	22*	31 total

*Except 26 ft where required by Oregon Fire Code (OFC) Appendix D

- c. The condition applies within ROW, and may apply outside ROW along driveway throat length, so as not to interfere with the drive aisle width provisions of WDO Table 3.05C.

V2-4. Drive aisle (WDO Table 3.05C):

- a. The minimum drive aisle widths shall be per the table below (instead of 24 feet typical):

<i>Parking Context</i>	<i>Minimum Drive Aisle Width (feet)</i>		
	<i>One-way Travel</i>		<i>Two-way Travel</i>
	<i>Single Lane</i>	<i>Paired Lanes</i>	
<i>Standard or ADA-compliant stalls</i>	18	10 per lane; 20 total	20
<i>Compact stalls</i>	16	9 per lane; 18 total	20
<i>No adjacent stalls</i>	10	9 per lane; 18 total	20

- b. The condition applies up to newly dedicated ROW so as not to interfere with the driveway minimum width provisions of WDO Table 3.04A.

V3-5. Curb dimensions, parking area (WDO 3.06.02I): Curb or curbing that delineates on-site walkways and landscaped, parking, and vehicular circulation areas shall have a minimum height and width each of four (4) inches (instead of 6 inches typical).

- a. Speed table: The applicant shall construct a speed table along the walkway crossing nearest and between the Phase 2 clubhouse, play area, and Building R. (See Condition G3 for specifications.)
- b. Wheel stops: Wherever required or proposed, wheel stops shall be four (4) inches high maximum.

V4-6. Architectural Wall (WDO Table 3.06D & 3.06.06):

- a. The property lines subject to the Architectural Wall provisions of Table 3.06D and 3.06.06 are exempt from those provisions.
- b. Landscaping:
 - (a) Along the Phase 2 southeast and east lot lines, the applicant shall landscaped a buffer of minimum width five (5) ft to the minimum planting density of WDO Table 3.06A, row "Buffer yards".
 - (b) The landscaping shall include evergreen shrubbery planted at the large category minimum size per WDO Table 3.06B.
 - (c) The applicant shall include within fifteen (15) ft of the lot lines at least twenty-one (21) trees. The applicant shall add at least four (4) trees of large category per WDO Table 3.06B for a total of 25 trees. The four additional trees shall be in the lawns near Buildings Q & R, within sixty (60) ft of the lot lines, and with one (1) near Building Q and three (3) near Building R. The proposed site perimeter tree closest to the east/northeast corner of Building R shall be changed to a coniferous or evergreen species.
 - (d) Transformer box: Any on-site at-grade electrical transformer box shall be screened with evergreen shrubbery on all sides except the panel door side.
- c. Fence, cedar: Along the two segments of the Phase 2 southeast and east lot lines within six (6) ft of parking stalls that face the lot lines, the applicant shall install a treated cedar wood fence at least five (5) ft, ten (10) inches high and with boards arranged for opacity, except that the highest foot may be mostly opaque lattice pattern. Fence height shall not supersede applicable height limits per WDO 2.06.02.
- d. Lighting: If proposed, exterior light fixtures shall be full cut-off or fully shielded and limited in height as follows:
 - (a) Full cut-off: Exterior lighting fixtures shall be full cut-off or fully shielded models.
 - (b) Heights: As measured to the underside of the fixture:
 - a. Wall: Exterior wall-mounted fixtures shall be no higher than ten (10) feet above walkway finished grade. (This height limit is not applicable to emergency egress

lighting and permanent wall signs allowed through WDO 3.10 were they to have interior illumination.)

- b. Parking pole: Exterior pole-mounted fixtures within four (4) feet of or in parking, loading, and vehicular circulation areas shall be no higher than fourteen-and-a-half (14½) feet above vehicular finished grade.
- c. Other pole: Remaining exterior pole-mounted fixtures, if any, shall be no higher than twelve (12) feet above grade.

V5-3-1. Compact parking (WDO 3.05.03C):

- a. Percentage: The compact parking maximum as a percentage of the required minimum amount of parking shall be sixty percent (60%; instead of 20% typical) and hundred percent (100%) of any amount in excess of the minimum required. For each phase, at least twenty percent (20%) of the minimum amount of stalls shall be compact
- b. Striping: The applicant shall stripe each stall with the word "COMPACT" in lettering one (1) foot high minimum.
- c. Wheel stops: Where used, wheel stops shall be four (4) inches high maximum.

V6-3-2. Off-street parking provisions:

- a. Bicycle parking amount and distribution: For each phase unless otherwise specified, the applicant shall provide a minimum number of bicycle parking stalls as follows:
 - (1) At least one (1) per dwelling in each dwelling in the outdoor closet of the balcony or patio in which the applicant shall install a wall-mounted folding or retractable hook designed for the hanging of a bicycle;
 - (2) At least one (1) stall at the base of each building stairwell, with each of these locations having a bicycle parking sign with minimum face dimensions of (1) foot wide by one-and-a-half (1½) feet high;
 - (3) Phase 1: Guest: Excluding outdoor closet and stairwell stalls, a set of at least two (2) stalls within five to fifteen (5-15) ft of Hooper ROW and near or along the access way;
 - (4) Phase 2: Guest: Excluding outdoor closet and stairwell stalls, at least two sets of at least two (2) stalls each, one northwesterly within five to fifteen (5-15) ft of Hooper and one southeasterly within ninety (90) ft of Hooper ROW.
 - (5) Phase 1: Common: Excluding outdoor closet, stairwell, and guest stalls, there shall be at least twenty (20) outdoor stalls. Of these at least four (4) shall be among the clubhouse / leasing office, clubhouse plaza, or barbeque (BBQ) area, and sixteen (16) shall be covered/sheltered.
 - (6) Phase 2: Common: Excluding outdoor closet, stairwell, and guest stalls, there shall be at least fifty-six (56) outdoor stalls. Of these at least four (4) shall among the clubhouse / leasing office, clubhouse plaza, BBQ area and play area, two (2) shall be northeast of Building F and within ninety (90) ft of Allison ROW, two (2) shall be

- northeast of Building K and within ninety (90) ft of Allison ROW, and thirty-two (32) shall be covered/sheltered.
- (7) At least two (2) stalls outside and near each apartment building spaced to conform to the 50-foot distance provision of WDO 3.05.03E as applied through a design review (D) condition.
 - (8) In no case shall the total number of bicycle parking stalls equal fewer than 1.2 per dwelling, and in no case shall the minimum coverage/sheltering from precipitation of bicycle parking be for fewer than forty-eight (48) stalls excluding outdoor closet and stairwell stalls.
- b. Bicycle standards: Stalls shall conform to City of Portland Title 33, Chapter 33.266.220C (amended 5/24/2018), except that the applicant may ignore subsections C6, C7, & C5c, and that C4b does not apply to the outdoor storage closets for which the minimum stall depth from wall instead shall be four (4) feet minimum. Vertical clearance instead shall be eight (8) feet or, where a stall is under stairs, six (6) feet.
- c. Access ways:
- (1) Phase 1: At least one access way shall remain as proposed that extends from Hooper sidewalk at least one-hundred and fifty (150) ft to the plaza between the clubhouse and the barbeque (BBQ) shelter.
 - (2) Phase 2: At least one access way shall remain as proposed that extends from Hooper sidewalk at least five-hundred and fifty (550) ft from to the clubhouse southwest doors / play area.
- d. Walkways:
- (1) Courtyards: The applicant shall revise Sheets SP-1 through 3 (Exhibits 10-12; civils) and each Note 6 to illustrate and note the proposed decorative pavement of the segments of courtyard walkways that the landscape plans (Exhibits 38-42) illustrate.
 - (2) Drive aisle crossings: The shall revise Sheets SP-1 through 3 (Exhibits 10-12; civils) and install in the field at least six (6) walkway drive aisle crossings not only as striping but also as extensions of poured concrete, listed north to south clockwise:
 - (a) Phase 1, north of Building A
 - (b) Phase 2, north of Building R
 - (c) Phase 2, north of Building P
 - (d) Phase 2, south of Building L
 - (e) Phase 2, east of Building M, and
 - (f) Phase 2, SW of Building K.
 - (3) Parking courts: The applicant shall pour concrete or lay concrete pavers to form a pedestrian shortcut up and over the curbed landscaped strip island within each parking court, in order to pass amid groundcover and shrubbery. It shall be roughly aligned at the boundaries of parking stalls, with the side of a landscaped peninsula, and with the nearest walkways that orient northeast-southwest and are between buildings. The minimum width shall be twenty-one (21) inches.
 - (4) Building stormwater scuppers shall not dump onto walkways.

- e. EV: As proposed and premised on OAR 918-020-0380 “Electric Vehicle Ready Parking”, a minimum of either 36 stalls or three and half percent (3.5%) of minimum required parking– whichever is greater – shall be a designated EV stall or stalls and with a charging station or stations, which the landowner may limit to tenant use. Of 36 or more stalls, Phase 1 shall have at least twelve (12) and Phase 2 at least twenty-four (24).
 - (1) Striping: Stripe each stall in lettering 1 ft high minimum “ELECTRIC VEHICLE CHARGING” or similar and also stencil an EV image or logo. Reflect this on revised site plans.
 - (2) Signage: Post at each stall a wall-mounted or pole-mounted sign for “Electric Vehicle Charging Only” or similar and also include an EV image or logo. Use a minimum sign face size of one (1) foot wide by one-and-a-half (1½) feet high. The top of a posted sign is to be between five-and-a-half (5½) and six-and-a-half (6½) feet above vehicular grade. Reflect this on revised site plans including with an elevation detail.
- f. Balconies/patios: WDO 3.07.05B.1 (area/size and narrowest dimension) shall apply as minimum standards, except that for whatever balconies and patios among those proposed exceed these dimensions, their larger areas/sizes and wider narrowest dimensions shall be the minimum standards for those.
- g. Common open space facilities:
 - (1) Benches: Install at courtyards, clubhouse plazas, or common lawns at least two (2) Phase 1 benches and at least eight (8) Phase 2 benches. Each bench shall at least six (6) feet wide and with a back. In Phase 2 were 7 benches are proposed, add the eighth bench at the lawn southeast of Building M. Relocate two Phase 2 benches:
 - 1. From NW of Building G to the lawn NE of Building R and roughly in line with the walkway drive aisle crossing; and
 - 2. From NE of Building K to the lawn SE of Building R.
 - (2) Clubhouse plazas and BBQ grill shelters: As proposed, build at least one (1) each of a clubhouse plaza and a barbeque (BBQ) grill shelter in each of Phase 1 and 2.
 - (3) Administrative minor adjustment by the Director to the above common open space facilities is permissible.
- h. Windows:
 - (1) Proportion: All windows shall be square or vertically proportioned, except that horizontally proportioned windows are allowed if they have grilles or muntins dividing lights or panes so as to be vertically proportioned.
 - (2) Per room: Within apartments, every habitable room abutting a building exterior wall shall have at least one window.
 - (3) Insect screens: All operable windows shall have insect screens.

V7-3-3. Public access easement:

- a. Dedication: Regarding the Phase 1 proposed public park in the form of a plaza along Hooper and its related improvements, the applicant as part of re-plat recordation shall dedicate to the City a public access and utility easement encompassing the plaza and some extra perimeter area, specifically with a boundary that follows the centerlines of the walkways to the northwest and northeast that border the plaza and, to the southeast, along the back side of drive aisle curb. The easement shall grant public access during the same hours and subject to the rules and regulations for City parks per Ordinance Nos. 2060 (1991) and 2377 (2004) or as the City may amend ordinances.
- b. Boundary marking: The developer shall mark the public boundary through one of the following two options:
 - (1) Caps: Metal caps that either are or mimic land survey markers, are minimum diameter of three and a quarter ($3\frac{1}{4}$) inches, and at a minimum number equal to and with average placement of 1 cap per 10 lineal ft of walkway. There shall be two additional caps along the boundary where it follows the drive aisle curb. The caps shall have the phrases "Open to Public" and "Private Property", and a line as a separator between the two phrases.
 - (2) Plaques: Metal plaques embedded within walkway concrete, aligned with the boundary, and that read "Property beyond Plaque not Dedicated to Public" with text oriented to be read by persons looking away from the plaza. The minimum size shall result from a minimum lettering height of two (2) inches, and the minimum number shall be equal to and with average placement on center of 1 plaque per 20 lineal ft of walkway. There shall be two additional plaques along the boundary where it follows the drive aisle curb.
- c. Sign:

The applicant shall install a permanent sign conforming to WDO 3.10 that reads "Plaza Open to Public 7AM - 10PM April - September, & 7AM - 7 PM October - March" with minimum lettering height of two (2) inches. The developer shall place it near the plaza entry that is along the sidewalk and within five (5) to nine (9) ft of ROW.

 - (1) If a monument sign type, the sign face area shall be twelve (12) sq ft minimum, with a flat top at least three (3) ft above grade and in the form of a concrete cap at least three (3) inches wide.
 - (2) If a pole sign type, the lettering shall be green, and the sign face shall be no lower than three and a half ($3\frac{1}{2}$) ft above grade and no higher than five (5) ft and of minimum dimensions of two (2) ft by one-and-a-half ($1\frac{1}{2}$) ft.
- d. Due date: These shall be due by Phase 1, building permit issuance.

V8-3-4. Parking management:

- a. Survey: The applicant or any successor and assigns such as a property manager shall collect data about off-street parking usage or allocation and provide it to the City to the attention of the Director.

- (1) Reporting period: Collect data by each half of a year – January through June and July through December. Submit each biannual report by the last City business day in the last month of the next quarter of a year and that is not a federal holiday. (For example, a report for January through June 2022 would be due by September 30, 2022.)
- (2) First report: The first report shall cover whatever irregular length of time would pass between phase occupancy and the end of the next half of a year ending June or December.
- (3) Attributes: Collect and report on:
 - i. Geography: Report numbers divided between Phases 1 & 2 (as defined in Condition G3).
 - ii. The number of off-street spaces/stalls that are available and how many, if any, are closed due to occasional events such as parking area resurfacing, temporary outdoor events, outdoor storage, or the stationing of large trucks or truck trailers.
 - iii. Track stalls and usage by type: regular standard size, regular compact, accessible/ADA/handicap, EV, and any other type (such as those designated for visitors, leasing office employees, staff golf cart, or mail carrier).
 - iv. Collection: The property manager shall do field counts as per condition subpart (4 “field count”) below and also provide a separate set of assumed counts based on lease agreements, i.e. what tenant households are allocated a stall or stalls and for what periods, assumed that stalls are occupied as lease agreements describe.
 - v. Usage: Report how many stalls are used and allocated. For vacant apartments in the context of assumed counts, record stalls associated with vacant apartments as unallocated.
 - vi. If and when a parking area resurfacing project were to happen, provide written notice to the Director of approximate start date and duration, location, and number of stalls involved.
 - vii. Format: Use tables to report by phase absolute numbers and percentages of stall type occupancies. Include phase and sitewide totals.
- (4) Field count: The property manager shall do at least two field counts per reporting period, meaning to travel the project and count in real time occupied and vacant stall types such as by marking a project site plan. Each count shall be on Tuesday, Wednesday, or Thursday that is neither a federal holiday nor within a week (7 days) of a federal holiday. One count shall be daytime starting no earlier than 9:30 a.m. and concluding no later than 4:30 p.m., and one count shall be nighttime starting no earlier than 10:00 p.m. and concluding no later than 12:30 a.m. Report when on a given date the counts were done and how long it took, for example, from 11:30 a.m. to noon.

- (5) Bicycle parking: For outdoor bicycle parking stalls, including those within stairwells but excluding outdoor closets, the property manager shall also do field counts the same way as per condition subpart (4) above and as part of the larger report confirm the total number of existing outdoor bicycle stalls.
- (6) Parking demand management: The reporting that a parking demand management condition requires, if it exists, may be incorporated with the parking usage data collection report.
- (7) Context: In each report, cite the project name, phases, street addresses, master/parent case file number DR 2019-05, and the condition identification(s), state what period the report covers, state the number of vacant apartments and when and how the number was determined given fluctuation over six months, and provide an employee name and direct contact information for questions City staff might have.
- (8) Intent: It is not the express intent of this condition to police property management or punish tenants or management for perceived misuse of parking, but instead without judgment to collect data on how parking is actually used in a conventional large apartment complex.
- (9) Change of ownership: If and when property ownership were to change, the property manager shall pass along record of the conditions of approval to the contract purchaser and successive property manager.
- (10) Expiration: This parking usage/allocation data collection condition becomes optional as of July 1, 2031. If reporting were to cease, the last report – for the January to June 2031 period – would be due September 30, 2031.

Actions

The Planning Commission may instead act on the land use application to:

1. Approve per staff recommendations,
2. Approve with modified conditions, or
3. 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 for approval with the conditions that staff recommends.

Attachment List

101. Tax Maps Marked (2 sheets)

101A. Town Center at Woodburn Subdivision Plat, Sheet 1 (2004)

102. Analyses & Findings

102A. Public Works comments (September 30, 2019; 2 pages)

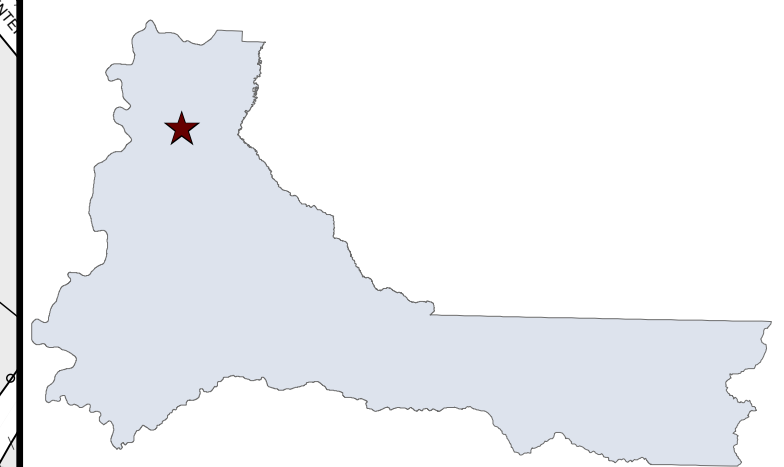
102B. Allison Way Apartments Traffic Impact Analysis Review Memo by transportation consultant contracted by the City (May 20, 2020; 8 pages)

103. Agency commentary: ODOT (May 1, 2020; 2 pages)

104. Transportation System Plan (TSP) Figure 7-1 (2005)

105. Site plans excerpted (submitted Mar. 25, 2020; 16 sheets)

05 2W 14 WOODBURN



MARION COUNTY, OREGON
 SEC 14 T5S R2W W.M.
 SCALE 1" = 400'

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
000 00 00 0

Acreeage
 0.25 AC

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

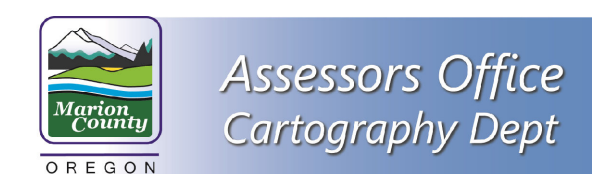
NOTES

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

CANCELLED NUMBERS

100			
1700			
1800			
1900			

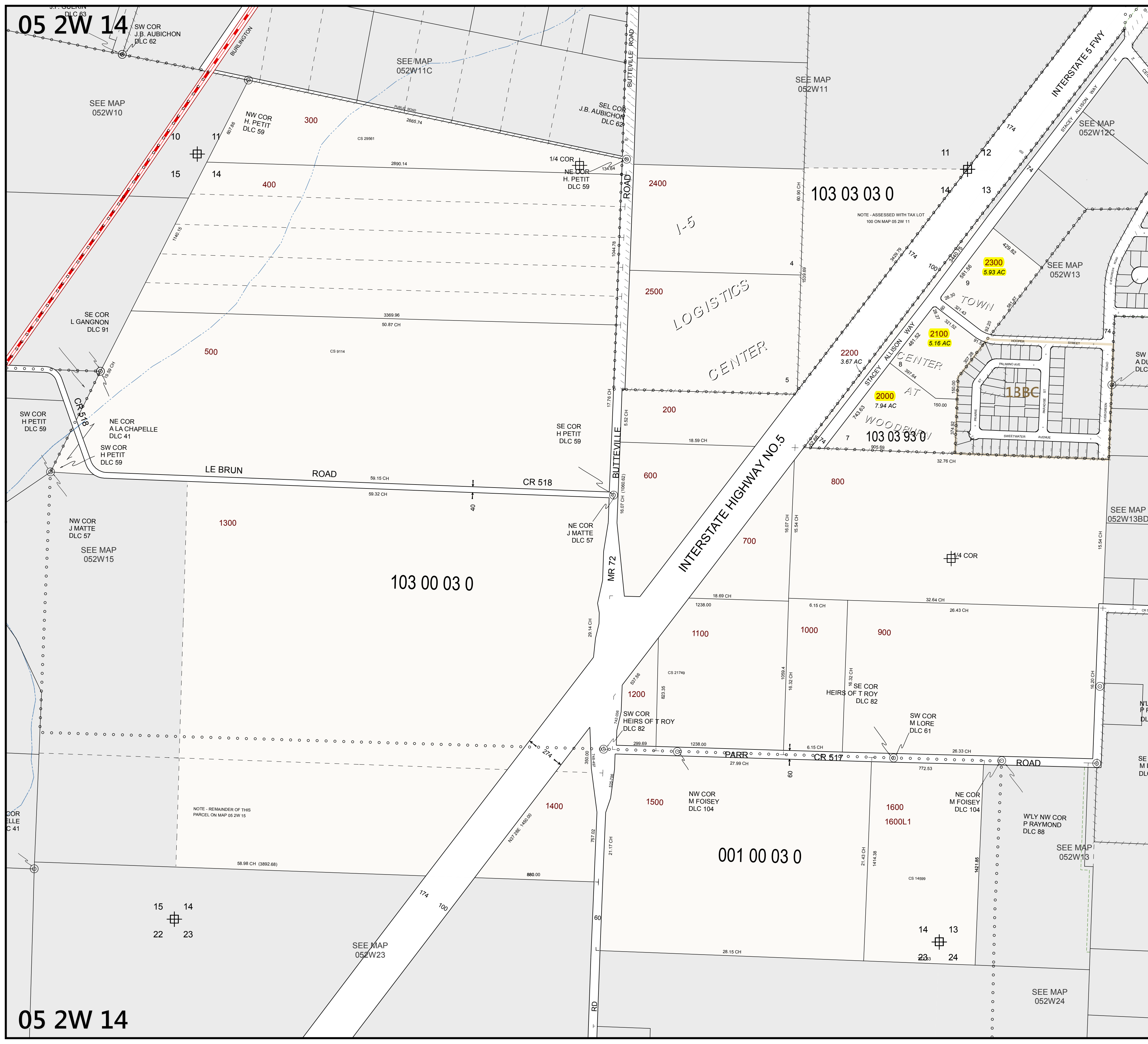
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us Attachment 101

PLOT DATE: 4/11/2018

WOODBURN 05 2W 14



05 2W 14

05 2W 14

TOWN CENTER AT WOODBURN

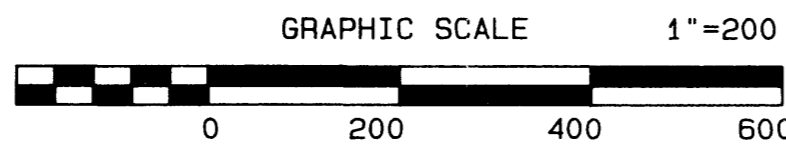
LOCATED IN THE SE AND SW 1/4 OF SECTION 12; NE AND NW 1/4 OF SECTION 13, NE 1/4 OF SECTION 14: TOWNSHIP 5 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF WOODBURN, MARION COUNTY, OREGON

CITY OF WOODBURN PLANNING DECISION: SUBDIVISION 02-02

DATE OF SURVEY, DECEMBER 17, 2002

LEGEND

- DENOTES 5/8" X 30" IRON ROD SET WITH YELLOW PLASTIC CAP MARKED "WILHELM ENG OR LS 2413"
- ⊙ DENOTES POST-MONUMENTATION 5/8" X 30" IRON ROD SET WITH YELLOW PLASTIC CAP MARKED "WILHELM ENG OR LS 2413"
- ▲ DENOTES FOUND 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WILHELM ENG OR LS 2413"
- DENOTES FOUND 5/8" X 30" IRON ROD WITH ORANGE PLASTIC CAP MARKED "CES NW"
- DENOTES MONUMENT FOUND AS NOTED
- () DENOTES RECORD DATA, AS NOTED.
- (MGR) DENOTES MEASURED AND RECORD DATA
- IRF DENOTES IRON ROD FOUND
- IPF DENOTES IRON PIPE FOUND
- YPC DENOTES YELLOW PLASTIC CAP
- P.P. DENOTES PARTITION PLAT
- C.S. DENOTES MARION COUNTY SURVEY RECORDS
- P.U.E. DENOTES PUBLIC UTILITY EASEMENT
- R.O.W. DENOTES RIGHT OF WAY
- DENOTES PUBLIC UTILITY EASEMENT
- DENOTES ROADWAY CENTERLINE



CENTERLINE CURVE TABLE

CURVE	ARC	RADIUS	DELTA	CHORD	CHORD BEARING
C1	136.82'	2072.90'	3°46'54"	136.79'	S33°56'44"W
C2	38.51'	1491.37'	1°28'47"	38.51'	S32°13'48"W
C3	77.57'	1491.37'	2°58'49"	77.56'	S34°27'36"W
C4	249.78'	540.00'	26°30'07"	247.55'	S13°49'41"W
C5	644.65'	1550.00'	23°49'46"	640.01'	N38°59'54"E
C6	413.31'	1550.00'	15°16'40"	412.08'	S58°33'07"W
C7	154.59'	250.00'	35°25'44"	152.14'	S71°48'58"E

PROPERTY LINE CURVE TABLE

LINE	ARC	RADIUS	DELTA	CHORD	CHORD BEARING
C1	126.35'	2035.90'	3°33'21"	126.33'	N34°03'31"E
C2	32.26'	25.00'	73°56'40"	30.07'	N04°41'29"W
NOT USED					
C4	44.67'	25.00'	102°23'11"	38.96'	N87°08'35"E
C5	31.43'	20.00'	90°03'06"	28.30'	N09°04'33"W
C6	31.40'	20.00'	89°56'54"	28.27'	S80°55'27"W
C7	91.93'	280.00'	18°48'39"	91.51'	N63°30'25"W
C8	81.21'	280.00'	16°37'05"	80.93'	S81°13'17"E
C9	92.88'	220.00'	24°11'25"	92.20'	N66°11'48"W
C10	43.15'	220.00'	11°14'19"	43.08'	N83°54'40"W
C11	39.30'	25.00'	90°03'45"	35.37'	S44°29'58"E
C12	39.24'	25.00'	89°56'15"	35.34'	N45°30'03"E
C13	266.89'	577.00'	26°30'07"	264.52'	S13°49'41"W
C14	232.66'	503.00'	26°30'07"	230.59'	S13°49'41"W
C15	1032.70'	1513.00'	39°06'26"	1012.77'	N46°38'14"E
C16	290.17'	1587.00'	10°28'34"	289.77'	N32°19'18"E
C17	306.06'	1587.00'	11°02'59"	305.59'	N43°05'04"E
C18	39.39'	25.00'	90°16'23"	35.44'	S03°28'22"W
C19	37.23'	25.00'	85°18'51"	33.88'	N84°19'15"W
C20	364.76'	1587.00'	13°10'08"	363.96'	S59°36'23"W
C21	47.87'	1513.00'	1°48'47"	47.87'	N67°05'51"E
C22	338.16'	1587.00'	12°12'31"	337.52'	N74°39'58"E
C23	27.91'	20.00'	79°57'53"	25.70'	N40°47'17"E
C24	321.94'	1513.00'	12°11'30"	321.34'	N74°05'41"E
C25	34.37'	20.00'	98°27'24"	30.29'	S50°34'52"E

REFERENCE SURVEYS

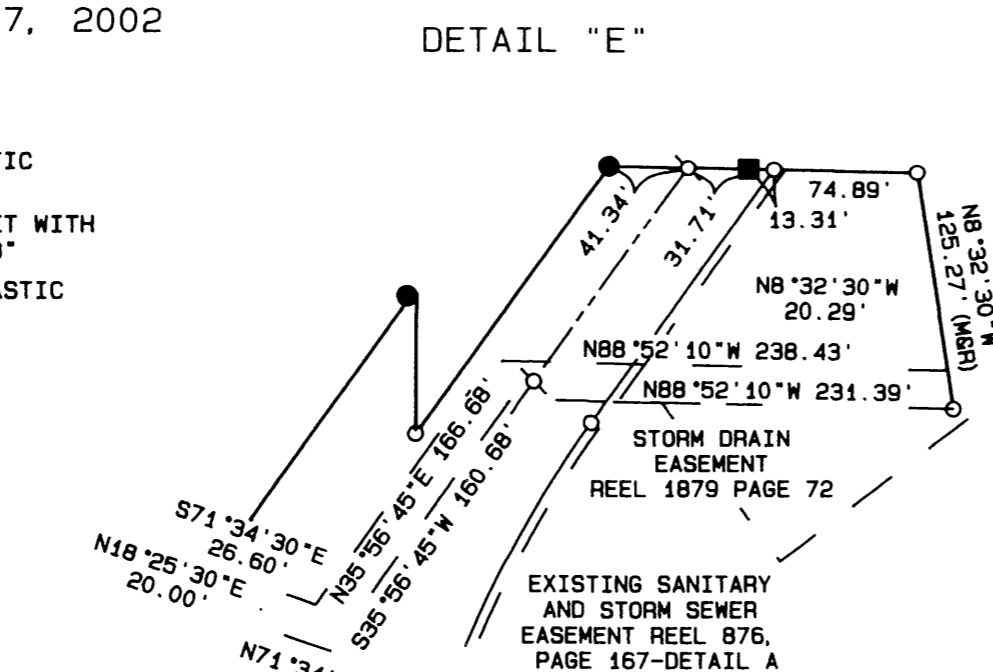
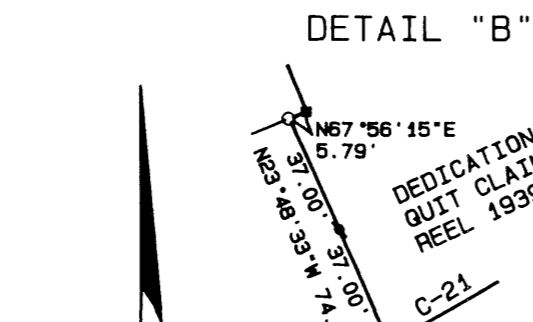
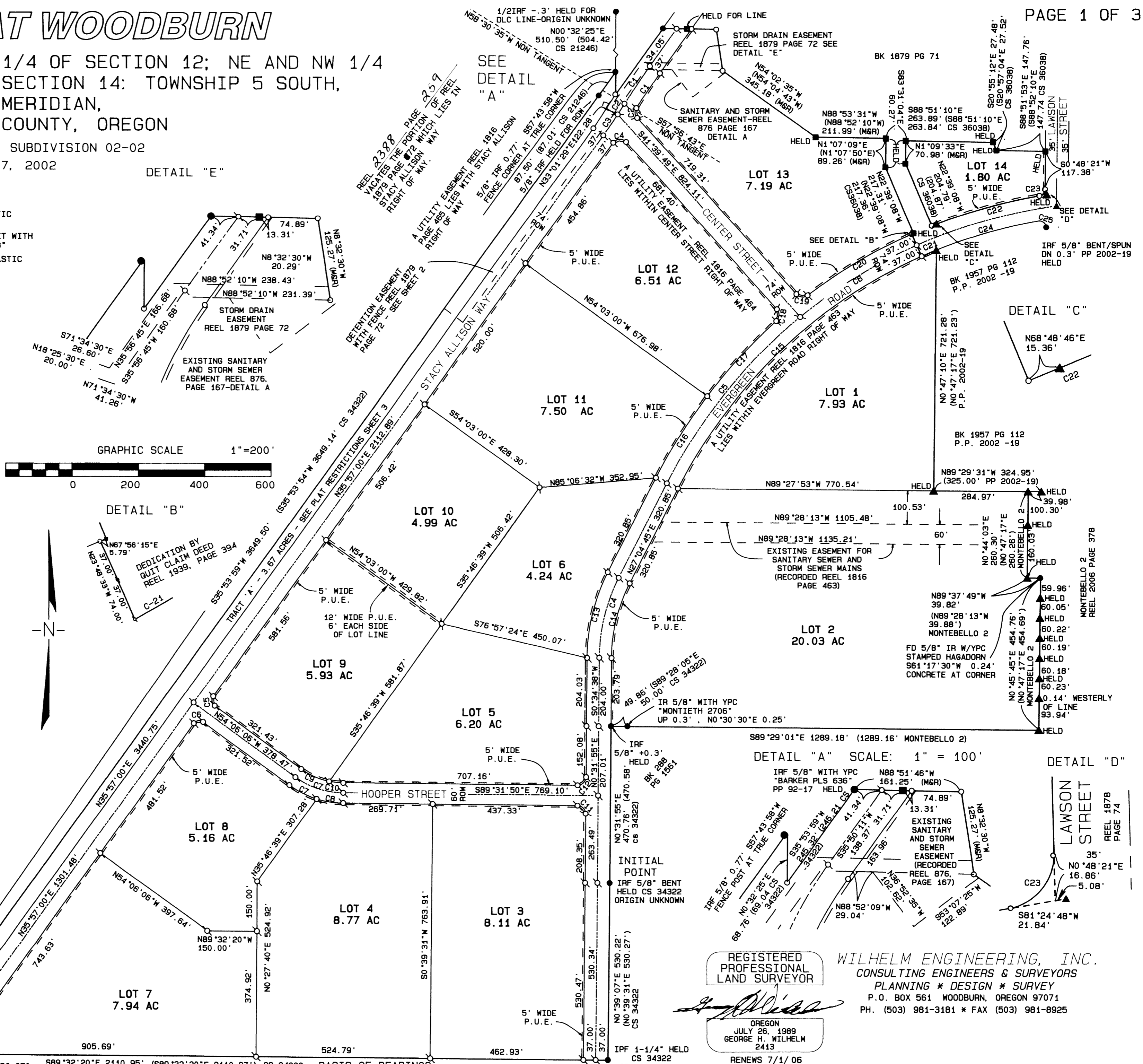
CS 34322, CS 36038, CS 31257, CS 32206
 CS 21246, CS 35696, 33922
 PARTITION PLAT 92-17, PARTITION PLAT 92-24
 PARTITION PLAT 90-65, PARTITION PLAT 91-117
 PARTITION PLAT 2002-19
 MONTEBELLO 1 PLAT (BK 44, PG 38 BOTP)
 MONTEBELLO 2 PLAT (BK 44, PG 108 BOTP)

IRF 5/8" WITH ALUMINUM CAP STAMPED CLARK & GROFF (CS 21246) HELD

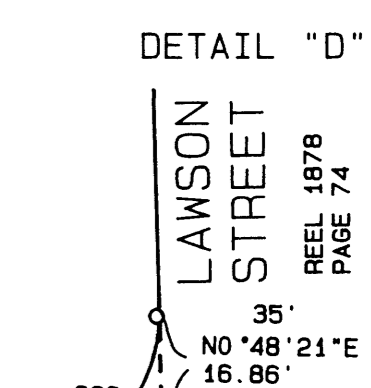
RESET WITH 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "WILHELM ENG. OR LS 2413" R 2774 PG 83

ALUMINUM CAPS WERE SET FOR CENTERLINE MONUMENTATION AND MONUMENTS IN ASPHALT WERE PLACED IN MONUMENT BOXES REEL 2774 PAGE 83

RESET WITH 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "WILHELM ENG. OR LS 2413" R 2774 PG 83



DETAIL 'A' SCALE: 1" = 100'



REGISTERED PROFESSIONAL LAND SURVEYOR

Wilhelm
 OREGON
 JULY 26, 1989
 GEORGE H. WILHELM
 2413
 RENEWS 7/1/06

WILHELM ENGINEERING, INC.
 CONSULTING ENGINEERS & SURVEYORS
 PLANNING * DESIGN * SURVEY
 P.O. BOX 561 WOODBURN, OREGON 97071
 PH. (503) 981-3181 * FAX (503) 981-8925

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"> Requirement (or guideline) met, but might become unmet because of condition applied to meet separate and related requirement that is not met Plan sheets and/or narrative inconsistent Other special circumstance benefitting from attention 	Revision needed for clear and consistent records
■	Street Exception or Variance	Request to vary from requirement

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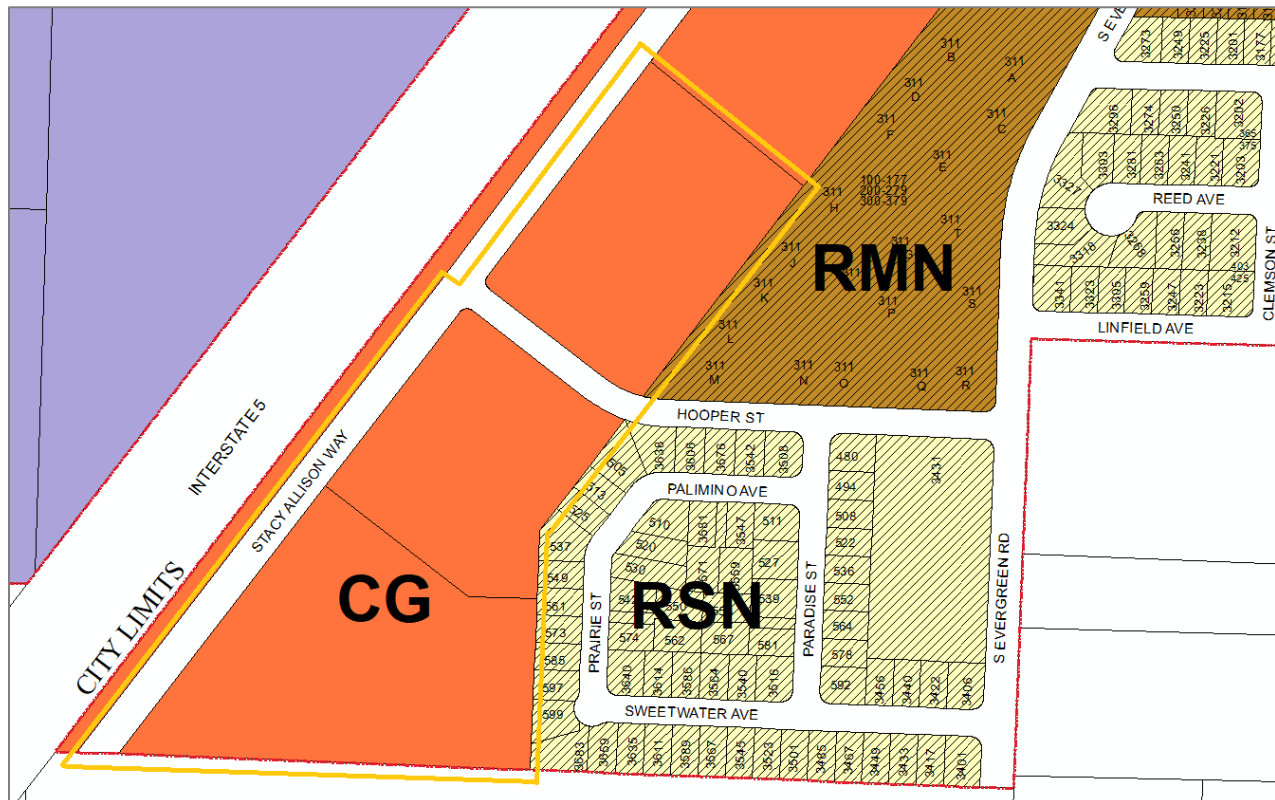
Location

Address	No City address along Stacy Allison Way; per Marion County assessor, "0 Stacy Allison Way NE"
Tax Lot(s)	North: 052W14 02300 (5.93 acres), Middle: 052W14 02100 (5.16 acres), and South: 052W14 02000 (7.94), totaling 19.03 acres
Nearest intersection	Stacy Allison Way and Hooper Street

Land Use & Zoning

Comprehensive Plan Land Use Designation	Commercial
Zoning District	Commercial General (CG)
Overlay District(s)	Interchange Management Area (IMA) Overlay District
Existing Use(s)	none (disturbed but undeveloped)

For context, the subject property and adjacent zoning are illustrated and tabulated below:



Zoning Map Excerpt (of Base Districts); yellow outlines subject property

Cardinal Direction	Adjacent Zoning
North	Phase 1: CG / disturbed but undeveloped
East	Phase 1: Medium Density Residential (RMN) / Cascade Meadows Apartments;

	Phase 2: Nodal Single Family Residential (RSN) / Paradise Pointe Subdivision
South	Phase 2: Unincorporated Marion County and within Woodburn urban growth boundary (UGB); City comprehensive plan Industrial land use designation
West	Both phases: Across Stacy Allison Way right-of-way (ROW): CG

The subject property is Lots 7-9 of the Town Center of Woodburn subdivision plat (2002). The City adopted its first land division requirements effective April 16, 1963 as referenced in Woodburn Development Ordinance (WDO) 1.02 “Lot”. The subject property is composed of legal lots of record.

Generally, in this document, “lot” refers to one of the three lots, prior to consolidation of subdivision Lots 7 & 8, that is part of the subject property, and “property” refers to all three lots and both Phases 1 & 2 composing the subjecting property.

The project name is “Allison Way Apartments”.

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

Statutory Dates

The application was submitted on June 4, 2019 with additional materials submitted later, including revised narrative and site plans through March 25, 2020 and a revised traffic impact analysis (TIA) through May 18, 2020.

Following the applicant on November 5, 2019 invoking Oregon Revised Statutes (ORS) 227.178(4)(b) by providing some of missing information and written notice that the applicant would not provide other information for completeness, staff was forced to deem it complete as of December 5, 2019. (The applicant later volunteered and submitted revised and additional materials.) The applicant per ORS 227.178(5) volunteered extensions of the 120-day decision deadline. The third and last extension that staff granted March 13, 2020 – which, due to coronavirus, staff had asked the applicant to request because the City Council had canceled its meetings on fourth Mondays, and staff anticipated possible appeal of a Commission decision to Council or Council call-up – delays the final decision due date to July 30, 2020. (Staff anticipates the one Council meeting that month would be July 13, 2020.)

Design Review Provisions

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.

5.03.02 Design Review, Type III

A. Purpose: The purpose of Type III design review is to ensure that new buildings or additions to existing buildings comply with Land Use and Development Guidelines and Standards of this Ordinance (Sections 2 and 3).

B. Type III Design Review is required for the following:

1. Non-residential structures in residential zones greater than 1,000 square feet in the RS, R1S, RM, and P/SP zones.
2. Multi-family dwellings not meeting all architectural design guidelines and standards.
3. Structures greater than 2,000 square feet in the CO, CG, MUV, DDC, and NNC zones.
4. Structures greater than 3,000 square feet in the IP, IL, and SWIR zones.
5. For sites with existing buildings in the CO, CG, MUV, DDC, NNC, IP, IL, and SWIR zones; expansions or new buildings that increase lot coverage by more 25%.
6. Change of use that results in a greater than 25% increase in required parking.

Because the proposal is for buildings totaling greater than 2,000 square feet (sq ft) in the CG zoning district, per subsection 3. it requires a Type III Design Review. Additionally, the applicant submitted the Type III application type of Variance, which per 4.01.07 cited above elevates the consolidated applications package to the highest level required among the individual application types. The applicant submitted site plans on June 4, 2019 and revised site plans through March 25, 2020 (within Attachment 105). (Staff hosted a pre-submittal meeting on June 4, 2019.)

✓ The requirement is met.

2.03 Commercial Zones

A. The City of Woodburn is divided into the following commercial zones:

2. The Commercial General (CG) zone is the community's primary commercial area, providing for businesses requiring extensive land intensive outdoor storage and display of merchandise, equipment, or inventory.

B. Approval Types (Table 2.03A)

1. Accessory Uses (A) are allowed outright, subject to the general standards of this Ordinance.
2. Conditional Uses (CU) may be allowed, subject to the general development standards of this Ordinance and conditions of Conditional Use approval.
3. Permitted Uses (P) are allowed outright, subject to the general development standards of this Ordinance.

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
E	Residential	
4	Multiple-family dwellings	P

The proposed use matches E.4, which is a permitted use.

Note: Pursuant to state law, staff reviews the application through the Woodburn Development Ordinance (WDO) as it existed on the date of application. On June 7, 2019, the WDO version was that of Ordinance No. 2562 adopted Sept. 10, 2018. Though at present in the CG zoning district multiple-family dwellings are prohibited in some areas of the district – including where there is the IMA overlay district – and a conditional use (CU) in others, this change occurred after application submittal though in response to the subject project. The City Council adopted Legislative Amendment LA 2019-01 via Ordinance No. 2573 on June 24, 2019, which as is standard for ordinances per the City Charter, took effect 30 days later.

✓ The requirement is met.

Commercial General (CG) - Site Development Standards Table 2.03C				
Lot Area, Minimum (square feet)			No minimum	
Lot Width, Minimum (feet)			No minimum	
Lot Depth, Minimum (feet)			No minimum	
Street Frontage, Minimum (feet)			No minimum	
Front Setback and Setback Abutting a Street, Minimum (feet)			5 ¹	
Side or Rear Setback, Minimum (feet)	Abutting RS, R1S, or RM zone		10 ⁴	
	Abutting CO, CG, DDC, NNC, P/SP, IP, SWIR, or IL zone		0 or 5 ^{4,5}	
Setback to a Private Access Easement, Minimum (feet)			5	
Lot Coverage, Maximum			Not specified ²	
Residential Density (units per net acre)	Minimum	Row house		12
		Child care facility, group home, or nursing home		12
		Multi-family dwelling	Stand-alone	12
			In mixed use development	No minimum
	Maximum	Row house		24
		Child care facility, group home, or nursing home		32
		Multi-family dwelling	Stand-alone	32
			In mixed use development	32
Building Height, Maximum (feet)	Primary or accessory structure	Outside Gateway subarea		70
		Western Gateway subarea		50
		Eastern Gateway subarea		40
	Features not used for habitation		100	
<ol style="list-style-type: none"> 1. Measured from the Special Setback (Section 3.03.02), if any 2. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements. 3. Only allowed in the Gateway Overlay District 4. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use. 5. A building may be constructed at the property line, or shall be set back at least five feet. 				

Lot Dimensions

The CG zoning district has no minimum lot size, width, depth, or street frontage or maximum lot coverage.

Setbacks

Determining setbacks requires first determining what lot lines are front, sides, and rear as 1.02 defines because these influence the applying of setback minimums:

1.02 Definitions

...

Lot Line: The property lines forming the exterior boundaries of a lot.

- **Front Lot Line:**
 1. In the case of an interior lot, a line separating the lot from the street.
 2. In the case of a corner lot, a line separating the lot from the street from the architectural front of the existing or contemplated primary building.
 3. In the case of a flag lot, the lot line which is most nearly parallel to the street that provides access to the interior lot.
- **Rear Lot Line:**
 1. In the case of an irregular, triangular, diamond, or trapezoidal shaped lot which is narrowest at the rear and has a distance between the side lot lines at the rear of less than ten feet, the rear line for setback purposes shall be an assumed line within the lot ten feet in length, parallel to, and at the maximum distance from, the front lot line; or
 2. In any other case, the lot line opposite and most distant from the front lot line.
- **Side Lot Line: Any lot line, which is not a front or rear lot line.**

Based on the definition of front and rear lot lines, there is discretion for each of Phase 1 and the consolidation of two lots forming Phase 2 about whether Stacy Allison Way is front or Hooper Street is front. The best fit for the Phase 1 lot is subsection 2 of each of the “front lot line” and “rear lot line” definitions, and for the Phase 2 consolidated lot, subsections 2 and 1 respectively.

For front subsection 2, which refers to “the architectural front of the existing or contemplated primary building”, this makes no sense in the context of an apartment complex. For these reasons, staff decides to designate the Hooper Street lot lines as front for both Phase 1 lot and the Phase 2 consolidated lot because Hooper is a narrower and local class street and farther from I-5 than is Stacy Allison Way, a high-speed collector road that parallels the expressway. Staff also decides that for the Phase 2 consolidated lot that the rear meets subsection 1 of “rear lot line”, meaning the southeast corner of the lot has the imaginary 10-ft line from which to measure rear setback.

The resulting required setbacks are as follows and account for the corollary proposed PLA through lot consolidation, and staff applies setbacks to the nearest main wall plane, not patio slab edge or balcony projection:

<i>Setbacks Table for Phase 1 Lot</i>	
<i>Type</i>	<i>Setbacks (ft)</i>

<i>Direction (Lot Lines)</i>		<i>Existing</i>	<i>Required, Accounting for the Special Setback (i.e. street widening)</i>	<i>Proposed</i>
Southwest	Front (Hooper Street right-of-way [ROW])	n/a because no building	5 + 0 ROW = 5	5 (5 post-dedication)
Northwest	Side, abutting Stacy Allison Way ROW		5	Much more than 5
Northeast	Side, abutting CG		Choice of zero or 5	Much more than either
Southeast	Side, abutting RMN		10*	Much more than 10

*Table 2.03C sets side or rear setback by adjacent zoning and fails to list RMN. Staff and the applicant assume the value for adjacency to RM governs.

<i>Setbacks Table for Phase 2 Consolidated Lot</i>				
<i>Direction</i>	<i>Type</i>	<i>Setbacks (ft)</i>		
		<i>Existing</i>	<i>Required, Accounting for the Special Setback (i.e. street widening)</i>	<i>Proposed</i>
Northeast	Front (Hooper Street right-of-way [ROW])	n/a because no building	5 + 0 ROW = 5	5 (5 post-dedication)
East & Southeast	Side, abutting RSN		10*	10
Southeast corner	Rear, abutting RSN		10*	More than 10
South	Side, abutting unincorporated Marion County property within the Woodburn urban growth boundary (UGB) that the comprehensive plan designates Industrial		5**	5
Northwest	Side, abutting Stacy Allison Way ROW		5	8 (to closest Building N)

*Table 2.03C sets side or rear setback by adjacent zoning and fails to list RSN. Staff and the applicant assume the value for adjacency to RS governs.

**Table 2.03C also fails to account for contexts with no adjacent City zoning. Staff and the applicant assume the value for adjacency to what would be industrially zoned property if annexed from the UGB into city limits.

Note: Staff measures setbacks to the main wall plane closest to a street on a closest building and ignores projections, such as by patio slabs and balconies. For projection allowances, see 3.0.03 examined further below.

Because the application materials indicate no private access easement, the 5-foot setback is not applicable. (The application materials do indicate a Phase 1 public cross access easement to the benefit of the northeast adjacent lot [Tax Lot 1600], but because this context is not private, compared to for example an access easement over the pole of a flag lot partition where the pole is the sole means of physical access and the easement the sole means of legal access for

one or two landlocked lots, the private access easement setback is not applicable to this proposal.)

Density

Both the Comprehensive Plan and WDO 1.02 define density. Because they conflict, per state law the Comprehensive Plan definition supersedes. It is found as a footnote to Policy Table 1 (p. 7):

“The net buildable area of a parcel excludes land dedicated for public rights-of-way or stormwater easements, common open space, and unbuildable natural areas. For example, if a parcel has 10 acres, and 2 acres are removed for streets and 2 acres are within the floodplain / riparian area, then 6 net buildable acres would remain. The range of allowable densities is calculated based on net buildable acres. An acre has 43,560 square feet. Allowable densities may be increased through the discretionary planned unit development review process.”

The proposal falls under the residential building type / use of “multi-family dwelling” per 1.02 under “Dwellings ... Multiple-Family Dwelling”:

“A building on a single lot containing three or more dwelling units. Note: This definition does not include row houses, where attached single-family dwelling units are located on separate lots.”

The project is also stand-alone, meaning a conventional apartment complex that includes no other primary uses such as commercial retail and is more suburban in nature than urban.

Therefore, the applicable minimum and maximum densities are 12.0 and 32.0.

Looking to the proposal itself, the proposal involves no environmental constraints such as a creek, wetlands, or remnant old forest, a stormwater easement, or common open space of the kind understood in the context of a planned unit development (PUD) managed by an association that charges maintenance dues, with open space often being in its own platted tract or tracts. (Staff considers apartment complexes as having open space, but that remains a subarea of a platted lot under the direct control of a landlord and property manager, and so open space is not common open space.)

Therefore, obtaining net acreage is as simple as subtracting ROW dedication – and none is proposed or required (as staff later examines for 3.01). The resulting density by phase is:

Phase	Acreage	Dwelling units (DUs)	DUs per acre
1	5.93	179	30.2
2	13.1	407	31.1
both	19.03	586	30.8

The proposed densities are between 12.0 and 32.0, meeting the density provisions.

Height

The sheets illustrating building elevations note that the ten apartment buildings are 33.75 ft (33 ft, 9 inches) as measured per 1.02 “Building Height” and Figure 1.02A, meeting the provision.

✓ The site development provisions are met.

2.05 Overlay Districts

2.05.02 Interchange Management Area Overlay District

A. Purpose

The purpose of the Interchange Management Area Overlay District (IMA) is to preserve the long-term capacity of the I-5/Highway 214 Interchange. Preserving the capacity of the interchange is essential for the City’s future. Continued access to I-5 is critical for existing businesses and for attracting new businesses and development to the community.

The IMA complements the provisions of the Southwest Industrial Reserve (SWIR) Zoning District by ensuring that industrial land is retained for the development envisioned in the Woodburn Comprehensive Plan. The IMA also ensures that needed industrial, commercial and residential lands within the IMA are protected from incompatible development generating excessive vehicle trips.

The vehicle trip budget (Table 2.05A) identifies by parcel the maximum amount of peak hour trips for each parcel within the IMA and is intended to be high enough to accommodate peak hour trips anticipated by the Woodburn Comprehensive Plan and the Transportation Systems Plan (TSP), but low enough to restrict unplanned vehicle trips that could adversely affect the I-5/Hwy 214 Interchange.

B. Applicability

The provisions of this Section apply to all Type II – V land use applications that propose to allow development that will generate more than 20 peak hour vehicle trips (based on the latest Institute of Transportation Engineers Trip Generation Manual) on parcels identified in Table 2.05A. The provisions of this Section apply to all properties within the boundary of the IMA.

C. Vehicle Trip Budgets

This Section establishes a total peak hour trip generation budget for planned employment (commercial and industrial) land uses within the IMA.

1. The IMA trip budget for vacant commercial and industrial parcels identified in Table 2.05A is 2,500 peak hour vehicle trips. An estimated 1,500 additional peak hour residential trips are planned within the IMA. The IMA vehicle trip budget is allocated to parcels identified in Table 2.05A on a first-developed, first-served basis.
2. Parcel budgets are based on 11 peak hour trips per developed industrial acre, and 33 peak hour trips per developed commercial acre.
3. The parcel budget for each parcel will be reduced in proportion to actual peak hour vehicle trips generated by new development on any portion of the parcel.

4. The City may allow development that exceeds the parcel budget for any parcel in accordance with this Section.

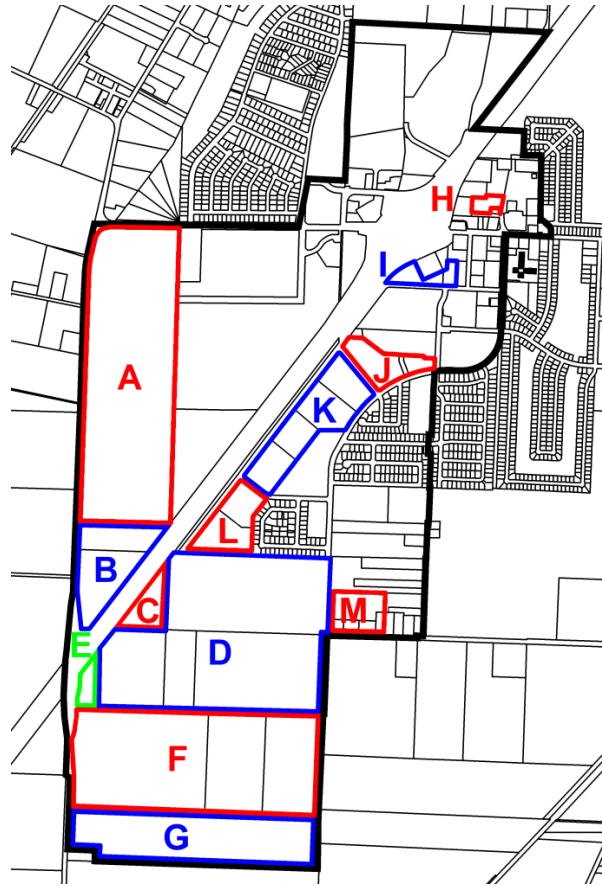


Figure 2.05B – Interchange Management Area Boundary and Subareas

Vehicle Trip Budget by Parcel (Parcel Budget)				
Table 2.05A				
Subarea	Assessor's Tax Lot Number	Comprehensive Plan Designation	Buildable Acres	Maximum Peak Hour Vehicle Trips
K	052W12C 02100	Commercial	7	231
	052W12C 02200		6	198
	052W13 01600		5	165
	052W14 02300		6	198
L	052W14 02000	Commercial	8	264
	052W14 02100		5	165

D. Administration

This Section delineates responsibilities of the City and ODOT to monitor and evaluate vehicle trip

generation impacts on the I-5 interchange from development approved under this Section.

1. A Traffic Impact Analysis (TIA) is required for all land use applications subject to the provisions of this Section. The TIA must meet City and ODOT administrative rule (OAR Chapter 734, Division 51) requirements and shall include an evaluation and recommendation of feasible Transportation Demand Management (TDM) measures that will minimize peak hour vehicle trips generated by the proposed development.
2. For a land use application subject to the provisions of this Section:
 - a. The City shall not deem the land use application complete unless it includes a TIA prepared in accordance with TIA Requirements;
 - b. The City shall provide written notification to ODOT when the application is deemed complete. This notice shall include an invitation to ODOT to participate in the City's review process;
 - c. ODOT shall have at least 20 days to provide written comments to the City, measured from the date the completion notice was mailed. If ODOT does not provide written comments during this 20-day period, the City's decision may be issued without consideration of ODOT comments.
3. The details of City and ODOT monitoring and coordination responsibilities are found in the Woodburn – ODOT Intergovernmental Agreement (IGA).
 - a. The City shall be responsible for maintaining a current ledger documenting the cumulative peak hour trip generation impact from development approved under this Section, compared with the IMA trip budget.
 - b. The City may adjust the ledger based on actual development and employment data, subject to review and concurrence by ODOT.
 - c. The City will provide written notification to ODOT when land use applications approved under this Section, combined with approved building permits, result in traffic generation estimates that exceed 33% and 67% of the IMA trip budget.
4. This Section recognizes that vehicle trip allocations may become scarce towards the end of the planning period, as the I-5 Interchange nears capacity. The following rules apply to allocations of vehicle trips against the IMA trip budget:
 - a. Vehicle trip allocations are vested at the time of design review approval.
 - b. Vehicle trips shall not be allocated based solely on approval of a comprehensive plan amendment or zone change, unless consolidated with a subdivision or design review application.
 - c. Vesting of vehicle trip allocations shall expire at the same time as the development decision expires.

E. Allowed Uses

Uses allowed in the underlying zoning district are allowed, subject to other applicable provisions of the Woodburn Development Ordinance and this Section.

F. Comprehensive Plan and Zoning Map Amendments

1. **The provisions of this Section (2.05.02.F) apply to all Comprehensive Plan Map amendments within the IMA. This Section does not apply to Zoning Map amendments that result in conformance with the applicable Comprehensive Plan Map designation, such as Zoning Map amendments that occur when land is annexed to the City.**
2. **Applications for Comprehensive Plan Map amendments and for Zoning Map amendments shall determine whether the proposed change will significantly affect a collector or arterial transportation facility.**
3. **To ensure that the remaining capacity of the I-5 Interchange is reserved for targeted employment opportunities and needed housing, this section imposes the following prohibitions on Comprehensive Plan Map amendments within the IMA:**
 - a. **Comprehensive Plan Map amendments that will increase the net commercial land area within the IMA shall be prohibited.**
 - b. **Comprehensive Plan Map amendments that allow land uses that will generate traffic in excess of the IMA trip budget shall be prohibited.**

G. Interchange Capacity Preservation Standards

Land use applications subject to the provisions of this Section shall comply with the following:

1. **Peak hour vehicle trips generated by the proposed development shall not, in combination with other approved developments subject to this Section, exceed the IMA trip budget of 2,500.**
2. **Peak hour vehicle trips generated by the proposed development shall not exceed the maximum peak hour vehicle trips specified in Table 2.05A for the subject parcel, except:**
 - a. **Development may be allowed to exceed the maximum, if the development will contribute substantially to the economic objectives found in the Comprehensive Plan.**
 - b. **Residential development on a parcel zoned Commercial shall be allowed to exceed the maximum.**
3. **Transportation Demand Management (TDM) measures shall be required to minimize peak hour vehicle trips and shall be subject to annual review by the City.**

Both phases are within the IMA and within subareas K & L. Phase 1 is part of K, and Phase 2 is the entirety of L. The table allocates Phase 1 Tax Lot 2300 with 198 peak hour vehicle trips and Phase 2 (L) with 429 trips, totaling 627 allocated or budgeted trips.

The applicant submitted traffic impact analysis (TIA) as 3.04.05 required, last revised and submitted May 1, 2020 following direction to the applicant by both the Oregon Department of Transportation (ODOT) and the City. Executive Summary bullet 2 (p. 1) notes AM or morning peak hour trips at 211, and PM or evening peak hour trips at 258. Thus, the PM peak hour supersedes the AM one. The number of 258 is well below the allocated or budgeted 627 trips and at 41.1% of the allocation or budget. (Anyway, as cited above, subsection G.2.b. allows that, “residential development on a parcel zoned Commercial shall be allowed to exceed the maximum.”)

Incidentally, the TIA per Executive Summary bullet 1 assumes four years to develop the two phases, which likely means either 2020-2024 or 2021-2025.

✓ The site development provisions are met.

2.06 Accessory Structures

2.06.02 Fences and Walls

C. Height in Non-Residential Zones

- 1. In commercial, industrial, or public zones, the maximum height of a fence or wall located in a yard abutting a street shall be 6 feet, relative to the ground elevation under the fence or wall. Fence height may increase to 9 feet once flush with the building face, or 20 feet from street right-of-way.**
- 2. Fences and walls may be constructed in the special setback provided the property owner agrees to removal at such time as street improvements are made.**

D. Fence Materials

- 1. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls, such as wood, stone, rock, or brick, or other durable materials.**
- 2. Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Slats may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.**
- 3. For manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, the preceding standards apply when visible from, and within 20 feet of, a public street.**

2.06.03 Structures

- A. Accessory structures attached to a primary building shall be considered as a portion of the primary building and subject to the same requirements as the primary building.**
- B. The minimum separation between detached accessory structures and the primary building shall be six feet.**

The site plans propose no fencing or free-standing walls, excepting walls for the twelve recycling and trash enclosures. The some are in the yards abutting ROWs, because the subject property is not residentially zoned, the stair-stepped maximum heights of fencing and walls are not applicable. Every enclosure is at least 6 ft from a building, and the southeast rear corner maintenance shed is also at least 6 ft away (from Building Q).

✓ The provisions are met.

2.07 Special Uses

None apply.

(Note: Staff interprets 2.07.04 Community Club Buildings and Facilities to not apply because a “community club building” [clubhouse] requires its own parking only for stand-alone clubhouses or in the context of residential subdivisions including those that are part of planned unit developments [PUDs], and that apartment complex so-called clubhouses are not subject to the special use.)

3.01 Streets

3.01.02 General Provisions

A. No development shall be approved, or access permit issued, unless the internal streets, boundary streets and connecting streets are constructed to at least the minimum standards set forth in this Section, or are required to be so constructed as a condition of approval.

D. The standards of this Section may be modified, subject to approval of an Exception to Street Right-of-Way and Improvement Requirements.

3.01.04B. All public streets under the jurisdiction of the City of Woodburn shall comply with the cross-sections depicted in this Section.

3.01.04C. For local residential streets which are not identified in the Comprehensive Plan, rights-of-way and improvements are determined by the Director at the time of development, based upon the existing and future estimated average daily trips of the development and surrounding development.

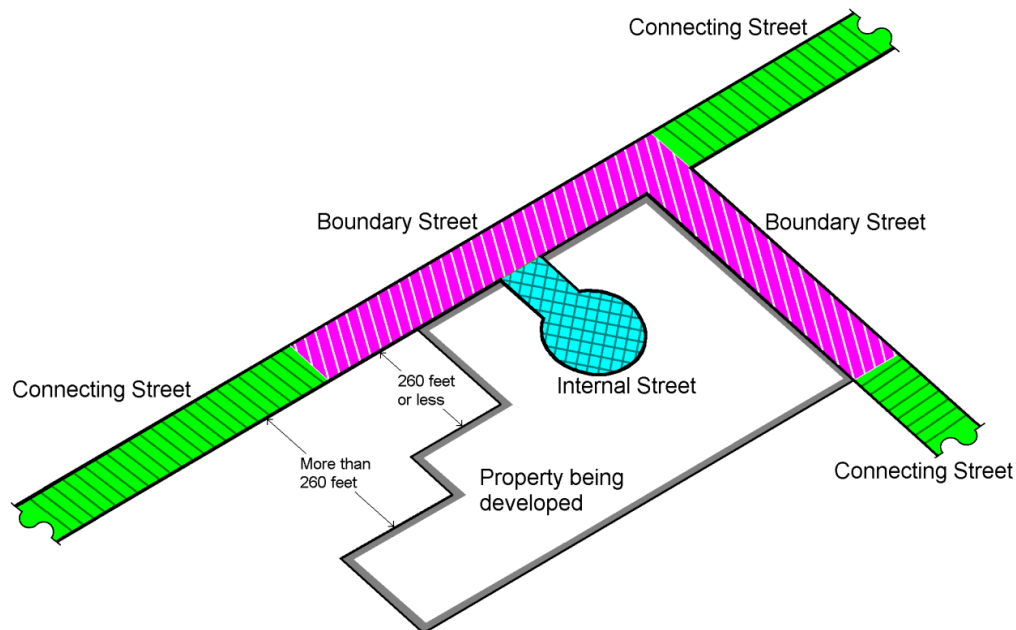


Figure 3.01A – Internal, Boundary, and Connecting Streets

The subject property, including each of Phases 1 & 2, has two frontages: Stacy Allison Way and Hooper Street.

Note: On September 23, 2019, the City Council adopted the 2019 major update of the 2005 TSP via Legislative Amendment LA 2018-01 as Ordinance No. 2575, which per the City Charter took effect 30 days later on October 23, 2019. As of that date, application submittals were subject to the new TSP that looks through 2039. Because the Allison Way Apartments applicant applied on June 7, 2019, staff defaults to the 2005 TSP, yet also researches how the TSP 2019 major update could affect the project.

Per Transportation System Plan (TSP) Figure 7-1 “Functional Classification Designations” (Attachment 104; 2005), Stacy Allison Way is Service Collector class, and Hooper Street is local class, for which WDO Figures 3.01D & G respectively apply:

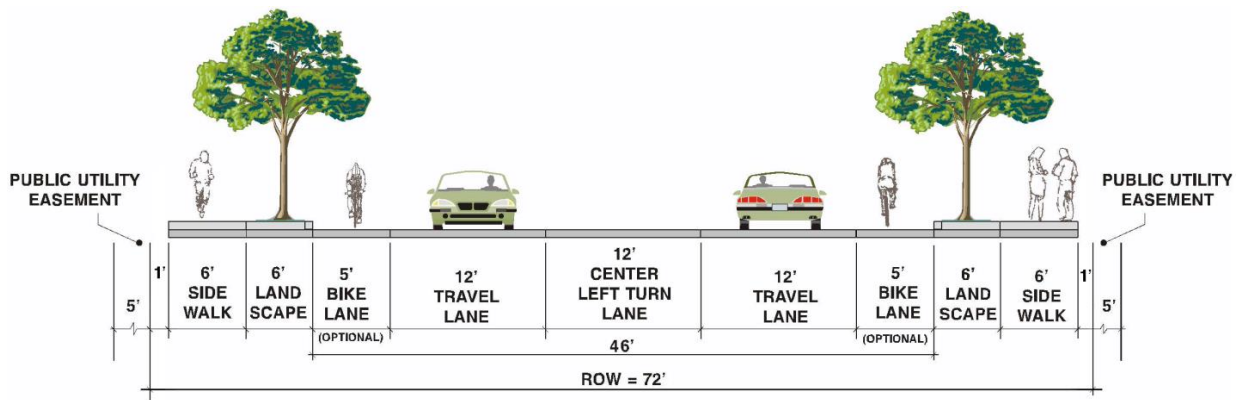


Figure 3.01D – Service Collector

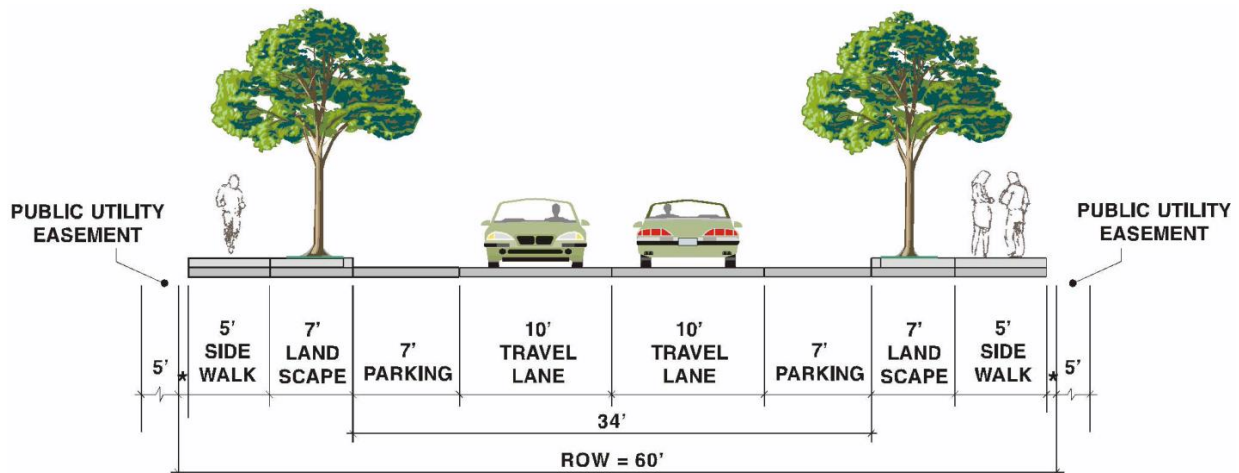


Figure 3.01G – Local Residential Street with Parking Both Sides, 60 Foot Right-of-Way

(The designations remains the same in the TSP 2019 major update per its Figure 2.)

Frontage/public/street improvements are required to upgrade the frontages to present standards, and the applicant opt to apply for an Exception to Street Right of Way and Improvement Requirements (EXCP; “Street Exception”).

ROW

Because the planned and existing Stacy Allison ROWs are 72 and 74 ft, the existing ROW is 2 ft in excess of the minimum, and no dedication is required.

Because the planned and existing Hooper ROWs are both 60 ft, no dedication is required.

Improvements

Stacy Allison Way is improved to older and lesser standards along Phase 1. Along Phase 2, ROW already exists, but no street improvements all yet exist.

The request is to keep the segment with substandard frontage, which lacks a planter strip and street trees by having curb-tight sidewalk, and to continue this substandard half-street along Phase 2. Staff declines this scenario, and instead approves with EX conditions the request to establish a custom cross section slightly different between both phases.

The customization in short requires wide sidewalk in lieu of bicycle lane, planter strip with street trees, and within the Phase 2 extension of Stacy Allison Way a median with trees that tapers into and out of existence away from where turning movements would occur.

The customization objectives include to:

- Avoid interference with the far northwest side and the I-5 stormwater detention pond.
- Deal with a ROW that is asymmetrical with partial improvements that are also asymmetrical.
- Provide for a wide sidewalk as a bicycle/pedestrian path in lieu of and narrower than having both a sidewalk and a northbound bicycle lane, because most cyclists and would-be cyclists are too afraid to use bike lanes and prefer to ride on sidewalks.
- Provide for street trees for visual and acoustic buffering of both sidewalk and dwellings from I-5 and provide for other street tree benefits, namely reduction of the “urban heat island” effect.
- Is reasonable because the majority of the boundary street length of Stacy Allison ROW is not yet improved at all, and so there’s no good reason for a developer to extend a substandard half-street.
- Maintain the road as a collector with ability to turn left southeast from left turn lanes while also using civil engineering to reduce speeding; avoid unnecessary pavement

where, because of I-5 to the northwest and segments of street frontage with no driveways, no center left turn lane would be needed; and provide additional street trees for visual and acoustic buffering, heat reduction, and traffic calming. (Planning research finds that street trees subconsciously influence drivers such that they speed less.)

Along Hooper, the applicant proposes marginally different improvements, specifically (1) two mid-block crossings and (2) landscaped peninsulas dividing the on-street parking aisles into bays. Staff generally accepts the proposed street improvements with revisions as directed per applicable EX conditions.

Long-range Planning

The TSP 2019 major update Figure 6 “Local Street Connectivity Plan” shows no extended or new road or street within the site development area.

Staff counters the applicant’s request to retain and extend substandard street improvements through EX conditions that customize what the TSP and 3.01.04 require yet also secure lasting infrastructure that contributes to the public good, particularly street trees (for traffic calming, “urban heat island effect” reduction, and visual and acoustic buffering of dwellings from I-5) and a wide sidewalk as a multi-use path (for interested but concerned cyclists too afraid to ride in bicycle lanes).

▲ Staff applies *conditions beginning with “EX”* so that the provisions may be met.

■ *Street Exception:* Staff addresses the street exception request regarding both Stacy Allison Way and Hooper Street further below under the Street Exception Provisions section.

3.02 Utilities & Easements

3.02.01

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. A five-foot wide public utility easement shall be dedicated along each lot line abutting a public street.

C. As a condition of approval for development, including property line adjustments, partitions, subdivisions, design reviews, or Planned Unit Developments (PUDs), the Director may require dedication of public utility easements.

The Town Center at Woodburn subdivision plat (2004) dedicate streetside PUEs 5 ft wide – and also dedicated an on-site PUE deeper onto the subject property, specifically a 6-ft wide one along the northeast side lot line of Lot 9 (Phase 1). Additionally, the City geographic information system (GIS) indicates an additional on-site PUE 5-ft wide along the Lots 7 & 8 (Phase 2) southeast and east interior lot lines and a rectangular, discrete easement of

approximately 19,000 sq ft in the middle of Lot 7 that partially overlaps Lot 8 (Marion County Reel 1816, Page 465).

The applicant needs to resolve the situation so as to:

- Conform to the streetside PUE standard of 3.02.01B, and
- Follow direction of the City Engineer about how to resolve existing and new easements and in such a way that resolution conforms to all planning / land use/ zoning conditions.

▲ Staff applies a *D condition* so that there may be resolution.

3.02.03 Street Lighting A. Public Streets

The appended Public Works comments (May 19, 2020; Attachment 102A) from the City Engineer identify street lighting as an issue, stating under comment 11, “11. In conjunction with the new public street improvements on Stacy Allison Way, the applicant shall install street lighting consistent with PGE installation plan option B.”

▲ In order to secure conformance to Public Works comments, staff applies *Condition G-PW*.

3.02.04 Underground Utilities. All permanent utility service to and within a development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist.

⊖ Because within adjacent ROWs there are no existing electric power line poles to remove, the provisions are not applicable.

3.03 Setbacks and Open Space

3.03.02 Special Setbacks

⊖ Because as examined earlier above for 3.01, neither of the two subject ROWs require additional ROW because Stacy Allison Way is in excess of the minimum and Hooper Street is already at the minimum width, the Special Setback – which is a setback to accommodate future street widening – is not applicable.

3.03.03 Projections into the Setback Abutting a Street

- A. Chimneys, flues, bay windows, steps, eaves, gutters, sills, pilasters, lintels, cornices, planter boxes and other ornamental features may not project more than 24 inches into the setback abutting a street.**
- B. Covered, unenclosed porches, extending not more than 10 feet beyond the front walls of the building, shall maintain at least a 10 foot setback from the property line or Special Setback.**
- C. A balcony, outside stairway or other unenclosed, unroofed projection may not project more than 10 feet into a front setback.**

D. Arbors, archways, pergolas and trellises shall be exempt from the setback abutting a street.

...

3.03.04 Projections into the Side Setback

A. Chimneys, flues, bay windows, steps, eaves, gutters, sills, pilasters, lintels, cornices, planter boxes and other ornamental features may not project more than 18 inches into a side setback.

...

3.03.05 Projections into the Rear Setback

A. Chimneys, flues, bay windows, steps, eaves, gutters, sills, pilasters, lintels, cornices, planter boxes and other ornamental features may project not more than 24 inches into the rear setback.

B. A balcony, outside stairway or other unenclosed, unroofed projection may not project more than 10 feet into a rear setback. In no case shall such a projection come closer than 6 feet from any lot line or Special Setback.

...

E. No permitted projection into a rear setback shall extend within ten feet of the centerline of an alley, or of a rear lot line if no alley exists, or within six feet of an accessory structure.

F. Accessory structures are not considered projections into a rear setback, but have separate setback requirements listed in this Ordinance (Section 2.06).

For Phase 1, there are no projections into minimum setbacks. (Along Hooper Street, Building G patio slabs touch but do not encroach within the streetside 5-ft PUE).

For Phase 2, there are no such projections. (The Building R east/northeast patio slab corner touches the 10-ft minimum setback. Along Hooper Street, Building B patio slabs touch but do not encroach within the streetside 5-ft PUE, and along Stacy Allison Way, Building N patio slabs are sited the same.)

✓ The provisions are met.

3.03.06 Vision Clearance Area; Figures 3.03A & B

The proposal includes the required vision clearance areas (VCAs).

✓ The provisions are met.

3.04 Vehicular Access

3.04.02 Drive-Throughs

⊖ Because the proposal involves no drive-through, the provisions are not applicable.

3.04.03 Driveway Guidelines and Standards

A. Number of Driveways

- 1. For residential uses, the maximum number of driveways per lot frontage shall be one. For purposes of controlling driveway access, every 100 feet of frontage is considered a separate lot frontage.**
- 2. A minimum of two driveways shall be provided in developments with: ...**
 - b. 100 dwelling units in multiple-family dwellings (200 if all dwelling units are equipped with automatic fire sprinklers);**

...

B. Joint Access

- 1. Lots that access a Major Arterial, Minor Arterial, or Service Collector should be accessed via a shared driveway.**
- 2. A partition, subdivision, or PUD should be configured so that lots abutting a Major Arterial, Minor Arterial, or Service Collector have access to a local street. Access to lots with multiple street frontages should be from the street with the lowest functional classification.**
- 3. Every joint driveway or access between separate lots shall be established by an access easement and maintenance agreement to the satisfaction of the Director and revocable only with the concurrence of the Director.**

Access Management

Staff exercises the discretion per subsection B.1, to administer conventional access management. Restricting driveways along Stacy Allison Way, a collector class road, and maintaining looped circulation for fire truck and other vehicle access results in the driveway numbers and placements as proposed and a *D* condition memorializes. Phases 1 & 2 may each have two Hooper Street driveways because each frontage is approximately 400 ft.

Joint Driveway / Public Access Easement

The applicant provided a draft public access easement along the northeastern side of Phase 1 from Stacy Allison Way and up to and to the benefit of adjacent Tax Lot 052W13 01600 (Town Center at Woodburn subdivision, Lot 10). (There is no draft maintenance agreement because the adjacent lot is an undeveloped field.)

▲ In order to secure actual and correct dedication of a public cross access easement that conform to 3.04.03B.3, staff applies a *D* condition.

✓ The provisions are met.

Access Requirements Table 3.04A		
		5 or More Dwelling or Living Units, School, or House of Worship ⁶
Paved Width of Driveway (feet) ^{3,4}	1-way	12 minimum 20 maximum
	2-way	24 minimum 30 maximum (Add 8' if a turn lane is provided)
Curb Flare Radius (feet)		25 minimum
Throat Length (feet) ⁵	Major Arterial, Minor Arterial, Service Collector	50 minimum
	Access or Local Street	20 minimum
Corner Clearance (feet) Guidelines ¹ (See Figure 3.04B)	Access or Local Street	30 minimum
	Service Collector	50 minimum
	Minor Arterial	245 minimum
	Major Arterial	300 minimum
Driveway Separation Guidelines (feet) ^{1,2} (See Figure 3.04B)	Driveway on the same parcel	50 minimum
	Access or Local Street	none
	Service Collector	50 minimum
	Minor Arterial	245 minimum
	Major arterial	300 minimum
Turnarounds (See Figure 3.04C)	Access to a Major or Minor Arterial	Required
	Access to any other street	Requirements per the Woodburn Fire District

The site plans show the driveways that meet the minimum standards or exceed them where necessary to meet Oregon Fire Code (OFC) Appendix D, and excepting the variance request regarding driveway width minimum.

■ *Variance [1]*: Staff addresses the variance request regarding driveway width minimum further below under the Variance Provisions section.

✓ The minimum standards are otherwise met or exceeded.

3.04.03A. Unused driveways shall be closed.

⊖ There are none.

3.04.03C. Interconnected Parking Facilities.

The proposal illustrates for each of Phase 1 and 2 a single parking area that follows and branches from the looped drive aisle.

✓ The provisions are met.

3.04.04 Improvement Standards

The site plans illustrate pavement that conforms.

✓ The requirement is met.

3.04.05 Traffic Impact Analysis

A. A Traffic Impact Analysis (TIA) may be required by the Director prior to the approval of a City access permit when the Director estimates a development proposal may generate either 100 or more additional, peak hour trips, or 1,000 or more additional daily trips, within ten years of a development application.

The applicant's traffic impact analysis (TIA; submitted May 1, 2020; p. 1) states under Executive Summary item 2 that:

“The trip generation calculations show that the proposed development will generate a total of 211 trips during the morning peak hour, 258 trips during the evening peak hour, and 3,188 trips on a typical weekday.”

As examined earlier above for 2.05.02 Interchange Management Area Overlay District (IMA), both phases are within the IMA and within subareas K & L. Phase 1 is part of K, and Phase 2 is the entirety of L. The table allocates Phase 1 Tax Lot 2300 with 198 peak hour vehicle trips and Phase 2 (L) with 429 trips, totaling 627 allocated or budgeted trips. The number of 258 is well below the allocated or budgeted 627 trips.

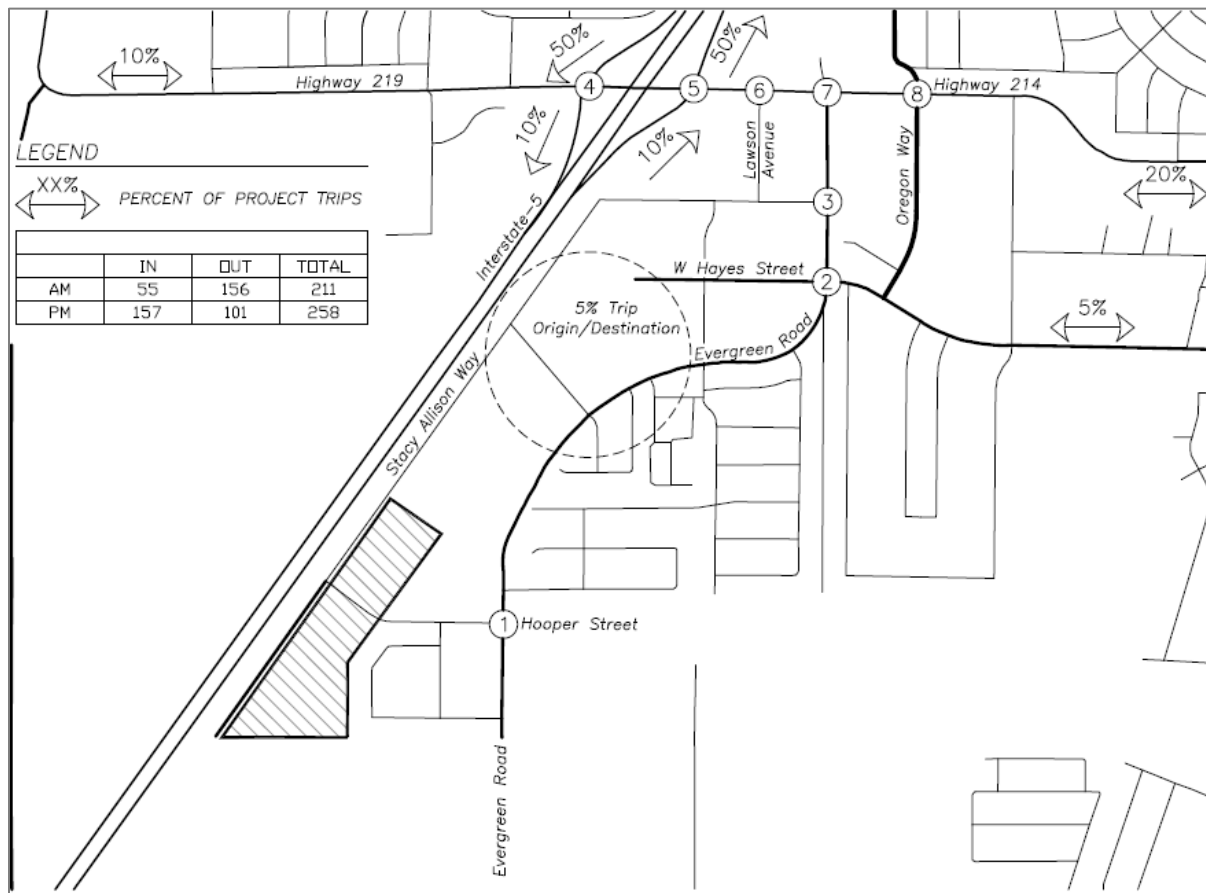
The proposal exceeds both TIA thresholds and is within the IMA and exceeds the TIA threshold per IMA provisions, which is why the applicant drafted and submitted a TIA instead of a brief traffic letter or memo.

The TIA, limiting its conventional analysis to vehicle traffic only, assumed citywide growth in background vehicle traffic through 2024, which is the assumed project build-out year, specifically 0.4% yearly along OR 214 and 2.0% compounded yearly along city streets (p. 15).

Incidentally, the TIA per Executive Summary bullet 1 assumes four years to develop the two phases, which likely means either 2020-2024 or 2021-2025.

The executive summary identified issues. The City contracted with a transportation consultant (from a company other than the one that prepared the applicant’s TIA) to review the TIA, rebut or affirm its conclusions, and advise staff. The TIA and consultant’s report (Attachment 102B) inform transportation conditions.

The TIA studied eight intersections:



TIA intersection locations map adapted from TIA p. 14 Figure 6 Site Trip Distribution & Assignment (for both Phase 1 & 2)

1. *Evergreen Road at Hooper Street*

Because there are no significant effects, no mitigation is warranted.

2. *Evergreen Road at [W.] Hayes Street*

This is one of three intersections that the traffic modeling predicted to exceed a vehicle volume over capacity (v/c) maximum ratio established by either ODOT or the City.

Effects include that traffic signalization is preliminarily warranted, that is, is something meriting further study.

First, because the development affects this intersection, and it is yet unclear what is the best form of mitigation based on qualitative and quantitative criteria and not yet established concerns that would arise from public participation and inform civil engineering, the best route to mitigation is the developer paying a fee in-lieu or mitigation fee that funds a transportation study leading towards an ideal capital improvement project. The Public Works director indicates that \$33,000 would be approximately sufficient. Staff applies a fee as a *T-A condition* specifies.

Second, because the TIA through Figure 6 (p. 14 and excerpted above) identifies that a combined 30% of trips are any of within the vicinity of the project (5%), along W. Hayes Street (205), or along OR 214 to and from the east (20%) – namely, trips that are not along I-5 – these trips are ripe to target for modal shift, in other words, to induce more walking, cycling, and transit ridership and less driving. There are gaps in the sidewalk network within the vicinity of the project. One is northerly of the northeast corner of Evergreen Road and W. Hayes Street, the gap being between Stacy Allison Way at north and W. Hayes Street at south. It is along one of two reasonable direct routes to and from the project and OR 214. For these reasons, staff conditions a frontage/street improvement by the developer to construct sidewalk and ancillary improvements as a *Condition T-A1b* and *T-BP conditions* specify.

3. *Evergreen Road at Stacey Allison Way*

This is one of three intersections that the traffic modeling predicted to exceed a vehicle volume over capacity (v/c) maximum ratio established by either ODOT or the City.

Effects include that traffic signalization is preliminarily warranted, that is, is something meriting further study. Because the development affects this intersection, and it is yet unclear what is the best form of mitigation based on qualitative and quantitative criteria and not yet established concerns that would arise from public participation and inform

civil engineering, the best route to mitigation is the developer paying a fee in-lieu or mitigation fee that funds a transportation study leading towards an ideal capital improvement project. The Public Works director indicates that \$33,000 would be approximately sufficient. Staff applies a fee as a *T-A condition* specifies.

4. *OR 214 at I-5 Southbound ramps*

Because there are no significant effects, no mitigation is warranted.

5. *OR 214 at I-5 Northbound ramps*

Because there are no significant effects, no mitigation is warranted.

6. *OR 214 at Lawson Avenue*

Because there are no significant effects, no mitigation is warranted.

7. *OR 214 at Evergreen Road*

This is one of three intersections that the traffic modeling predicted to exceed a vehicle volume over capacity (v/c) maximum ratio established by either ODOT or the City. (The predicted v/c of 0.99 would exceed the ODOT ideal value of 0.95 v/c.)

The intersection is already signalized, the intersection also already suffers from a higher than usual crash rate involving drivers:

“The intersection of OR 214 at Evergreen Road has a calculated crash rate above 1.0 and ODOT’s 90th percentile crash rate of 0.86. A total of 52 collisions were reported at the intersection during the analysis period. Over thirty percent of these crashes were angle-type collisions between a southbound left-turning vehicle and an eastbound through vehicle. These crashes were caused by the left-turning vehicle turning in front of traffic with no right-of-way. It is expected that this occurs due to the flashing yellow arrow which allows for permissive turning movements. Vehicles may not be adequately estimating the time gap needed to cross the intersection safely. Based on the Protected Only Left-Turn Mode requirements found in ODOT’s Traffic Signal Policy and Guidelines, “protected only left-turn mode should be provided when crash history indicates five or more crashes involving left-turn movements per approach in a consecutive 12-month period within the last three years.” Left-turn collisions for this specific movement account for five crashes in 2017, three crashes in 2016, and eight crashes in 2015. Left-turns should also be provided when u-turns are permitted, which is also the case. It is recommended that the eastbound and westbound left-turn movements be altered to protected only mode.” (p. 27)

Because the intersection already has a high crash rate, the development increases the v/c ratio of this intersection, and the TIA and consultant's reports recommended signal timing optimization to lessen the crash rate, the best route to mitigation is the developer paying a fee in-lieu or mitigation fee that funds a transportation study, specifically to investigate corridor signal timing and coordination adjustments in coordination with ODOT. The Public Works director indicates that \$15,000 would be approximately sufficient. Staff applies a fee as a *T-A condition* specifies.

8. *OR 214 at Oregon Way*

Because there are no significant effects, no mitigation is warranted.

Additional Issues: Walking & Cycling

As stated above, because the TIA through Figure 6 (p. 14 and excerpted above) identifies that a combined 30% of trips are any of within the vicinity of the project (5%), along W. Hayes Street (205), or along OR 214 to and from the east (20%) – namely, trips that are not along I-5 – these trips are ripe to target for modal shift, in other words, to induce more walking, cycling, and transit ridership and less driving. Additionally, the consultant's report confirmed that the TIA identified no vehicle trip reduction or transportation demand management (TDM) measures (p. 2).

A way to induce walking and cycling is through sidewalks with curb ramps where none yet exist between the subject project and commercial attractions in the vicinity of OR 214 and Evergreen.

There are gaps in the sidewalk network within the vicinity of the project. One is northerly of the northeast corner of Evergreen Road and W. Hayes Street, the gap being between Stacy Allison Way at north and W. Hayes Street at south. It is along one of two reasonable direct routes to and from the project and OR 214.

The second reasonable direct route is along Allison with alternative to turn at either Lawson or Evergreen to reach OR 214. In total, there are a number of ways travelers can reach OR 214 from the project, particularly for those walking or cycling:

- Allison/Lawson
- Allison/Evergreen
- Hooper/Evergreen
- Hooper/Evergreen/Harvard/Allison/Lawson
- Hooper/Evergreen/Harvard/W. Hayes/Evergreen
- Hooper/Evergreen/Harvard/Allison/Evergreen.

Along these routes and within their vicinity, there are some sidewalk gaps and crossings where there are no curb ramps:

1. Allison & Lawson, south side: curb ramp or ramps lacking
2. Evergreen, west side, between Allison and W. Hayes: sidewalk lacking
3. Evergreen, east side, between Allison and W. Hayes: sidewalk lacking [tree meanders needed]
4. W. Hayes, north side, between the east driveway of Barclay Square Apartments and Evergreen: sidewalk lacking [tree meander needed]
5. Harvard & W. Hayes, west side, curb ramp or ramps lacking
6. Evergreen, northwest side, between Walmart south driveway and Harvard: sidewalk lacking
7. Evergreen, northwest side, Walmart driveway west side: curb ramp lacking
8. Evergreen & Oxford, northwest side: curb ramp or ramps lacking

As a ninth item, staff adds lack not of sidewalk or curb ramps but public park access. Specifically, the nearest public park within crow-fly distance would be Centennial Park at 900 Parr Road, about 3,100 ft to the southeast of the property. A first factor to consider is that because the crow-fly distance contains unincorporated farms and rural homesteads with sparse roads, the most direct road and street route to the park presently is through the city, detouring northeast along Evergreen and east along W. Hayes all the way to Settlemier Avenue and backtracking south and then west along Parr. This network distance from the east side of the project at Hooper to Centennial Park is 2.8 miles – over 10,500 ft.

A second factor is that Smith Creek Development Phase 1A is under construction. It would extend Harvard Drive south a little towards dead-end Stubb Road. (Stubb Road branches off of Parr.) However, per the Final Order of that development, Condition SUB-1 (pp. 52-53), though Harvard and Stubb will fuse upon construction of Smith Phases 2A & 3A thereby creating a through street in the southwestern area of city limits, these phases need not be constructed until the year 2028 or 2029, at least 4 or 5 years past the subject project build-out year per the TIA (2024) or at least 7 to 8 years past the year staff anticipates that the subject project would break ground (2021). A shorter route is needed sooner and that is not dependent on later phases of another development.

A third factor is that an off-street bicycle/pedestrian path improvement would establish a shorter route. Smith Phase 1A will have an off-street path stub that ends at an unimproved City ROW that once was to have been Evergreen Road. The no man's land lies between Woodburn Senior Estates No. 7 subdivision to the east (Columbia Drive being the nearest parallel street) and Montebello 2 subdivision to the west (Baylor Drive being the nearest parallel) street. Montebello 2 subdivision lies a walkway easement with an improved path stub to the no man's land. Within the Montebello 2 subdivision lies a walkway easement straddling 364 & 376 Baylor Drive with an improved path stub to the no man's land. Walking and cycling from the

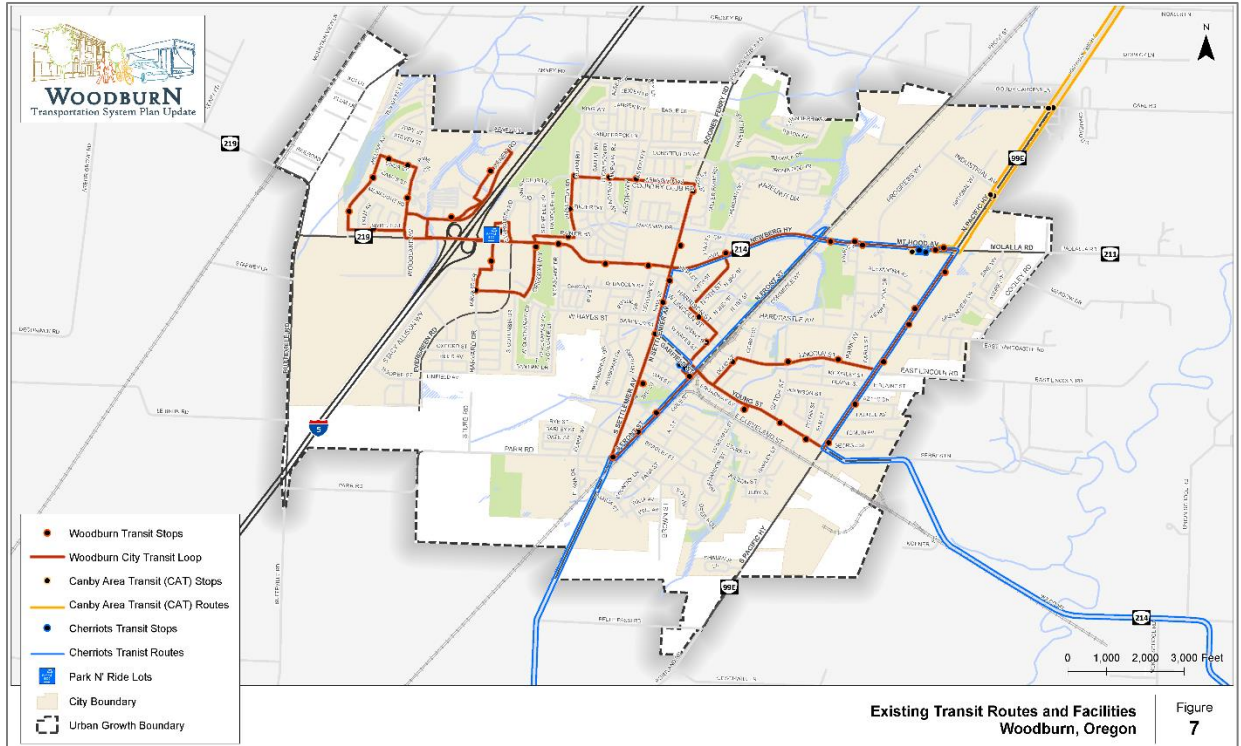
subject property northeast along Evergreen, east along Oxford Street, and south along Baylor to this stub totals 0.7 miles or about 3,700 ft, far shorter than the present road and street network route. Also, about 350 ft of improved path along the no man's land to the south end of the no man's land would be sufficient to join that Smith Phase 1A stub under construction and expected to open 2020. Because Smith 1A includes an extension of the Mill Creek greenway trail and improvements west from Settlemier Park, the greenway along with Centennial Park would draw future residents of the subject property to these public parklands. Having a closer walking and cycling route would draw residents away from driving to these parklands. To this end, staff applies a *T-BP condition*.

In order to induce more walking and cycling and less driving, staff already applied Condition T-A1b and applies a *T-BP conditions* specifying how the developer will make off-street street improvements to provide continuous and safer walking and cycling routes.

Additional Issues: Local Bus Transit

Besides the 30% of trips mentioned above (5% within the vicinity and 25% to and from the east), 10% are to and from west Woodburn (across I-5). This totals 40% of trips that do not go to and from I-5 south towards Salem or north towards Wilsonville. These trips are within the area of Woodburn served by the City bus loop, the [Woodburn Transit System \(WTS\)](#). Improving and adding bus stops to increase coverage, while also improving frequency, also known as headway, and hours of service, would induce more trips away from driving.

Presently, the bus loops through east, central, and west Woodburn, but is yet to reach into southwestern city limits:



TSP Figure 7 (2019)

Below is an analysis of applicable projects from the [Transportation System Plan \(TSP\) 2019](#) major update, Table 4 “Transit Plan”:

<i>Project Number</i>	<i>Location</i>	<i>Responsible Jurisdiction</i>	<i>Description</i>	<i>Priority</i>	<i>Cost Estimate</i>
T1	Woodburn Fleet	Woodburn Transit/City	Coordinate with Woodburn Transit to deliver service enhancements funded through the STIF: Purchase of Category B and C vehicles (1 each) for use in the City's expanded transit services. (100% funding level 2020-21)	Medium	\$5,000
T2	Woodburn Fleet	Woodburn Transit/City	Coordinate with Woodburn Transit to deliver service enhancements funded through the STIF: Purchase a Category B vehicle that will replace the second oldest full-size vehicle in the WTS fleet; will be used for the City's existing local fixed route circulator. (130% funding level 2021)	Medium	\$5,000
T4	Woodburn Fixed Route	Woodburn Transit/City	Coordinate with Woodburn Transit to deliver service enhancements funded through the STIF: Modify the existing 60-minute fixed route loop; add an additional 30-minute route that will serve high frequency stops on weekdays (7am-7pm) within the Woodburn city limits. Total additional	Medium	\$5,000

			service will be up to 6,192 revenue hours (FY20-21). (100% funding level 2020-21)		
T6	Woodburn Fixed Route	Woodburn Transit	Increase frequency of existing route to 30 minutes	Medium	\$0 ¹
T16	Woodburn	Cherriots/ City	Coordinate with Cherriots to provide a stop in Woodburn for SMART Route 1X, providing service to WES station in Wilsonville and downtown Salem	Medium	\$5,000
T18	City-wide	Woodburn Transit/ Cherriots	Evaluate all bus stops to verify static bus route information signage is visible and accessible and that bike racks are available at major bus stops	Medium	\$25,000
1. Project to be funded by others.					

(Note: STIF refers to the [ODOT Statewide Transportation Improvement Fund](#).)

Here's how staff determines proportionate fair share. For local transit improvements, staff applies 35% of cost estimates because that's the percentage per the TIA of trips within Woodburn, excluding the 5% within the vicinity because staff believes that no one would wait for a bus when they could walk or cycle more quickly to their destinations within the vicinity. For the remaining 60% of trips are to and from I-5, for transit improvements intended for commuters to and from the Portland and Salem metro areas, staff applies 60% of cost estimates. A staff table below provides more method details.

<i>Project Number</i>	<i>Description</i>	<i>TSP Cost Estimate</i>	<i>Method</i>
T1	Coordinate with Woodburn Transit to deliver service enhancements funded through the STIF: Purchase of Category B and C vehicles (1 each) for use in the City's expanded transit services. (100% funding level 2020-21)	\$5,000	Apply 35%, which = \$1,750.
T2	Coordinate with Woodburn Transit to deliver service enhancements funded through the STIF: Purchase a Category B vehicle that will replace the second oldest full-size vehicle in the WTS fleet; will be used for the City's existing local fixed route circulator. (130% funding level 2021)	\$5,000	Apply 35%. 1. If 130% = \$5,000, then 100% = \$3,846.15. 2. 35% of \$3,846.15 = \$1,394.46. Conversion to a per-dwelling rate is: \$1,394.46 / 586 = \$2.38.
T4	Coordinate with Woodburn Transit to deliver service enhancements funded through the STIF: Modify the existing 60-minute fixed route loop; add an additional 30-minute route that will serve high frequency stops on weekdays (7am-7pm) within the Woodburn city limits. Total additional	\$5,000	Apply 35%, which = \$1,750. Because the TIA establishes project build-out of 4 years (2024), \$1,750 x 4 = \$7,000. Conversion to a per-dwelling rate is: \$7,000 / 586 = \$11.95.

	service will be up to 6,192 revenue hours (FY20-21). (100% funding level 2020-21)		This is merged with T6 below.
T6	Increase frequency of existing route to 30 minutes	\$0 ¹	<p>Because the TSP table footnote 1, "Project to be funded by others" is vague and unhelpful, staff establishes a method: How much per household does City general revenue invest in transit (excluding farebox recovery and federal and state monies)?</p> <p>The fiscal year (FY) 2019-2020 adopted budget establishes general revenue investment of \$116,000 (p. 83; account no. 110 "Transit Fund").</p> <p>The U.S. Census QuickFacts tool reported that across 2014-2018, Woodburn had 7,910 households (HHs) based on data updated 12/19/2019.</p> <p>$\\$116,000 / 7,910 = \\14.66 per HH existing.</p> <p>Assume that doubling frequency of the existing route from an hour to 30 minutes would double the general fund investment per HH existing, so $\\$14.66 \times 2 = \\29.33.</p> <p>Because the TIA establishes project build-out of 4 years (2024), $\\$29.33 \times 4 = \\117.32.</p> <p>Establish a mitigation fee or fee in-lieu of \$29.33 per dwelling.</p> <p>Merging the T6 rate with this one, the T4 & T6 merged rate is $\\$11.95 + \\$29.33 = \\$41.28$ (per dwelling).</p>
T16	Coordinate with Cherriots to provide a stop in Woodburn for SMART Route 1X, providing service to WES station in Wilsonville and downtown Salem	\$5,000	<p>Apply 60%, which = \$3,000.</p> <p>Conversion to a per-dwelling rate is: $\\$3,000 / 586 = \\5.12</p>
T18	Evaluate all bus stops to verify static bus route information signage is visible and accessible and that bike racks are available at major bus stops	\$25,000	<p>50 existing bus stops are WTS stops, and of these, the Woodburn Memorial Transit Center/Facility already has bike racks. Dividing \$25,000 by 49 = \$510.20. Apply towards the closest bus stop (Stop 11, along Harvard behind Walmart).</p>

Because capital and operational improvements are needed, but beyond bus shelters, study is needed to determine what improvements are, In order to induce more transit ridership, staff

applies *Condition T-T* specifying how the developer will fund study and/or construct or pay for transit improvements.

Additional Issues: Safety Study Corridor

The TSP 2019 major update Figure 4 “Freight Routes” designates all of Evergreen Road south of OR 214 as a “Future Truck Way”, and Figure 5 “Traffic Safety Plan Elements” designates the same segment as a Safety Study Corridor. Staff applied *Condition T-T* specifying how the developer will fund study.

Additional Issues: Intercity Bus Transit

60% of trips are to and from I-5, with 50% heading to and from the Portland metro area and the remaining 10% to and from the Salem metro area.

These trips are within the areas served by the Wilsonville South Metro Area Transit (SMART) transit agency, TriMet that serves the remainder of the Portland metro area and operates the Westside Express Service (WES) commuter rail line that has a terminal in Wilsonville and connects to the Metropolitan Area Express (MAX) light rail Blue and Red Lines at Beaverton Transit Center, and the Salem metro area Cherriots transit agency.

Having express busses to and from connections with SMART bus, TriMet rail, and Cherriots bus connections during morning and afternoon commutes would induce subject project residents to consider seriously riding these express busses, and were there midday service too, even more so. Additionally, Cherriots contracts with and oversees a vanpool service that serves Woodburn and both metro areas, [Valley VanPool](#).

In addition to the TSP, the City “Transit Plan Update Approved Final Report” (November 8, 2010) per its executive summary (p. ES-1) guides the provision of transit services and facilities in Woodburn through 2030 and supplements the TSP.

Below is an analysis of applicable projects:

<i>Header</i>	<i>Service</i>	<i>Description</i>	<i>Annual Operating Cost Impact</i>	<i>Capital Needs</i>	<i>TPU Objective Addressed</i>
11. Provide Peak-Only Intercity Service to Salem and Wilsonville (pp. 10-12 to 10-13)	Fixed Route	New intercity service offering three morning and three evening round trips between Woodburn and downtown Salem (weekday only)	\$150,000	\$300,000	3.4 (Transit image), 4.4 (Fixed route share), 5.2 (Expanded intercity service)

		New intercity service offering three morning and three evening round trips between Woodburn and WES station in Wilsonville (weekday only)	\$130,000	\$300,000	
12. Provide All-Day Intercity Service to Salem and Wilsonville (pp. 10-13 to 10-14)	Fixed Route	New midday service operating hourly between Woodburn and downtown Salem (weekday only)	\$130,000	None (assumes Strategy 11 implemented first)	3.4 (Transit image), 4.4 (Fixed route share), 5.2 (Expanded intercity service)
		New midday service operating hourly between Woodburn and WES station in Wilsonville (weekday only)	\$130,000	None (assumes Strategy 11 implemented first)	
20. Promote Regional Carpool/Vanpool Program (p. 10-19)	[n/a]	Promotion of existing rideshare programs to meet mobility needs that are not easy or cost effective to meet with transit.	[n/a]	[n/a]	5.3 Other travel options

Here’s how staff determines intercity bus proportionate fair share:

- Set the IMA overlay district and its trip budget as one of two contexts to establish proportion.
 - Per WDO 2.05.02C.1., “The IMA trip budget for vacant commercial and industrial parcels identified in Table 2.05A is 2,500 peak hour vehicle trips. An estimated 1,500 additional peak hour residential trips are planned within the IMA.” The IMA total is 4,000 peak hour trips.
 - Convert 4,000 peak hour trips for commercial and industrial land uses into (a) multiple-dwelling residential (b) AM peak trips (c) that are exiting:
 - The TIA cites the ITE Trip Generation manual such that it predicts that an apartment generates 0.36 AM peak hour trips.
 - Of 0.36 trips per apartment, 74% are exiting the project. $0.36 \times 74\% = 0.27$ trips per apartment exiting the project.
 - $4,000 / 0.27 = 14,814.1$ equivalent trips per apartment exiting.
 - The subject project has 586 DUs. $586 / 14,815.1 = 4.0\%$. This represents the AM peak hour trips exiting the subject project in relation to the IMA.
- Set the 60% of 211 AM peak hour trips that go to and from I-5 – 50% Portland metro and 10% Salem metro – as one of two contexts to establish proportion.
- The resulting formula is TPU project cost:
 - $4.0\% \times 50\%$ for I-5/Portland metro;
 - $4.0\% \times 10\%$ for I-5/Salem metro;

- x4.0% x 60% for I-5.

<i>Table TPU: Staff Methods</i>				
<i>Header</i>	<i>Description</i>	<i>Annual Operating Cost Impact</i>	<i>Capital Needs</i>	<i>Method</i>
11. Provide Peak-Only Intercity Service to Salem and Wilsonville (pp. 10-12 to 10-13)	Salem	\$150,000	\$300,000	<p>a. Take capital cost of \$300,000.</p> <p>$(\\$300,000 \times 4.0\%) \times 10\% = \\$1,200.$</p> <p>b. Take annual operating cost (O) of \$150,000</p> <p>$(\\$150,000 \times 4.0\%) \times 10\% = \\600</p> <p>Multiply that figure by subject project build-out years (2020 + 4 = 2024): $\\$600 \times 4 = \\$2,400.$</p> <p>c. $\\$1,200 (C) + \\$2,400 (O) = \\$3,600 \text{ Salem}$</p>
	WES station in Wilsonville	\$130,000	\$300,000	<p>a. Take capital cost (C) of \$300,000.</p> <p>$(\\$300,000 \times 4.0\%) \times 50\% = \\$6,000.$</p> <p>b. Take annual operating cost (O) of \$130,000</p> <p>$(\\$130,000 \times 4.0\%) \times 50\% = \\$2,600$</p> <p>Multiply that figure by subject project build-out years (2020 + 4 = 2024): $\\$2,600 \times 4 = \\$10,400.$</p> <p>c. $\\$6,000 (C) + \\$10,400 (O) = \\$16,400 \text{ Wilsonville}$</p> <p>d. $\\$3,600 \text{ Salem} + \\$16,400 \text{ Wilsonville totals } \\$20,000$</p> <p>The equivalent rate per dwelling is $\\$20,000 / 586 = \\34.13</p>

12. Provide All-Day Intercity Service to Salem and Wilsonville (pp. 10-13 to 10-14)	Salem	\$130,000	None (assumes Strategy 11 implemented first)	<p>Take annual operating cost (O) of \$130,000</p> <p>$(\\$130,000 \times 4.0\%) \times 10\% = \\520</p> <p>Multiply that figure by subject project build-out years (2020 + 4 = 2024):</p> <p>$\\$520 \times 4 = \\$2,080.$</p>
	WES station in Wilsonville	\$130,000	None (assumes Strategy 11 implemented first)	<p>Take annual operating cost (O) of \$130,000</p> <p>$(\\$130,000 \times 4.0\%) \times 50\% = \\$2,600$</p> <p>Multiply that figure by subject project build-out years (2020 + 4 = 2024):</p> <p>$\\$2,600 \times 4 = \\$10,400.$</p> <p>$\\$2,080$ (O Salem) + $\\$10,400$ (O Wilsonville) = $\\$12,480$ (O both)</p> <p>The equivalent rate per dwelling is $\\$12,480 / 586 = \\21.30</p>
20. Promote Regional Carpool/Vanpool Program (p. 10-19)	Valley VanPool	[n/a]	[n/a]	<p>Per the Valley VanPool frequently asked questions (FAQs) webpage, a vanpool (assuming 14 passengers) has a monthly fare of \$90 to \$170. The 80th percentile is \$154.</p> <p>Staff assumes 3% vanpooling as realistic. Assuming that one-bedroom units average 1.5 commuters and two and three-bedroom units have 2 commuters, the project would have 1,098 commuters. 3% = 33 commuters.</p> <p>(A van can seat 7 to 15 passengers, so 33 commuters equals a range of 2 to 4 vans across the 23 apartment buildings and 586 apartments.)</p> <p>Staff establishes an amount for a one-time vanpool grant fund:</p>

				<p>\$154 monthly fare x 33 commuters = \$5,082 Then, x (6 months x 2 phases) = \$60,984.</p> <p>The equivalent rate per dwelling is \$60,984 / 586 = \$104.07</p>
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As a concluding summary, based on the transportation problems that the TIA documents, the TSP, and the TPU, City objectives are for the development to contribute a fair share towards the objectives of:

- Initiation and continuation of regional express bus service
- Higher frequency service
- Bus shelter purchases
- Installation of bicycle parking where bus stops lack it
- Bus purchase(s)
- Safety corridor study for Evergreen, and
- Vanpooling.

▲ To address transportation problems, staff applies *Condition T-T*.

3.05 Off-Street Parking and Loading

3.05.02 General Provisions

The site plans illustrate that the proposal meets the general provisions, including provision of wheel shops along head-in parking stalls adjacent to the access ways, i.e. the prime bicycle/pedestrian wide walkway route to and from sidewalk for each of Phases 1 & 2, and most if not all remaining walkways. On-site exterior light fixtures are full cut-off and limit light encroachment per the photometric and electrical plan sheets (Exhibits 34-37).

However, there is the exception of subsection s J. (directional markings/stripping) and K. (double parallel lines / double striping).

✘ In order to ensure that the applicant will double stripe altered and new parking stalls to meet subsection K., staff applies a *D condition*.

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).

B. Accessible parking shall be provided in amounts not less than those set forth in Table 3.05B. The number of accessible spaces shall be included as part of total required vehicle parking spaces.

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).

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

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.

Off-Street Parking Ratio Standards Table 3.05A	
Use ¹	Parking Ratio - spaces per activity unit or square feet of gross floor area
RESIDENTIAL	
1. Dwellings, including manufactured homes	2/ dwelling unit
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.	

Accessible Parking Ratio Standards Table 3.05B			
Total Spaces	Minimum Total Accessible Spaces ¹	Minimum Van Accessible Spaces	Minimum "Wheelchair User Only" Spaces
301 to 400	8	[0]	1
501 to 1000	2% of total	[0]	1 in every 8 accessible spaces or portion thereof
1001 or more	20 plus 1 for each 100 spaces over 1000	[0]	
1. "Van Accessible Spaces" and "Wheelchair User Only" are included in "Total Accessible Spaces."			

The ratio yields (586 dwellings x 2 stalls) = 1,172 stalls. The site plan (plan sheet Exhibit 3) illustrates and notes 1,039 stalls, 133 fewer than the minimum requirement and averaging 1.77 stalls per dwelling. The applicant submitted a variance request.

The proposal has 555 compact parking stalls, which is 47.3% of the minimum required 1,172 total stalls and 53.4% of the proposed 1,039 total stalls, exceeding the maximum in either scenario. The applicant submitted a variance request.

The proposal triggers subsection E. for bicycle parking, which requires $(586 / 10) = 58.6 \rightarrow 59$ bike stalls minimum; however, staff requested and the applicant opts to propose more, specifically 758 bike stalls, both in the form of outdoor racks and, within each proposed outdoor storage closet – which are accessible from patios and balconies – a retractable hook made for wall-mounted stowage of a bike. Besides the 586 outdoor closet stalls, there are stalls in each building stairwell and outdoors among buildings at least 20 stalls. A *variance (V) condition* specifies, the main idea being, “build it, and they will come.” This means if bicycle parking is plentiful, convenient, and secure, tenants would be more likely to cycle.

Regarding placement with 50 ft of main entrance per subsection E., based on conversations with the applicant, staff understands that each stairwell base will have at least one bicycle parking facility and stall; however, it is not evident on the site plans. For this reason, staff applies a *D condition*.

Garages / Carports

Regarding 3.05.03F.2, carports are permissible in lieu of garages. Relevant definitions are:

“1.02 Definitions

Carport: A permanent structure consisting of a roof and supports for covering a parking space which is not completely enclosed.

Garage: A building, or portion of a building, which is completely enclosed and designed for the storage or parking of a vehicle.”

Through a past multi-family development project, Woodland Crossing Apartments at 9065 Arney Lane (DR 2017-03), the Community Development Director interpreted that WDO 3.05.03F.2. allows for carports in lieu of garages. Staff applies the interpretation as the Director had:

“The language in this Section of the WDO seems to indicate that fully enclosed garages are required for even a large multi-family apartment complex that has a parking lot open to the public, such as this one. There is a distinction in the WDO between carports and garages in some areas, but it is not consistent throughout the Code. It’s important to note that when garages are required for single-family and duplex developments under the WDO, there is also an accompanying requirement to provide a ‘parking pad’ outside the garage, a minimum of 20 feet in depth (see the yellow area in the graphic above). This additional area is required to be on private property so that the driver of a car is not backing directly into traffic from their garage.

In the case of parking lots – which are typical for commercial centers and multi-family parking areas - the opportunity for this critical ‘parking pad’ is impossible.

Staff has made an interpretation that the requirement for a garage in the case of multi-family dwelling units in a parking lot is satisfied with carports. This is a reasonable and practical interpretation for a variety of aesthetic and most importantly, safety factors. Having individuals opening garage doors and having cars backing into drive aisles from an enclosed garage would be dangerous and Staff would not approve it. Staff finds that the application meets the criteria and will process a clarification of this particular Code language during the next set of amendments to the WDO.”

The applicant proposes carports meeting the coverage provision.

Accessible/ADA/Handicap Parking

The proposal provides ADA-compliant stalls that meet or exceed the minimum provision.

■ *Variance [2]:* Staff addresses the parking ratio minimum request further below under the Variance Provisions section.

■ *Variance [3]:* Staff addresses the compact parking percentage maximum request further below under the Variance Provisions section.

▲ To secure a higher minimum amount of bicycle parking, staff applies a *V condition*.

✘ To meet WDO 3.05.03E that bicycle parking be within 50 feet of the main building entrance. Staff applies a *D condition*.

Parking Space and Drive Aisle Dimensions							
Table 3.05C							
Parking Angle	Type of Space	Stall Width (feet)	Curb Length (feet)	Stripe Length (feet)	Stall to Curb (feet)	Drive Aisle Width (feet)	
						1-way	2-way
A		B	C	D	E	F	G
90°	Standard or Accessible	9.0	9.0	19.0	19.0	24.0	24.0
	Compact	7.5	7.5	15.0	15.0	22.0	
	Car Accessible Aisle	6.0	6.0	19.0	19.0	24.0	
	Van Accessible Aisle	8.0	8.0	19.0	19.0		

Parking Space and Drive Aisle Dimensions Table 3.05C							
Parking Angle	Type of Space	Stall Width (feet)	Curb Length (feet)	Stripe Length (feet)	Stall to Curb (feet)	Drive Aisle Width (feet)	
						1-way	2-way
A		B	C	D	E	F	G
<ol style="list-style-type: none"> 1. A parking space may occupy up to two feet of a landscaped area or walkway. At least four feet clear width of a walkway must be maintained. 2. Space width is measured from the midpoint of the double stripe. 3. Curb or wheel stops shall be utilized to prevent vehicles from encroaching on abutting properties or rights-of-way. 4. The access aisle must be located on the passenger side of the parking space, except that two adjacent parking spaces may share a common access aisle. 5. Where the angle of parking stalls differ across a drive aisle, the greater drive aisle width shall be provided. 							

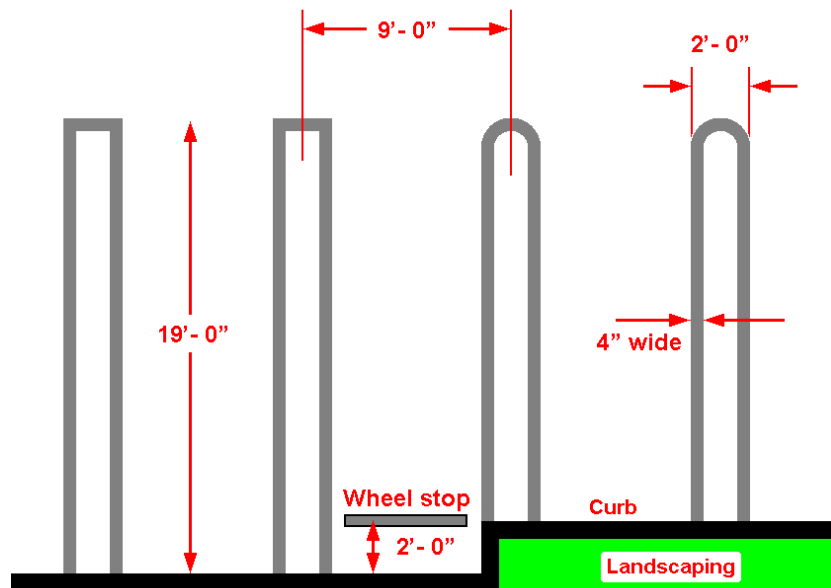


Figure 3.05C - Parking Space Striping

The applicant proposes all stalls, which are all at 90°, to the drive aisle with dimensions, double-striping, and curbing that meet or exceed the minimum standards – except as regards the variance request for drive aisle width minimum.

■ *Variance [4]:* Staff addresses the drive aisle width minimum variance request further below under the Variance Provisions section.

✓ The requirement is met.

3.05.04 Off-Street Loading

B. The off-street loading facilities shall be on the same lot, or site, as the use or structure they are intended to serve. Required loading spaces and required parking spaces shall be separate and distinct, except that if authorized through a land use decision, a parking area may be used for loading during those times when the vehicle parking area is not in use.

Loading Space Requirements Table 3.05D				
Use and Area (square feet)	Minimum Number of Spaces	Minimum Size of Space (feet)		
		Width	Length	Height
Office				
0 – 4,999	0	12	30	14
5,000 – 41,999	1			
42,000 or more	2			
Nonresidential uses, except office, in the CO, CG, and NNC zones				
0 – 9,999	1	12	30	14
10,000 – 41,999	2			
42,000 – 81,999	3			
82,000 or more	4			

Because the use is nonresidential, the table is not applicable.

- ⊖ The provisions are not applicable.

3.05.05 Shared Parking

- ⊖ The applicant opted not to exercise this option.

3.06 Landscaping

3.06.02 General Requirements

The landscape plan sheets (L1.02-2.06) illustrate and note that the general provisions are met, including irrigation, curbing, and avoidance of prohibited tree species, except regarding the parking area curb height minimum of subsection I.

■ *Variance [5]:* Staff addresses the parking area curb height minimum variance request further below under the Variance Provisions section.

- ✓ The requirement is met.

3.06.03 Landscaping Standards

A. Street Trees

The applicant proposes street trees that appear to meet the provisions, and because the applicant is submitted a street exception request, staff conditions approval for more street

trees in service of visual and acoustic buffering of dwellings from I-5 and further reduction of the “urban heat island” effect.

▲ To secure a higher minimum amount of street trees, staff applies *EX conditions*.

B. & Tables 3.06A & B

Planting Requirements Table 3.06A		
Location	Planting Density, Minimum	Area to be Landscaped, Minimum
Setbacks abutting a street	1 PU/15 square feet	Entire setback excluding driveways
Buffer yards	1 PU/20 square feet	Entire yard excluding off-street parking and loading areas abutting a wall
Other yards	1 PU/50 square feet	Entire yard, excluding areas subject to more intensive landscaping requirements and off-street parking and loading areas
Off-street parking and loading areas	<ul style="list-style-type: none"> • 1 small tree per 10 parking spaces; or¹ • 1 medium tree per 15 parking spaces; or¹ • 1 large tree per 25 parking spaces¹ <p>and</p> <ul style="list-style-type: none"> • 1 PU/20 square feet excluding required trees² 	<ul style="list-style-type: none"> • RS, R1S, RSN, RM, RMN, P/SP, CO, CG and MUV zones: 20% of the paved surface area for off-street parking, loading and circulation • DDC, NNC, IP, IL, and SWIR zones: 10% of the paved surface area for off-street parking, loading and circulation • Landscaping shall be within or immediately adjacent to paved areas
Common areas, except those approved as natural common areas in a PUD	3 PU/50 square feet	Entire common area
<ol style="list-style-type: none"> 1. Trees shall be located within off-street parking facilities, in proportion to the distribution of the parking spaces. 2. Required landscaping within a setback abutting a street or an interior lot line that is within 20 feet of parking, loading and circulation facilities may also be counted in calculating landscaping for off-street parking, loading and circulation areas. 		

The landscape plans (plan sheet Exhibits 38-42) illustrate meeting or exceeding the minimum planting densities, landscaped areas, and trees for the yard types and vehicular areas.

✓ The requirement is met.

Plant Unit (PU) Value Table 3.06B		
Material	Plant Unit (PU) Value	Minimum Size
1. Significant tree ¹	15 PU each	24" Diameter
2. Large tree (60-120 feet high at maturity) ¹	10 PU each	10' Height or 2" Caliper
3. Medium tree (40-60 feet high at maturity) ¹	8 PU each	10' Height or 2" Caliper
4. Small tree (18-40 feet high at maturity) ¹	4 PU each	10' Height or 2" Caliper
5. Large shrub (at maturity over 4' wide x 4' high) ¹	2 PU each	3 gallon or balled
6. Small to medium shrub (at maturity maximum 4' wide x 4' high) ¹	1 PU each	1 gallon
7. Lawn or other living ground cover ¹	1 PU / 50 square feet	
8. Berm ²	1 PU / 20 lineal feet	Minimum 2 feet high
9. Ornamental fence ²	1 PU / 20 lineal feet	2½ - 4 feet high
10. Boulder ²	1 PU each	Minimum 2 feet high
11. Sundial, obelisk, gnomon, or gazing ball ²	2 PU each	Minimum 3 feet high
12. Fountain ²	3 PU each	Minimum 3 feet high
13. Bench or chair ²	0.5 PU / lineal foot	
14. Raised planting bed constructed of brick, stone or similar material except CMU ²	0.5 PU / lineal foot of greatest dimension	Minimum 1 foot high, minimum 1 foot wide in least interior dimension
15. Water feature incorporating stormwater detention ²	2 per 50 square feet	None
<p>1. Existing vegetation that is retained has the same plant unit value as planted vegetation.</p> <p>2. No more than twenty percent (20%) of the required plant units may be satisfied by items in lines 8 through 15.</p>		

The landscape plans illustrate meeting or exceeding the minimum plant unit (PU) standards.

✓ The requirement is met.

3.06.05 Screening & Table 3.06D

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

Architectural Wall

Such is required along several property lines, and the applicant submitted a variance request.

■ *Variance [6]*: Staff addresses the Architectural Wall variance request further below under the Variance Provisions section.

Architectural Wall: Recycling and Trash Enclosures

Such enclosures are required per Table 3.06D for any outdoor storage of “refuse and recycling collection facilities ...”, and the applicant proposes containment through four such enclosures.

3.06.05B.

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).

Regarding Stacy Allison Way, in both phases there is surface parking in the yard abutting the road. Therefore, screening is applicable. The applicant proposes screening through landscaping, and so the landscape plans (Exhibits 38-42) are the relevant sheets.

The sheets show northwest perimeter shrubbery in two rows, one row being pink Muhly grass and the other being Fastiga English yew and the closest to the ROW. Although the [Wikipedia entry for “Muhlenbergia capillaris”](#) as of May 12, 2020 indicates that it grows to be about 35.4 inches high and so would fail to grow to the minimum 3½ ft (42 inches), because according to a web search the other row is evergreen shrubbery capable of growing to 30 ft and spreading 2-8 ft, it can grow to the minimum screening height and outward enough to screen. The provision is met.

Regarding Hooper, because the closest buildings to ROW establish a shallow front yard, there is no surface parking in the front yard because the parking closest to the ROW is farther away than the buildings. Therefore, no screening is applicable.

✓ The requirement is met.

3.06.06 Architectural Walls

B. Design Standards and Guidelines

Architectural Wall: Recycling and Trash Enclosures

The 12 such enclosures meet the standards as plan sheet Exhibit 57 illustrates.

C. Retaining walls should/shall meet the texture and color requirements of architectural walls in or abutting residential districts, where the texture and color requirements apply to the visible face of the retaining wall.

1.02

Abutting: Touching on the edge or on the line, including at a corner. It shall include the terms adjacent, adjoining and contiguous.

Adjacent: Near, close or bordering but not necessarily contiguous with; adjoining but separated by a right-of-way.

⊖ Because the proposal includes no retaining walls, the provisions are not applicable.

3.06.07 Significant Trees on Private Property

⊖ Because the subject property is two disturbed but undeveloped fields devoid of any trees, the provisions are not applicable.

3.07 Architectural Design

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

A. The following design guidelines shall be applicable to all non-residential structures and buildings in the RS, RSN, R1S, RM, RMN, CO, CG, and P/SP zones.

B. Architectural Design Guidelines

1. Mass and Bulk Articulation Guidelines

a. Building facades visible from streets and public parking areas should be articulated, in order to avoid the appearance of box-like structures with unbroken wall surfaces.

b. The appearance of exterior walls should be enhanced by incorporating three-dimensional design features, including the following:

(1) Public doorways or passage ways through the building

(2) Wall offsets or projections

(3) Variation in building materials or textures

(4) Arcades, awnings, canopies or porches

2. Materials and Texture Guidelines

a. Building exteriors should exhibit finishes and textures that reduce the visual monotony of bulky structures and large structural spaces. Building exteriors should enhance visual interest of wall surfaces and harmonize with the structural design.

b. The appearance of exterior surfaces should be enhanced by incorporating the following:

(1) At least 30% of the wall surface abutting a street should be glass.

(2) All walls visible from a street or public parking area should be surfaced with wood, brick, stone, designer block, or stucco, or with siding that has the appearance of wood lap siding.

(3) The use of plain concrete, plain concrete block, corrugated metal, plywood, T-111 and sheet composite siding as exterior finish materials for walls visible from a street or parking area should be avoided.

(4) The color of at least 90 percent of the wall, roof and awning surface visible from a street or public parking area should be an "earth tone" color containing 10 parts, or more of brown or a "tinted" color, containing 10 parts or more white.

(5) Fluorescent, "day-glo," or any similar bright color shall not be used on the building exterior.

3. Multi-Planed Roof Guidelines

a. The roof line at the top of a structure should establish a distinctive top to the building.

b. The roof line should not be flat or hold the same roof line over extended distances. Rather, the roof line should incorporate variations, such as:

(1) Offsets or jogs in the plane of the roof;

(2) Changes in the height of the exterior wall for flat roof buildings, including parapet walls with variations in elevation or cornices

4. Roof-Mounted Equipment Guidelines

All roof-mounted equipment, except solar collectors, should be screened from view by:

a. Locating roof-mounted equipment below the highest vertical element of the building, or

b. Screening roof-mounted equipment using materials of the same character as the structure's basic materials

5. Weather Protection Guidelines

All building faces abutting a street or a public parking area should provide weather protection for pedestrians. Features to provide this protection should include:

a. A continuous walkway at least eight feet wide along the face of the building utilizing a roof overhang, arcade, awnings or canopies

b. Awnings and canopies that incorporate the following design features:

(1) Angled or curved surfaces facing a street or parking area

(2) A covering of fabric, or matte finish vinyl

(3) A constant color and pattern scheme for all buildings within the same development

(4) No internal back lighting

6. Solar Access Protection

Obstruction of existing solar collectors on abutting properties by site development should be minimized.

C. Building Location Guidelines

1. Within the prescribed setbacks, building location and orientation should compliment abutting uses and development patterns.

2. The maximum yard abutting a street should be 150 feet.

The site plans and building elevations (plan sheet Exhibits 45-56) show largely what the guidelines describe. The proposal also provides similar but distinct color palettes, one each for Phase 1 & 2 (Exhibits 45-49 and 50-56 respectively).

✓ The provisions are met.

Property Line Adjustment Provisions

Property Line Adjustment Criteria

5.01.08 Property Line Adjustment; Consolidation of Lots

A. Purpose: The purpose of this review is to ensure that adjustments to property lines or the consolidation of existing lots and parcels, complies with the standards of this ordinance (Section 2), and State Statutes (ORS Chapters 92 and 209). Property line adjustments and consolidation of lots are allowed in all zones.

B. Criteria:

1. Lot area, depth, width, frontage, building setbacks, vehicular access and lot coverage comply with the standards of this ordinance (Sections 2 and 3);
2. Existing easements are accurately reflected;
3. Existing land use and development on the subject property comply with the requirements of prior land use actions; and
4. Buildings and structures abutting the adjusted property lines comply with State building codes and with respect to current occupancy.
5. Property line adjustments are surveyed and monumented to the requirements set forth in State statutes (ORS Chapters 92 and 209) and recorded by the County Surveyor.

C. Procedure: The Director shall review and approve the application when it is found that it meets this Ordinance and the State Building Codes.

The context is that the property line adjustment (PLA) is corollary to the Design Review. The site is disturbed but undeveloped and lacking buildings. The adjustment is actually elimination of a lot line through lot consolidation of subdivision Lots 7 & 8 (Tax Lots 2000 & 2100) such that Phase 2 would include one lot of record.

Regarding 5.01.08A and reference to WDO Section 2, as staff examined earlier for 3.01 and 3.04.03B, public easements are needed as part of PLA recordation for:

- Public utilities, including per Public Works comments (Attachment 102A);
- Cross access / joint driveway; and
- One of two dedication scenarios for the unnamed park plaza (if not dedicated as a tract).

Regarding criterion 1, as staff examined above for Tabl3 2.03C, the CG zoning district has no minimum lot size, width, street frontage, or maximum lot coverage. The development proposal provides vehicular access between at least one public street (improved) ROW and both the Phase 1 lot and the Phase 2 consolidated lots.

Regarding criterion 2, there are no existing easements to accommodate, and proposed buildings avoid encroachment in the to-be-dedicated streetside 5-ft PUEs.

Regarding criterion 3, the site is disturbed but undeveloped and lacking buildings.

Regarding criterion 4, no buildings exist, and proposed buildings meet WDO setback provisions such that their placements would meet building code such that no fire-rated construction above and beyond what is conventional for apartment complexes would be necessary.

Regarding criterion 5, because staff has no expertise to administer this provision and also during plat or re-plat (however the County terms it) recordation the County Surveyor administers what the criterion describes, the criterion is not applicable and yet will be met thanks to the Surveyor.

▲ Because unrecorded re-plats lingering indefinitely have burdened staff, staff applies a *PLA condition* to set sooner time limits or subsection 2. to begin and finish recordation.

Variance Provisions

The several variance requests accompanying the design review relate to:

1. Driveway width minimum (Table 3.04A)
2. Parking ratio minimum (Table 3.05A);
3. Compact parking percentage maximum (3.05.03C);
4. Drive aisle width minimum (Table 3.05C);
5. Parking area curb height minimum (3.06.02I); and
6. Architectural Wall (Table 3.06D & 3.06.06).

The applicant submitted narrative text addressing the criteria.

Variance Criteria

5.03.12 Variance

A. Purpose: The purpose of this Type III Variance is to allow use of a property in a way that would otherwise be prohibited by this Ordinance. Uses not allowed in a particular zone are not subject to the variance process. Standards set by statute relating to siting of manufactured homes on individual lots; siding and roof of manufactured homes; and manufactured home and dwelling park improvements are non-variable.

B. Criteria: A variance may be granted to allow a deviation from development standard of this ordinance where the following criteria are met:

1. Strict adherence to the standards of this ordinance is not possible or imposes an excessive burden on the property owner, and
2. Variance to the standards will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties.

C. Factors to Consider: A determination of whether the criteria are satisfied involves balancing competing and conflicting interests. The factors that are listed below are not criteria and are not intended to be an exclusive list and are used as a guide in determining whether the criteria are met.

1. The variance is necessary to prevent unnecessary hardship relating to the land or structure, which would cause the property to be unbuildable by application of this Ordinance. Factors to consider in determining whether hardship exists, include:
 - a. Physical circumstances over which the applicant has no control related to the piece of property involved that distinguish it from other land in the zone, including but not limited to, lot size, shape, and topography.
 - b. Whether reasonable use similar to other properties can be made of the property without the variance.
 - c. Whether the hardship was created by the person requesting the variance.
2. Development consistent with the request will not be materially injurious to adjacent properties. Factors to be considered in determining whether development consistent with the variance [is] materially injurious include, but are not limited to:
 - a. Physical impacts such development will have because of the variance, such as visual, noise, traffic and drainage, erosion and landslide hazards.
 - b. Incremental impacts occurring as a result of the proposed variance.
3. Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic land forms or parks will not be adversely affected because of the variance.
4. Whether the variance is the minimum deviation necessary to make reasonable economic use of the property;
5. Whether the variance conflicts with the Woodburn Comprehensive Plan.

Variance 1: Driveway Minimum Width

Table 3.04A ... Access Requirements

The applicant's narrative (submitted March 25, 2020; pp. 10-11) states:

“Adjacent properties will not be affected by the proposed driveway width. Minimum required driveway widths for aerial fire access will be maintained.”

Staff concurs and conditions accordingly and to require common area and public improvements that make use of area saved by not as wide driveways.

▲ The variance criteria are met with *Condition V1-1*.

Variance 2: Parking Ratio Minimum

Table 3.05A

Per Table 3.05A, Residential 1., the off-street parking minimum ratio is 2 per dwelling, yielding a minimum required amount of 1,172 parking stalls for 586 dwellings.

The applicant's narrative (submitted March 25, 2020; p. 11-12) states:

“Proposed: 1.77 spaces per dwelling unit overall (1,039 spaces). The minimum ratio per unit type is proposed as follows:

1-Bedroom: 1.75 spaces/ unit x 148 units =	259
2-Bedroom: 1.75 spaces/unit x 390 units =	683
<u>3-Bedroom: 2.0 spaces/unit x 48 units =</u>	<u>96</u>
Total (minimum):	1,038 spaces

Although less than the minimum required, the proposed ratios are well within the parking requirements of neighboring cities. The attached Parking Rates Comparison Table provides the average parking ratio of Woodburn and twelve surrounding communities. When applied to this project, these ratios total 907 spaces, 132 less than what is proposed:

1-Bedroom: 1.25 spaces/ unit x 148 units =	185
2-Bedroom: 1.63 spaces/unit x 390 units =	636
<u>3-Bedroom: 1.79 spaces/unit x 48 units =</u>	<u>86</u>
Total:	907 spaces

We also believe the proposed ratio will suffice for the demand for parking in Woodburn because of the surrounding factors as described below and access to other alternative means of transportation.

With a Walmart only 0.6 miles away and the I-5 interchange area only 1 mile away, residents without vehicles could walk to stores. Along with the Walmart, the I-5 interchange area includes the Woodburn Outlet Mall, several restaurants, a Starbucks and two different banks. A church and an elementary school are one mile away and the public library and downtown Woodburn are both two miles away. With all these different amenities nearby, this would be a strong consideration for tenants to walk or bicycle to places not requiring a vehicle.

Public transportation is also readily available within walking distance of the property. The Woodburn Transit System (WTS) bus route stops at the Walmart and West Hayes Street. Another mode of transportation is the Salem-Keizer Cherriots 10x which runs along Portland Road NE to Salem with a stop at the Woodburn Transit Center, less than two miles away. This will reduce the need for a car as many people will commute to these neighboring cities for work.

The property management will require parking permits in order to park onsite. Each vehicle that doesn't have a permit will be towed eliminating non-resident parking. The maximum allowed parking for 2 and 3-bedroom units will be 2 cars per unit. The management will also enforce only 1 car per unit for each 1-bedroom unit. By only allowing 1 car for each 1-bedroom unit that would allow exactly 2.03 cars per unit for each of the other 2 and 3-bedroom units. Additionally, the development team accounts for an average 5% vacancy in the rental property, which could leave anywhere from 30-60 parking spots available.

To further support this variance, bicycle parking is proposed well in excess of code requirements (see Section 3.05.03(E) above) and, if needed, the property management team would be willing to contact Zip Car and allow a parking space or two allocated to Zip cars for tenant use. ”

The argument is reasonable; however, it does not meet the criteria established in the WDO 5.03.12B for variances.

While the applicant's argument is reasonable from a public policy perspective, it fails to meet the criteria established in the WDO 5.03.12B. for variances. Staff finds the application fails to both demonstrate that meeting the standard would impose an excessive burden on the property owner and that the variance to the standard will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties.

Applying the WDO 5.03.12C factors for considering whether the proposal would meet the variance criteria, staff makes the following arguments:

Criterion 1 is that, “Strict adherence to the standards of this ordinance is not possible or imposes an excessive burden on the property owner.” In other words, the criterion is “hardship”, which is “severe suffering or privation” as the *New Oxford American Dictionary*, 2010 edition defines. (Staff refers to this dictionary because terms that the WDO does not define default to it per 4.02.06B.)

- (A) The site totals 19.03 acres of disturbed but undeveloped fields in mostly rectangular shape with no remaining obstacles such as buildings, trees, or steep slope. It remains possible to develop the property and accrue rents from multiple-dwelling development.
- (B) The residential net density standard for property zoned Commercial General (CG) is a range from 12 minimum to 32 maximum units per net acre. The proposed development is at a net density of 30.8 units per acre sitewide, well above the minimum required. For example, had the applicant reduced the proposed density by 30 to 74 dwellings (approximately one or two apartment buildings), the net density likely would have fallen in the range of 26.9 to 28.7, which would remain within the permissible range of 12 to 32 per the comprehensive plan and WDO Table 2.03C and provide additional area on the site to meet the parking minimum ratio.

The first criterion remains unsatisfied.

Criterion 2 is that, “Variance to the standards will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties.”

- (A) There is a likelihood of overflow parking onto public streets (that have on-street parking).
- (B) Staff had heard from other staff allegations of a parking problem related to apartments in the southwest part of town.

Staff interviewed Officer Weathermon, one of the two City code enforcement officers, by phone on May 20, 2020.

He explained based on interactions with tenants of Cascade Meadows Apartments (311 Evergreen Road, east of and adjacent to Phase 1), that the property manager charges fees for off-street parking and limits each household to one stall. The management also enforces privately established zones of off-street parking such that a tenant issued a placard to park in a zone cannot park in another zone without being towed and actually strictly enforces by towing vehicles instead of assessing fines to households suspected of violation. He believes that there is minimal guest parking, perhaps 10 stalls.

By constraining the supply of lowest-priced parking, management causes tenants to park on-street on the relatively few streets that have on-street parking, particularly Linfield Avenue in the Montebello 3 subdivision (developed mostly 2016) and at the edge of present city limits.

Officer Weathermon explained that approximately 5 years ago (2015), complaints began with the Montebello 3 developer alleging that potential homebuyers could not find parking in order to visit a model home. Complaints have ceased, and he believes that due at least partly to proactive code enforcement. The other officer issues each week approximately 6 parking citations along Linfield Avenue.

Absent resolution of this problem, granting the parking ratio minimum variance request for the subject property could exacerbate the problem.

The second criterion remains unsatisfied.

- ✘ This parking ratio minimum fails to meet the variance criteria. (Staff can recommend ready-made conditions were the Commission to approve this variance request.)

Variance 3: Compact Parking Percentage Maximum

3.05.03C

The applicant's narrative (submitted March 25, 2020; p. 12) states:

“Adjacent properties will not be affected by the proposed compact parking ratios.”

What the applicant means is that the proposal provides more room for other improvements, such as housing such that the density would be closer to the top end of the permissible range already established by the comprehensive plan and WDO for the subject zoning district.

Staff concurs, adds that the proposal maintains minimum required driveway widths for aerial fire access, and conditions accordingly and to require common area and public improvements that make use of area saved by compact parking.

▲ The variance criteria are met with *Conditions V5-3-1, V6-3-2, V7-3-3, & V8-3-4.*

Variance 4: Drive Aisle Minimum Width

Table 3.05C ... Drive Aisle Dimensions

The applicant's narrative (submitted March 25, 2020; pp. 10-11) states:

"24' drive aisles preclude meeting minimum off-street parking ratios and housing density and affordability goals desired for the zone."

Staff concurs and conditions accordingly and to require common area and public improvements that make use of area saved by not as wide drive aisles.

▲ The variance criteria are met with *Condition V2-4*.

Variance 5: Parking Area Curb Height Minimum

3.06.021

The applicant's narrative (submitted March 25, 2020; p. 13) states:

"A 6" curb does not allow sufficient clearance for compact vehicles to overhang these areas. ... Adjacent properties will not be affected by the proposed curb height."

Staff concurs, adding that throughout the nation there are streets, driveways, and drive aisles with four-inch curbs that work just fine to hold in place whatever they hold and to direct stormwater. Staff conditions accordingly and to require common area and public improvements that preclude improper overhangs of walkways and calm on-site drivers from speeding through parking area.

▲ The variance criteria are met with *Condition V3-5*.

Variance 6: Architectural Wall

Table 3.06D & 3.06.06

The applicant's narrative (submitted March 25, 2020; p. 13) states:

"The architectural wall standard would incur higher construction costs on needed housing. ... The proposed landscaping will provide similar screening for the neighbors at less cost than an architectural wall."

Staff concurs, adding that it remains the opinion of the Director and staff that a legislative amendment is needed to scale back or strike Table 3.06D because the table assumes needless and arbitrary reinforcement of segregation of land uses through walls. Second, landscaping is capable of buffering and has the benefits of beauty, cooling the urban heat island effect, serving as animal habitat, and costing less than wall construction. Additionally, no wall except of absurd height would be sufficient to be a screen between a three-story apartment building and a one-story house. Some adjacent homes already have fencing, and homeowners can alter or add fencing, walls, or landscaping on their properties as they like and see fit. Lastly, on the subject property only the east/northeast corner of Building R is at or near the Phase 2 east minimum setback; the remaining apartment buildings are farther away than the WDO requires.

Staff conditions accordingly.

▲ The variance criteria are met with *Condition V4-6*.

Recommended Conditions of Approval

Staff recommends approval of the consolidated applications based on the findings in the staff report and attachments, which are incorporated by this reference, as well as applying the following 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.

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: The descriptions below define certain words, phrases, and assumptions in the context of the conditions of approval:

- “Access way” means an on-site walkway paved at least eight (8) feet wide to serve as a bicycle/pedestrian path to and from sidewalk – or to and from an off-street public bicycle/pedestrian path – and that is ADA-compliant.
- “ADA” refers to the federal Americans with Disabilities Act of 1990.
- “Allison” refers to Stacy Allison Way.
- “A1, “A2”, & “A3” driveways refer to the three Allison driveways from north to south. A1 is in Phase 1, and A2 & A3 are in Phase 2.
- “County” refers to Marion County.
- “Courtyard” refers to each of five places – two in Phase 1 and three in Phase 2 – that is a landscaped linear central common area framed by three buildings forming a “U” shape or four buildings enclosing the common area.
- “Director” refers to the Community Development Director.
- “EV” refers to electric vehicle.
- “Evergreen” with a capital “E” refers to Evergreen Road, especially south from OR 214.
- “ft” refers to feet.
- “Hooper” refers to Hooper Street.
- “H1,”H2”, “H3,” & “H4” driveways refer to the four Hooper driveways clockwise from the northwest. H1 & H2 are in Phase 1, and H3 & H4 are in Phase 2.
- “Lawson” refers to Lawson Avenue.

- “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 214” refers to Oregon Highway 214 / Newberg Highway.
- “Oxford” refers to Oxford Street.
- “Parking court” means each of three peninsulas of on-site surface parking extending southeast and framed by a “U” of five buildings. Phase 1 has one and Phase 2 has two.
- “Phase 1” or “Phase I” encompasses Tax Lot 052W14 02300 (Town Center at Woodburn subdivision Lot 9) and the full extents of adjacent Allison and Hooper and the whole of their intersection.
- “Phase 2” or “Phase II” encompasses Tax Lots 052W14 02000 & 2100 (Town Center at Woodburn subdivision Lots 7 & 8) to be consolidated and the full extent of adjacent Allison from Hooper.
- “PLA” refers to property line adjustment.
- “PUE” refers to public utility easement.
- “PW” refers to Public Works (the department) or 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.
- “SDCs” refers to system development charges, also known as impact fees.
- “SE” means southeast.
- “Speed table” means a walkway crossing of a drive aisle that: is concrete; with a tabletop that is raised at least four (4) inches above drive aisle grade, at least six (6) ft wide, flat, and stamped or otherwise treated to have a pattern; and, with the vehicular ramps striped in compliance with *MUTCD* Figure 3B-30, Option A, and with minimum and maximum slope ratios of 1:25 and 1:10 respectively.
- “SS&Ds” refers to PW [standard specifications and drawings](#).
- “Street trees” refer to trees that conform to the WDO, including 3.06.03A and Table 3.06B.
- “SW” means southwest.
- “TSP” means the [Woodburn Transportation System Plan \(TSP\)](#).
- “WDO” refers to the [Woodburn Development Ordinance](#).

- “W. Hayes” refers to W. Hayes Street.
- “WTS” refers to the Woodburn Transit System.
- “VCA” refers to vision clearance area as WDO 1.02 and 3.03.06 establish.

G4. Due dates / public improvements:

- a. By application: Unless a condition specifies otherwise, conditions including those relating to any of final subdivision, final partition, property line adjustment or lot consolidation recordation are due by building permit application. Prior to both any recordation of any final subdivision, final partition, or property line adjustment and building permit application, the applicant shall submit and obtain approval of an [Address Assignment Request](#).
- b. By issuance: Unless a condition specifies otherwise, ROW and easement dedications and recordation(s), construction of frontage/street improvements, and construction of off-site, park, and other public improvements are due by building permit issuance. Where phasing is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located. See also the Phasing Plan (PP) condition(s).

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than six (6) months past an anticipated Planning Commission tentative decision date, i.e. by December 30, 2022, and shall complete recordations no later than almost three years past, i.e. by May 25, 2023. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage.

G6. Public Improvements Civil Plan Review: The process by which to receive, review, and approve drawings and other documents related to public improvements required by these conditions of approval may be paired with or incorporated into building permit review, or, if directed by the City Engineer, through a civil engineering plans (CEP) review process led by the Engineering Division. If opting for CEP, the applicant shall not only follow the direction of the Engineer Division, but also take some actions to facilitate tracking by Planning staff and coordination with Engineering:

- a. Cover letter: Upon submitting application to the Engineering Division, simultaneously alert the Planning Division through a cover letter to the attention of the Planning Division referencing the intended or, if known, actual submittal date as well as the project name, project phase, tax lot number(s), street address(es), and the land use / planning / zoning final decision conditions of approval that require the public improvement that is the subject of the civil engineering plans. Referencing conditions may be by quotation or citing the identification numbers (e.g., T-A1). Identify the specific sheet (by number) or document page number that illustrates or notes how each subpart of a condition is met.
- b. Contact information: State the applicant’s name, company, phone number, e-mail, and desired date for City staff to respond with review comments. The cover letter may include these.

- c. Plan copies: Submit to the attention of the Planning Division at least two plan size copies of plan sets (24 by 36 inches). Within the cover sheet title block(s), include the phrase “civil engineering plans” or “public improvements civil plans”. Submit also Adobe PDFs using a fileshare service.
- d. Re-submittal fee: If there are multiple re-submittals, beginning with a third submittal / second revised submittal and continuing with each subsequent submittal, the applicant shall pay through the Planning Division into City general revenue a fee of \$100.

G-PW. Public Works: Follow the appended Public Works comments (May 19, 2020; Attachment 102A). If conflict arises between implementation of public works conditions and referenced standards in that document with implementation of the remaining conditions in this document, the Assistant City Administrator would arbitrate or mediate based on guidance from legal counsel, the Director, the Public Works Engineering Director, and the City Engineer.

Design Review 2019-05

D1. PUE(s): To meet WDO Figures 3.01D “Service Collector” & G “Local ...”, as part of PLA recordation the applicant shall resolve existing easements with newly required easements so as to conform to the streetside PUE minimum width of five (5) ft per WDO 3.02.01B, conform to all other conditions, and follow the direction of the City Engineer per WDO 3.02.01A.

D2. Driveways:

- a. Number: To meet WDO 3.04.03B.1 regarding access management, the number of driveways is limited as follows:

<i>ROW</i>	<i>Phase 1</i>	<i>Phase 2</i>
Allison	1 joint (A1)	2 (A2 & A3)
Hooper	2 (H1 & H2)	2 (H3 & H4)

- b. Approach / apron / curb cut: Driveways shall conform to PW SS&Ds, Section [4150](#).
- c. Traffic control: To meet WDO 3.05.02J:
 - (1) Parking on site: The central and narrowest drive aisle in each of the parking courts and between Buildings P & R shall have one-way traffic to the northwest, and the applicant shall:
 - (a) Stripe on the pavement an arrow at each of the beginning and end of each aisle; and
 - (b) Install at the end of each aisle a do-not-enter sign that complies with *MUTCD* Figure 2B-11, sign R5-1.



- (2) Allison: Outbound left turns are prohibited from driveway A3, and the applicant shall install a no left turn sign that complies with MUTCD Figure 2B-4, sign R3-2.



D3. Cross access / joint driveway A1: To meet WDO 3.04.03B, the applicant shall:

- a. On Tax Lot 052W14 02300 (Town Center of Woodburn subdivision Lot 9; Phase 1):
 - (1) Spur the easterly northeast-southwest drive aisle to the north property line of Tax Lot 052W13 01600 (subdivision Lot 10) at minimum width of twenty (20) ft minimum width between face of curb, and
 - (2) Spur the westerly northeast-southwest drive aisle to the north property line of Tax Lot 052W13 01600 (subdivision Lot 10) at minimum width of twenty (20) ft minimum width between face of curb.
- b. To meet WDO 3.04.03B.1 & 3, dedicate a public access and utility easement that is to the satisfaction of the Director, revocable only with the concurrence of the Director, and connects the two bulges with driveway A1.
- c. Have the easement width be either (i) minimum twenty (20) ft and centered on the drive aisle centerlines or (ii) minimum twenty-eight and a half (28½) ft measured southwest from the north lot line.
- d. Have the easement text include a paragraph that states that the delineated easement area serves as a public access easement to the benefit of Lot 10 of the Town Center at Woodburn subdivision plat (Tax Lot 052W13 01600), and such cross access to and from the joint driveway at Stacy Allison Way shall not be revoked without concurrence of the City Community Development Director in conformance with Woodburn Development Ordinance (WDO) 3.04.03B.3. Place such text under a Cross Access & Joint Driveway Easement header.

D4. Parking signage/stripping: To meet WDO 3.05.02J, the applicant shall designate compact stalls "COMPACT" in lettering one (1) foot high minimum and stripe them as such in the field prior to building permit final inspection.

D5. Parking stall double striping: To meet WDO 3.05.02K, the applicant shall delineate parking stalls with double parallel lines pursuant to Figure 3.05C and stripe them as such in the field prior to building permit final inspection.

D6. Bicycle parking near main entrance: To meet WDO 3.05.03E, prior to building permit final inspection the applicant shall provide bicycle parking within fifty (50) ft of a main entrance. In the context of a new construction apartment complex with conventional three-story buildings with open stairwells, each apartment building has two main entrances as follows:

- a. In all apartment buildings except Phase 1 B & C and Phase 2 B, C, J, & L there are four points where a building main wall plane intersects the walkway serving building ground floor entrances and the stairwell to upper floor entrances;
- b. In Phase 1 Buildings B & C and Phase 2 Buildings B, C, J, & L there are six such points;
- c. Each building has either (a) two walkways with two points each totaling the four or (b) three walkways with six points total; and so
- d. The condition shall apply to three points minimum for each of Phase 1 Buildings B & C and Phase 2 Buildings B, C, J, & L and two points minimum for remaining buildings and apply to one point minimum per walkway.

D7. Patios: Visual separation shall conform to WDO 3.07.05B.1a as follows:

- a. Pavement: As proposed, patios shall be paved with brick, concrete pavers, or poured concrete.
- b. Railings/fencing & gate: The outermost edges of patio concrete slabs that do not abut building walls shall have either metal or wood railings or cedar wood fencing at least three (3) ft high. If the latter, then opacity shall be full, but if fencing is higher than the minimum height, it shall be no more than ninety percent (90%) opaque, such as by being fully opaque from grade but from the top having a lattice pattern. The railings or fencing shall have a gated opening at least two (2) ft and four (4) inches wide.
- c. Height maximum: the railings or fencing maximum height shall be either five (5) ft or, where a patio faces a courtyard, three and a half (3½) ft.
- d. Shrubbery: Evergreen shrubbery shall line fully the outermost edges of patio concrete slabs, except along the gated opening.

Phasing Plan 2019-01

PP1. Phases / Phasing:

- a. Number and extent: As Condition G3 defines.
- b. Order / ordering: The applicant shall construct Phase 1 first.
- c. Improvements: Improvements within a phase are due by that phase.
- d. Vesting: Construction of Phase 1 shall vest land use / planning / zoning entitlement for Phase 2; but, were the applicant (or successors and assigns) to fail to make use of any of

the two provisions of WDO 4.02.04B.1 or 3 to avoid expiration, expiration shall occur upon one of the two following events:

- (1) The arrival of July 1, 2030; or
- (2) City adoption of a unified development ordinance replacing the WDO were to have intervened on or between July 24, 2023 and June 24, 2030, approximately 3 to 10 years from the anticipated land use final decision date.

Property Line Adjustment 2019-04

PLA-1. Recording: To meet WDO 5.01.08B.5., upon City approval of the subject PLA, the applicant shall revise the drawing or drawings as needed and record the re-plat (or whatever it is that the County terms it) with the County. The expiration date is per WDO 4.02.04B, and were subsection 2 that refers to "the activity approved in the decision has commenced" to become relevant, that provision would mean recordation of the subject PLA, and to this end the applicant shall apply to Marion County for recordation by December 30, 2022 and complete recordation by May 25, 2023. In any case, the applicant shall record the re-plat prior to both City assignment of street addresses, which would follow the applicant submitting an address assignment request, and building permit application.

Street Exception

EX1. Hooper:

- a. Existing improvements: The planter strips, including curb widths, may remain 6½ ft instead of 7 ft, sidewalks may remain 5½ ft instead of 5 ft, and existing curbs may remain in place where not otherwise disturbed by newer improvements.
- b. Curb extensions: The applicant shall construct the proposed four curb extensions that cap the on-street parking aisles.
- c. Mid-block crossing: The applicant shall construct of the proposed two mid-block crossings of Hooper Street only the southeastern one and shall:
 - (1) Construct it of poured concrete minimum width of eight (8) ft;
 - (2) Stamp or otherwise treat the concrete to have a pattern that drivers would sense tactilely as well as visually.
 - (3) Install ADA-compliant curb ramps and pave connections to the sidewalks.
 - (4) Provide signage and striping per PW SS&Ds, or, if none exist for a given topic, per the direction of the City Engineer. Required signage may include two advance warning signs for drivers; and
 - (5) Meet federal or state criteria or guidelines that the City Engineer may establish in writing as standards for the mid-block crossing.

- d. Crosswalk upgrade: Instead of the proposed northwestern of the two proposed mid-block crossings, the applicant shall traffic calm the crosswalk of the southeast leg of the T-intersection of Allison & Hooper. The applicant shall construct a poured concrete crosswalk at minimum width of eight (8) ft and that is either stamped or otherwise treated to have a pattern tactilely that drivers would sense tactilely as well as visually. The applicant shall stripe the crosswalk.
- e. Street trees: The applicant shall plant trees at 1 per 30 ft of frontage, equaling fourteen (14) trees per frontage (instead of 1 per 50 typical, 9 trees per frontage). For up to no more than two (2) of the absolute number of trees required along each frontage (4 total), the applicant may pay a fee in-lieu of \$125 per tree. This fee provision is intended to substitute for the applicant invoking 3.06.03A.3 (Director modification/relocation).

EX2. Allison: The City modifies and approves the street exception request as follows regarding improvements and that applies to both phases:

- a. Phase 1:
 - (1) Northbound travel lane: Either narrow from twelve (12) to eleven (11) ft, or, restripe the center left turn lane from twelve (12) to eleven (11) and shift the travel lane accordingly. However, were the sidewalk described below within this list were to overlap the PUE by at least one and a half (1½) ft, if the bicycle lane is removed, or by up to four and a half (4½) ft, if the bicycle lane remains, no lane narrowing would be required.
 - (2) Bicycle lane: Remove or narrow to five (5) ft.
 - (3) Planter strip: Install a planter strip six (6) ft wide and landscape with street trees at 1 per 30 ft of frontage, equaling twenty (20) trees along the Phase 1 frontage (instead of 1 per 50 typical). The total number shall be divided evenly between either *Betula pendula* [silver or European white birch] or another *Betula* [birch] species and an evergreen species among any of *Magnolia grandiflora* "Victoria" cultivar [magnolia cultivated for the Pacific Northwest], *Arbutus menziesii* [Pacific madrone], and *Tsuga heterophylla* [Western hemlock]. Ninety-seven percent (97%) of the remainder of the strip shall be medium size category shrubbery to the minimum size at planting per Table 3.06B and at maximum size that maintains conformance with VCA, and at least two (2) distinct openings in the shrubbery that total the remaining area of three percent (3%) shall be lawn grass.
 - (4) Sidewalk: Construct a sidewalk as a bicycle/pedestrian path at minimum width of eight (8) ft (whether or not a northbound bicycle lane remains) that the City shall allow to overlap the streetside PUE by at least a half (½) ft and as much as four and a half (4½) ft from edge of ROW. If and where sidewalk would need to deflect or meander, such as at driveway A1 or at the northeast corner of Allison & Hooper, it may fully overlap a streetside PUE.
 - (5) Striping:

- (a) Bicycle: At the Phase 1 north end where the existing bicycle lane will continue at the north side of driveway A1, at the opening of the bicycle lane the developer shall stripe an *MUTCD*-compliant bicycle lane symbol or symbols.
 - (b) Turn: The applicant shall stripe a turn arrow within the existing center left turn lane southbound at Hooper.
- (6) Utilities: Relocate underground/subsurface utilities that would conflict with street trees, such as a potable water line, and surface utilities such as street light poles and boxes to be within either or both of the planter strip and a streetside PUE. Existing covered vaults may be incorporated within altered or additional sidewalk if meeting PW SS&Ds.
- (7) NW side landscaping: The following applies between the project north end and the south end of the existing stormwater detention pond fencing – a point approximately 330 ft southwest along Allison ROW from Hooper centerline. The applicant shall plant at least two hundred and forty-eight (248) woody shrubs of large size category as WDO Table 3.06B defines, of one or more evergreen species capable of growing to a mature minimum height of ten (10) ft (preferably *Taxus brevifolia* var. *reptaneta* [English yew *reptaneta* variant]), and with average o.c. spacing of four (4) ft.
- b. Phase 2 / extension:
- (1) Lanes, travel: Minimum width twelve (12) ft.
 - (2) Lane, center left turn lane and turn pockets: Width eleven (11) ft.
 - (3) Bicycle lane: Northbound: none; and, southbound, either none or minimum five (5) ft.
 - (4) Planter strip: Install a planter strip six (6) ft wide and landscape with street trees at 1 per 30 ft of frontage, equaling forty-one (41) trees along the Phase 2 frontage (instead of 1 per 50 typical). The total number shall be divided evenly between *Betula pendula* [silver or European white birch] or another *Betula* [birch] species and an evergreen species among any of *Magnolia grandiflora* “Victoria” cultivar [magnolia cultivated for the Pacific Northwest], *Arbutus menziesii* [Pacific madrone], and *Tsuga heterophylla* [Western hemlock]. Ninety-five percent (95%) of the remainder of the strip shall be medium size category shrubbery to the minimum size at planting per Table 3.06B and at maximum size that maintains conformance with VCA, and at least six (6) distinct openings in the shrubbery that total the remaining area of five percent (5%) shall be lawn grass.
 - (5) Sidewalk: Construct a sidewalk as a bicycle/pedestrian path at minimum width of eight (8) ft (whether or not there is a northbound bicycle lane) that the City shall allow to overlap the streetside PUE by at least a half (½) ft and as much as four and a half (4½) ft from edge of ROW. If and where sidewalk would need to deflect or meander, such as at driveways A2 and A3 or at the southeast corner of Allison & Hooper, it may farther overlap a streetside PUE.
 - (6) Median: Because along I-5 and between Hooper and driveway A2 no center turn lane is needed, a median planter shall taper open as turning areas taper closed – a length

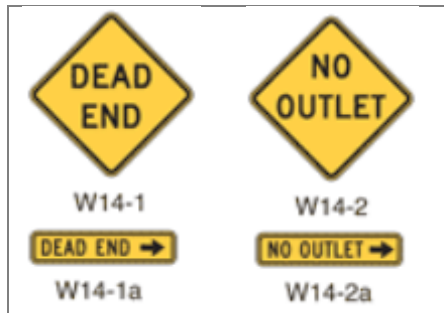
of approximately 800 ft. The median shall be defined through either of the following two options:

- (a) Conventional median: Two six-inch curbs with faces of curb defining the edges of travel lanes. The interior median width between conventional curbs, which shall be no fewer than ten (10) ft, shall be landscaped with street trees at 1 per 30 ft, and among them any of lawn, native grasses, groundcover, small size category shrubbery, or ornamental flowers. The trees shall consist of two (2) *Quercus garryana* [Oregon oak], four (4) *Magnolia grandiflora* “Victoria” cultivar [magnolia cultivated for the Pacific Northwest], at least ten (10) of either *Betula pendula* [silver or European white birch] or another *Betula* [birch] species, and six (6) of any among *Abies grandis* [Grand fir], *Arbutus menziesii* [Pacific madrone], *Thuja plicata* [Western red cedar], and *Tsuga heterophylla* [Western hemlock]. Based on condition subparts (6)(c)(i) & (7) below about turn areas and because civil engineering drawings do not yet exist for turn areas and tapers, the length of median wide enough to have trees shall be assumed to be minimum six hundred and fifty (650) ft, equaling twenty-two (22) trees. For up to no more than two (2) of the absolute number of trees required, the applicant may pay a fee in-lieu of \$125 per tree.
- (b) Mountable curb median: Median curbing may be mountable curbs. A resulting interior median width of no fewer than nine (9) ft and as wide as ten (10) ft shall be landscaped as per Option (a).
- (c) For either option:
 - (i) Turnaround: Include roughly in the middle of the long axis of the median an emergency turnaround with civil engineering details as the City Engineer directs. To draft an initial design to which the City can respond during the permit stage, assume curb radii for design vehicle type P (passenger car) and along east/SE and west/NW curves mountable curb for AASHTO design vehicle type WB-67 (tractor trailer truck). Propose either an obvious or subtle concept, obvious meaning noticeable and usable by the general public in passenger cars and emergency trucks (e.g. U-turn asphalt flowing between the travel lanes), and subtle meaning visible and usable only by emergency trucks (e.g. mountable curb, curb reflectors, and with passage at a higher elevation than that of the travel lanes and paved with either generic “grasscrete” or concrete stamped or otherwise treated to have a pattern, something no passenger car drivers would perceive as for them). For the obvious, assume asphalt minimum width eighteen (18) ft width at narrowest point; for the subtle, assume concrete minimum width eleven (11) ft wide or grasscrete minimum width twenty (20) ft wide.
 - (ii) Root barriers: Install to protect both travel lanes.



Exhibit EX2b (This median example concept is not to scale.)

- (7) Turn areas: At the north, the median shall taper to accommodate a turning radius as directed by the City Engineer for vehicles heading westbound on Hooper to Allison southbound. At the south, the median shall taper to accommodate the center left turn lane for vehicles eastbound into both driveways A2 & A3. The turn lane shall continue with the travel lanes to the dead-end of ROW. The taper shall be such that the turn lane is at minimum width for a length north from driveway A2 to accommodate at the same time the queuing of both an AASHTO design vehicle type WB-67 (tractor trailer truck) and design vehicle type P (passenger car) with distance between the two. As a clear and objective standard, the developer may default to a hundred (100) ft. This means the median may taper open with curb beginning at the above minimum length from A2.
- (8) NW side landscaping: The following applies between the fencing south end and the south end of extended Allison. The applicant shall plant at least two hundred and fifty-two (252) woody shrubs of large size category as WDO Table 3.06B defines, of one or more evergreen species capable of growing to a mature minimum height of ten (10) ft (preferably *Taxus brevifolia* var. *reptaneta* [English yew reptaneta variant]), and with average o.c. spacing of four (4) ft.:
- (9) Interim signage: Signed barricades remain required per WDO 3.01.05A.2.b & c. and to PW SS&Ds. The developer shall also install an *MUTCD*-compliant dead-end sign, either W14-1 or W14-2, at the intersection of Allison & Hooper for southbound drivers. The City Engineer may require the developer to install either (a) also at the intersection either a W14-1a or a W14-2a sign to warn drivers turning south from Hooper that Allison ends in the left direction as the arrow within the sign copy would indicate, or (b) a sign or signs serving similar purpose.



Design Review 2019-05: Transportation

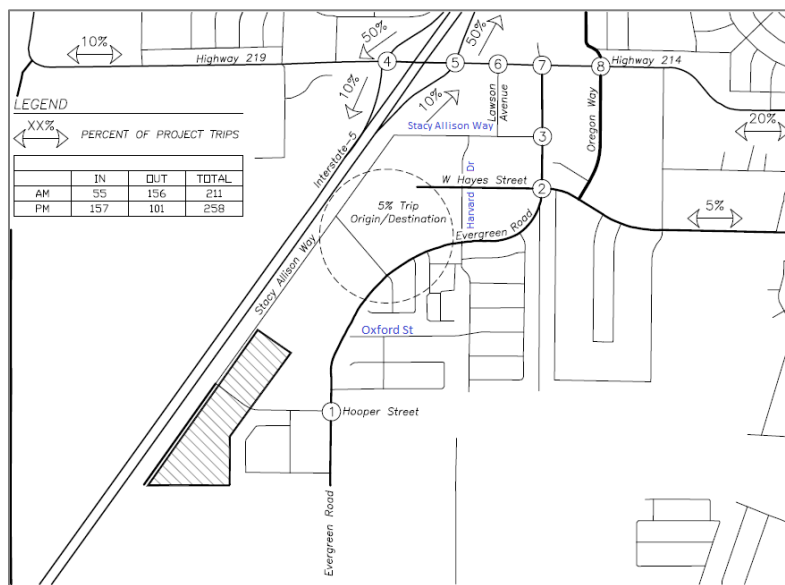


Exhibit T Vicinity map

T-A1. Evergreen & W. Hayes: The developer shall:

- a. Mitigation fee / Fee in-lieu: Pay a mitigation fee or fee in-lieu of \$33,000 to fund a transportation study. This is due by Phase 2, building permit issuance. [TIA]
- b. Evergreen sidewalk west: See Condition T-BP2.

T-A2. Allison & Evergreen: The developer shall pay a mitigation fee or fee in-lieu of \$33,000 to fund a transportation study. This is due by Phase 2, building permit issuance. [TIA]

T-A3. OR 214 & Evergreen: The developer shall pay a mitigation fee or fee in-lieu of \$15,000 to fund a transportation study, specifically to investigate corridor signal timing and coordination adjustments in coordination with ODOT. This is due by Phase 1, building permit issuance. [R10]

T-BP1. Allison & Lawson: The developer shall upgrade the T-intersection so that the south landing of either the east or west leg crosswalk has an ADA-compliant curb ramp and the crosswalk is striped. This is due by Phase 1, building permit issuance.

T-BP2. Evergreen sidewalk west: The developer shall fill in the sidewalk gap along the Evergreen frontage of Tax Lot 052W12C 01600 (601 Evergreen Road). The sidewalk shall be minimum eight (8) feet wide and located no closer than one (1) ft from edge of ROW and no more than six (6) ft from edge of ROW. The developer shall to the extent feasible meander the sidewalk as needed to save existing trees in or partially within existing ROW, upgrade the intersection west leg crosswalk by installing an ADA-compliant north curb ramp, and stripe the crosswalk. This is due by Phase 1, building permit issuance. [P6]

T-BP3. Evergreen sidewalk east: The developer shall fill in the sidewalk gap along the Evergreen frontage of Tax Lots 052W12DC01400 (2333 W. Hayes Street), 052W12DC01200 & 1300, and 052W12DB04400 (2330, 2340, & 2343 Oregon Court). The sidewalk shall be minimum six (6) feet wide and located no closer than one (1) ft from edge of ROW and no more than six (6) ft from edge of ROW. The applicant shall to the extent feasible meander the sidewalk as needed to save existing trees in or partially within existing ROW, upgrade the W. Hayes intersection east leg crosswalk by installing an ADA-compliant north curb ramp, and stripe the crosswalk. This is due by Phase 2, building permit issuance. [P6]

T-BP4. W. Hayes sidewalk: The developer shall fill in the sidewalk gap along the W. Hayes frontage of Tax Lot 052W12C 01600 (601 Evergreen Road). The sidewalk shall be minimum six (6) feet wide. The applicant shall to the extent feasible meander the sidewalk as needed to save existing trees in or partially within existing ROW, including to align sidewalk curb-tight. Within the parameters of this condition, the sidewalk placement shall otherwise reasonably conform to WDO Figure 3.01G, particularly regarding placement relative to centerline and establishing a planter strip with street trees where they can fit. This is due by Phase 2, building permit issuance.

T-BP5. Harvard curb ramp(s): At the T-intersection with W. Hayes, the developer shall install at least one ADA-compliant curb ramp at the west end of either the north or south leg crosswalk, pave new sidewalk minimum six (6) ft wide that connects to existing sidewalk, and stripe the crosswalk. The applicant shall to the extent feasible save existing trees in or partially within existing ROW, including by using returned curbs instead of flares along ramps. This is due by Phase 2, building permit issuance.



Exhibit T-BP North: This exhibit illustrates locations and represents improvements related to Conditions T-BP1 through 5. Sidewalk is in blue dashes and ADA ramps are in yellow trapezoids.

T-BP6. Evergreen sidewalk south: The developer shall fill in the sidewalk gap along the Evergreen frontage of Tax Lot 052W12C 02400 (0 Evergreen Road NE). The minimum width and placement shall conform to WDO Figure 3.01C, and within the planter strip the applicant shall plant at least two (2) street trees with root barriers, one each near Harvard and the driveway and to allow future adjacent site development to add trees to conform fully with the quantity required by WDO 3.06.03A (1 per 50 ft typical). This is due by Phase 2, building permit issuance.

T-BP7. Evergreen / Walmart driveway curb ramp: The developer shall fill in the sidewalk gap along the Evergreen frontage of the pole of the flag lot that is Tax Lot 052W12C 01900 (3002 Stacy Allison Way) and install an ADA-compliant curb ramp at the west side of the driveway. This is due by Phase 2, building permit issuance.

T-BP8. Evergreen curb ramp(s): At the T-intersection with Oxford, the developer shall install at least one ADA-compliant curb ramp at the west end of either the north or south leg crosswalk, pave new sidewalk minimum six (6) ft wide that connects to existing sidewalk, and stripe the crosswalk. The applicant shall to the extent feasible save existing street trees, including by using returned curbs instead of flares along ramps. This is due by Phase 1, building permit issuance.

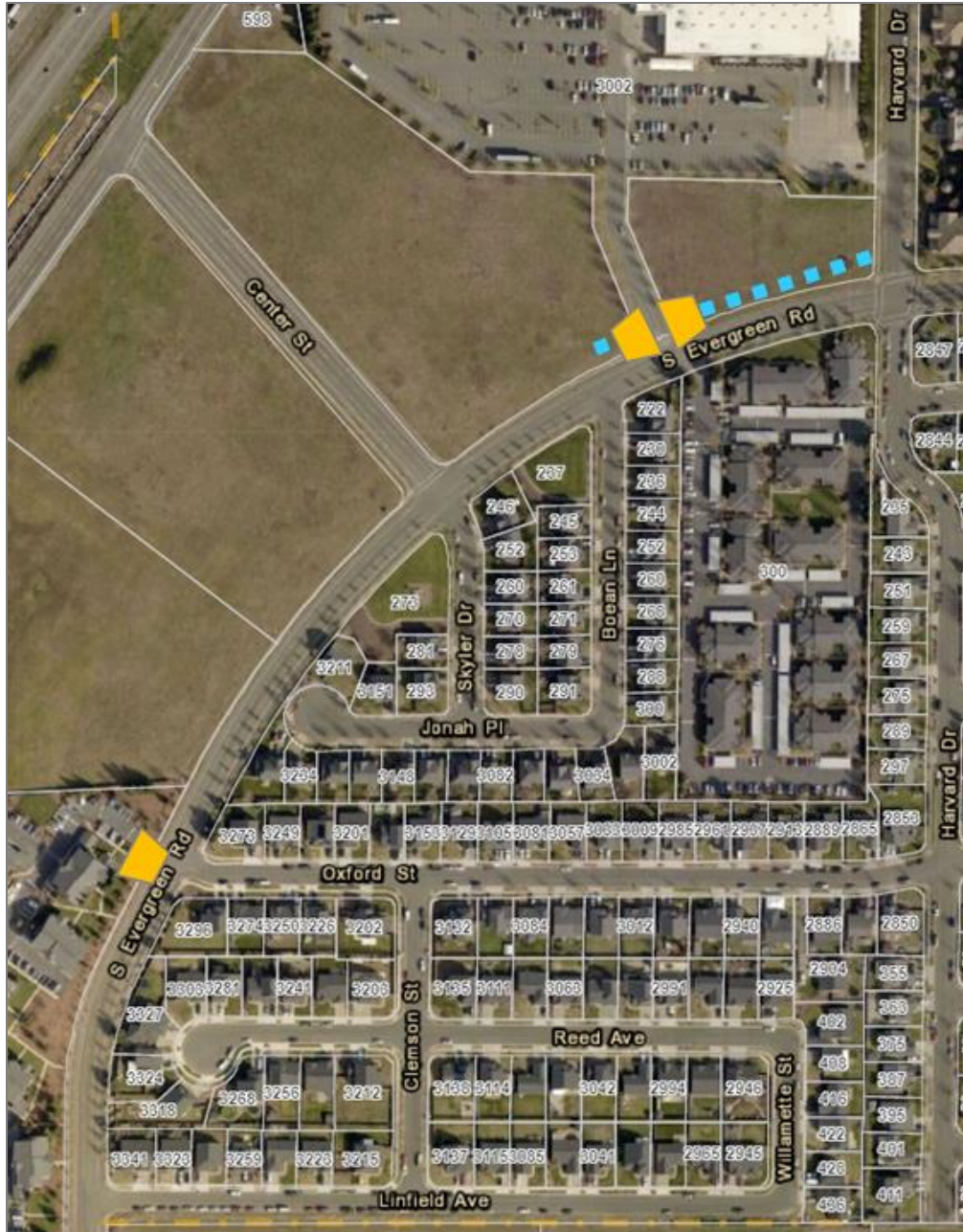


Exhibit T-BP South: This exhibit illustrates locations and represents improvements related to Conditions T-BP6 through 8. Sidewalk is in blue dashes and ADA ramps are in yellow trapezoids.

T-BP9. Evergreen Path: The developer shall pave an ADA-compliant bicycle/pedestrian path minimum twelve (12) ft wide:

- a. Location: Within the unimproved Evergreen ROW from Points A to B. Point A is the north dead-end of the Mill Creek Greenway Trail within the yet-to-be platted Smith Creek Development Phase 1 Tract 'D', and Point B is the east dead-end of the off-street path within the public walkway easement of the Montebello 2 subdivision (2002) that extends from Baylor Drive at Citadel Street and straddles subdivision Lots 139 & 140 (364 & 376

Baylor Drive). (The centerline distance is approximately 350 ft.) The yet-to-be platted Point A is within the larger acreage that as of this writing is Partition Plat 2019-040, Parcel 2 (Tax Lot 052W13 00108).

- b. Pavement: Either asphalt or poured concrete. If asphalt, construction minimums shall include four (4) inches of hot mix (Level 3) above eight (8) inches of one-inch minus crushed aggregate base course.
- c. Widths: The mainline path shall be minimum twelve (12) ft wide, and at its interim north dead-end, the spur path that connects west to the public walkway easement shall be minimum eight (8) ft wide, tapering by 1 ft width for every 2 ft of run as it approaches the easement to match the easement width.
- d. Alignment: The mainline path shall be aligned to accommodate shoulders and furniture zones as specified below and such that its centerline is no closer than twenty-five (25) ft from the east boundary of the Evergreen ROW.
- e. Shoulders: The mainline path shall have shoulders minimum two (2) ft each, specifically a strip free of vertical improvements on each trail side. Maximum slope shall be two (2) to one (1) (2:1).
- f. Furniture, tree zones, and amenities / support facilities: The mainline path shall be sited to have zones minimum six (6) ft along each side unencumbered for installation of the support facilities per the following table:

<i>Support Facilities</i>	<i>Min. No.</i>	<i>Placement*</i>	<i>Notes ("min." = minimum; and "sq ft" = square feet)</i>
Benches	2	Near junction of mainline and spur paths, out of corridor of mainline extension. May be paired/grouped.	Min. bench width is 6 ft. At least 80.0% of benches shall have backs. There is a City spec.
Bicycle parking	2 (stalls)	Near junction of mainline and spur paths, out of corridor of mainline extension.	Stall size: Minimum 2 ft wide and 6 ft long, asphalt or poured concrete. Facility: Rack, such as "U" or wave racks. There is a City spec "U" rack.
Dog waste stations	1	Near junction of mainline and spur paths, out of corridor of mainline extension.	Each includes bag dispenser and either includes a trash receptacle or is sited within 10 ft of one. There is a City spec.

Recycling and trash receptacles	1 (pair)	Near junction of mainline and spur paths, out of corridor of mainline extension.	Place pairs near trail and path junctions with sidewalk. There is yet no City spec; staff recommends the model chosen by the developer of Smith Creek Development Phase 1A.
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This is due by Phase 1, building permit issuance. [P49]

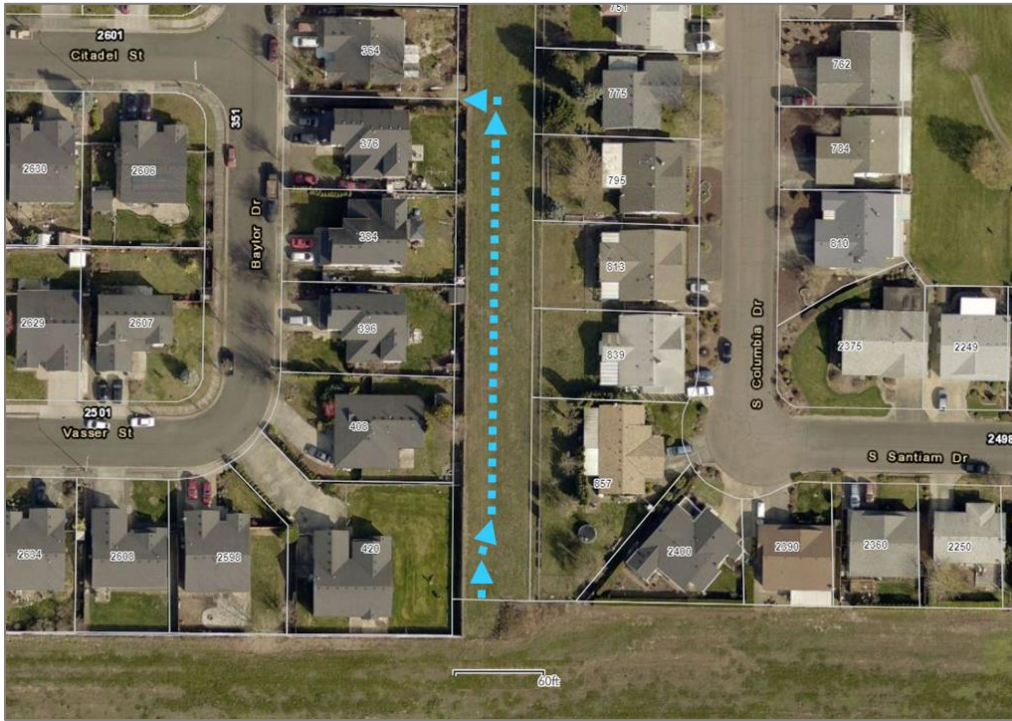
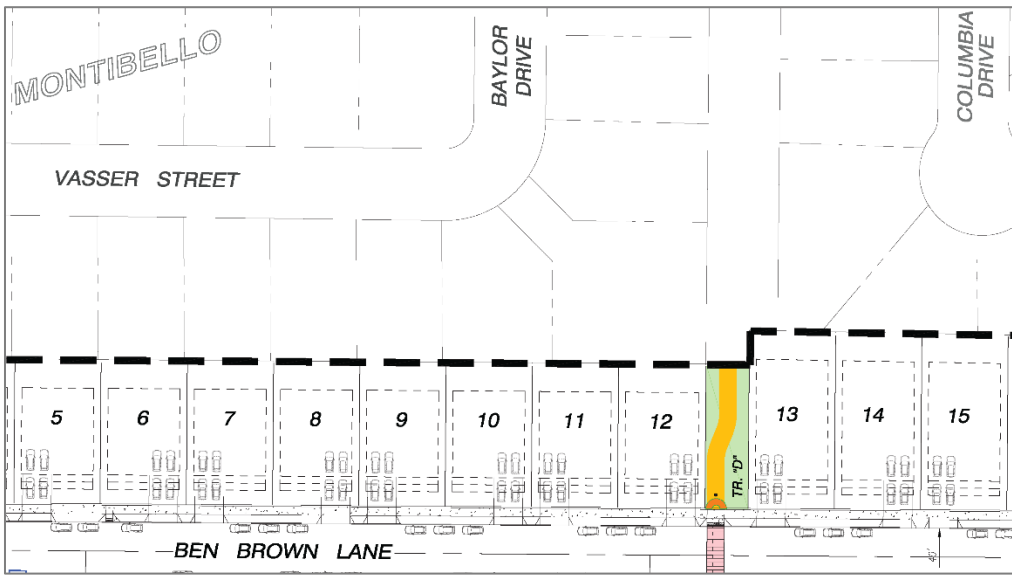


Exhibit T-BP10A. Location and Conceptual Alignment



T-BP10. BP fee in-lieu option: In order for the City to construct any of the bicycle/pedestrian improvements that Condition T-A1b (Evergreen sidewalk west) and the T-BP conditions above describe, a developer may pay a fee in-lieu as follows:

- a. Percentage: Equal to at least one hundred and twenty (120%) of a licensed civil engineer's cost estimate.
- b. Estimate: An estimate shall have construction cost item estimates based on the improvements being bid on as a "Public Works Project" paying prevailing wages. The City Engineer shall review and approve a construction estimate prior to acceptance of a fee in-lieu payment.
- c. Bond/bonding/performance guarantee: If the applicant were to bond, then the above condition subparts a. and b. about percentage and estimate shall apply also to a bond.

T-T. Bus transit fee: The developer shall pay a mitigation fee that is a total of a fixed base amount plus a rate per dwelling of \$208.28. The fixed base amount shall be \$12,510.20 for Phase 1 and \$46,750 for Phase 2. (This condition relates to TSP projects T1, 2, 4, 16, 18 &, TSP Fig. F5, and TPU projects 9, 11, 12, & 20.)

Variance 2019-04

V1-1. Driveway (WDO Table 3.04A):

- a. The minimum driveway widths shall be per the table below (instead of 24 feet typical):

<i>Minimum Driveway Width (feet)</i>			
<i>One-way Travel</i>		<i>Two-way Travel</i>	
<i>Single Lane</i>	<i>Paired Lanes</i>	<i>Paired Lanes</i>	<i>With Left Turn Lane</i>
10	9 per lane; 18 total	20	30 total

- b. The maximum driveway widths shall be per the table below (instead of 38 feet typical):

<i>Maximum Driveway Width (feet)</i>			
<i>One-way Travel</i>		<i>Two-way Travel</i>	
<i>Single Lane</i>	<i>Paired Lanes</i>	<i>Paired Lanes</i>	<i>With Left Turn Lane</i>
11	10 per lane; 20 total	22*	31 total

*Except 26 ft where required by Oregon Fire Code (OFC) Appendix D

- c. The condition applies within ROW, and may apply outside ROW along driveway throat length, so as not to interfere with the drive aisle width provisions of WDO Table 3.05C.

V2-4. Drive aisle (WDO Table 3.05C):

- a. The minimum drive aisle widths shall be per the table below (instead of 24 feet typical):

<i>Parking Context</i>	<i>Minimum Drive Aisle Width (feet)</i>		
	<i>One-way Travel</i>		<i>Two-way Travel</i>
	<i>Single Lane</i>	<i>Paired Lanes</i>	
<i>Standard or ADA-compliant stalls</i>	18	10 per lane; 20 total	20
<i>Compact stalls</i>	16	9 per lane; 18 total	20
<i>No adjacent stalls</i>	10	9 per lane; 18 total	20

- b. The condition applies up to newly dedicated ROW so as not to interfere with the driveway minimum width provisions of WDO Table 3.04A.

V3-5. Curb dimensions, parking area (WDO 3.06.021): Curb or curbing that delineates on-site walkways and landscaped, parking, and vehicular circulation areas shall have a minimum height and width each of four (4) inches (instead of 6 inches typical).

- a. Speed table: The applicant shall construct a speed table along the walkway crossing nearest and between the Phase 2 clubhouse, play area, and Building R. (See Condition G3 for specifications.)
- b. Wheel stops: Wherever required or proposed, wheel stops shall be four (4) inches high maximum.

V4-6. Architectural Wall (WDO Table 3.06D & 3.06.06):

- a. The property lines subject to the Architectural Wall provisions of Table 3.06D and 3.06.06 are exempt from those provisions.
- b. Landscaping:
- (1) Along the Phase 2 southeast and east lot lines, the applicant shall landscaped a buffer of minimum width five (5) ft to the minimum planting density of WDO Table 3.06A, row "Buffer yards".
 - (2) The landscaping shall include evergreen shrubbery planted at the large category minimum size per WDO Table 3.06B.
 - (3) The applicant shall include within fifteen (15) ft of the lot lines at least twenty-one (21) trees. The applicant shall add at least four (4) trees of large category per WDO Table 3.06B for a total of 25 trees. The four additional trees shall be in the lawns near Buildings Q & R, within sixty (60) ft of the lot lines, and with one (1) near Building Q and three (3) near Building R. The proposed site perimeter tree closest to the east/northeast corner of Building R shall be changed to a coniferous or evergreen species.
 - (4) Transformer box: Any on-site at-grade electrical transformer box shall be screened with evergreen shrubbery on all sides except the panel door side.
- c. Fence, cedar: Along the two segments of the Phase 2 southeast and east lot lines within six (6) ft of parking stalls that face the lot lines, the applicant shall install a treated cedar wood fence at least five (5) ft, ten (10) inches high and with boards arranged for opacity,

except that the highest foot may be mostly opaque lattice pattern. Fence height shall not supersede applicable height limits per WDO 2.06.02.

- d. Lighting: If proposed, exterior light fixtures shall be full cut-off or fully shielded and limited in height as follows:
 - (1) Full cut-off: Exterior lighting fixtures shall be full cut-off or fully shielded models.
 - (2) Heights: As measured to the underside of the fixture:
 - (a) Wall: Exterior wall-mounted fixtures shall be no higher than ten (10) feet above walkway finished grade. (This height limit is not applicable to emergency egress lighting and permanent wall signs allowed through WDO 3.10 were they to have interior illumination.)
 - (b) Parking pole: Exterior pole-mounted fixtures within four (4) feet of or in parking, loading, and vehicular circulation areas shall be no higher than fourteen-and-a-half (14½) feet above vehicular finished grade.
 - (c) Other pole: Remaining exterior pole-mounted fixtures, if any, shall be no higher than twelve (12) feet above grade.

V5-3-1. Compact parking (WDO 3.05.03C):

- a. Percentage: The compact parking maximum as a percentage of the required minimum amount of parking shall be sixty percent (60%; instead of 20% typical) and hundred percent (100%) of any amount in excess of the minimum required. For each phase, at least twenty percent (20%) of the minimum amount of stalls shall be compact
- b. Striping: The applicant shall stripe each stall with the word "COMPACT" in lettering one (1) foot high minimum.
- c. Wheel stops: Where used, wheel stops shall be four (4) inches high maximum.

V6-3-2. Off-street parking provisions:

- a. Bicycle parking amount and distribution: For each phase unless otherwise specified, the applicant shall provide a minimum number of bicycle parking stalls as follows:
 - (1) At least one (1) per dwelling in each dwelling in the outdoor closet of the balcony or patio in which the applicant shall install a wall-mounted folding or retractable hook designed for the hanging of a bicycle;
 - (2) At least one (1) stall at the base of each building stairwell, with each of these locations having a bicycle parking sign with minimum face dimensions of (1) foot wide by one-and-a-half (1½) feet high;
 - (3) Phase 1: Guest: Excluding outdoor closet and stairwell stalls, a set of at least two (2) stalls within five to fifteen (5-15) ft of Hooper ROW and near or along the access way;
 - (4) Phase 2: Guest: Excluding outdoor closet and stairwell stalls, at least two sets of at least two (2) stalls each, one northwesterly within five to fifteen (5-15) ft of Hooper and one southeasterly within ninety (90) ft of Hooper ROW.

- (5) Phase 1: Common: Excluding outdoor closet, stairwell, and guest stalls, there shall be at least twenty (20) outdoor stalls. Of these at least four (4) shall be among the clubhouse / leasing office, clubhouse plaza, or barbeque (BBQ) area, and sixteen (16) shall be covered/sheltered.
 - (6) Phase 2: Common: Excluding outdoor closet, stairwell, and guest stalls, there shall be at least fifty-six (56) outdoor stalls. Of these at least four (4) shall among the clubhouse / leasing office, clubhouse plaza, BBQ area and play area, two (2) shall be northeast of Building F and within ninety (90) ft of Allison ROW, two (2) shall be northeast of Building K and within ninety (90) ft of Allison ROW, and thirty-two (32) shall be covered/sheltered.
 - (7) At least two (2) stalls outside and near each apartment building spaced to conform to the 50-foot distance provision of WDO 3.05.03E as applied through a design review (D) condition.
 - (8) In no case shall the total number of bicycle parking stalls equal fewer than 1.2 per dwelling, and in no case shall the minimum coverage/sheltering from precipitation of bicycle parking be for fewer than forty-eight (48) stalls excluding outdoor closet and stairwell stalls.
- b. Bicycle standards: Stalls shall conform to City of Portland [Title 33, Chapter 33.266.220C](#) (amended 5/24/2018), except that the applicant may ignore subsections C6, C7, & C5c, and that C4b does not apply to the outdoor storage closets for which the minimum stall depth from wall instead shall be four (4) feet minimum. Vertical clearance instead shall be eight (8) feet or, where a stall is under stairs, six (6) feet.
- c. Access ways:
- (1) Phase 1: At least one access way shall remain as proposed that extends from Hooper sidewalk at least one-hundred and fifty (150) ft to the plaza between the clubhouse and the barbeque (BBQ) shelter.
 - (2) Phase 2: At least one access way shall remain as proposed that extends from Hooper sidewalk at least five-hundred and fifty (550) ft from to the clubhouse southwest doors / play area.
- d. Walkways:
- (1) Courtyards: The applicant shall revise Sheets SP-1 through 3 (Exhibits 10-12; civils) and each Note 6 to illustrate and note the proposed decorative pavement of the segments of courtyard walkways that the landscape plans (Exhibits 38-42) illustrate.
 - (2) Drive aisle crossings: The shall revise Sheets SP-1 through 3 (Exhibits 10-12; civils) and install in the field at least six (6) walkway drive aisle crossings not only as striping but also as extensions of poured concrete, listed north to south clockwise:
 - (a) Phase 1, north of Building A
 - (b) Phase 2, north of Building R
 - (c) Phase 2, north of Building P
 - (d) Phase 2, south of Building L
 - (e) Phase 2, east of Building M, and

- (f) Phase 2, SW of Building K.
- (3) Parking courts: The applicant shall pour concrete or lay concrete pavers to form a pedestrian shortcut up and over the curbed landscaped strip island within each parking court, in order to pass amid groundcover and shrubbery. It shall be roughly aligned at the boundaries of parking stalls, with the side of a landscaped peninsula, and with the nearest walkways that orient northeast-southwest and are between buildings. The minimum width shall be twenty-one (21) inches.
- (4) Building stormwater scuppers shall not dump onto walkways.
- e. EV: As proposed and premised on OAR 918-020-0380 “Electric Vehicle Ready Parking”, a minimum of either 36 stalls or three and half percent (3.5%) of minimum required parking– whichever is greater – shall be a designated EV stall or stalls and with a charging station or stations, which the landowner may limit to tenant use. Of 36 or more stalls, Phase 1 shall have at least twelve (12) and Phase 2 at least twenty-four (24).
 - (1) Striping: Stripe each stall in lettering 1 ft high minimum “ELECTRIC VEHICLE CHARGING” or similar and also stencil an EV image or logo. Reflect this on revised site plans.
 - (2) Signage: Post at each stall a wall-mounted or pole-mounted sign for “Electric Vehicle Charging Only” or similar and also include an EV image or logo. Use a minimum sign face size of one (1) foot wide by one-and-a-half (1½) feet high. The top of a posted sign is to be between five-and-a-half (5½) and six-and-a-half (6½) feet above vehicular grade. Reflect this on revised site plans including with an elevation detail.
- f. Balconies/patios: WDO 3.07.05B.1 (area/size and narrowest dimension) shall apply as minimum standards, except that for whatever balconies and patios among those proposed exceed these dimensions, their larger areas/sizes and wider narrowest dimensions shall be the minimum standards for those.
- g. Common open space facilities:
 - (1) Benches: Install at courtyards, clubhouse plazas, or common lawns at least two (2) Phase 1 benches and at least eight (8) Phase 2 benches. Each bench shall at least six (6) feet wide and with a back. In Phase 2 were 7 benches are proposed, add the eighth bench at the lawn southeast of Building M. Relocate two Phase 2 benches:
 - (a) From NW of Building G to the lawn NE of Building R and roughly in line with the walkway drive aisle crossing; and
 - (b) From NE of Building K to the lawn SE of Building R.
 - (2) Clubhouse plazas and BBQ grill shelters: As proposed, build at least one (1) each of a clubhouse plaza and a barbeque (BBQ) grill shelter in each of Phase 1 and 2.
 - (3) Administrative minor adjustment by the Director to the above common open space facilities is permissible.
- h. Windows:

- (1) Proportion: All windows shall be square or vertically proportioned, except that horizontally proportioned windows are allowed if they have grilles or muntins dividing lights or panes so as to be vertically proportioned.
- (2) Per room: Within apartments, every habitable room abutting a building exterior wall shall have at least one window.
- (3) Insect screens: All operable windows shall have insect screens.

V7-3-3. Public access easement:

- a. Dedication: Regarding the Phase 1 proposed public park in the form of a plaza along Hooper and its related improvements, the applicant as part of re-plat recordation shall dedicate to the City a public access and utility easement encompassing the plaza and some extra perimeter area, specifically with a boundary that follows the centerlines of the walkways to the northwest and northeast that border the plaza and, to the southeast, along the back side of drive aisle curb. The easement shall grant public access during the same hours and subject to the rules and regulations for City parks per Ordinance Nos. 2060 (1991) and 2377 (2004) or as the City may amend ordinances.
- b. Boundary marking: The developer shall mark the public boundary through one of the following two options:
 - (1) Caps: Metal caps that either are or mimic land survey markers, are minimum diameter of three and a quarter (3¼) inches, and at a minimum number equal to and with average placement of 1 cap per 10 lineal ft of walkway. There shall be two additional caps along the boundary where it follows the drive aisle curb. The caps shall have the phrases "Open to Public" and "Private Property", and a line as a separator between the two phrases.
 - (2) Plaques: Metal plaques embedded within walkway concrete, aligned with the boundary, and that read "Property beyond Plaque not Dedicated to Public" with text oriented to be read by persons looking away from the plaza. The minimum size shall result from a minimum lettering height of two (2) inches, and the minimum number shall be equal to and with average placement on center of 1 plaque per 20 lineal ft of walkway. There shall be two additional plaques along the boundary where it follows the drive aisle curb.
- c. Sign:

The applicant shall install a permanent sign conforming to WDO 3.10 that reads "Plaza Open to Public 7AM - 10PM April - September, & 7AM - 7 PM October - March" with minimum lettering height of two (2) inches. The developer shall place it near the plaza entry that is along the sidewalk and within five (5) to nine (9) ft of ROW.

 - (1) If a monument sign type, the sign face area shall be twelve (12) sq ft minimum, with a flat top at least three (3) ft above grade and in the form of a concrete cap at least three (3) inches wide.

- (2) If a pole sign type, the lettering shall be green, and the sign face shall be no lower than three and a half (3½) ft above grade and no higher than five (5) ft and of minimum dimensions of two (2) ft by one-and-a-half (1½) ft.
- d. Due date: These shall be due by Phase 1, building permit issuance.

V8-3-4. Parking management:

- a. Survey: The applicant or any successor and assigns such as a property manager shall collect data about off-street parking usage or allocation and provide it to the City to the attention of the Director.
 - (1) Reporting period: Collect data by each half of a year – January through June and July through December. Submit each biannual report by the last City business day in the last month of the next quarter of a year and that is not a federal holiday. (For example, a report for January through June 2022 would be due by September 30, 2022.)
 - (2) First report: The first report shall cover whatever irregular length of time would pass between phase occupancy and the end of the next half of a year ending June or December.
 - (3) Attributes: Collect and report on:
 - (a) Geography: Report numbers divided between Phases 1 & 2 (as defined in Condition G3).
 - (b) The number of off-street spaces/stalls that are available and how many, if any, are closed due to occasional events such as parking area resurfacing, temporary outdoor events, outdoor storage, or the stationing of large trucks or truck trailers.
 - (c) Track stalls and usage by type: regular standard size, regular compact, accessible/ADA/handicap, EV, and any other type (such as those designated for visitors, leasing office employees, staff golf cart, or mail carrier).
 - (d) Collection: The property manager shall do field counts as per condition subpart (4 “field count”) below and also provide a separate set of assumed counts based on lease agreements, i.e. what tenant households are allocated a stall or stalls and for what periods, assumed that stalls are occupied as lease agreements describe.
 - (e) Usage: Report how many stalls are used and allocated. For vacant apartments in the context of assumed counts, record stalls associated with vacant apartments as unallocated.
 - (f) If and when a parking area resurfacing project were to happen, provide written notice to the Director of approximate start date and duration, location, and number of stalls involved.
 - (g) Format: Use tables to report by phase absolute numbers and percentages of stall type occupancies. Include phase and sitewide totals.

- (4) Field count: The property manager shall do at least two field counts per reporting period, meaning to travel the project and count in real time occupied and vacant stall types such as by marking a project site plan. Each count shall be on Tuesday, Wednesday, or Thursday that is neither a federal holiday nor within a week (7 days) of a federal holiday. One count shall be daytime starting no earlier than 9:30 a.m. and concluding no later than 4:30 p.m., and one count shall be nighttime starting no earlier than 10:00 p.m. and concluding no later than 12:30 a.m. Report when on a given date the counts were done and how long it took, for example, from 11:30 a.m. to noon.
- (5) Bicycle parking: For outdoor bicycle parking stalls, including those within stairwells but excluding outdoor closets, the property manager shall also do field counts the same way as per condition subpart (4) above and as part of the larger report confirm the total number of existing outdoor bicycle stalls.
- (6) Parking demand management: The reporting that a parking demand management condition requires, if it exists, may be incorporated with the parking usage data collection report.
- (7) Context: In each report, cite the project name, phases, street addresses, master/parent case file number DR 2019-05, and the condition identification(s), state what period the report covers, state the number of vacant apartments and when and how the number was determined given fluctuation over six months, and provide an employee name and direct contact information for questions City staff might have.
- (8) Intent: It is not the express intent of this condition to police property management or punish tenants or management for perceived misuse of parking, but instead without judgment to collect data on how parking is actually used in a conventional large apartment complex.
- (9) Change of ownership: If and when property ownership were to change, the property manager shall pass along record of the conditions of approval to the contract purchaser and successive property manager.
- (10) Expiration: This parking usage/allocation data collection condition becomes optional as of July 1, 2031. If reporting were to cease, the last report – for the January to June 2031 period – would be due September 30, 2031.

Applicant Identity

Applicant

Robert Leeb, Principal In Charge, Leeb Architects

<i>Applicant's Representative</i>	Doug Hamilton, Leeb Architects
<i>Landowner(s)</i>	At time of application: West Coast Real Estate Holdings LLC, represented by Eugene Labunsky At present: Stacy Allison Way Holdings LLC, represented by Eugene Labunsky

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 three (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: Staff performs final review of the civil plans during the building permit stage. Public infrastructure must be constructed in accordance with plans approved by the City, as well as current [Public Works construction specifications, Standard Drawings, Standard Details](#), and general conditions of a permit type issued by the Public Works Department.
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.

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 the 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. SDCs: The developer pays System Development Charges prior to building permit issuance. Staff will determine the water, sewer, storm and parks SDCs after the developer provides a complete Public Works Commercial/Industrial Development information sheet.



**DR 2019-05, PP 2019-01, PLA 2019-0A, VAR 2019-04
Application Materials Dated March 3, 2020**

**Allison Way Apartments
Public Works Conditions**

May 21, 2020

General Conditions:

1. Building permits shall not be issued prior to constructing public right-of-way infrastructure, including the construction of streets, water, sanitary sewer and storm drainage facilities, and private utilities as determined by the Planning Division and the Public Works Engineering Division.
2. All facilities to be maintained by the City that are located on private property will require a minimum 16-foot wide utility easement to be conveyed to the City. Utilities of unusual depth or size or with a combination of utilities may require a larger width.
3. The applicant, not the City, is responsible for obtaining approval for permits from any local, state and/or federal agencies which may be required.
4. The applicant shall provide for the installation of all franchise utilities and shall provide any required easements. All utility services shall be constructed underground.
5. Prior to construction of any portion of the street and facilities to be maintained by the City, the applicant shall provide to the Woodburn Public Work Engineering Division civil plans prepared by a registered engineer for the required public infrastructure. In accordance with Ordinance No 1795, permits shall be obtained for construction of the public infrastructure from the Public Works Engineering Division prior to installation. Final review of the Civil Plans will be done during the permit application.
6. The applicant is required to sign a "Public Improvement Agreement" prior to issuance of a permit to construct public improvements.

Public Right-of-Way and Street Conditions:

7. Public Works does not support median planter on Stacy Allison way.
8. In conjunction with the new public street improvements on Stacy Allison Way, the applicant shall install street lighting consistent with PGE installation plan option B.
9. A Department of Environmental Quality Erosion Control 1200C permit will need to be obtained for this development prior to City issuance of permit.
10. If required, a Permit from the Oregon Division of State Lands and US Army Corps of Engineering will need to be obtained to mitigate/delineate any existing wetlands. This shall be obtained prior to issuance of a City permit.

Storm Drainage:



11. The storm sewer system and on-site detention for this Development shall comply with the City's Storm Water Master Plan. The Development is part of the drainage basin utilizing a regional detention system located near I-5. A preliminary hydraulic analysis for the storm runoff and the regional detention system has been provided and reviewed by the city. Depending on the timing of future development, additional requirements of both state and City may be required. The additional detention area shall be provided in accordance with the hydraulic analysis as improvements by this project are constructed.
12. The regional storm detention shall be sized in accordance with the City Storm Drainage Master Plan.
13. Storm pipes that conduct flow directly from the private site to the regional detention facility are considered private lines. The City does not maintain private lines, and the owner of the property retains maintenance responsibility in perpetuity of these private lines.

Sanitary Sewer System:


14. The gravity sewer main shall be design to minimum slope of 0.40 percent for future extension of adjacent properties.

Water system:

15. The water mains in private properties shall be sized in accordance with future flow and fire protection requirements. Fire hydrant locations and line valves will be determined at the time of development.



Memorandum

To: Woodburn Development Review: Colin Cortes, Senior Planner
From: Chuck Green, PE 
Copies: File
Date: May 20, 2020
Subject: REVIEW VERSION Allison Way Apartments Traffic Impact Analysis Review
Otak Project #: 40141

Development Review Reference: DR 2019-05

This memo serves as review and findings of the Traffic Impact Analysis (TIA) for Allison Way Apartments, revision dated May 1, 2020. This development proposal's TIA was reviewed under the basis of the following:

- Oregon Department of Transportation (ODOT) Analysis Procedures Manual (APM), Version 2 as Revised, April 2020 (note: the author of this memo was a reviewer for that document)
- City of Woodburn's Comprehensive Plan (September 2019)
- City of Woodburn's Transportation System Plan (September 2019)
- City of Woodburn's Transit Plan Update (November 2010)
- Woodburn Development Ordinance, update version June 2019.

Summary of Findings

The review of the developer's Traffic Impact Analysis, as well as comments received from the Oregon Department of Transportation (ODOT), yielded the following findings and conclusions:

- The development would add trips to the intersection of OR 214 and Evergreen Road, which has an existing, elevated crash rate. The applicant has proposed signal changes as crash countermeasures which need ODOT approval to implement.
- For the OR 214 at Evergreen Road intersection, the TIA indicates that with site buildout and using a 2034 horizon year, the future-year level-of-service of 0.94 is slightly below ODOT's mobility target of 0.95. However, manual v/c adjustment calculations using ODOT's Analysis Procedures Manual were not provided as backup for that calculation. When reviewing the revised TIA's Synchro reports and also reviewing the HCM 2000 v/c ratio from the previous version of the TIA (0.99), it appears that intersection will be at or over the ODOT mobility target for that intersection. The TIA did not present any vehicular trip reduction measures to alleviate this issue.

Attachment 102B

- The TIA did not analyze the OR 214 at Evergreen Road intersection's v/c ratio with the crash countermeasures in effect (converting to protected lefts for eastbound and westbound OR 214). This likely affects the adjusted v/c ratio for that intersection using the APM method.
- The TIA indicates that preliminary traffic signal warrants will be met at the Evergreen Road at Stacey Allison Way intersection year 2022 background conditions, without the addition of site trips from the proposed development. Capacity analysis results show this intersection is projected to exceed the City of Woodburn performance thresholds under the year 2034 planning horizon including full site buildout. There is no signalization nor intersection improvement identified in the TSP as mitigation at this intersection; thus, the development should be responsible for at least a proportionate share of the costs for this signal.
- Preliminary traffic signal warrants are met at the intersection of Evergreen Road at Hayes Street under year 2024 traffic conditions with the addition of site trips from Phases 1 and 2 of the proposed development. Capacity analysis results show this intersection is projected to exceed the City of Woodburn performance thresholds under year 2022 background conditions, prior to the addition of site trips from the proposed development. The TIA referred to the Smith Creek TIA for mitigation for this intersection which would include adding a southbound left-turn and a northbound receiving lane. It is unclear what is meant by a "northbound receiving lane" as the TSP did not identify signalization, intersection improvement or additional travel lanes along Evergreen Road. A southbound left turn lane appears feasible from inspection of the site, but may require removal of parking in the intersection vicinity. If the City determines that a future signal and minor intersection improvements would be the preferred mitigation measure, the development should be responsible for at least a proportionate share of the costs for this mitigation measure.
- Minor adjustment to the design of the site's pedestrian crossings of Hooper Street are recommended.
- The applicant's TIA did not identify any vehicular trip reduction or Transportation Demand Management measures. Trip reduction measures should be incorporated into the applicant's development plans to alleviate impacts to area roadways, especially the Evergreen Road intersections with Stacey Allison Way and Hayes Street, as well as the OR 214 at Evergreen Road which has an existing elevated crash rate and is projected to be at- or over-capacity with full buildout of the site.

ODOT Comments

ODOT Region 2 traffic staff (Keith Blair, PE) provided ODOT review comments in a memorandum dated May 4, 2020. Their comments included:

- (1) There was no simulation analysis provided and ODOT indicated they would have required this in the scope of the TIA. This analysis is critical as it would show the potential queueing along the OR 214 corridor, including the intersections at and adjacent to the I-5 ramps.
- (2) Other intersections along OR-214 are expected to operate within v/c mobility targets, although OR 214 at Evergreen Road is projected to be near capacity per the TIA analysis.
- (3) ODOT comments on the prior version of the TIA indicated the engineer had used the outdated Highway Capacity Manual (HCM) 2000 for analysis of signalized intersections and did not utilize methodology from the current HCM 6th Edition. The updated TIA indicates the HCM 6th Edition methodology was used, but did not include the manual worksheet calculations from the Synchro reports to show their adjusted v/c ratio calculations using the APM methodology. The TIA engineer should produce these backup calculations for review. The TIA concludes that the intersection of OR 214 at Evergreen Road, ten years

after site buildout with traffic background growth, is projected to be 0.94, just below the ODOT mobility target of 0.95 for this intersection. It is possible that the application of the APM v/c adjustment methodology for this intersection could result in it being at or over the 0.95 v/c threshold. Note: there is more discussion about this in the “Site and Analysis” section below.

Site and Analysis

The proposal is to build 586 new multi-family dwelling units on a site west of Evergreen Road and south of OR-214, with primary access to Stacey Allison Way.

Trip Generation and Distribution

According to the TIA, the site upon buildout is projected to generate an additional 211 trips during the morning peak hour, 258 trips during the evening peak hour, and 3,188 trips on a typical weekday. A check of the trip generation estimates using the Institute of Transportation Engineers’ Trip Generation Manual 10th Edition confirms these trip generation rates.

The TIA’s trip distribution estimates were estimated by the applicant’s engineers. Although not based on TSP or regional travel demand modeling, the TIA noted they were estimated based on “likely trip destinations, locations of major transportation facilities in the site vicinity, and existing travel patterns at the study intersections.” These were reviewed and were determined to be reasonable.

Operational Analysis

Based on coordination through ODOT and the City of Woodburn, a total of eight (8) intersections were analyzed for traffic operations under existing, background growth, and various buildout phases of the site:

- Evergreen Road at Hooper Street
- Evergreen Road at Hayes Street
- Evergreen Road at Stacey Allison Way
- OR 214 at I-5 Southbound ramps
- OR 214 at I-5 Northbound ramps
- OR 214 at Lawson Avenue
- OR 214 at Evergreen Road.

Traffic counts were taken in the summer of 2019 when school was out for summer vacation. The TIA adjusted the OR-214 counts for seasonal variations consistent with the APM. For City streets, counts were manually adjusted upward to add in estimated school trips to attain a typical weekday period. These adjustments were reviewed and appear reasonable.

Background traffic growth rates assumed in the TIA were 0.4% per year for OR-214 (linear), and 2.0% per year (compounded) for Woodburn city streets. In-process trips were added for the Smith Creek development, although the Allison Way TIA indicated the proposed build-out year was 2025, after the proposed buildout year of 2024 for the Allison Way Apartments. Although the Transportation System Plan (TSP) did not specify anticipated growth rates, these rates appear reasonable based on future-year traffic growth assumptions in similar circumstances in the metropolitan area.

The operational analysis indicates that with site buildout and ten years of additional traffic growth to a Year 2034 horizon year, the following intersections are projected to operate within ODOT and City mobility standards and proposes no mitigation for these locations:

- Evergreen Road at Hooper Street
- OR 214 at I-5 Southbound ramps
- OR 214 at I-5 Northbound ramps
- OR 214 at Lawson Avenue
- OR 214 at Oregon Way.

I-5 Interchange Management Area

The development site includes multiple parcels which are located in subareas K and L of the I-5 at OR 214 Interchange Management Overlay District. According to the TIA, the total maximum peak hour vehicle trip budget for these subareas is 495 trips. The proposed development is projected to generate 211 trips during the morning peak hour and 258 trips during the evening peak hour, both of which are below the threshold. A review of the v/c ratios for the ramp intersections indicate both are projected to operate within ODOT's performance thresholds in year 2034 conditions (ten years after site buildout). No mitigation measures are proposed and none are being requested by ODOT.

Locations Potentially Exceeding Adopted Volume-to-Capacity/Mobility Thresholds

The following intersections were determined to exceed congestion thresholds and potential mitigation is proposed for consideration:

- OR 214 at Evergreen Road
- Evergreen Road at Stacey Allison Way
- Evergreen Road at Hayes Street.

Preliminary traffic signal warrants will be met at the intersection of Evergreen Road at Stacey Allison Way under year 2022 background conditions, without the addition of site trips from the proposed development. The TIA's capacity analysis results show this intersection is projected to exceed the City of Woodburn performance thresholds under the year 2034 planning horizon, which is ten years after the full buildout of the proposed development. The TIA suggested that an alternative route on Harvard Drive is planned to be improved which may alleviate some of the congestion along Evergreen Road. However, it is unclear from a review of the TSP's planned extension of Harvard and connection to Stubb Road, as well as the existing street network how this would alleviate traffic congestion at the Evergreen Road/Stacey Allison Way intersection. There is no signalization nor intersection improvement identified in the TSP as mitigation at this intersection; thus, the development should be responsible for at least a proportionate share of the costs for this signal.

Preliminary traffic signal warrants are projected to be met at the intersection of Evergreen Road at Hayes Street under year 2024 traffic conditions with the addition of site trips from Phases 1 and 2 of the proposed development. The TIA's capacity analysis results show this intersection is projected to exceed the City of Woodburn's performance thresholds under year 2022 background conditions prior to the addition of site trips from the proposed development. Mitigation for this intersection is discussed in the Smith Creek TIS, which includes adding a southbound left-turn and a northbound receiving lane. It is unclear what is meant by a "northbound receiving lane" as the TSP did not identify signalization or improvements at this intersection nor did it identify additional travel lanes along Evergreen Road. A southbound left turn lane appears feasible from inspection of the site, but may require removal of parking in the intersection vicinity. If the City determines that a future signal and minor intersection improvements would be the preferred mitigation measure, the development should be responsible for at least a proportionate share of the costs for this mitigation measure.

The updated TIA indicates the HCM 6th Edition methodology was used, but did not include the manual worksheet calculations from the Synchro reports to show their adjusted v/c ratio calculations using the APM methodology. The TIA engineer should produce these backup calculations for review. The TIA concludes that the intersection of OR-214 at Evergreen Road, ten years after site buildout with traffic background growth, is projected to be 0.94, just below the ODOT mobility target of 0.95 for this intersection. It is also not clear if the TIA's Synchro model included any pedestrian crossing demand at this intersection which could add to intersection delay and v/c ratio. It is possible that with the APM adjusted v/c method and adding pedestrian demand that the projected intersection v/c ratio for the Year 2034 horizon with all phases of the site built out may be 0.95 or higher, which would be at or exceeding the v/c mobility target in the OHP.

Safety Analysis

The TIA's safety analysis concluded that all but one location studied were operating within acceptable crash rates, with the exception of OR-214 at Evergreen Road, which is operating at an elevated rate. The development would add trips to this intersection, and likely add to one or more of the turning movements which may be contributing to the elevated crash rate. The TIA proposed converting the eastbound and westbound OR-214 left turns to protected-only (they are a flashing yellow arrow configuration now). ODOT did not comment on this specific recommendation in their memorandum but did indicate that ODOT approval is required for all proposed mitigation measures to OR 214.

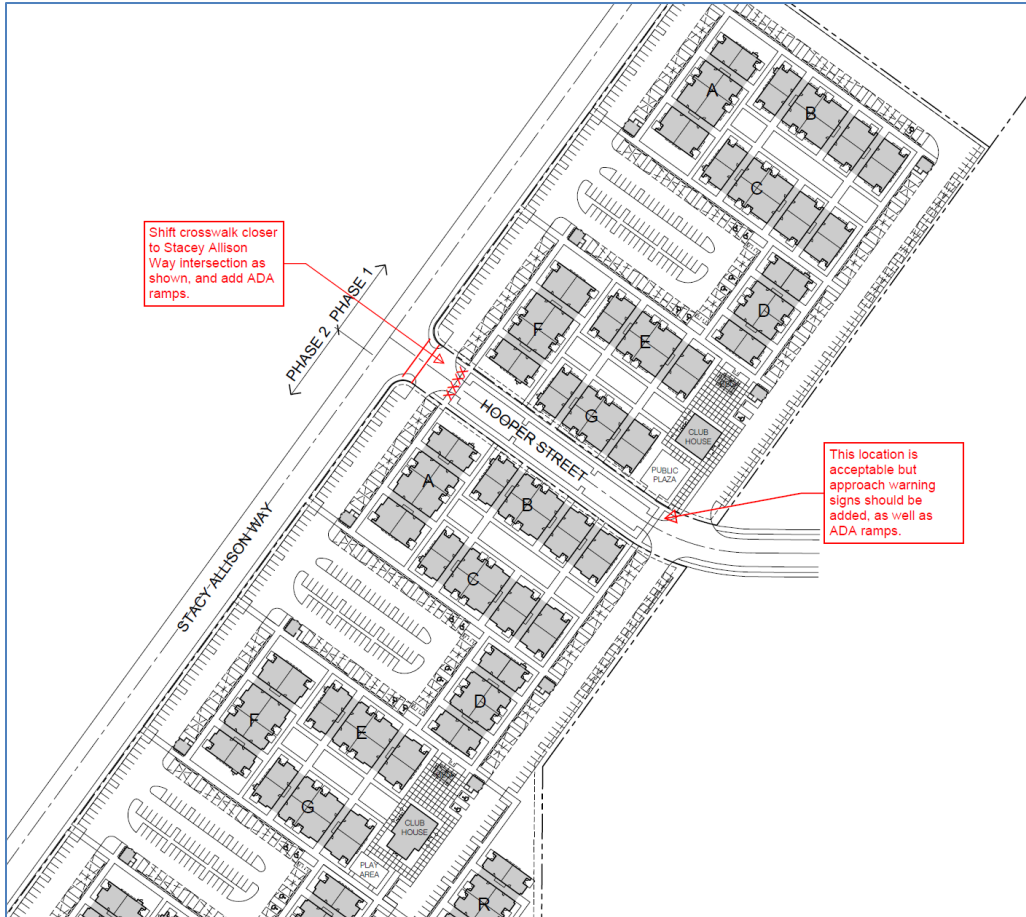
Pedestrians

The TIA's discussion on marked crosswalks was reviewed, as well as the proposed site plan. There are two proposed pedestrian crossings of Hooper Street proposed, both with marked crosswalks. The site plan dated March 25, 2020 included clubhouses in both Phase 1 and Phase 2, a public plaza in Phase 1, and a play area in Phase 2. Thus, it is likely that these will attract a measurable number of pedestrians crossing Hooper Street.

The TIA concurred that it anticipates that a high volume of pedestrians will cross Hooper Street in order to patronize the provided apartment amenities. It indicated that the proposed crossings provide routes that allow for pedestrian circulation throughout the site.

Reviewing the site plan, the midblock crossing of Hooper Street between Phases 1 and 2 appears acceptable, but due to the proximity to the curve on Hooper Street, should be enhanced with advance warning signs.

The crosswalk nearer Stacey Allison Way should be moved to the intersection instead of near it. The concern is that vehicles turning from Stacey Allison Way onto Hooper may not see pedestrians that are crossing away from the intersection, and pedestrians walking down Stacey Allison Way would need to detour over to the crosswalk to continue their trip. Moving the crosswalk closer to the intersection will be more expected by both drivers and pedestrians and should improve the visibility of pedestrians crossing the street. See figure below.



Summary of Findings and Recommendations

A review of the TIA for the Allison Way Apartments indicates there is additional information still needed to perform a final review, and with information already provided, there are three locations where potential mitigation measures will be required.

- The TIA's engineer should submit manual calculations of the OR 214 at Evergreen Road adjusted v/c ratio, using the APM method. These calculations should be sent to the City and to ODOT for review.
- The intersections of Evergreen Road at Stacey Allison Way and Evergreen Road at Hayes Street are projected to meet preliminary traffic signal warrants and fall below the City's mobility threshold with site buildout and future traffic growth. The TSP did not include improvement projects at either location. If mitigation including signalization and/or intersection improvements at either location is acceptable to the City, the development should pay for at least a proportionate share of the cost of these improvements.
- The safety analysis concluded that the OR 214 at Evergreen Road intersection has an elevated crash rate under existing conditions, and the development is expected to add a measurable number of trips to that intersection. The operational analysis should be updated with the proposed crash countermeasures in place (converting both EB and WB left turns to protected signalization), which may affect the overall level-of-service (v/c ratio). The proposed crash countermeasures should be reviewed by ODOT for acceptance and if they are acceptable to ODOT, the development should pay for at least a proportionate share of the cost of these improvements.

- The applicant did not propose trip reduction measures for any of the potential over-capacity or elevated crash rate situations. The development should be conditioned to provide a vehicle trip reduction/Transportation Demand Management plan with the goal of reducing vehicles trips to and from the site.
- Consider relocating the crosswalk nearer to the Stacey Allison Way intersection as shown in the figure above. Also, consider adding approach warning signs to the midblock crossing.

Compliance with City of Woodburn Adopted Plans

The TIA was evaluated for consistency with the adopted Comprehensive Plan, Transportation System Plan, and Transit Plan Update. The focus of this assessment is on multimodal transportation, traffic operations, and transportation demand management.

- For intersections under the City of Woodburn jurisdiction, the mobility standards referenced in the TIA state that intersections must operate at LOS E or better and a v/c ratio less than 1.0 regardless of LOS. The TIA indicated that the intersections of Evergreen Road at Stacey Allison Way and Evergreen Road at Hayes Street are projected to fall below the City's standards and will meet preliminary signal warrants coincidental with site buildout or background traffic growth before site buildout. The TSP did not include signalization or intersection improvements at either intersection.

Finding: while the TSP did not identify improvement projects at either intersection, it is noted that the focus of a TSP is at a system level and not necessarily at an intersection level. The City should determine if signalizing and/or intersection improvements at either location are acceptable from both a locational and system level, keeping in mind the two intersections are in relatively close proximity. If the City finds mitigation projects consisting of signalization and/or intersection improvements, the development should pay for at least the proportionate cost of these improvements (based on trip contributions from this and succeeding developments).

- The City's Comprehensive Plan Goal H-3, Transportation Safety, includes Policy H-3.1: "Continue coordination with ODOT to improve safety on state facilities within the City and citywide access management strategies."

Finding: the TIA identified an elevated crash rate (crashes per million entering vehicles) at the intersection of OR-214 and Evergreen Road. The proposed development would add trips to that intersection. The applicant has proposed changing the eastbound and westbound left-turn signal to protected operations as recommended crash modification measures which need ODOT approval to implement. While the TSP identified signal timing and coordination improvements along OR 214, it did not identify a specific crash countermeasure for this intersection. It is possible that a signal timing and coordination project could include changes to left turn signalization. While this is not specifically identified as a safety project in the City's TSP, the applicant's engineer did respond to the safety policy with a proposed solution, which appears satisfactory but needs ODOT's approval. If ODOT accepts this as mitigation, the development should pay for at least the proportionate share of the cost of these improvements.

- H-5, Land Use and Transportation Integration, includes Policy H-5.1: "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 and reducing automobile reliance at times of peak traffic volumes."

Finding: the TIA does not include any discussion of site TDM measures or any measures to reduce vehicular trips to and from the site.

- Bicycle parking was not mentioned in the TIA as to number of spaces provided or as an incentive to vehicle trip reduction. A check of the March 25, 2020 site plan indicates that there will be covered and uncovered spaces provided, and appears to assume that each of the apartment units has a provision for bicycle parking/storage as well.

Finding: the applicant should prepare a vehicle trip reduction plan which in part includes a narrative on how on-site bicycle parking supply can incentivize vehicular trip reductions to and from the site.

Summary and Recommendations

The following are recommended conditions for the proposed development based on a review of the TIA:

1. Provide for City and ODOT review manual v/c adjustment calculations using ODOT's Analysis Procedures Manual for Year 2034 with site buildout operations for the OR 214 at Evergreen Road intersection.
2. Submit for review a proposed alternative mode/TDM/vehicle trip reduction plan to alleviate the projected at- or over-capacity conditions at the Evergreen Road intersections with OR 214, Stacey Allison Way and Hayes Street.
3. Subject to ODOT approval on the crash countermeasure, contribute a proportionate share of the cost to convert the traffic signal at the OR-214/Evergreen Road intersection to have eastbound and westbound protected left turns.
4. Subject to City decision and direction on the intersections of Evergreen Road at Stacey Allison Way and Evergreen Road at Hayes Street, contribute a proportionate share of the cost for signalization and/or intersection improvements at either or both intersections. The trip basis for the proportionality should be based on the contribution of this site and succeeding developments to the number of vehicles at either intersection.
5. (Suggestion for the City as part of site plan review): Modify the Hooper Street crosswalk design as shown in the earlier figure.



Oregon

Kate Brown, Governor

Department of Transportation Region 2 Tech Center

455 Airport Road SE, Building A
Salem, Oregon 97301-5397
Telephone (503) 986-2990
Fax (503) 986-2839

DATE: May 4, 2020

TO: Casey Knecht, PE
Access Management Engineer

FROM: *Keith P. Blair*
Keith P. Blair, PE
Interim Traffic Analysis Engineer

SUBJECT: Allison Way Apartments (Woodburn) – Outright Use
TIA Review Comments

ODOT Region 2 Traffic has completed our review of the submitted revised traffic impact analysis (dated May 1, 2020) to address traffic impacts due to development of a 530-unit apartment complex to be constructed over three phases east of I-5 and south of OR-214 in the city of Woodburn, with respect to consistency and compliance with ODOT's Analysis Procedures Manual, Version 2 (APM). The APM was most recently updated in April 2020. The current version is published online at: <http://www.oregon.gov/ODOT/TD/TP/Pages/APM.aspx>. As a result, we submit the following comments for the City's consideration:

Analysis items to note:

- This study does not contain a simulation-based queuing analysis. Such analysis would have been scoped if this study had been required under ODOT's authority.

Recommended analysis items to be addressed:

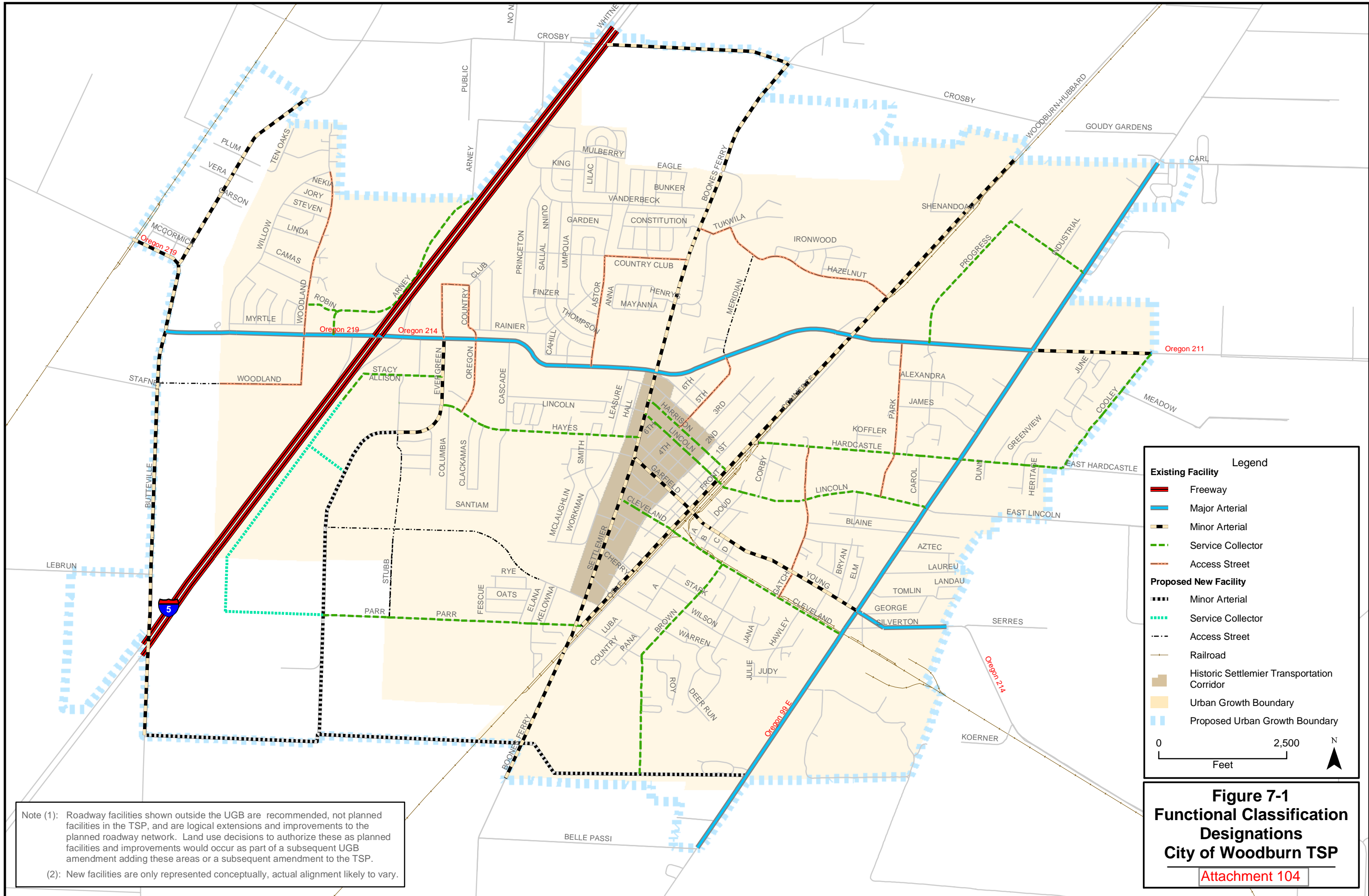
1. While this study has been revised to utilize the current Highway Capacity Manual (HCM) 6th Edition methodology, it has not provided the hand-calculations of the overall intersection volume/capacity ratio (v/c) which is required when utilizing Synchro software for the HCM 6th methodology. This may have an effect on the operational analysis results which could be significant enough to also have an effect on the conclusions of the study, as the intersection of OR-214 at Evergreen Road is currently reported just below the mobility target in 2034.

Attachment 103

Proposed mitigation comments:

2. ODOT maintains jurisdiction of the Hillsboro-Silverton Highway No. 140 (OR-214) and ODOT approval shall be required for all proposed mitigation measures to this facility. No mitigation measures have been currently proposed. This conclusion may need to be revised once the above comment has been addressed.

Thank you for the opportunity to review this traffic impact analysis. As the analysis software files were not provided, Region 2 Traffic has only reviewed the submitted report. It is possible comment #1 will have an effect on the operational analysis results which may be significant enough to have an effect on the conclusions of the study. If the City determines the above comment will merit the need for reanalysis, we are willing and able to provide an additional round of review. If there are any questions regarding these comments, please contact me at (503) 986-2857 or Keith.P.Blair@odot.state.or.us.



Note (1): Roadway facilities shown outside the UGB are recommended, not planned facilities in the TSP, and are logical extensions and improvements to the planned roadway network. Land use decisions to authorize these as planned facilities and improvements would occur as part of a subsequent UGB amendment adding these areas or a subsequent amendment to the TSP.

(2): New facilities are only represented conceptually, actual alignment likely to vary.

Legend

	Existing Facility	Freeway
	Major Arterial	
	Minor Arterial	
	Service Collector	
	Access Street	
Proposed New Facility		
	Minor Arterial	
	Service Collector	
	Access Street	
	Railroad	
	Historic Settler Transportation Corridor	
	Urban Growth Boundary	
	Proposed Urban Growth Boundary	

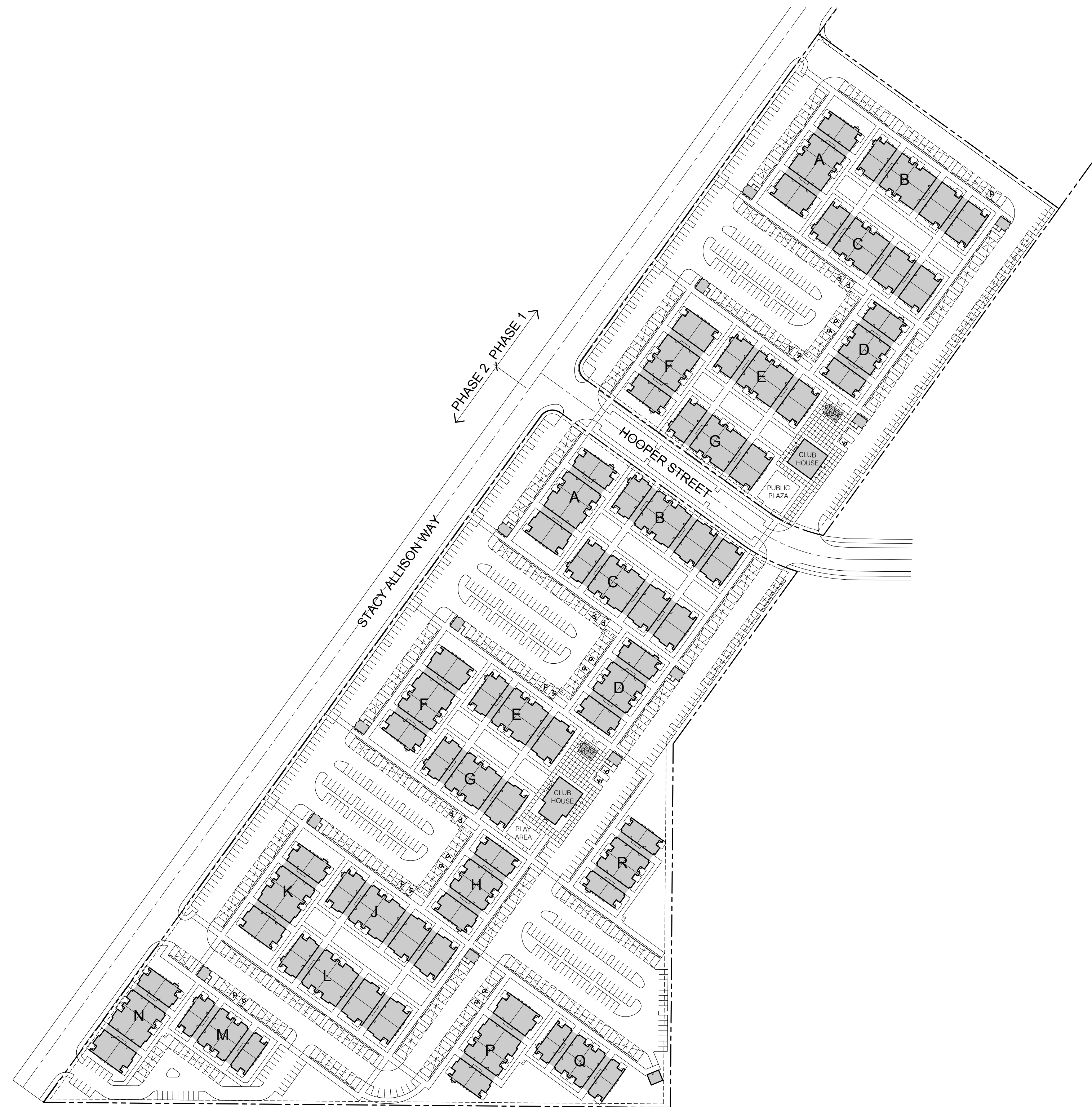
0 2,500 Feet

N

Figure 7-1
Functional Classification
Designations
City of Woodburn TSP
 Attachment 104







UNIT SUMMARY

1-BEDROOM:	148 (25%)
2-BEDROOM:	390 (67%)
3-BEDROOM:	48 (8%)
TOTAL:	586 (31 UNITS/ ACRE)

VEHICLE PARKING - ON SITE

STANDARD:	484 (46.5%)
COMPACT:	555 (53.5%)
TOTAL:	1,039 (1.77 SPACES/ UNIT)

COVERED: 526 (50.5%)
UNCOVERED: 513 (49.5%)
TOTAL: 1,039

ACCESSIBLE: 24 (2%)

VEHICLE PARKING - OFF SITE

STREET:	26
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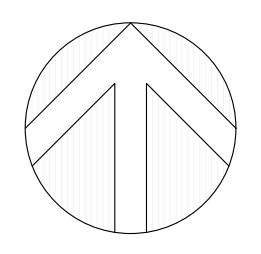
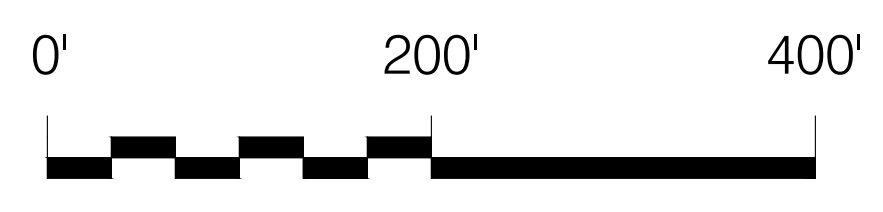
VEHICLE PARKING - TOTAL

STANDARD:	484 (45.5%)
COMPACT:	555 (52%)
STREET:	26 (2.5%)
TOTAL:	1,065 (1.82 SPACES/ UNIT)

BICYCLE PARKING

UNITS:	586
COVERED:	152
UNCOVERED:	20
TOTAL:	758

NOTE:
 5% OF PARKING SPACES TO BE PROVIDED WITH A CONDUIT SYSTEM FOR THE FUTURE INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS PER OAR 918-020-0380. PROVIDE 26 TOTAL SPACES WITH LEVEL 2 CHARGING STATIONS, STRIPING & SIGNAGE.



I SITE PLAN (PHASE I & 2)



UNIT SUMMARY

1-BEDROOM:	30 (17%)
2-BEDROOM:	132 (74%)
3-BEDROOM:	17 (9%)
TOTAL:	179 (30 UNITS/ ACRE)

VEHICLE PARKING - ON SITE

STANDARD:	142 (44.5%)
COMPACT:	177 (55.5%)
TOTAL:	319 (1.78 SPACES/ UNIT)

COVERED:

COVERED:	163 (51%)
UNCOVERED:	156 (49%)
TOTAL:	319

ACCESSIBLE: 8 (2.5%)

VEHICLE PARKING - OFF SITE

STREET:	13
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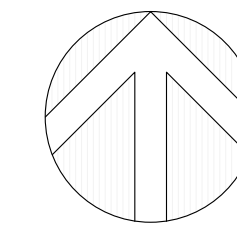
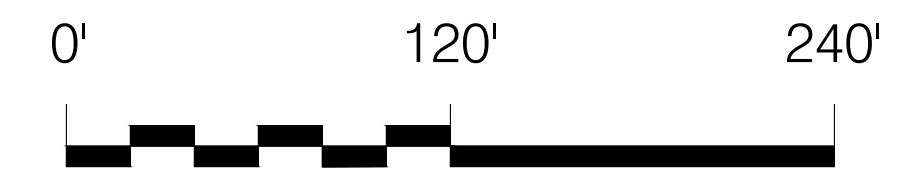
VEHICLE PARKING - TOTAL

STANDARD:	142 (43%)
COMPACT:	177 (53%)
STREET:	13 (4%)
TOTAL:	332 (1.85 SPACES/ UNIT)

BICYCLE PARKING

UNITS:	179
COVERED:	48
UNCOVERED:	4
TOTAL:	231

NOTE:
5% OF PARKING SPACES TO BE PROVIDED WITH A CONDUIT SYSTEM FOR THE FUTURE INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS PER OAR 918-020-0380. PROVIDE 8 SPACES WITH LEVEL 2 CHARGING STATIONS, STRIPING & SIGNAGE.



I SITE PLAN - PHASE I



UNIT SUMMARY

1-BEDROOM:	118 (29%)
2-BEDROOM:	258 (63%)
3-BEDROOM:	31 (8%)
TOTAL:	407 (31 UNITS/ ACRE)

VEHICLE PARKING - ON SITE

STANDARD:	342 (47.5%)
COMPACT:	378 (52.5%)
TOTAL:	720 (1.77 SPACES/ UNIT)

COVERED:

COVERED:	363 (50.5%)
UNCOVERED:	357 (49.5%)
TOTAL:	720

ACCESSIBLE: 16 (2%)

VEHICLE PARKING - OFF SITE

STREET:	13
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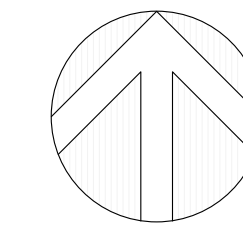
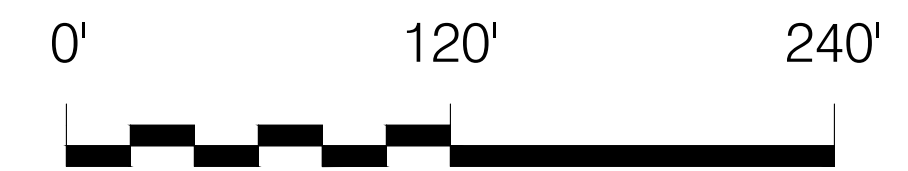
VEHICLE PARKING - TOTAL

STANDARD:	342 (46.5%)
COMPACT:	378 (51.5%)
STREET:	13 (2%)
TOTAL:	733 (1.80 SPACES/ UNIT)

BICYCLE PARKING

UNITS:	407
COVERED:	104
UNCOVERED:	16
STREET:	527

NOTE:
 5% OF PARKING SPACES TO BE PROVIDED WITH A CONDUIT SYSTEM FOR THE FUTURE INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS PER OAR 918-020-0380. PROVIDE 18 SPACES WITH LEVEL 2 CHARGING STATIONS, STRIPING & SIGNAGE

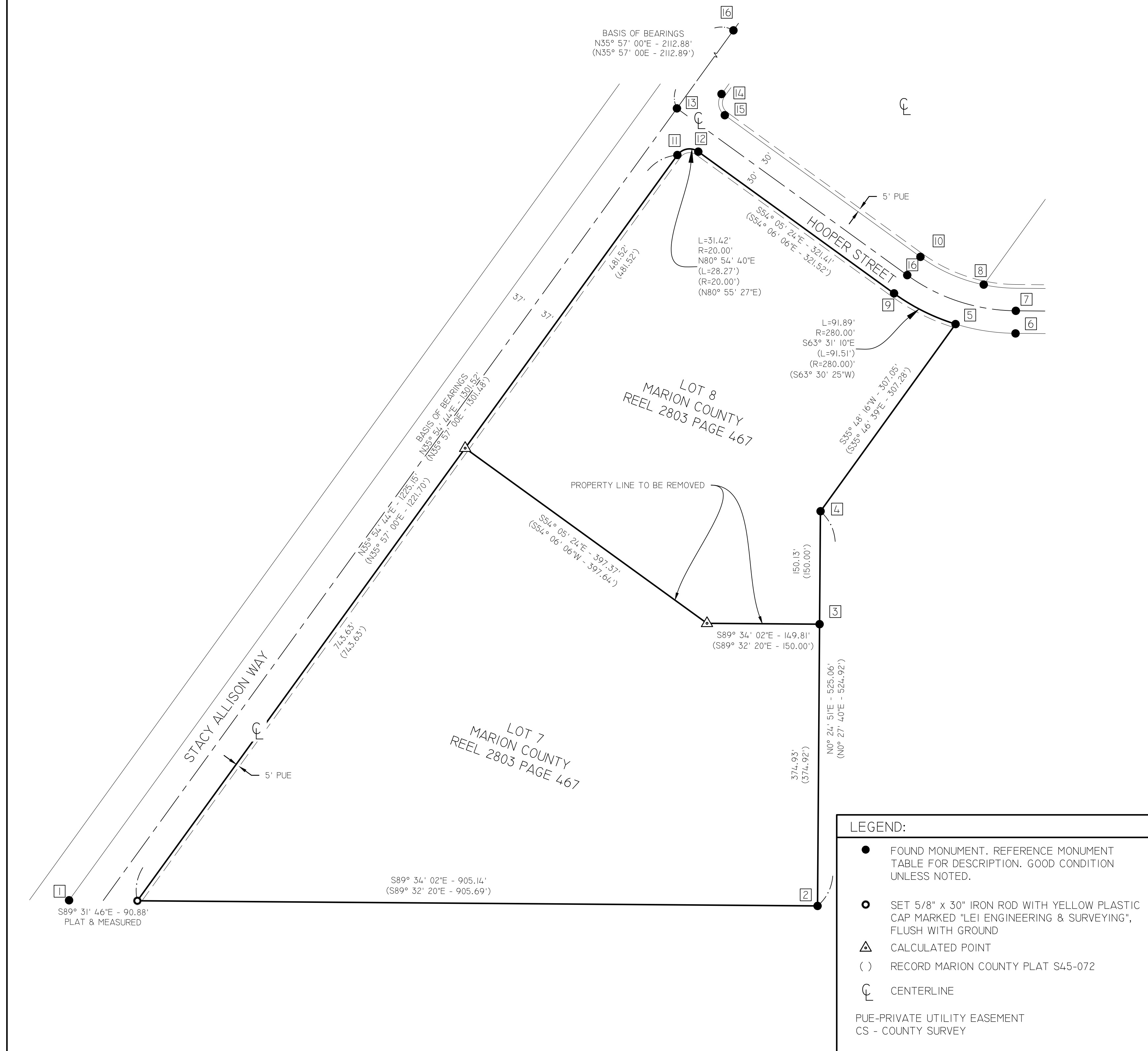
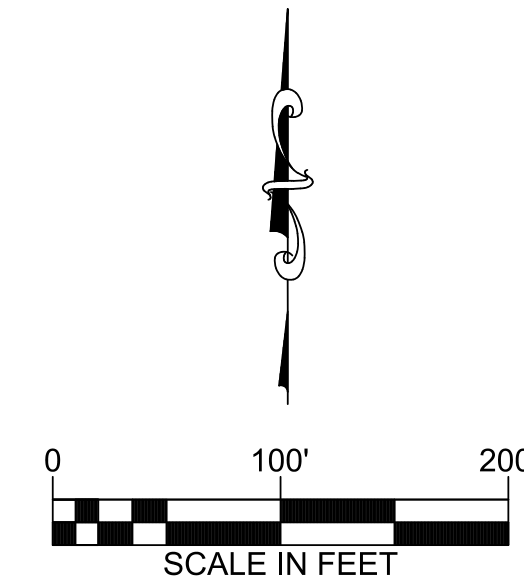


I SITE PLAN - PHASE 2

A REPLAT OF LOT 7 AND LOT 8 OF TOWN CENTER AT WOODBURN SUBDIVISION PLAT S45-072

LOCATED IN THE S.W. 1/4 OF SECTION 12,
TOWNSHIP 5 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN,
CITY OF WOODBURN, MARION COUNTY, OREGON
MAY 30, 2019

SURVEYED FOR: WEST COAST REAL ESTATE HOLDINGS, LLC



NARRATIVE:

THE PURPOSE OF THIS PLAT IS TO SHOW THE RESULTS OF A SURVEY TO CONSOLIDATE "LOT 7" AND "LOT 8" OF "TOWN CENTER AT WOODBURN" A LEGAL SUBDIVISION IN MARION COUNTY, OREGON RECORDED IN BOOK 45 AT PAGE BOOK OF TOWN PLATS. ALL FOUND MONUMENTS WERE ACCEPTED AS MARKING THE TRUE LOT BOUNDARY WITHIN REASONABLE SURVEY MEASUREMENT EXPECTATIONS AS SHOWN HEREON. THE EASTERLY SEGMENT OF THE COMMON BOUNDARY TO BE REMOVED WAS CALCULATED AS PARALLEL WITH THE ACCEPTED SOUTH BOUNDARY OF "LOT 7". THE WESTERLY SEGMENT OF THE TO BE REMOVED COMMON BOUNDARY WAS CALCULATED PARALLEL WITH THE ACCEPTED NORTH BOUNDARY OF "LOT 8" AT RECORD DISTANCE SOUTHERLY THEREOF.

BASIS OF BEARINGS:

THE DIRECTION OF N 35°57' 00" E WAS ADOPTED FOR THE CENTERLINE OF STACY ALLISON WAY SOUTH OF HOOPER STREET THEREBY CONFORMING TO THE RECORDED "TOWN CENTER AT WOODBURN" SUBDIVISION.

MON #	DESCRIPTION
1	FOUND 5/8" IRON ROD WITH NO CAP, DOWN 0.1'
2	FOUND 5/8" IRON ROD WITH YPC, MARKED "WILHELM OR LS 2413", DOWN 0.3'
3	FOUND 5/8" IRON ROD, BENT, SHOT ON POE, DOWN 0.8'
4	FOUND 5/8" IRON ROD, BENT, SHOT ON POE, DOWN 1.2'
5	FOUND 5/8" IRON ROD WITH SMASHED YPC, DOWN 0.2'
6	FOUND 5/8" IRON ROD WITH YPC, MARKED "WILHELM OR LS 2413", DOWN 0.2'
7	FOUND 5/8" IRON ROD WITH ALUMINUM CAP IN MONUMENT BOX, MARKED "WILHELM ENG OR LS 2413"
8	FOUND 5/8" IRON ROD WITH YPC, MARKED "WILHELM OR LS 2413", DOWN 0.2'
9	FOUND 5/8" IRON ROD WITH YPC, MARKED "WILHELM OR LS 2413", FLUSH
10	FOUND 5/8" IRON ROD WITH YPC, MARKED "WILHELM OR LS 2413", DOWN 0.5'
11	FOUND 5/8" IRON ROD WITH YPC, MARKED "WILHELM OR LS 2413", FLUSH
12	FOUND 5/8" IRON ROD WITH YPC, MARKED "WILHELM OR LS 2413", DOWN 0.2'
13	FOUND 5/8" IRON ROD WITH ALUMINUM CAP IN MONUMENT BOX, MARKED "WILHELM ENG OR LS 2413"
14	FOUND 5/8" IRON ROD WITH YPC, MARKED "WILHELM OR LS 2413", DOWN 0.3'
15	FOUND 5/8" IRON ROD WITH YPC, MARKED "WILHELM OR LS 2413", DOWN 0.3'
16	FOUND 5/8" IRON ROD WITH ALUMINUM CAP IN MONUMENT BOX, MARKED "WILHELM ENG OR LS 2413"

LEGEND:

- FOUND MONUMENT. REFERENCE MONUMENT TABLE FOR DESCRIPTION. GOOD CONDITION UNLESS NOTED.
- SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "LEI ENGINEERING & SURVEYING", FLUSH WITH GROUND
- △ CALCULATED POINT
- () RECORD MARION COUNTY PLAT S45-072
- ⊕ CENTERLINE

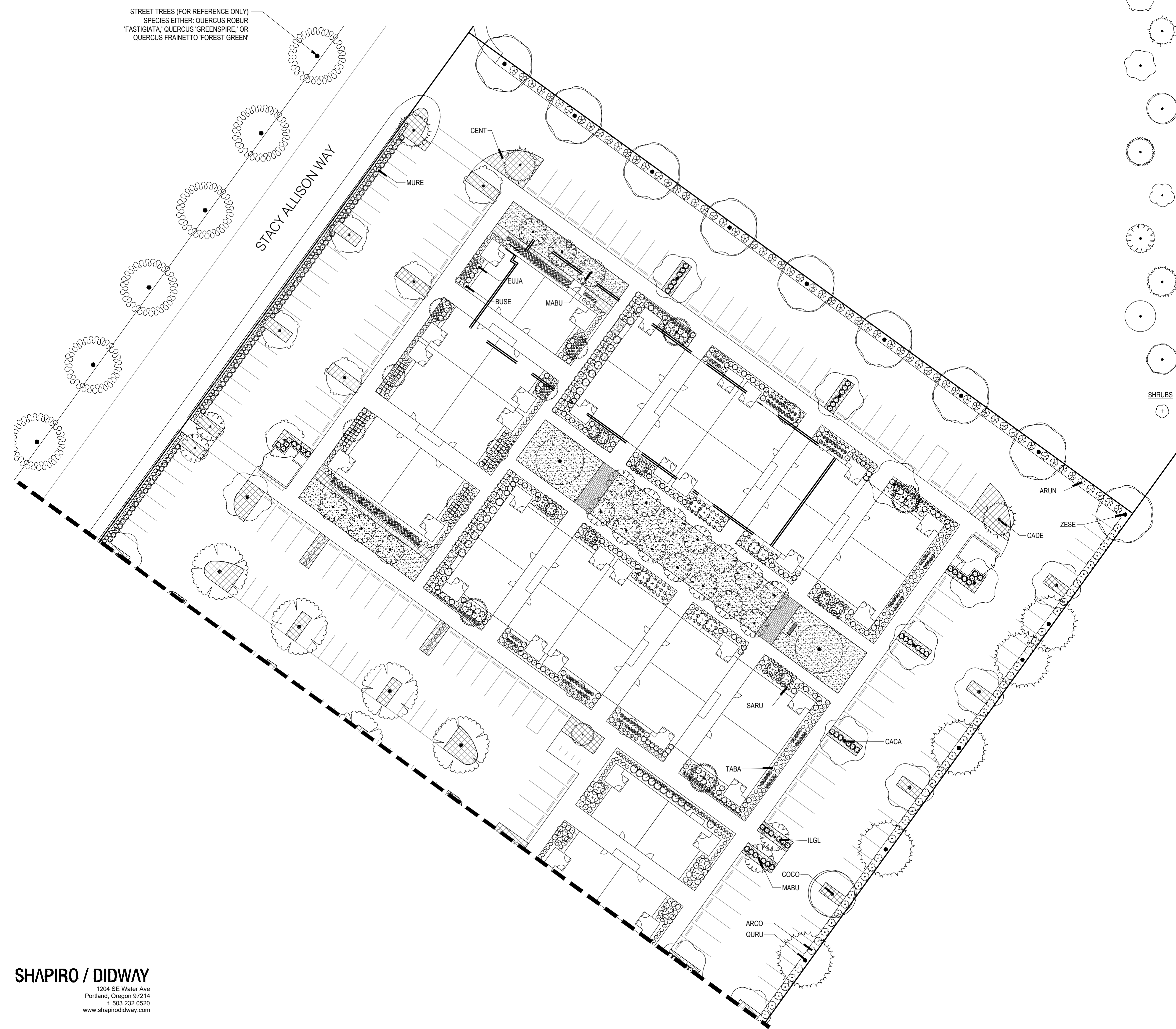
PUE-PRIVATE UTILITY EASEMENT
CS - COUNTY SURVEY

REGISTERED PROFESSIONAL LAND SURVEYOR DRAFT JANUARY 17, 1995 L. M. ALLEN EXPIRES: 12/31/2019	LEI ENGINEERING & SURVEYING 2564 19TH ST. SE SALEM, OR. 97302 TEL 503-399-3828 FAX 503-365-1852	PROJECT: 60-10
		DRAWING No.: 60-10.DWG
CLIENT: WEST COAST HOME SOLUTIONS, LLC 25030 SW PARKWAY AVE. SUITE 110 WILSONVILLE, OR 97070	DRAWN: R. MURRAY CALC'D: L.M. ALLEN	FIELD DATE: 5/20/2019
		SCALE: 1"=100'
FIELD: C. HUGGETT CHECKED: J. VAN AGTMAEL		PAGE: 1 OF 1

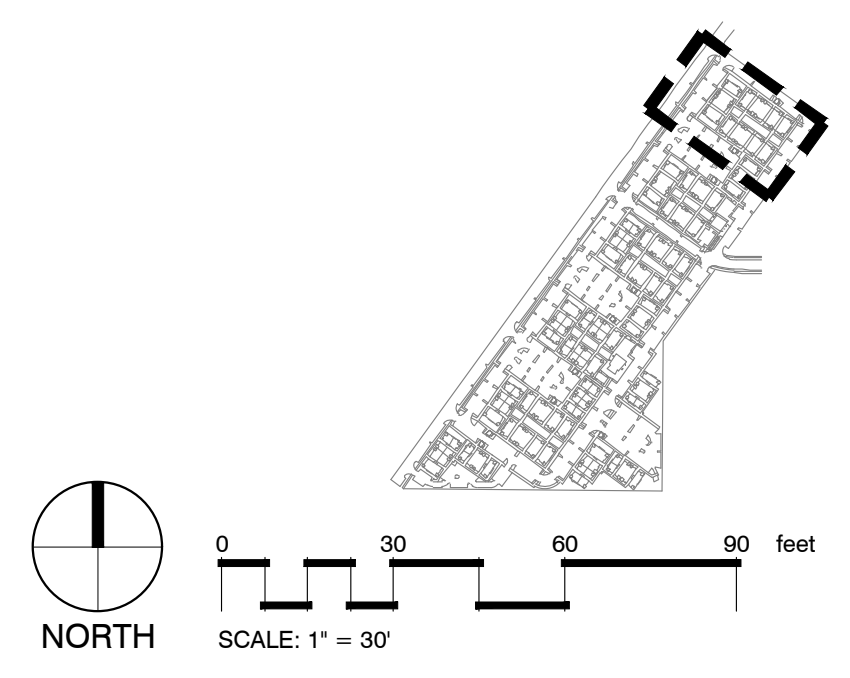
PLANT SCHEDULE L1

TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
●	ACPA	ACER PALMATUM 'SANGO KAKU' CORAL BARK MAPLE SMALL TREE 25' H X 20' W	B & B	2" CAL	10'-12' H
●	ARME	ARBUTUS MENZIESII PACIFIC MADRONE	B & B	2" CAL	
●	CADE	CALOCEDRUS DECURRENS INCENSE CEDAR	B & B	2" CAL	
●	CACA	CARPINUS CAROLINIANA AMERICAN HORNBEAM MEDIUM TREE 40' H X 30' W	B & B	2" CAL	12-15' H
●	COCO	CORNUS CONTROVERSA 'JUNE SNOW' GIANT DOGWOOD MEDIUM TREE 40' H X 30' W	B & B	2" CAL	14-16' H
●	LANA	LAGERSTROEMIA X 'NATCHEZ' WHITE CRAPE MYRTLE MULTI-TRUNK SMALL TREE 20' H X 20' W	24 INCH BOX		10'
●	MAST	MAGNOLIA STELLATA STAR MAGNOLIA MULTI-TRUNK SMALL TREE 15' H X 12' W	15 GAL		10'
●	MABU	MAGNOLIA X 'BUTTERFLIES' MAGNOLIA SMALL TREE 20' H X 15' W	B & B	2" CAL	8-10' H
●	QURU	QUERCUS RUBRA RED OAK	B & B	2" CAL	14-16' H
●	STOB	STYRAX OBASSIA FRAGRANT SNOWBELL MEDIUM TREE 35' H X 25' W	B & B	2" CAL	14-16' H
●	ZESE	ZELKOVA SERRATA 'GREEN VASE' SAWLEAF ZELKOVA	B & B	2" CAL	14-16' H
SHRUBS	CODE	BOTANICAL / COMMON NAME	SIZE	HT.	
●	ACCI	ACER CIRCINATUM 'PACIFIC FIRE' VINE MAPLE	15 GAL		

ORNAMENTAL GRASSES	CODE	BOTANICAL / COMMON NAME	SIZE	HT.
⊕	CAAC	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' FEATHER REED GRASS	1 GAL	
⊕	LIMU	LIRIOPE MUSCARI 'BIG BLUE' BIG BLUE LILYTURF	1 GAL	
⊕	MURE	MUHLENBERGIA CAPILLARIS 'REGAL MIST' TM PINK MUHLY GRASS	1 GAL	
GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT	
▨	CENT	CEANOETHUS X 'CENTENNIAL' CENTENNIAL CEANOETHUS	1 GAL	
▨	COTT	COTONEASTER DAMMERI 'CORAL BEAUTY' BEARBERRY COTONEASTER	1 GAL	
▨	SOD	SOD	NONE	



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ALLISON WAY APARTMENTS
WOODBURN, OREGON

WEST COAST HOME SOLUTIONS
LAND USE REVIEW
25 MARCH 2020

Landscape Plan - Sector I

PLANT SCHEDULE L2

TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	ACPA	ACER PALMATUM 'SANGO KAKU' CORAL BARK MAPLE SMALL TREE 25' H X 20' W	B & B	2" CAL	10'-12' H
	ARME	ARBUTUS MENZIESII PACIFIC MADRONE	B & B	2" CAL	
	CADE	CALOCEDRUS DECURRENS INCENSE CEDAR	B & B	2" CAL	
	CACA	CARPINUS CAROLINIANA AMERICAN HORNBEAM MEDIUM TREE 40' H X 30' W	B & B	2" CAL	12-15' H
	COCO	CORNUS CONTROVERSA 'JUNE SNOW' GIANT DOGWOOD MEDIUM TREE 40' H X 30' W	B & B	2" CAL	14-16' H
	FROX	FRAXINUS OXYCARPA 'RAYWOOD' TM RAYWOOD ASH LARGE TREE 70' H X 40' W	B & B	2" CAL	14-16' H
	LANA	LAGERSTROEMIA X 'NATCHEZ' WHITE CRAPE MYRTLE MULTI-TRUNK SMALL TREE 20' H X 20' W	24 INCH BOX		10'
	MAST	MAGNOLIA STELLATA STAR MAGNOLIA MULTI-TRUNK SMALL TREE 15' H X 12' W	15 GAL		10'
	MABU	MAGNOLIA X 'BUTTERFLIES' MAGNOLIA SMALL TREE 20' H X 15' W	B & B	2" CAL	8-10' H
	PAPE	PARROTIA PERSICA 'VANESSA' PERSIAN PARROTIA MEDIUM TREE 40' H X 30' W	B & B	2" CAL	14-16' H
	QURU	QUERCUS RUBRA RED OAK	B & B	2" CAL	14-16' H
	STOB	STYRAX OBASSIA FRAGRANT SNOWBELL MEDIUM TREE 35' H X 25' W	B & B	2" CAL	14-16' H
	ACC I	ACER CIRCINATUM 'PACIFIC FIRE' VINE MAPLE LARGE SHRUB	15 GAL		
	SARU	SARCOCOCCA RUSCIFOLIA FRAGRANT SARCOCOCCA LARGE SHRUB	3 GAL		
	TABA	TAXUS BACCATA 'FASTIGATA' FASTIGA ENGLISH YEIW LARGE SHRUB	B & B	3'	
	THOC	THUJA OCCIDENTALIS 'GREEN GIANT' GREEN GIANT ARBORVITAE LARGE SHRUB	B & B	4'	
	LIMU	LIRIOPE MUSCARI 'BIG BLUE' BIG BLUE LILYTURF	1 GAL		
	MURE	MUHLENBERGIA CAPILLARIS 'REGAL MIST' TM PINK MUHLY GRASS	1 GAL		
	PEAL	PENNISETUM ALOPECUROIDES 'HAMELN' HAMELN DWARF FOUNTAIN GRASS SMALL GRASS	1 GAL		
	CENT	CEANOTHUS X 'CENTENNIAL' CENTENNIAL CEANOTHUS	1 GAL		24" o.c.

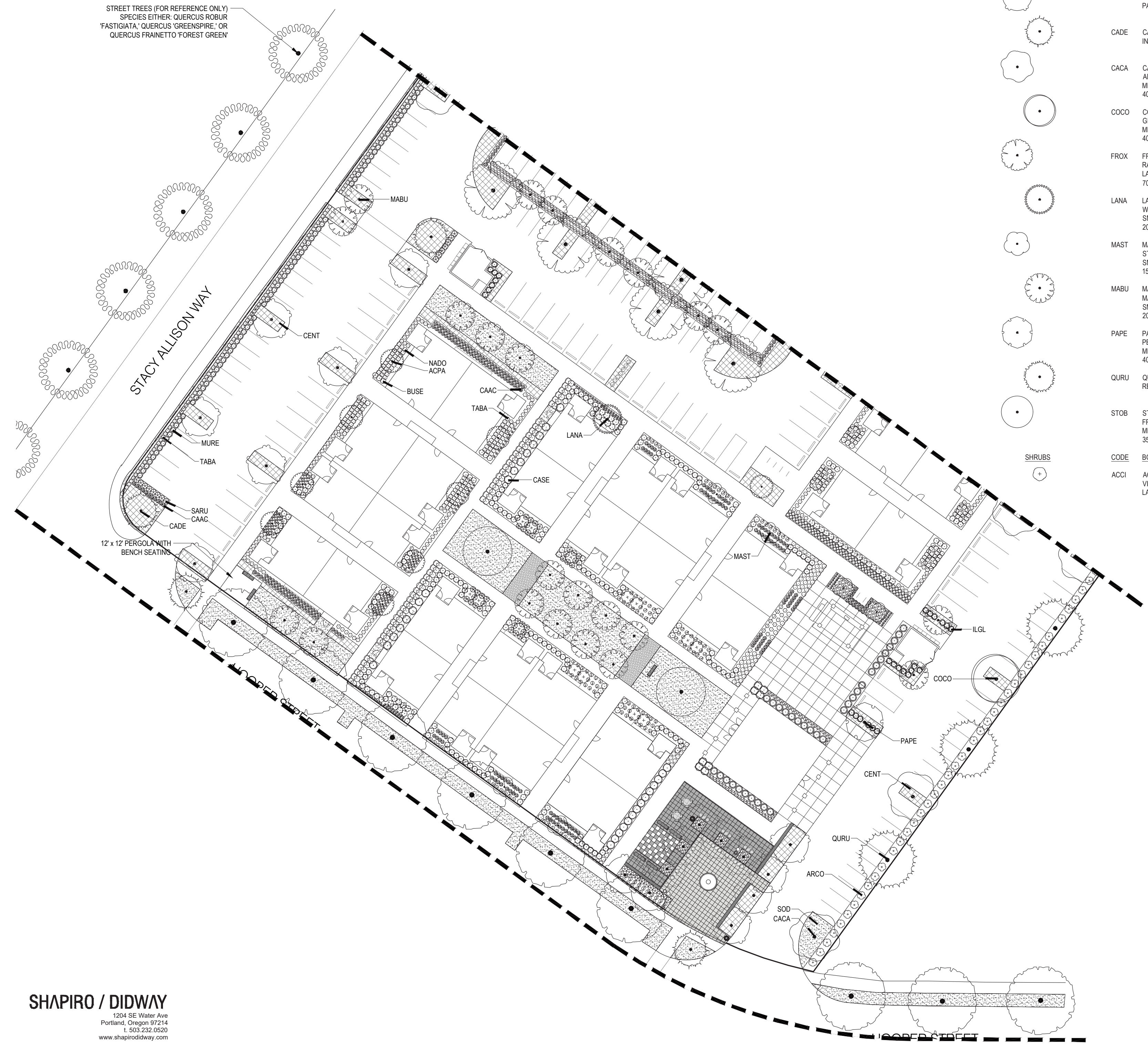
SHRUBS

ORNAMENTAL GRASSES

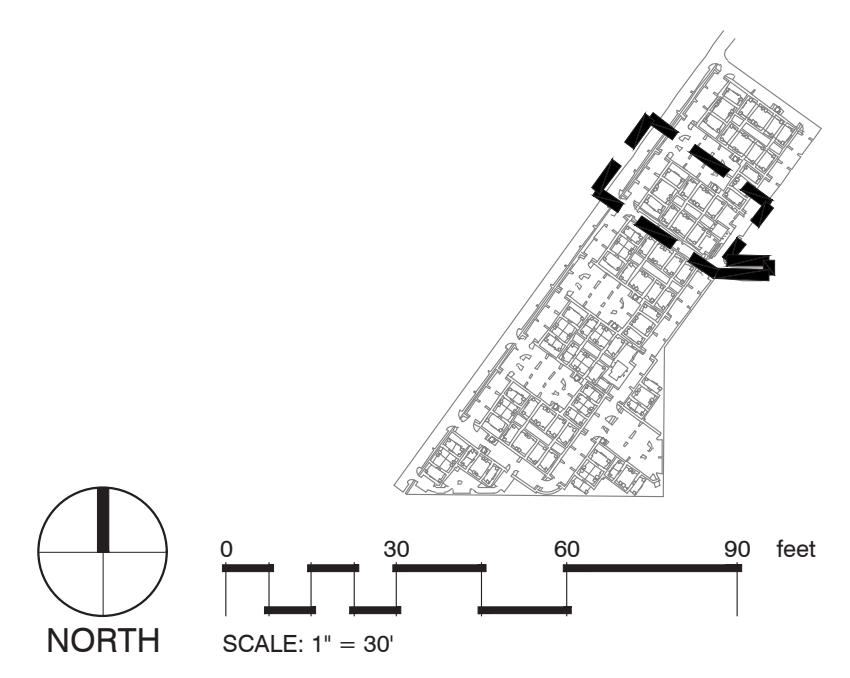
CODE	BOTANICAL / COMMON NAME	SIZE	HT.
CAAC	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' FEATHER REED GRASS	1 GAL	
LIMU	LIRIOPE MUSCARI 'BIG BLUE' BIG BLUE LILYTURF	1 GAL	
MURE	MUHLENBERGIA CAPILLARIS 'REGAL MIST' TM PINK MUHLY GRASS	1 GAL	
PEAL	PENNISETUM ALOPECUROIDES 'HAMELN' HAMELN DWARF FOUNTAIN GRASS SMALL GRASS	1 GAL	

GROUND COVERS

CODE	BOTANICAL / COMMON NAME	CONT	SPACING
CENT	CEANOTHUS X 'CENTENNIAL' CENTENNIAL CEANOTHUS	1 GAL	24" o.c.
SOD	SOD	NONE	



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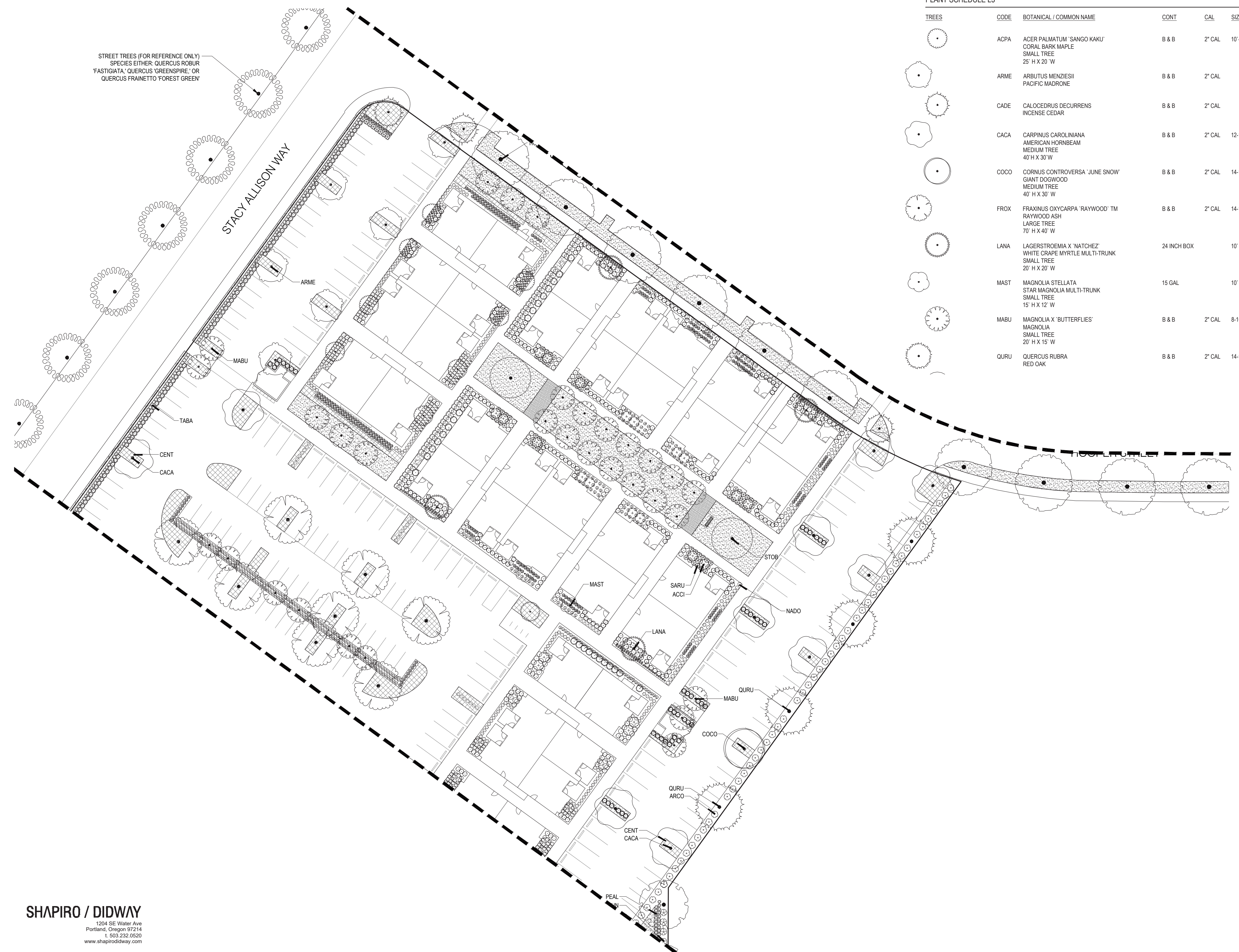


ALLISON WAY APARTMENTS
WOODBURN, OREGON

WEST COAST HOME SOLUTIONS
LAND USE REVIEW
25 MARCH 2020

Landscape Plan - Sector 2

EXHIBIT
39



STREET TREES (FOR REFERENCE ONLY)
SPECIES EITHER: QUERCUS ROBUR
FASTIGIATA, QUERCUS GREENSPIRE, OR
QUERCUS FRAMNETTO FOREST GREEN

STACY ALLISON WAY

PLANT SCHEDULE L3

TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
ACPA	B & B	ACER PALMATUM 'SANGO KAKU'	2'	CAL	10'-12' H
		CORAL BARK MAPLE			
		SMALL TREE 25' H X 20' W			
ARME	B & B	ARBUTUS MENZIESII	2'	CAL	14'-16' H
		PACIFIC MADRONE			
CADE	B & B	CALOCEDRUS DECURRENS	2'	CAL	14'-16' H
		INCENSE CEDAR			
CACA	B & B	CARPINUS CAROLINIANA	2'	CAL	12'-15' H
		AMERICAN HORNBEAM			
COCO	B & B	CORNUS CONTROVERSA 'JUNE SNOW'	2'	CAL	14'-16' H
		GIANT DOGWOOD			
FROX	B & B	FRAXINUS OXYCARPA 'RAYWOOD' TM	2'	CAL	14'-16' H
		RAYWOOD ASH			
LANA	24 INCH BOX	LAGERSTROEMIA X 'NATCHEZ'			10'
		WHITE CRAPE MYRTLE MULTI-TRUNK			
MAST	15 GAL	MAGNOLIA STELLATA			10'
		STAR MAGNOLIA MULTI-TRUNK			
MABU	B & B	MAGNOLIA X 'BUTTERFLIES'	2'	CAL	8-10' H
		MAGNOLIA			
QURU	B & B	QUERCUS RUBRA	2'	CAL	14'-16' H
		RED OAK			

SHRUBS

CODE	BOTANICAL / COMMON NAME	SIZE	HT.
STOB	STYRAX OBASSIA FRAGRANT SNOWBELL MEDIUM TREE 35' H X 25' W	B & B	2' CAL 14'-16' H
TICO	TILIA CORDATA LITTLELEAF LINDEN LARGE TREE 70' H X 30' W	B & B	2' CAL 14'-16' H
ARCO	ARCTOSTAPHYLOS COLUMBIANA HAIRY MANZANITA	5 GAL	
BUSE	BUXUS SEMPERVIRENS AMERICAN BOXWOOD LARGE SHRUB	3 GAL	
CASE	CAMELLIA SASANQUA 'APPLE BLOSSOM' APPLE BLOSSOM CAMELLIA LARGE SHRUB	3 GAL	
CHTE	CHOISYA TERNATA 'AZTEC PEARL' MEXICAN ORANGE LARGE SHRUB	3 GAL	
COSE	CORNUS SERICEA 'KELSEY' KELSEY DOGWOOD SMALL SHRUB	2 GAL	
EUJA	EUONYMUS JAPONICUS 'MICROPHYLLUS' BOXLEAF EUONYMUS SMALL SHRUB	3 GAL	
ILGL	ILEX GLABRA 'SHAMROCK' SHAMROCK HOLLIBERRY HOLLY LARGE SHRUB	3 GAL	
MARE	MAHONIA REPENS CREEPING MAHONIA SMALL SHRUB	2 GAL	
NADO	NANDINA DOMESTICA 'HARBOUR DWARF' DWARF HEAVENLY BAMBOO SMALL SHRUB	1 GAL	
SARU	SARCOCOCCA RUSCIFOLIA FRAGRANT SARCOCOCCA LARGE SHRUB	3 GAL	
TABA	TAXUS BACCATA 'FASTIGATA' FASTIGA ENGLISH YEW LARGE SHRUB	B & B	3'
THOC	THUJA OCCIDENTALIS 'GREEN GIANT' GREEN GIANT ARBORVITAE LARGE SHRUB	B & B	4'

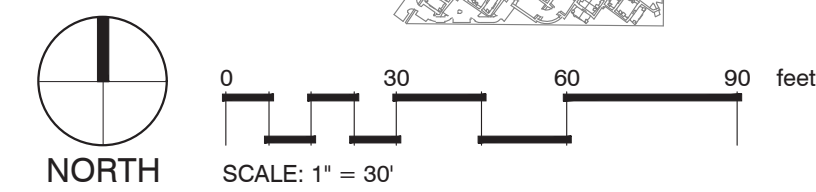
ORNAMENTAL GRASSES

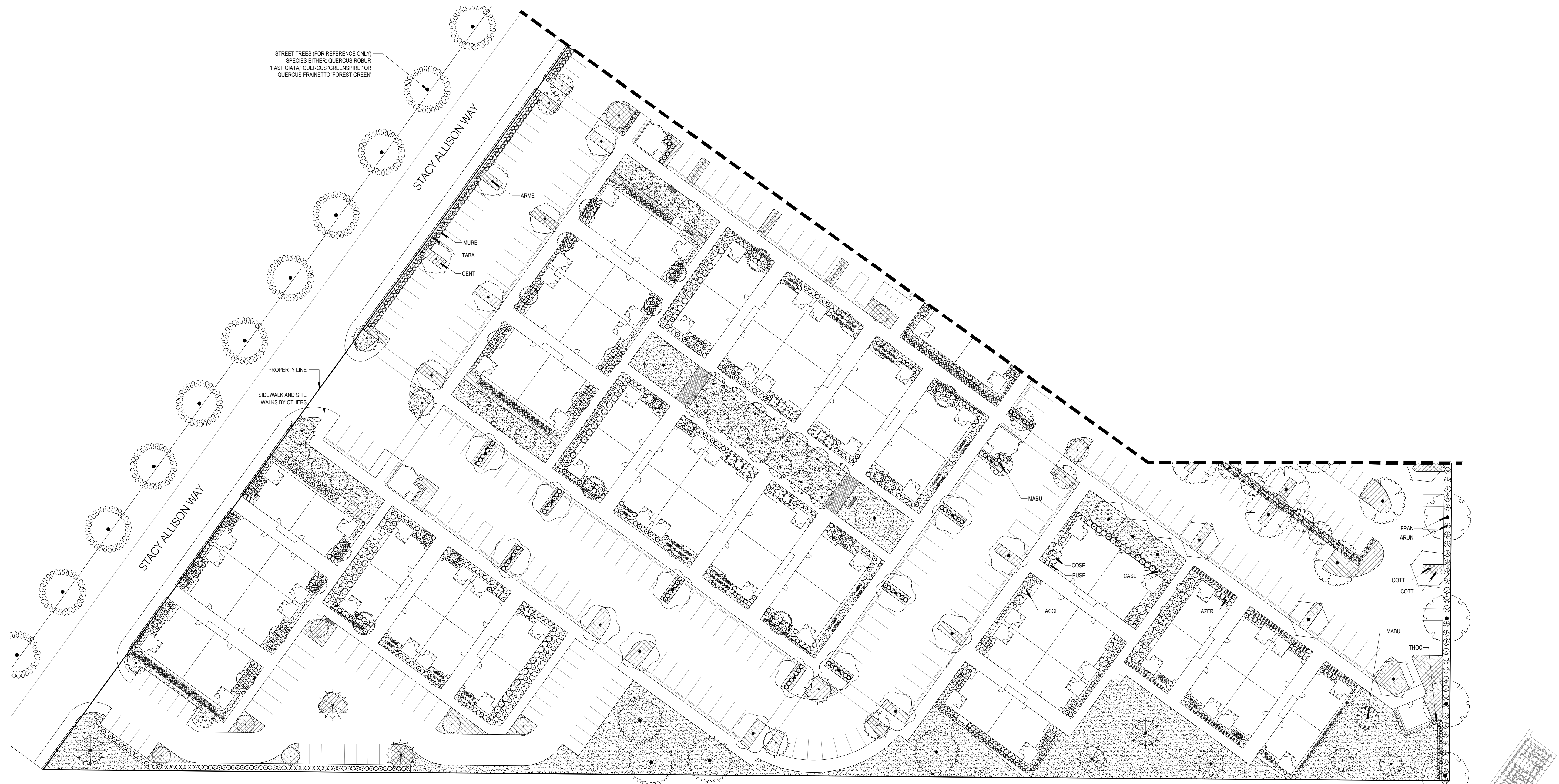
CODE	BOTANICAL / COMMON NAME	SIZE	HT.
CAAC	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' FEATHER REED GRASS	1 GAL	
LIMU	LIRIOPE MUSCARI 'BIG BLUE' BIG BLUE LILYTURF	1 GAL	
MURE	MUHLENBERGIA CAPILLARIS 'REGAL MIST' TM PINK MUHLY GRASS	1 GAL	

GROUND COVERS

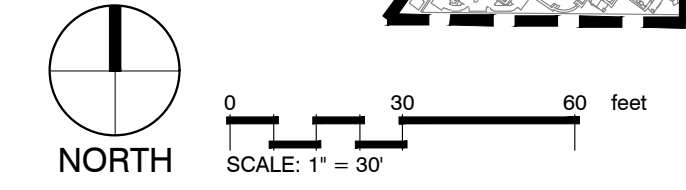
CODE	BOTANICAL / COMMON NAME	CONT
CENT	CEANOTHUS X 'CENTENNIAL' CENTENNIAL CEANOTHUS	1 GAL
COTT	COTONEASTER DAMMERI 'CORAL BEAUTY' BEARBERRY COTONEASTER	1 GAL
RJFU	RUDBECKIA FULGIDA 'GOLDSTRUM' CONEFLOWER	1 GAL
SOD	SOD	NONE

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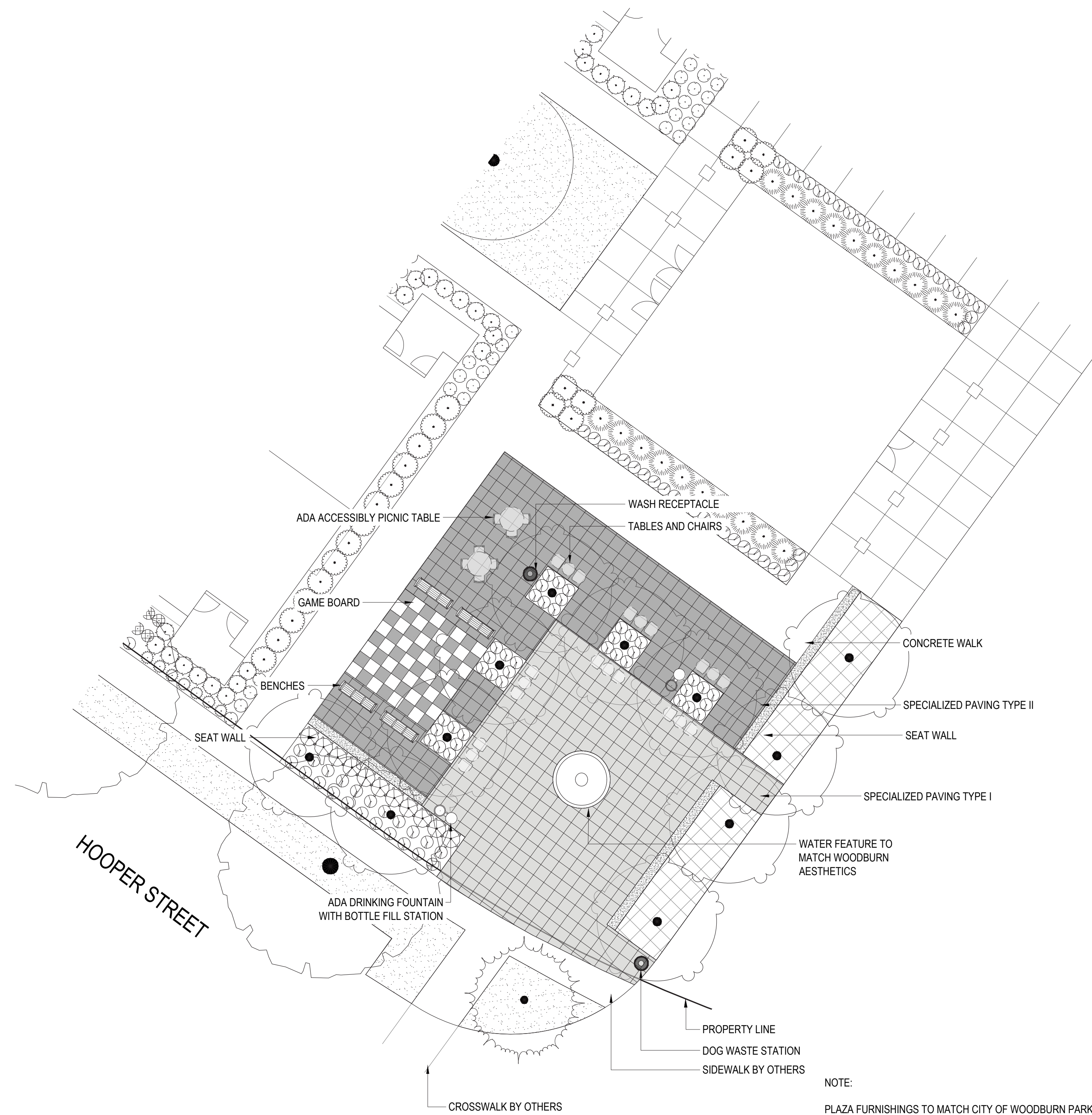
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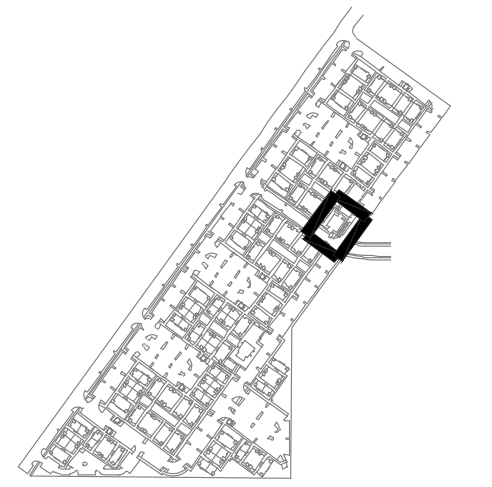
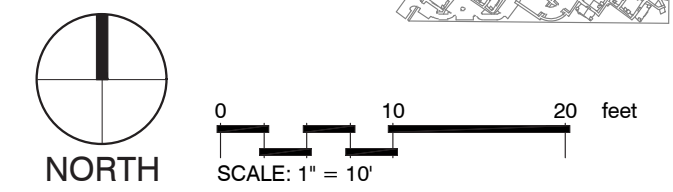
ALLISON WAY APARTMENTS
 WOODBURN, OREGON

WEST COAST HOME SOLUTIONS
 LAND USE REVIEW
 25 MARCH 2020

Landscape Plan - Sector 5



NOTE:
PLAZA FURNISHINGS TO MATCH CITY OF WOODBURN PARKS AND RECREATION REQUESTS



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1 BUILDING A, E, F, G - ELEVATION



2 TYPICAL END ELEVATION



3 BUILDING A, E, F, G - ELEVATION



4 TYPICAL END ELEVATION





ENLARGED ELEVATION - TYPICAL BUILDING

COMPOSITION ROOFING

FIBER CEMENT SHINGLE SIDING, **MATERIAL-3**

METAL GUARDRAIL

FIBER CEMENT TRIM BAND

FIBER CEMENT LAP SIDING, **MATERIAL-2**

FIBER CEMENT LAP SIDING, **MATERIAL-1**

WOOD SUPPORT BRACKETS

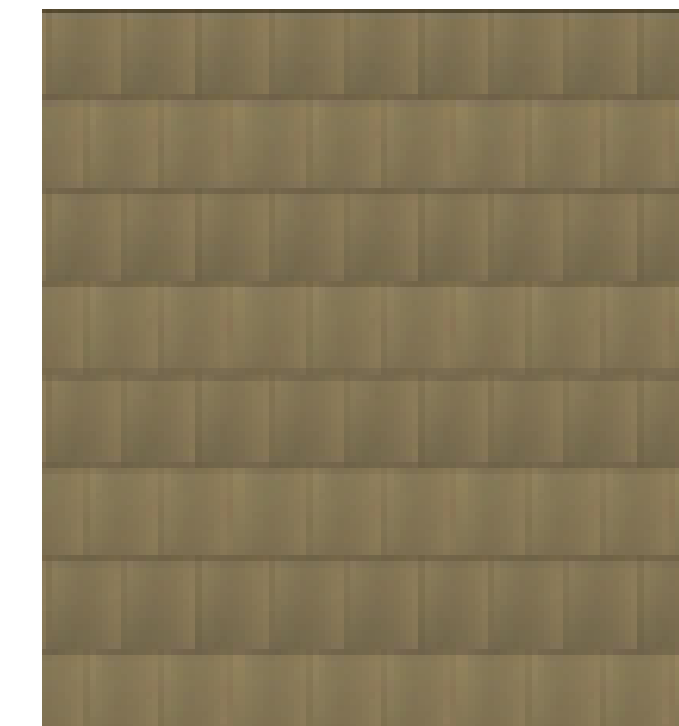
VINYL WINDOWS w/ TRIM



MATERIAL-1
FIBER CEMENT LAP SIDING
RED/ORANGE



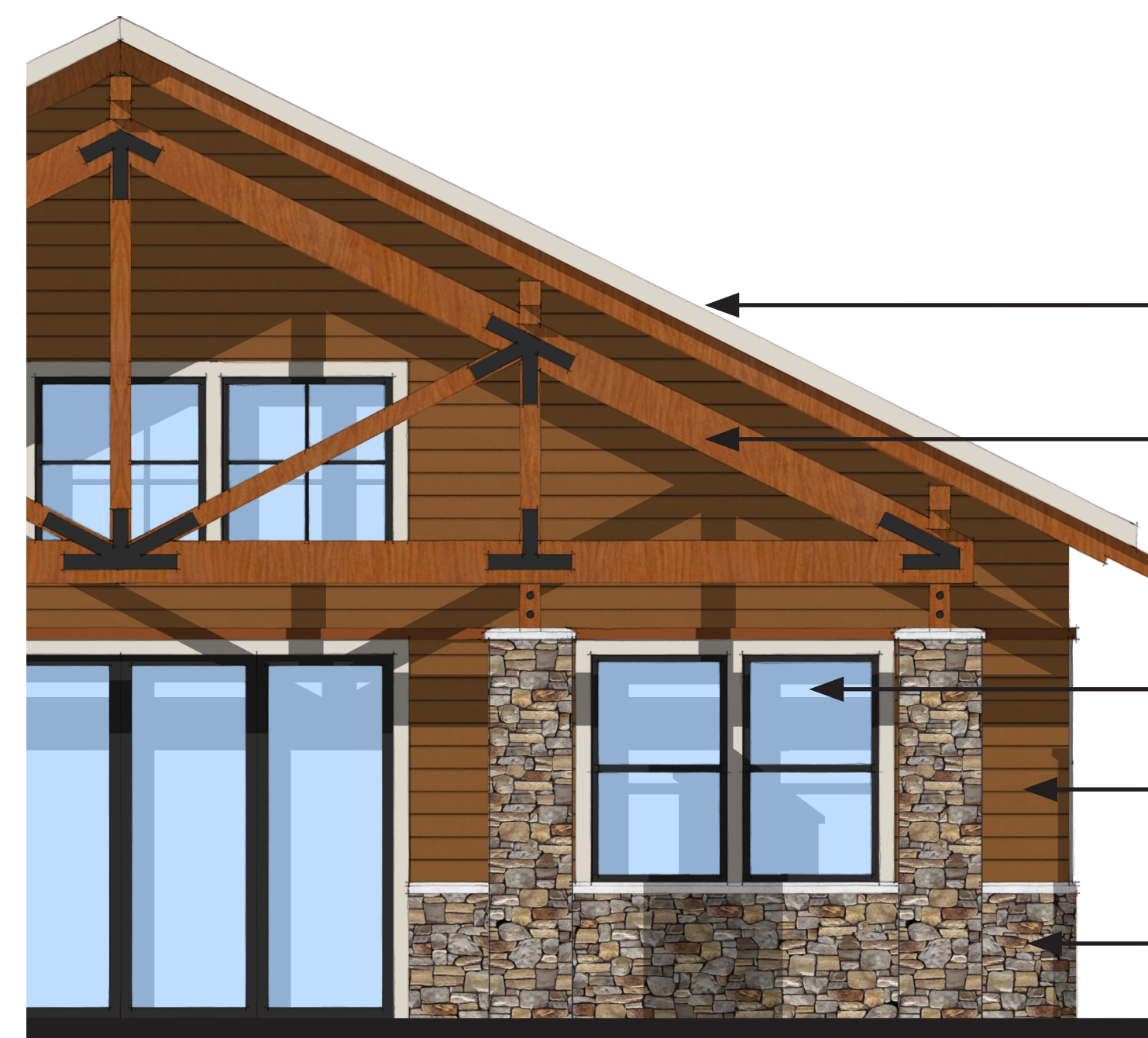
MATERIAL-2
FIBER CEMENT LAP SIDING
DARK GREEN



MATERIAL-3
FIBER CEMENT STRAIGHT-
EDGE SHINGLE SIDING
TAN



MATERIAL-4
STONEVENEER
VARIEGATED



ENLARGED ELEVATION - CLUBHOUSE

STANDING SEAM METAL ROOFING

WOOD TRUSS

VINYL WINDOWS w/TRIM

FIBER CEMENT LAP SIDING, **MATERIAL-2**

STONEVENEER, **MATERIAL-4**



1 BUILDING A, E, F, G, K, N, P - ELEVATION



2 TYPICAL END ELEVATION

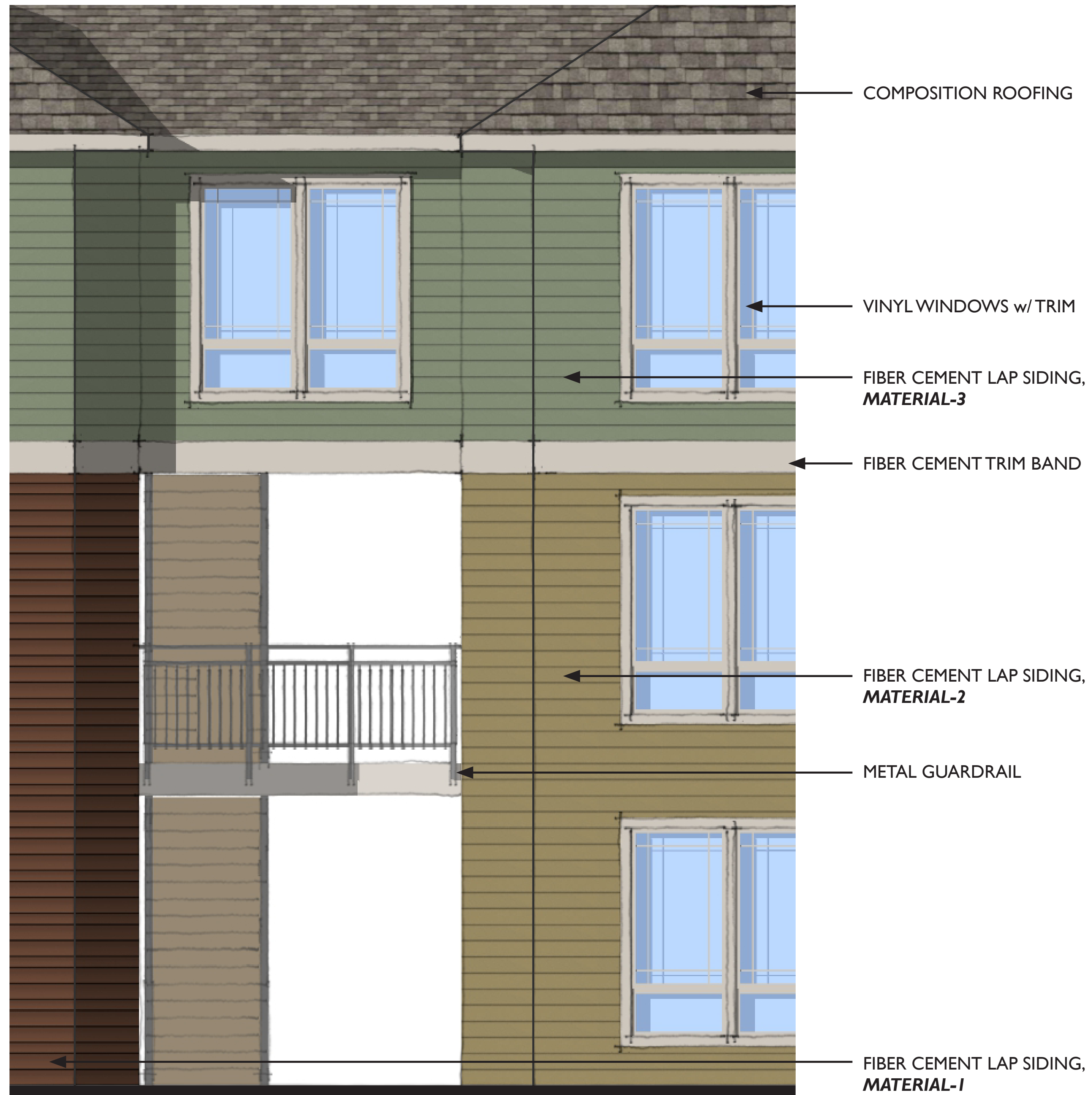


3 BUILDING A, E, F, G, K, N, P - ELEVATION

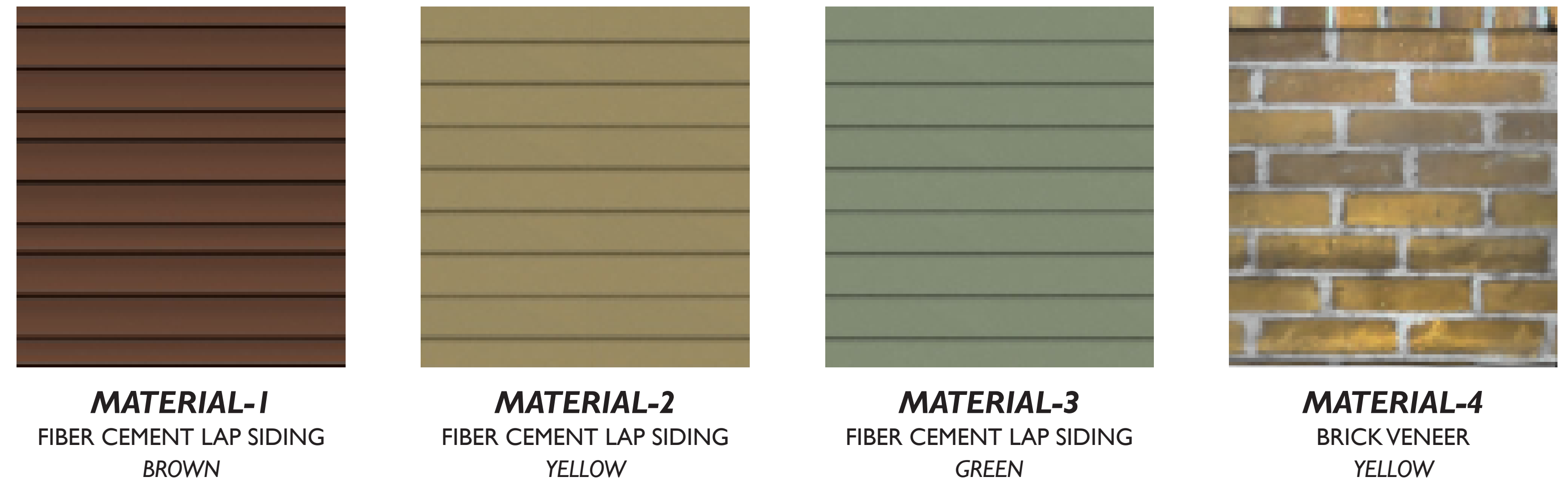


4 TYPICAL END ELEVATION





ENLARGED ELEVATION - TYPICAL BUILDING



ENLARGED ELEVATION - CLUBHOUSE