

MACKENZIE.

**DESIGN REVIEW III
VARIANCE: EVERGREEN
ROAD ACCESS AND
SPACING**

STREET DESIGN

EXCEPTIONS:

- **STACY ALLISON WAY**
- **LOCAL INDUSTRIAL ROAD**
- **EVERGREEN-PARR ROAD INTERIM CONFIGURATION**

To

City of Woodburn

For

Phased Speculative Industrial
(Weisz 50 Acres)

Dated

January 24, 2022

(Revised April 20, 2022)

(Revised June 10, 2022)

(Revised July 21, 2022)

(Revised November 15, 2022)

(Revised December 13, 2022)

Project Number

2220085.00



MACKENZIE
Since 1960

RiverEast Center | 1515 SE Water Ave, Suite 100, Portland, OR 97214
PO Box 14310, Portland, OR 97293 | T 503.224.9560 | www.mcknze.com



TABLE OF CONTENTS

- I. PROJECT SUMMARY 1**
- II. INTRODUCTION 2**
 - Description of Request for Approval of Proposed Development 2
 - Existing Site and Surrounding Land Use 5
 - Transportation System 7
 - Utilities 7
 - Neighborhood Meeting 9
- III. NARRATIVE AND COMPLIANCE 10**
 - 2.04 Industrial and Public Zones 10
 - 2.05 Overlay Districts 11
 - 2.06 Accessory Structures 20
 - 3.01 Streets 22
 - 3.02 Utilities and Easements 31
 - 3.03 Setbacks and Open Space 33
 - 3.04 Vehicular Access 36
 - 3.05 Off Street Parking and Loading 43
 - 3.06 Landscaping 52
 - 3.07 Architectural Design 60
 - 5.03 Type III (Quasi-Judicial) Decisions 68
 - 5.03.02 Design Review, Type III 68
 - 5.03.05 Phasing Plan for a Subdivision, PUD, Manufactured Dwelling Park, or any other Land Use Permit 69
 - 5.03.12 Variance 69
- IV. CONCLUSION 72**

EXHIBITS

- A. Application Form and Submittal Checklists
- B. Memorandum of Agreement (Deed and Property Description)
- C. Plan Set (Architectural, Civil, Landscape Plans)
- D. Preliminary Stormwater Report
- E. Traffic Impact Analysis (TIA) Report
- F. Pre-Application Conference 21-28 Agenda & Staff Notes
- G. Exterior Lighting Fixture Specifications
- H. Wetland Delineation Report
- I. Solar Angle Calculations, December 21, 2022 (Winter Solstice)
- J. Marion County Partition Plat 2022-41
- K. Woodburn Transportation System Plan (2019 Update), Figures 2 and 4
- L. Materials and Colors Panel
- M. Phased Improvements Plan for Evergreen-Parr Road Intersection
- N. Neighborhood Meeting Documentation

Commented [LDL1]: Submit revised plan set with revised narrative report.

Commented [LDL2]: Submit revised TIA report with revised narrative report.

Commented [LDL3]: Submit updated Exhibit J (PP 2022-41)



I. PROJECT SUMMARY

Applicant/Purchaser:	Specht Development, Inc. Peter Skei, Vice President 10260 SW Greenburg Road, Suite 170, Portland, OR 97223 (503) 646-2202 pskei@spechtprop.com
Site Location:	Southwest of the stub terminus of Evergreen Road
Subject Site Acreage:	29.57 acres +/- ¹
Marion County Tax Lots:	Tax Map 052W14 Tax Lot 00800 ²
Zoning:	Southwest Industrial Reserve (SWIR)
Zoning Overlay:	Interchange Management Area (IMA); SWIR Overlay
Comprehensive Plan:	Industrial with Southwest Industrial Reserve Overlay
Adjacent Land Use Designations and Uses:	North: Commercial General (CG) on the west, vacant; Nodal Single Family Residential (RSN) on the east, single-family dwellings on the south side of Sweetwater Avenue abut the site East: Medium Density Residential on the north, existing single-family residential uses; Commercial on the south, existing single-family residential uses; Within UGB but not annexed into City at this time South: SWIR (outside City, outside UGB, Designated Urban Reserve), vacant West: SWIR, vacant (owned by ODOT)
Existing Structures:	None
Request:	Design Review for industrial development Variance for driveway accesses and spacing on Evergreen Road Street / Right-of-Way Design Exceptions: 1. Stacy Allison Way Half-Street Design Section 2. Local Industrial Street Design Section 3. Evergreen Road-Parr Road Intersection Improvements (Interim)
Project Contact:	Mackenzie Attn: Lee Leighton, AICP 1515 SE Water Avenue, Suite 100, Portland, OR 97214 (971) 346-3727 lleighton@mcknze.com

¹ After this application had been submitted, the applicant sold the western 21.15 acres of the 50.72-acre subject property (Parcel 1 of Marion County Partition Plat 2022-41) corresponding to "Phase 2" of the development plan to another entity. This revised application therefore contains site- and building development plans only for the eastern "Phase 1" portion of the property (Parcel 2 of Marion County Partition Plat 2022-041), containing approximately 29.57 acres.

² The tax lot numbering of the Parcels may change at the discretion of the Marion County Assessor.



II. INTRODUCTION

Description of Request for Approval of Proposed Development

Specht Development, Inc. (Applicant) presents this application package, including narrative, plans, drawings, and additional substantial evidence to support approval of an industrial site development plan in two phases on an approximately 50.72-acre site in the Southwest Industrial Reserve (SWIR) area of the City of Woodburn.

NOTE: After submitting the initial application, including development plans in two discrete phases, the Applicant sold the western “Phase 2” 21.15-acres of the property to another entity. The new owner will be responsible for submitting development plans for that property in the future. This report (November 2022) has been revised to omit proposed development plans for the Phase 2 site; however, the applicant has prepared plans for public streets, public utilities, stormwater management, and grading for the full 50.72-acre area, to demonstrate the feasibility of the full development.

In the remainder of this report, the eastern development area formerly known as “Phase 1” is referred to as the “**proposed development**” or the “**proposed development [area or site]**”

The remainder of the report uses “**subject property**” to refer to the whole 50.72 acres of the initial submittal where appropriate to discuss conceptual plans for streets and utilities.

The proposed development area, located in the eastern 29.57 acres of the 50.72-acre subject property, will include an approximately 513,193 square foot (SF) single-story industrial building with on-site trailer storage/fleet parking, passenger vehicle parking, stormwater detention facilities, and landscaping.

The proposed building’s front/office area is located on the east side of the building, where it will face the southern extension of Evergreen Road from its existing terminus, a short distance south of the Sweetwater Avenue intersection. Parking for employees and visitors will be located between Evergreen Road and the main entrance, centrally located generally adjacent to the building’s east façade.

The proposed development will include (1) a “half-street”³ extension of Evergreen Road south from its present terminus along the property’s east frontage to intersect Parr Road at an existing curve (angle point) at the southeast corner of the property and (2) “half-street” construction of a new Local Industrial Street extending west from that new Evergreen-Parr Road intersection along the full frontage of the development site to a driveway at the southwest corner of the development site. This will provide access

³ Nominal “half-street” improvements include a minimum paved width of 22 feet to accommodate two-way travel, with the curb set at the final line and grade to contribute to full-width construction on the opposite side of the right-of-way in the future. Frontage improvements include paving, curb, landscape strip, sidewalk, lighting, and signage as required to comply with City of Woodburn design sections for the roadway types. Exception requests within this application are for the purpose of shifting the proposed centerline alignments to make it feasible to construct the minimum required paved widths without requiring immediate right-of-way dedications from other property owners.



and circulation by way of both Evergreen Road and Parr Road, to distribute site-generated traffic among multiple routes.

Particular attention has been given to creating an attractively landscaped environment along the Evergreen Road frontage. In addition to street tree plantings within the public right-of-way, shrubs and groundcover plantings will partially screen visibility of parked vehicles while providing corridor views toward the building's front façade through aligned rows of tree plantings within the parking lot between the building and the street. The proposed enhanced landscape plantings exceed the City's Plant Unit requirements, particularly along Evergreen Road and along the north property boundary, to screen the site from the rear yards of the adjacent residential properties.

When development of the western part of the subject property occurs in the future, the City can require that development to extend the Local Industrial Street with a "half-street" improvement to the southwest corner of the subject property, where it will intersect a "half-street" improvement of Stacy Allison Way along the subject property's west frontage. Those roadways will provide access to the western part of the subject property, and will support future connectivity when additional segments of Stacy Allison Way may be constructed in the future.

Public works improvements will include public utility system extensions (water, sanitary sewer, and storm drainage) within the rights-of-way, consistent with the City's utility system master plans, and a Public Utilities Easement (PUE) meeting City requirements along the rights-of-way for franchise utilities. Details are provided in the R-Series Sheets of the plan set (Exhibit C).

NOTE: The "Phase 1" plans for off-site improvements (i.e., streets and utilities) are proposed for construction in advance of or as part of the proposed development. The "Phase 2" plans are NOT proposed for construction as part of this development project; they simply demonstrate the feasibility of completing construction of the required streets and utilities when future development of the western portion of the subject property occurs in the future.

The proposed building has truck loading dock facilities on most of the length of the building's north and south walls, providing high capacity and cross-dock capabilities. Trailer storage will be located adjacent to the site's north and south perimeters. Along the north property edge of the proposed development site, an Architectural Wall⁴ and a combination of deciduous and evergreen trees will provide visual screening of the building and trailer storage during warm-weather months, while also allowing winter light and sunshine to reach the rear yards of homes along the shared north property boundary after deciduous trees shed their leaves in the autumn season.

Site access and circulation are designed to segregate passenger vehicle and semi-tractor-trailer truck movements as much as possible for safety and smooth operations. Concentrating truck-trailer docking and other movements in the corridors north and south of the buildings reduces potential for movement conflicts with passenger vehicles because parking and circulation for them are concentrated at the east,

⁴ The WDO does not make an Architectural Wall mandatory at the SWIR-CG Zone boundary, but Architectural Wall construction is shown in plans for the proposed development site because residential development (phase 2 of Allison Way Apartments) is anticipated west of the Paradise Pointe subdivision at this time.



between the proposed building and Evergreen Road, and in the north-south-oriented corridor at the west end of the proposed development area.

To provide sufficient interior clear height for the warehousing and distribution use, building height will be 42'6" in the tall segments at the corners, with subordinate elevated parapet features also within the center portions of the façades. The roof is at a low slope sufficient to provide storm runoff, but due to the vertical angle cutoff, it will not be visible above top-of-wall as viewed from locations at grade. The proposed building is therefore compliant with the maximum 45' building height limit in the SWIR Zone.

Access to the proposed development site is designed to separate truck and passenger vehicle traffic for safety as well as efficiency. To do so, in addition to construction of the Local Industrial Street along the south boundary of the proposed development area, two driveways are proposed along the Evergreen Road frontage:

- Passenger vehicles will primarily use a centrally located full-movement driveway along the east property boundary; however, additional parking located west of the building will be accessed by way of the Local Industrial Street at the south and the driveway at the southwest corner of the proposed development site.
- Trucks arriving from the north on Evergreen Road will be able to enter the proposed development site at a driveway near its northeast corner. A 66.5-foot-wide landscape buffer containing a water quality facility with dense plantings and an Architectural Wall will buffer and screen the neighboring residences at this entrance location. Entering trucks will proceed into the site and dock at loading doors on its north side, or loop around the building at the west to dock on the south.
- Measured edge-to-edge along Evergreen Road, there is a distance of approximately 380 feet between the north and the central driveway, and approximately 460 feet between the central driveway and the Local Industrial Street at the property's southeast corner. For the limited movements and vehicle types, these distances provide for adequate sight distances and safe operations, and are in compliance with Evergreen Road's Minor Arterial minimum access spacing requirement of 245 feet; however, the north driveway will be approximately 170 feet south of Sweetwater Avenue. By segregating movements, this configuration will provide for safe and efficient operations in an alternative approach to the prescriptive arterial access spacing in the Woodburn Development Ordinance (WDO); this application includes a Variance request to allow the proposed alternative design approach.
- Future development of the western part of the subject property will take access primarily by way of the Local Industrial Street at the south, adding a western driveway near the Stacy Allison Way intersection, and/or adding a driveway on Stacy Allison Way near the northwest corner of the site. Future passenger vehicle traffic of the western site will use the Local Industrial Street and Stacy Allison Way to access driveways to on-site passenger vehicle parking areas within that site; that is, the proposed development plan does not include any private access, circulation, storage, or parking for the benefit of the western future development area.
- All departing trucks from the proposed development site will be directed primarily to use the south driveways onto the Local Industrial Street, then proceed to the Evergreen-Parr Road intersection. From that point, they can depart northbound on Evergreen Road, eastbound on Parr Road, or southbound on Parr Road (making the connection west to Butteville Road, where there is an overpass that allows vehicles to cross the I5 corridor and connect north to Highway 214/219 and the I5 interchange).



The proposed building plan is supported by on-site access and circulation, vehicle parking and fleet vehicle/trailer storage, landscaping, stormwater management facilities, lighting, and other improvements to meet City of Woodburn development standards. A full set of preliminary development plans is provided in Exhibit C.

While the proposed project is broadly consistent with the SWIR Master Plan previously accepted by the City Council in 2017 as a guide to development in the SWIR, some aspects of the proposal differ due to the project's very large size, constraints on available right-of-way widths, and timing in relation to full implementation of the City's Transportation System Plan (TSP) to meet future industrial needs. These elements of the proposal are discussed in detail below in this report.

In addition to the request for Type III Design Review, this application also includes these additional applications:

- Variance to allow reduced spacing between one driveway and the adjacent street on Evergreen Road.
- Street/Right-of-Way Design Exception #1 to shift the alignment of Stacy Allison Way slightly to the east, to provide sufficient width and stormwater management for the proposed "half-street" construction to be completed within the boundary of the subject property.
- Street/Right-of-Way Design Exception #2 to shift the alignment of the Local Industrial Street slightly to the north and allow an offset-crown (to provide sufficient width and stormwater management for the proposed "half-street" construction).
- Street/Right-of-Way Design Exception #3 to allow an interim alignment and improvements at the Evergreen-Parr Road intersection, to make full access operation feasible with limited right-of-way available on the east side of the intersection.

Commented [LDL4]: Strictly speaking, this is not a frontage of the proposed development site, but it is integral to aspects of the civil engineering design work. In my view, there would be no harm in allowing the City to process and approve this request affecting the future ROW dedication – although Chris Kerr may decline to do so on grounds that the land in question is no longer under the applicant's control.

A pre-application meeting for this project was held on October 13, 2021 (PRE 21-28; see Exhibit G). Information and recommendations from that meeting have been incorporated into the proposal.

Existing Site and Surrounding Land Use

The generally rectangular subject property contains approximately 50.72 acres located southwest of the present stub terminus of Evergreen Road. Marion County Partition Plat 2022-41, recorded June 30, 2022 (Reel 4639, Page 108), established Parcel 1 on the west, containing 21.15 acres, and Parcel 2 (the proposed development area) on the east, containing 29.57 acres. (See Exhibit J.)

Commented [LDL5]: Submit Exhibit J v.2 (PP 2022-41) with revised report

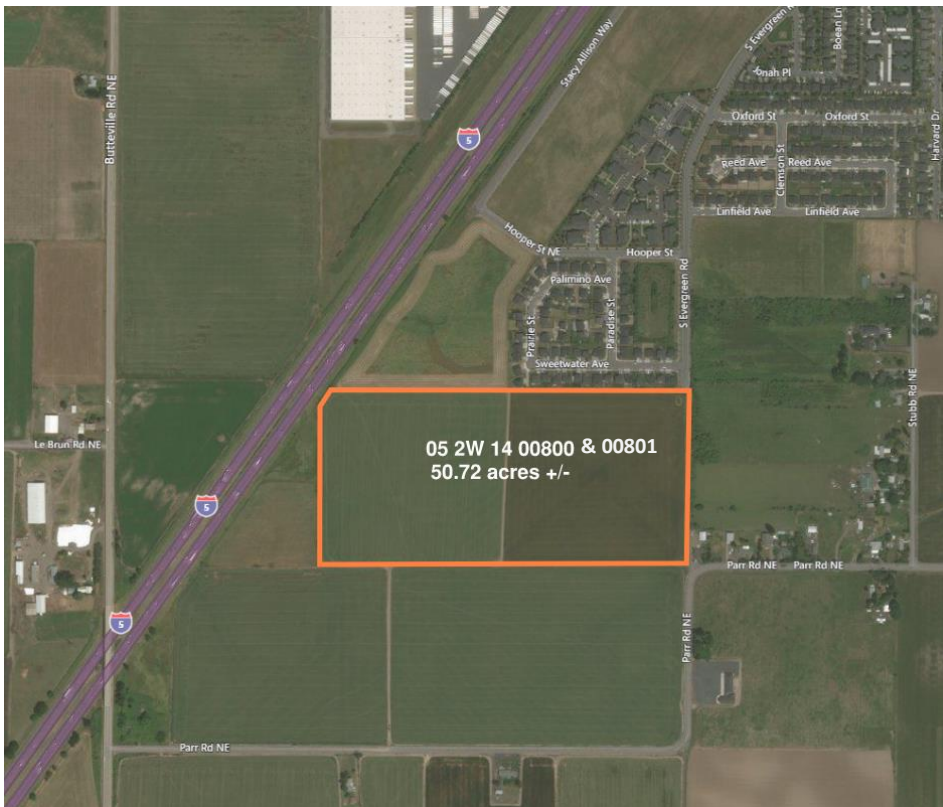
The generally rectangular subject property contains approximately 50.72 acres located southwest of the present stub terminus of Evergreen Road. Marion County Partition Plat 2021-09, recorded in January 2021, divided the property into two parcels containing 20.00 and 30.72. Subsequently, Marion County Partition Plat 2022-41, recorded June 30, 2022 (Reel 4639, Page 108), created Parcel 1 (on the west) containing 21.15 acres and Parcel 2 (the proposed development area) containing 29.57 acres. (See Exhibit J.)

The subject property extends west such that the northwest corner of Parcel 1 (PP 2022-41) is clipped by the Interstate 5 right-of-way, and the dedicated but unimproved right-of-way of Stacy Allison Way abuts Parcel 1's north property boundary. The proposed development site's southern boundary is on axis with the centerline of Parr Road to the east, such that the southeast corner of the rectangle is within the right-of-way of the northerly of two angle points (or curves) in Parr Road.

Both the Urban Growth Boundary (UGB) and the City Limit line are at the property's south property boundary. Notably, the property to the south is within the City's designated Urban Reserve and, like the subject property, is within the City's designated SWIR area to meet future employment growth needs. With development of this property, and a large-scale development now under way on SWIR-designated land west of Interstate 5, the property immediately to the south is a logical place for the City's next UGB expansion effort.

The subject property, which was annexed in 2021, is currently unimproved and is in agricultural use. There is a delineated wetland near the northeast corner of the proposed development area. (See Exhibits H and J.) The site plan has been designed to avoid impacting the wetland feature. The subject property is not located within the 100-Year FEMA flood hazard area.

Aerial Image – Project Site



Transportation System

The proposed access plan routes trips appropriately on the high-capacity arterial roadway best suited to handle the facility's travel demand: Evergreen Road is the Minor Arterial linking the site to Highway 214/219 and the Interstate 5 (I-5) Interchange to the north. To accommodate industrial growth planned in the SWIR, the City's Transportation System Plan (TSP) designates Evergreen Road as a "Future Truck Way." (See in particular TSP Figure 4 in Exhibit K.) The City should proceed to remove existing "NO TRUCKS" signage from Evergreen Road and complete that redesignation consistent with TSP Goal 3, Objective 3C and Figure 4 in conjunction with construction of the proposed development.

Commented [CM6]: "the proposed development"?

Figure 2 of the TSP identifies Evergreen Road south of its present terminus as a Future Minor Arterial, to be extended south along the subject property's east boundary to intersect Parr Road, then continuing farther south and becoming a Major Arterial that extends east to intersect Oregon Highway 99E.

The proposed project includes constructing Evergreen Road improvements along the property's east frontage; however, there is an offset alignment between the existing stub terminus of Evergreen Road and the north-south segment of Parr Road with which it must align at the property's southeast corner, which is farther to the east. Because of that offset, it will not be possible to achieve linear alignment of the northbound and southbound travel lanes through the Evergreen-Parr intersection unless and until additional right-of-way is obtained from other owners in the northeast, southeast and southwest quadrants of the intersection.

Construction of a "half-street" improvement for the Local Industrial Street, forming the west leg of the Evergreen-Parr Road intersection, is proposed to extend along the south boundary of the proposed development area to a driveway at its southwest corner. Future development of the remainder of the subject property can be required to extend that construction to reach and intersect a half-street improvement in Stacy Allison Way as a Service Collector. The proposed development does not need to make the connection to Stacy Allison Way north of the site (its existing terminus is approximately 1,400' north of Parcel 2's northwest corner) for access or circulation; all access is proposed by way of Evergreen Road and the Local Industrial Street along the south property boundary, making the connection to Evergreen Road and the Evergreen-Parr Road intersection. A detailed Traffic Impact Analysis is provided in Exhibit E.⁵

Commented [LDL7]: See footnote, introducing the concept of off-site mitigation costs being a deal-breaker.

Utilities

Public street improvements will include construction of public utility system extensions (water, sanitary sewer, and storm drainage) consistent with the proposed plan for street construction of Evergreen Road. A Public Utilities Easement (PUE) adjacent to the public right-of-way will be provided for installation of franchise utility services.

⁵ The TIA analyzes several alternative scenarios based on roadway connections to be made in each proposed Phase. Although the analysis indicates that satisfactory transportation system functioning can be achieved for Phase 1 without making an intersection connection to Parr Road, the applicant has proposed a special interim intersection improvement plan to make the Parr Road connection as part of Phase 1. That option will only be feasible if associated costs, such as imposition of mitigation requirements for off-site intersections, are not prohibitive.



While specific alignments and routing may differ from initial conceptual diagrams, the proposed infrastructure elements provide system connectivity and service capacities that are conceptually consistent with the approved SWIR Master Plan.⁶

The project will include these public utility line extensions (see civil engineering plan sheets in Exhibit C):

1. **Water:** The City has previously constructed an 18" City water line within the east end of the subject property, within the Evergreen Road dedication corridor. It will remain in place. The applicant proposes to extend a 12" water line along the proposed development site's frontage on the Local Industrial Street right-of-way.
2. **Sewer:** An existing 15" sanitary line stubs at the present south terminus of Evergreen Road. The proposed development will extend it to the south property boundary as part of the extension of Evergreen Road, and will extend a 12" line west in the Local Industrial Street to the western street terminus at the western boundary of the proposed development area. The City can require the developer of the site to the west to further extend that 12" sewer line in the Local Industrial Street to reach the Stacy Allison Way intersection.
3. **Storm:** There is an existing public storm line at the present south terminus of Evergreen Road. Like the sanitary sewer line, the proposed development will extend it south to reach the southeast corner of the property and then extend it west in the Local Industrial Street to a point approximately 900' west of Evergreen Road. (See Sheet R2.15 in Exhibit C.) All proposed improvements in the proposed development area, including public roadways, will outfall to the new public storm sewer extension in Evergreen Road and the eastern segment of the Local Industrial Street. Separate detention systems are provided for site runoff and for drainage from the public rights-of-way.

The western remainder of the subject property will drain west. As future development occurs there, the City can require a new storm line to be constructed in the remaining western segment of the Local Industrial Street and Stacy Allison Way, to convey runoff from streets and the western development to the west and north, discharging to the City's existing ditch system adjacent to the west edge of the Stacy Allison Way right-of-way. At or before that time, off-site construction will be required to extend the ditch south from its present terminus near the Hooper Street intersection, within the property under the City's control for that purpose (Tax Lot 2200, Tax Map 05 2W 14). The land use approval for the Stacy Allison Apartments Phase 2 requires that project to extend ditch construction south within that City-owned corridor, but the required ditch construction could also be completed independent of that project, if necessary, to achieve the connection to serve this project in a timely manner.

Based on the site's large size and flat topography on both the north and south sides of the proposed building, the depressed on-site dock areas (4' lower than finish floor elevation) will require pumping systems for drainage.

Runoff from all developed areas of the site and proposed public street improvements will be detained prior to release into the public storm drain system. North of the subject property, the

⁶ In approving the SWIR Master Plan submitted by Specht Woodburn LLC in 2017, the Woodburn City Council noted that "the SWIR Master Plan is conceptual and non-binding in nature." See Council Bill No. 3050/Resolution No. 2110, approved and recorded December 13, 2017.



City storm line in Evergreen Road conveys runoff north and west to discharge to the Stacy Allison Way ditch. Runoff then flows north to a City pump station that pumps to an ODOT surface stormwater facility within the southwestern quadrant of the I-5 interchange area, ultimately discharging to the East Tributary of Senecal Creek, northwest of the I-5 interchange. The applicant understands from City staff that there is sufficient water quality treatment capacity in the City's regional facilities downstream of the site to provide stormwater quality treatment for the proposed improvements.

Neighborhood Meeting

The applicant's design team conducted a virtual neighborhood/community meeting to present and discuss the proposed development plans with neighboring residents and other interested citizens. Documentation of the meeting is provided in Exhibit N.



III. NARRATIVE AND COMPLIANCE

The following discussion addresses the Woodburn Development Ordinance (WDO) approval criteria and development standards which apply to the Design Review III, Variances, Street/Right-of-Way Design Exceptions, and Property Line Adjustment approval requests.

In the sections below, applicable approval standards from the WDO are shown in *italics*, while responses are shown in a standard typeface.

2.04 Industrial and Public Zones

- A. *The City of Woodburn is divided into the following industrial and public zones:*
 - 1. *The Light Industrial (IL) zone, which is intended for industrial activities that include land-intensive activities;*
 - 2. *The Industrial Park (IP) zone, which is intended for light industrial activities in a park-like setting;*
 - 3. *The Public and Semi-Public (P/SP) zone, which is intended for public uses, parks, schools and cemeteries.*
 - 4. *The Southwest Industrial Reserve (SWIR), which is intended for employment and industries identified in the 2016 Target Industry Analysis;*

- B. *Approval Types (Table 2.02A)*
 - 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.*
 - 4. *Special Permitted Uses (S) are allowed outright, subject to the general development standards and the special development standards of Section 2.07.*
 - 5. *Specific Conditional Uses (SCU) may be allowed, subject to the general development standards of this Ordinance, the specific standards of Section 2.08, and conditions of Conditional Use approval.*

TABLE 2.02A. USES ALLOWED IN INDUSTRIAL ZONES (EXCERPT)	
Use	Zone SWIR
<i>Motor freight transportation and warehousing, including local or long-distance trucking or transfer services, storage of farm products, furniture and other household goods, commercial goods, and mini-storage</i>	<i>P</i>
<i>Distribution and E-commerce including; wholesale trade, farm supplies and merchant wholesalers, packaging and labeling services.</i>	<i>P</i>

Response: The proposal is for a speculative industrial development. While the user or users have not yet been identified, the proposed facility has been designed to accommodate a combination of manufacturing, distribution, and fulfillment operations consistent with permitted uses in the SWIR Zone.



Also consistent with the SWIR Zone, the proposed facility includes sufficient parking capacity to attract a high employment user (discussed below in the parking-related responses). This standard is met.

C. Development Standards

Southwest Industrial Reserve (SWIR) - Site Development Standards Table 2.04E			
<i>Standard</i>		<i>Requirement</i>	Response/Proposed
<i>Lot Area, Minimum (square feet)</i>		<i>See Table 2.04F</i>	29.57 acres, consistent with Table 2.04F (Area D)
<i>Lot Width, Minimum (feet)</i>		<i>No minimum</i>	995 feet +/-
<i>Lot Depth, Minimum (feet)</i>		<i>No minimum</i>	1,255 feet +/-
<i>Street Frontage, Minimum (feet)</i>		<i>No minimum</i>	995 feet +/-
<i>Front Setback and Setback Abutting a Street, Minimum (feet)</i>		<i>10¹</i>	399 feet +/-
<i>Side or Rear Setback, Minimum (feet)</i>	<i>Abutting P/SP zone or a residential zone or use</i>	30	230 feet +/-
	<i>Abutting a commercial or industrial zone</i>	<i>0 or 5²</i>	230 feet +/-
<i>Setback to a Private Access Easement, Minimum (feet)</i>		5	Not applicable
<i>Lot Coverage, Maximum</i>		<i>Not specified³</i>	Plans comply with setback, parking, and landscaping requirements
<i>Building Height, Maximum (feet)</i>	<i>Primary or accessory structure</i>	45	42'-6" at exterior wall
	<i>Features not used for habitation</i>	70	
<ol style="list-style-type: none"> 1. Measured from the Special Setback (Section 3.03.02), if any. 2. A building may be constructed at the property line, or shall be set back at least five feet. 3. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements. 			

Response: As noted in the "Proposed" column in the expanded Table 2.04E above, the submitted plans demonstrate compliance with all applicable development standards in Table 2.04E. The height of the proposed building is approximately 42'6", measured at the tallest point of the exterior parapet wall. These standards are met.

2.05 Overlay Districts

2.05.02 Interchange Management Area Overlay District

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.

Response: This proposal is for Type III review that will generate more than 20 peak hour vehicle trips (see Exhibit E). The proposed development site occupies part of the northern portion of Subarea D of the Interchange Management Area Overlay District (see WDO Figure 2.05B below). Therefore, Section 2.05.02 applies; its standards are addressed below.

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.*

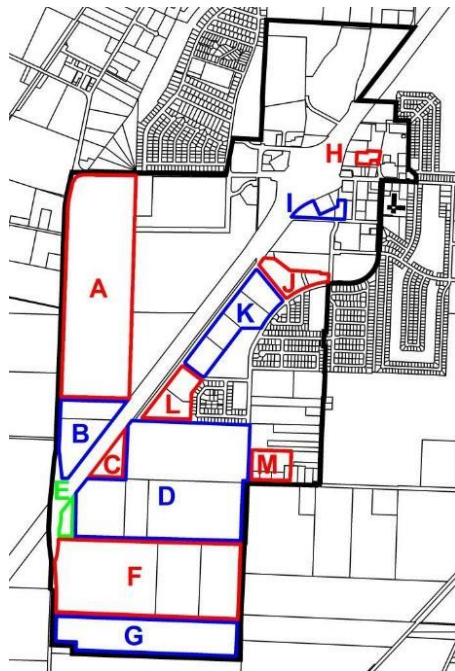


Figure 2.05B – Interchange Management Area Boundary and Subareas



VEHICLE TRIP BUDGET BY PARCEL
TABLE 2.05A

<i>Subarea</i>	<i>Assessor's Tax Lot Number</i>	<i>Comprehensive Plan Designation</i>	<i>Buildable Acres</i>	<i>Maximum Peak Hour Vehicle Trips</i>
A	052W11 00300	SWIR	88	968
B	052W14 00200 052W14 00600	SWIR	22	242
C	052W1400700	SWIR	Exempt	Exempt
D	052W14 00800 ⁷ 052W14 00900 052W14 01000 052W14 01100	SWIR	106	1,199
E	052W14 01200	SWIR	4	44
F	052W13 01100 052W14 01500 052W14 01600	SWIR	96	1,056
G	052W23 00100	SWIR	46	506
H	052W12AC 04301	Commercial	2	66
I	052W12C 00604	Commercial	1	33
	052W12C 00605		3	99
J	052W12C 02300	Commercial	7	231
	052W12C 02400		2	66
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
M	052W13BD 00900 (westerly portion) 052W13BD 01500 052W13BD 01600 052W13BD 01700 052W13BD 01800	Nodal Commercial	9	297

Response: The TIA in Exhibit E compares projected trip generation for the project against the SWIR Interchange Management Area figures for Subarea D. As noted in WDO 2.05.02.C.2, "parcel budgets [in Table 2.05A] are based on 11 peak hour trips per developed industrial acre." Table 2.05A assigns 1,199 peak-hour trips to Subarea D, which calculates to 11.3 vehicle trips per Buildable Acre for its estimated

⁷ 052W14 00800 was partitioned by Partition Plat 2021-009 and now consists of tax lots 00800 and 00801.



106 buildable acres. The proportionate share attributable to the 29.57-acre subject property is 334 peak hour trips.

Based on the maximum weekday PM peak hour trip profile estimates, assuming High Cube Parcel Hub and Warehouse tenancy in a 50/50 split, the 29.57-acre proposed development would generate approximately 235 AM and 222 PM peak-hour trips. This figure represents 18.5% (222/1199) of the trip allocation for Subarea D; for the 29.57-acre proposed development site, the corresponding per-acre trip ratio is 7.5 (222/29.57) for the PM system peak hours, below the assumed rate. (See Exhibit E.) Additionally, Section 2.05.02.C.4 authorizes the City to “allow development that exceeds the parcel budget for any parcel in accordance with this Section,” and Section 2.05.02.G.2.a says, “Development may be allowed to exceed the maximum, if the development will contribute substantially to the economic objectives found in the Comprehensive Plan.” The proposed development will provide tenant space suitable for traded sector employers in the target industries the SWIR is intended to attract to Woodburn. Therefore, the project’s projected trip generation complies and warrants approval under the regulations of this Chapter.

Commented [LDL8]: Update with figures from revised TIA

Commented [CM9]: Are highlighted texts intended to be updated/checked? Highlights will need to be removed before finalizing

Commented [LDL10]: Discuss with Peter Skei whether to discuss 100% HCPH tenancy, with higher trip generation/ratio.

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.

Response: The TIA (Exhibit E) addresses requirements established by WDO Section 3.04.05 and ODOT’s Analysis Procedures Manual (APM). The analysis identifies the following four intersections projected to fall below mobility standards, and mitigations:

ODOT facilities

Two ODOT intersections will fall below operation standards – OR 214/Settlemier and OR 214/Highway 99E. Other projects have been required to pay a proportionate share towards mitigation and/or analysis. The site’s Phase 1 PM peak hour impact is 0.99% at the Settlemier intersection and 0.28% at the Highway 99E intersection. The percentages do not change without the Evergreen Road connection to Parr Road.

Other Traffic Impact Studies have found similar results for the OR 214/Settlemier intersection and have suggested a five-lane section of OR 214 may be appropriate. The intersection currently has a single through lane and dedicated left and right turn lanes on all approaches, so additional through lanes are likely the next level of improvement.

Without of the Evergreen Road connection to Parr Road, the OR 214/Evergreen intersection will operate at a v/c of 0.96 during the PM peak hour. Otherwise, ODOT jurisdictional intersections along the highway should meet the 0.95 v/c limit or better.



Marion County facilities

All three public street intersections are expected to operate at acceptable levels of service with Phase 1 site trips, regardless of the connection of Evergreen Road to Parr Road.

City facilities

With Phase 1 trips, the City intersection of Hayes Street/Settlemer Avenue will operate below standards without the Evergreen Road/Parr Road Connection. The City is planning to install a traffic signal at the Settlemer Avenue/Hayes Street, which will address the capacity constraint under the stop controlled and offset alignment.

With Phase 1 trips, the City intersection of Evergreen Road/Hayes Street will operate below standards. The Evergreen Road/Hayes Street intersection is currently all-way stop controlled and left turn lanes were added as mitigation for the impacts of the Smith Creek Development. Still, long delays are expected even without the addition of Phase 1 site trips.

The City has been collecting a proportionate share towards analysis or mitigation, which would likely be a traffic signal. The site's phase 1 impact increases from 4.2% with the Parr Road connection to 10.5% without the connection to Parr Road. (See TIA in Exhibit E, page 24.)

Based on those analysis findings, the TIA provides the following specific construction and mitigation recommendations:

1. Extend Evergreen Road south to Parr Road as a two-lane Collector roadway (half width).
2. Install an all-way stop control at the new Evergreen Road/Parr Road intersection with a single lane on each approach, subject to Marion County and/or City approval.
3. Construct a local industrial classification roadway (half width) along the south side of the Phase 1 frontage.
4. Participate in mitigation at the Butteville/Parr intersection, which could include a proportionate share of 12.82% for Phase 1, or \$167,455 based on the County's project cost.
5. Provide proportionate share contributions at the following intersections based on the PM peak hour volumes:
 - 5.1. 0.99% at OR 214/Settlemer
 - 5.2. 0.28% at OR 214/Highway 99E
 - 5.3. 4.19% at Evergreen Road/Hayes Street
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.

Response: This section provides procedural guidance. The applicant has submitted a TIA (Exhibit E) prepared in accordance with TIA requirements and in consultation with ODOT (as well as City) staff, which satisfies WDO 2.05.02(2)(a) and enables the City to provide the required notice and response period.

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.*

Response: Subsections 3 and 4 provide administrative guidance to City staff. The applicant has presented evidence regarding projected trip generation to support the City's responsibilities. No further evidence from the applicant is required by these Sections.

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.

Response: The proposed warehousing/distribution use is a permitted use in the SWIR zone. Compliance with all applicable provisions for this use is demonstrated in this narrative. This standard is met.

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.*

Response: The proposed development is estimated to generate a total of 222 weekday PM peak hour trips, which is below the allowed trips in subarea D. These trips are allocated on a first-developed, first-served basis. Therefore, this standard is met.

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:*

Commented [LDL11]: Update per revised TIA



- 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.*

Response: The proposed development will generate approximately 222 trips during the weekday PM peak hour, which is within the Subarea D trip budget and represents a PM peak hour per-acre trip rate of 7.5 (lower than the planning assumption rate of 11.3 for Subarea D) per Section 2.05.02.C.2. Therefore, this standard is met.

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.*

Response: The proposed development consists of shell-only development of industrial lease space suitable for a variety of potential tenants, primarily in the Warehousing/Distribution and Manufacturing sector. No specific tenant is known at this time.

The TIA (Exhibit E) provides a list of potential TDM measures; however, applicability of different measures will depend on the needs and operating characteristics of future tenant(s). As with other similar facilities, new employers at this site should work with the City of Woodburn to create customized TDM plans and update them on a regular basis.

2.05.05 Riparian Corridor and Wetlands Overlay District (RCWOD)

Response: The City's RCWOD provisions are not applicable because no RCWOD resource designation is located within the property.

2.05.06 Southwest Industrial Reserve

- A. *Purpose*
The Southwest Industrial Reserve (SWIR) is intended to protect suitable industrial sites in Southwest Woodburn, near Interstate 5, for the exclusive use of targeted industries identified in the Comprehensive Plan. This broad objective is accomplished by master planning, retention of large industrial parcels, and restricting non-industrial land uses.
- B. *Application of the SWIR Zone*
Land designated on the Comprehensive Land Use Plan Map as Southwest Industrial Reserve shall only be zoned SWIR.

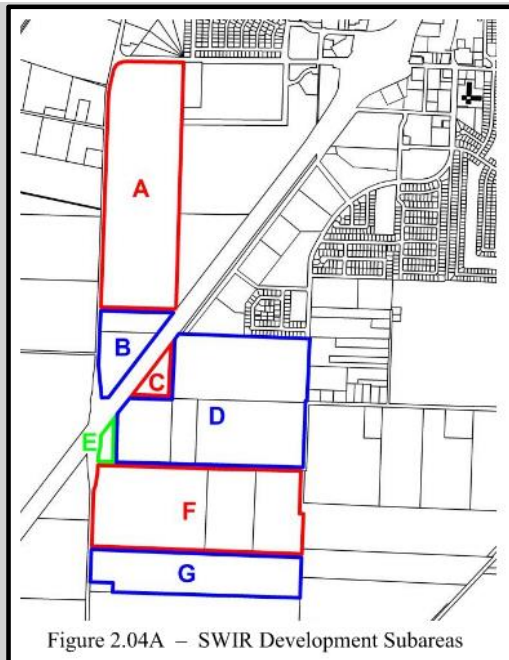
Response: The subject property is in the SWIR; it was so designated when it was annexed in 2021. The proposed use is an allowed use in the SWIR Zone, and therefore consistent with the Comprehensive Plan. This requirement is met.

- C. *Dimensional Standards:*
The following dimensional standards shall be the minimum requirements for all development within the SWIR zone:
 1. *Land divisions may only be approved following approval of a master plan, as required in this ordinance.*
 2. *Lots in a SWIR zone shall comply with the standards of Table 2.04F. For a land division, at least one lot shall be sized to meet each of the required lot size ranges listed in Table 2.04F for each site, except that smaller required lots may be combined to create larger required*

lots.

Response: Regarding subparagraph 1, the SWIR Master Plan approved by the Woodburn City Council in 2017 includes the subject property. The proposed development area is Parcel 2 of Marion County Partition Plat 2022-41, recorded in 2022, containing 29.57 acres.

Regarding subparagraph 2, the whole subject property is the northern parcel of Subarea D of the SWIR. (See WDO Figure 2.04A below.) Subarea D contains 126 gross acres in four parcels of land (See Table 2.04F below); however, only the subject property (identified as 052W1400800, 51 acres in Table 2.04F, prior to its partitioning in 2019) is within the Woodburn Urban Growth Boundary (UGB). The southerly three parcels of Subarea D are in the City's designated Urban Reserve. The southern remainder of Subarea D contains more than 100 acres, so the potential opportunity to develop a 50-100-acre project site will remain possible when the southern part of Subarea D is brought into the UGB. Note 1 of WDO Table 2.04F was satisfied by approval of the SWIR Master Plan in 2017. Therefore, the requirements of subparagraph 2 are met.





Southwest Industrial Reserve (SWIR) - Lot Standards Table 2.04F (excerpt)					
Development Subarea	Assessor's Tax Lot Number	Gross Acres	Buildable Acres	Required Lot Sizes (Acres)	Conceptual Lot Sizes (Acres)
D ^{1,4}	052W1400800	51	106	50-100	65
	052W1400900	43		25-50	33
	052W1401000	10		2-5	4
	052W1401100	22			
E ²	052W1401200	4	4	2-5	4
F ^{2,3}	052W1301100	24	96	96	96
	052W1401500	59			
	052W1401600	25			
G ¹	052W2300100	50	46	25-50	35
				5-10	8
				2-5	3
1. Land division is permitted with master plan approval. 2. Land division is not permitted. 3. Shall be developed with a use with at least 300 employees. 4. 50-100 acre lot shall be developed with a use with at least 200 employees.					

D. Master Planning Requirement

1. A master development plan shall be approved by the City Council for the entire area designated SWIR on the Comprehensive Land Use Plan Map, prior to annexation of any property within the SWIR Comprehensive Plan Map designation. The master plan shall be conceptual and non-binding in nature, but may be used as a general guide for development within the SWIR.
2. The required master plan shall show:
 - a. The location and rights-of-way for existing and planned streets, which shall provide access to all existing and proposed parcels, consistent with the Transportation System Plan;
 - b. The location and size of existing and planned sanitary sewer, storm water and water facilities, at adequate levels to serve existing and proposed industrial development;
 - c. The location and area of the Riparian Corridor and Wetlands Overlay District (RCWOD) as it affects existing and proposed industrial parcels. Planned streets and public facilities that cannot reasonably avoid the RCWOD shall be indicated;
 - d. Parcels consistent with the lot sizes indicated in Table 2.05B;
 - e. Pedestrian and bicycle connections consistent with the TSP.

Response: The SWIR Master Plan was approved by the Woodburn City Council in 2017. The proposed development is broadly consistent with that Plan. Notably, as noted in subparagraph 1 above, the SWIR Master Plan is explicitly a “non-binding... general guide for development within the SWIR”, recognizing that development projects can propose alternative methods of providing adequate services consistent with the purpose and intent of the SWIR Master Plan provisions.

The applicant has provided plans for public utility system extensions (water, sewer, and storm drainage) that achieve the City's service goals. Regarding the transportation system, the applicant proposes to construct Evergreen Road half-street improvements south of the existing terminus and construct half-



street improvements in the Local Industrial Street along the south frontage of the proposed development site to meet the new employer's access needs in a manner consistent with implementing the full design sections and intersection alignment in the future. An interim configuration for the Evergreen -Parr Road intersection is proposed due to the available right-of-way being too narrow to construct full improvements. Phase 2 improvements will include extending the Local Industrial Street half-street improvements to the southwest corner of the property and Stacy Allison Way half-street improvements along the western boundary of the Phase 2 site.

The proposed infrastructure construction is consistent with the general guidance in the adopted SWIR Master Plan, achieves functional access for the project, and establishes an appropriate alignment for the ultimate future Evergreen-Parr Road intersection when the properties abutting other quadrants of the intersection develop. These requirements are met.

E. Removal of the SWIR Zone

Removal of the SWIR zone from any area or parcel shall require the following:

1. *A revised Economic Opportunities Analysis and Industrial Site Suitability Analysis, consistent with the Goal 9 Rule (OAR Chapter 660, Division 9);*
2. *A new Statewide Planning Goal 2 Exception that explains why other land within or adjacent to the UGB, that does not require an exception, cannot meet the purported need;*
3. *A Comprehensive Plan Amendment that demonstrates compliance with all applicable Statewide Planning Goals, applicable goals and policies of the Marion County Framework Plan, and applicable goals and policies of the Comprehensive Plan;*
4. *A Zoning Map amendment that demonstrates consistency with the Comprehensive Plan.*

Response: This provision is not applicable because no removal of SWIR designation is proposed.

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.*

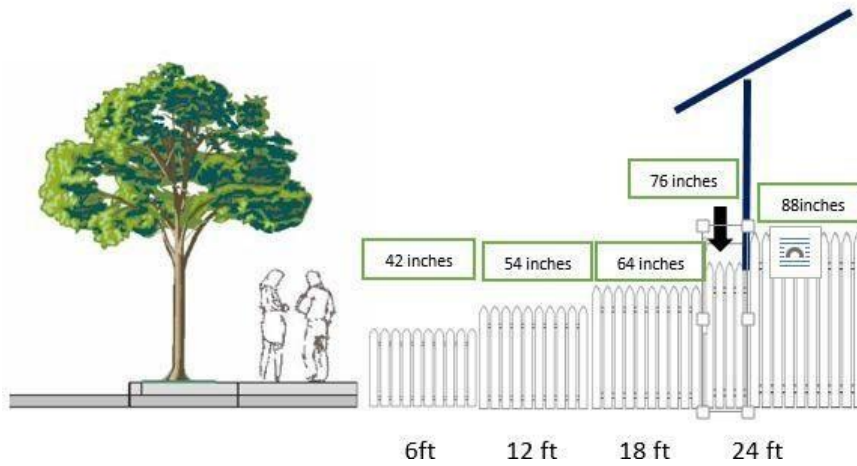


Figure 2.06A – Fence or Wall Height

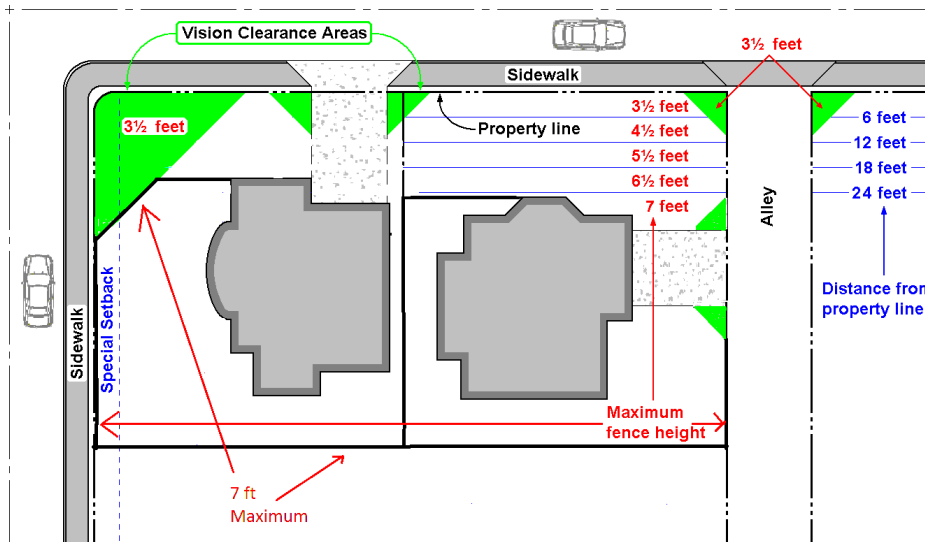


Figure 2.06B – Stepped Fence or Wall

Response: Site security fencing is proposed, consistent with these standards. Architectural Wall construction along the north boundary of the proposed development site is designed to comply with the Architectural Wall requirements of Table 3.06D and Section 3.06.06. Along the north property boundary



of the proposed development site, there are existing single-family residences along the east segment, and anticipated construction of phase 2 of the Allison Way Apartments near the northwest corner.

The applicant proposes to position the Architectural Wall at the north property boundary, instead of setting it back from the property line, for these reasons:

- Creating a narrow strip north of the Architectural Wall risks creating an area between it and the residential boundaries/fences that will require special effort to surveil and maintain. Such areas tend to trap and collect blown-in refuse (or trash dumped by trespassers) and can inadvertently become host to illegal activities due to the lack of normal surveillance.
- If residences to the north do not maintain fences, over time encroachments onto the subject property north of the Architectural Wall can be expected to occur, giving rise to potential future boundary/occupation conflicts.
- Based on aerial photography, most but not all of the residences on the south side of Sweetwater Avenue have a fence at their rear property boundary. Locating the Architectural Wall back-to-back with existing fencing along the shared property line is the practical way to avoid an unsightly appearance, other nuisance problems, or occupation-boundary conflicts on an ongoing basis.

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.*

Response: No accessory structures are proposed. This standard does not apply.

3.01 Streets

3.01.01 Applicability

- A. *Right-of-way standards apply to all public streets.*
- B. *Improvement standards apply to all public and private streets, sidewalks and bikeways.*
- C. *Functional standards are identified in the Woodburn TSP.*
- D. *This applies to all development, and is not limited to partitions, subdivisions, multi-family, commercial or industrial construction, or establishment of a manufactured dwelling or recreational vehicle park. Construction of a single-family dwelling or placement of a manufactured dwelling does not, for the purposes of this Section, constitute development, however, in no case can this type of development occur without minimal access as determined by the Director.*

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.*

Response: As noted above in the response to Section 2.05.06.D, the applicant has provided plans for construction of half-street Evergreen Road improvements south of the existing terminus to meet access needs in a manner consistent with implementing the Minor Arterial's full design section and alignment in the future. More specifically, the centerline of Evergreen Road (at its present southern stub terminus) aligns west of the axis of the north-south segment of Parr Road to which Evergreen Road will ultimately



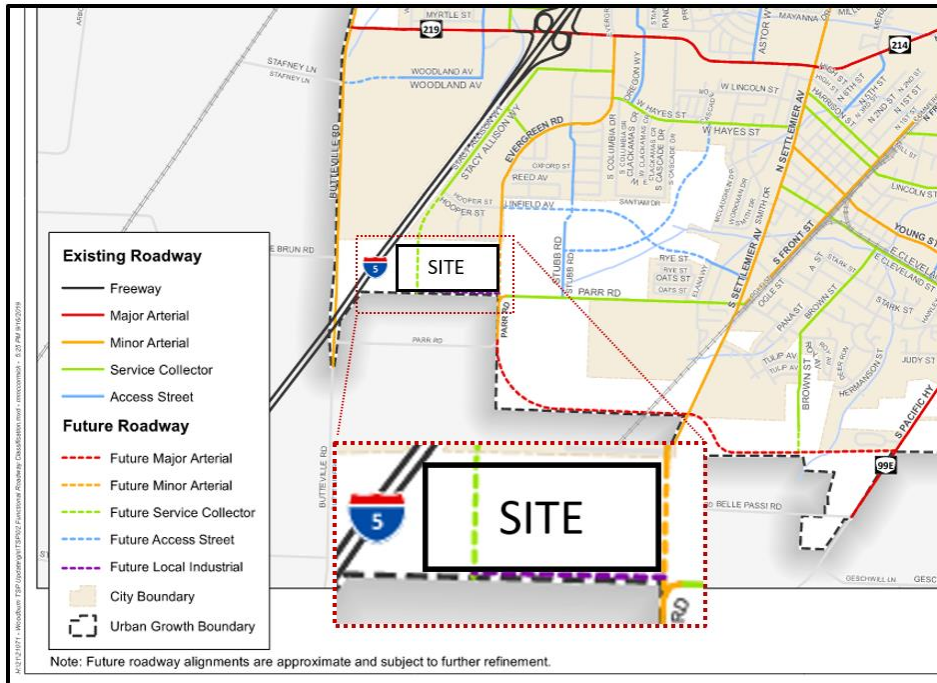
connect. This requires an eastward shift in the centerline as the road proceeds from north to south, to align travel lanes through the Parr Road intersection. Achieving the necessary alignment will require acquisition of right-of-way from other properties to widen Evergreen Road to the east immediately north of Parr Road. The property at that location is currently in residential use, but its Comprehensive Plan designation is for commercial use, presumably through redevelopment. So, while it is reasonable to expect redevelopment to result in dedication and construction of improvements on the east side of Evergreen Road to properly align the Evergreen Road-Parr Road intersection, the time frame for its completion is not known. The proposed interim improvement plan will provide contributory partial construction at the Evergreen-Parr Road intersection, while also being consistent with and contributing substantially to the future full improvement of the intersection.

The proposed development will also include half-street construction and dedication of the Local Industrial Street along the south frontage of the proposed development site (Parcel 2 of PP 2022-41). The City can require extended half-street construction of the Local Industrial Street and Stacy Allison Way when development of the parcel to the west (Parcel 1 of PP 2022-41) occurs in the future; the applicant has submitted civil engineering plans simply to demonstrate the feasibility of that construction (see R-series sheets in Exhibit C).

The City of Woodburn Transportation System Plan (TSP) includes conceptual roadway linkage corridors intended to provide local access to SWIR areas within the UGB (see excerpt from Figure 2 of the 2019 TSP Update, Functional Roadway Classification, below).

1. TSP Figure 2 identifies Evergreen Road as a Minor Arterial street that is to be extended south (Future Minor Arterial – orange dashed line) to the southern of two existing angle points (or curves) in Parr Road, becoming a Future Major Arterial (red dashed line) extending east to intersect Oregon Highway 99E.
2. TSP Figure 2 identifies Stacy Allison Way as a Service Collector street that is to be extended south (Future Service Collector – green dashed line).
3. TSP Figure 2 identifies a Future Local Industrial street (purple dashed line) between Stacy Allison Way and Evergreen Road, along the south boundary of the subject property.

Woodburn TSP Figure 2 Functional Roadway Classification (excerpt, annotated)



This application includes Variance and Street Design Exception requests for approval of an interim configuration for the Evergreen-Parr Road intersection, half-street improvements for the Local Industrial Street and Stacy Allison Way along the corresponding development area frontages, and two driveways on the site’s Evergreen Road frontage. A Variance is requested to allow the north driveway to be located less than 245' (the minimum access spacing on a Minor Arterial) south of the Sweetwater Avenue intersection to the north.

With approval of the Street Design Exception and Variance requests, discussed below, this requirement is met.

B. *Private streets are prohibited, except in manufactured dwelling parks, pursuant to State statute (ORS Chapter 446 and OAR 918-600). All private streets in manufactured dwelling parks shall comply with the standards of the Woodburn Development Ordinance (WDO) and State statute.*

Response: No private streets are proposed. This standard does not apply.

C. *Materials and construction shall comply with specifications of the City of Woodburn.*

Response: The applicant has submitted preliminary construction plans for improvements in public rights-of-way, which demonstrate compliance with these standards.



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

Response: This application includes a request for one street-related Variance request and three Exceptions to Street Right-of-Way and Improvement Requirements (“Street Design Exceptions” or “Exceptions”). Findings are provided under those headings below.

3.01.03 Improvements Required for Development

A. *With development, the Internal, Boundary, and Connecting streets shall be constructed to at least the minimum standards set forth below.*

Response: Based on Figure 2 of the City’s 2019 TSP Update, the subject property has three Boundary streets: southern extension of Evergreen Road (eastern frontage), southern extension of Stacy Allison Way, and a new east-west Local Industrial Street along the south boundary. Because the site is proposed for development with access by way of Boundary streets, and because there is no street stub to the north property boundary between Evergreen Road and Stacy Allison Way, there is no need or reason to create an Internal street.

Consistent with the Woodburn TSP, this application proposes to construct half-street improvements in Evergreen Road and a new Local Industrial street along the proposed development site’s east and south frontages. The plans also demonstrate the feasibility of future extensions of the new Local Industrial street and Stacy Allison Way as further development occurs to the west.

The TIA in Exhibit E identifies affected offsite intersections and recommends mitigation measures to meet the project’s access needs and to address system impacts, including connectivity, alignments, lane configurations, and other parameters. This application includes three requests for Exceptions to Right-of-Way and Street Design Standards to make construction of interim half-street improvements feasible, and a Variance request to allow reduced spacing at the proposed north driveway on Evergreen Road. With approval of the requested Exceptions and Variance, this standard is met.

B. *Internal Streets. Internal streets shall meet all standards of WDO and the TSP.*

Response: Not applicable because no Internal street construction is required or proposed.

C. *Boundary Streets. The minimum improvements for a Boundary Street shall be:*

1. *One paved 11-foot travel lane in each direction;*
2. *On-street parking on the side of the street abutting the development, if on-street parking is indicated in the TSP;*
3. *Curb on the side of the street abutting the development;*
4. *Drainage facilities on the side of the street abutting the development;*
5. *Street trees on the side of the street abutting the development; and*
6. *A sidewalk on the side of the street abutting the development.*

Response: This application includes construction and dedication of Evergreen Road and the Evergreen-Parr Road intersection, and a Local Industrial Street along the proposed development site’s south boundary. Street Design Exception requests are included, to shift alignments and design sections to make construction at sufficient widths feasible within the property boundary and available right-of-way or easements, where available. The proposed Evergreen Road improvements on the property’s east boundary are consistent with the applicable design section, meeting or exceeding the minimum improvement requirements; however, a Variance is needed for the proposed north driveway’s spacing from the Sweetwater Avenue intersection to the north, and an Exception is requested to allow an interim

configuration of the Evergreen-Parr Road intersection. Findings are provided below in the Variance and Street Design Exception sections.

D. Connecting Streets

1. *The minimum improvements for a Connecting Street shall be one paved 11-foot travel lane in each direction.*
2. *Connecting streets shall extend from the boundary street of a development, to the nearest intersection that meets the cross-section and improvement requirements of this Section, or 1,000 feet, whichever is less.*

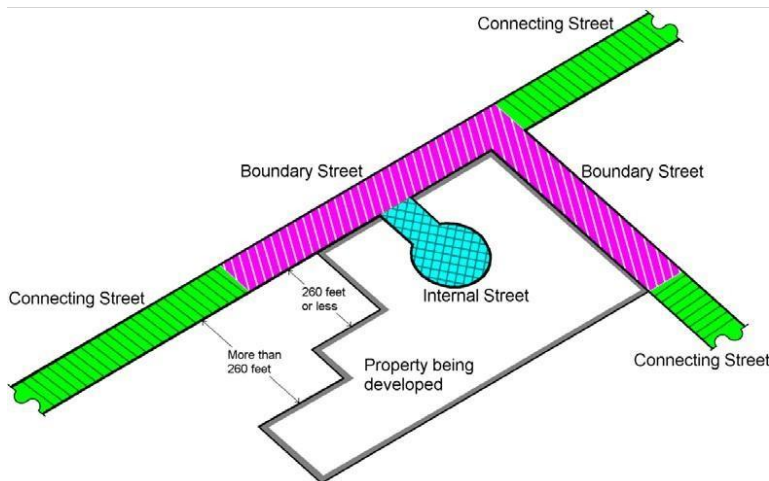


Figure 3.01A – Internal, Boundary, and Connecting Streets

Response: Stacy Allison Way does not reach the subject property because it has not been constructed south of the Hooper Street intersection; moreover, the proposed development does not require service from that roadway to meet access and circulation needs. Construction of the unbuilt segment as a Connecting Street is not necessary to serve the proposed development. Additionally, the City has already approved development plans for the Allison Way Apartments that include construction of the segment of Stacy Allison Way south of Hooper Street in conjunction with Phase 2 construction of that project, in the remaining land area south of Hooper Street (DR 2019-05 & EXCP 2020-05, MC 2020-02). For these reasons, no Connecting Street construction is required.

E. *When the Director determines that a required improvement of a Boundary or Connecting Street would not be timely, due to pending development of properties in the immediate vicinity or improvement of the streets which are identified in the Capital Improvement Program (CIP), the Director may accept a fee-in-lieu, in the amount equal to the costs of the required improvement.*

Response: No determination has been made that a required improvement of a Boundary or Connecting Street would not be timely. This standard does not apply.

F. *When the Director determines that a required improvement of a Boundary or Connecting Street would not be feasible, due to physical constraints of properties in the immediate vicinity or an*



inability to obtain right-of-way dedication, the Director may approve construction of a partial-width street, to the minimum standards set forth above.

Response: This application includes partial construction plans for the roads along the proposed development site's south and east frontages: the Local Industrial street along the south property frontage and the southern extension of Evergreen Road to the Evergreen-Parr Road intersection, responding to the constrained right-of-way available for making improvements east of the subject property boundary (i.e., on property the applicant does not control). To demonstrate the feasibility of the proposed construction, the application also includes preliminary conceptual plans for Stacy Allison Way and the western extension of the new Local Industrial Street along the southern and western frontages of the western remainder of the subject property. The applicant requests approval of the proposed partial-width construction plans pursuant to this Section.

3.01.04 Street Cross-Sections

A. *These standards are based on the functional classification of each street as shown in the Woodburn TSP. The street right-of-way and improvement standards minimize the amount of pavement and right-of-way required for each street classification, consistent with the operational needs of each facility, including requirements for pedestrians, bicycles, and public facilities.*

Response: The proposed street improvements for Evergreen Road, a Minor Arterial, are consistent with the applicable width requirements of Figure 3.01C – Minor Arterial; however, acquisition of additional right-of-way on the east side will be necessary to achieve the ultimate alignment between the extension and the existing alignment of Parr Road, particularly where they will intersect at the south end of the improvement. The applicant has prepared preliminary plans for the ultimate alignment to demonstrate that the proposed improvements will contribute directly to compliance with the TSP, but has also presented a plan to construct interim improvements within the constrained dimensions of the subject property boundary and existing rights-of-way, Evergreen Road at the north and Parr Road at the south, including an interim configuration that will support full movement operation at the Evergreen-Parr Road intersection. The proposed full improvements along the subject property frontage (west side of the roadway) will contribute directly to future build-out of the roadway and intersection as future development of other properties to the east and south of the site occurs. This “half-street” improvement approach is consistent with City policy and these regulations.

Similarly, the applicant has prepared preliminary plans for future half-street improvements to the west (by the developer of Parcel 1, PP 2022-41) in Stacy Allison Way and the Local Industrial Street, to demonstrate the feasibility of the proposed development plans. In some specific areas, a modified alignment and offset-crown configuration are proposed to ensure that the full paved width of those improvements will drain toward stormwater detention facilities meeting City stormwater management requirements.

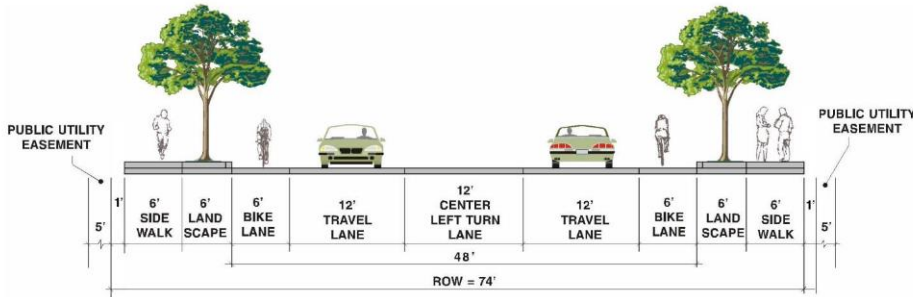


Figure 3.01C – Minor Arterial

Stacy Allison Way is identified as a Future Service Collector in Figure 2 of the 2019 TSP Update. The appropriate design section is in Figure 3.01D:

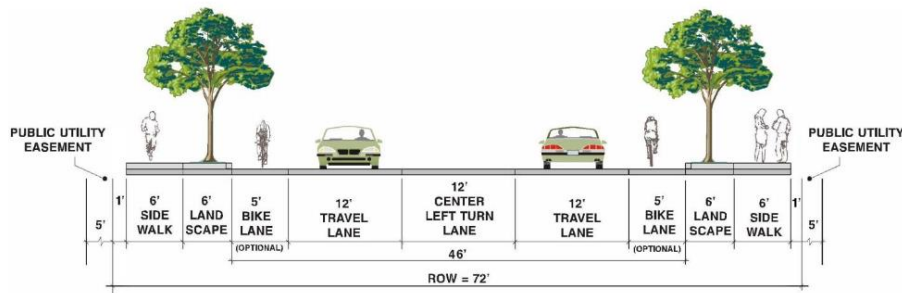


Figure 3.01D – Service Collector

At this time, north of the subject property, Stacy Allison Way has not been constructed south of the Hooper Street intersection to reach the subject property (although the public right-of-way has been dedicated to do so). Construction of Stacy Allison Way north of the subject property will be required with Phase 2 construction of the Allison Way Apartments project, along its west property frontage.

The applicant’s TIA assumes no connection to Stacy Allison Way will be available; it identifies impacts on the transportation system and recommends mitigation actions where appropriate without relying on access by way of Stacy Allison Way.

Along the western boundary, the proposed development plan includes a corridor wider than the minimum 36-foot-wide corridor (half the required 72-foot width for the street design section) because a side-graded slope area will be necessary to transition from the roadway’s vertical profile to existing grade (which is lower).

Figure 2 of the 2019 TSP Update also identifies a corridor for a Local Industrial Street along the south boundary of the site. The applicable design section is in Figure 3.01F:

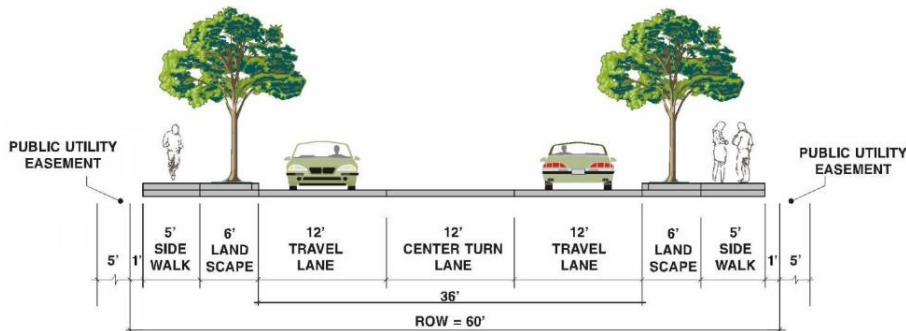


Figure 3.01F – Local Industrial Street

Construction of half-street improvements is proposed along the south frontage of the proposed development site; however, an offset crown is proposed, and the specific alignment may shift northward to allow construction to be completed within the available right-of-way width.

With approval of the driveway spacing Variance and Exceptions to allow the requested modifications of the half-street construction plans, this requirement is met.

B. All public streets under the jurisdiction of the City of Woodburn shall comply with the cross-sections depicted in this Section. [detailed provisions omitted for brevity]

Response: Subsection B is not applicable because it applies only to Street Design Sections G through N, none of which is proposed.

C. 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.

Response: This provision is not applicable because no residential street is proposed.

D. Streets designated as Arterials or Collectors in the TSP which are located within the Historic Settlemier Transportation Corridor do not require bicycle lanes or a center turn lane, unless the Director determines that a turn lane is warranted for safety reasons. The existing pavement should be used to the extent possible to preserve the historic corridor.

Response: The site is not located in the Historic Settlemier Transportation Corridor. This standard does not apply.

3.01.05 Street Layout

- A. Termination of Streets, Bikeways and Pedestrian Ways
 - 1. Cul-de-sac Streets

- a. *The maximum length of a cul-de-sac street shall be 250 feet. Cul-de-sac length shall be measured along the center line from the nearest right-of-way line of the nearest intersecting street, to the point of curvature of the cul-de-sac bulb.*
- b. *The minimum radius of a cul-de-sac bulb right-of-way shall be 55 feet.*
- c. *The minimum improved street radius of a cul-de-sac shall be 48 feet plus curb, planting strip and sidewalk.*
- d. *The Director may require bikeway and pedestrian facilities to connect from one cul-de-sac to an adjacent cul-de-sac or street, except where the cul-de-sac abuts developed property, or where the Director determines that there is no need for a connection.*

2. *Temporary Dead End Streets*

Streets extensions that result in temporary dead end streets, or stub streets, shall:

- a. *Be extended to the adjoining tract when it is necessary to give access to, or permit, a future division of adjoining land;*
- b. *Require a barricade at the end of the street to be installed and paid for by the property owners. It shall not be removed until authorized by the City of Woodburn.*
- c. *Have an all-weather sign at the temporary street terminus, installed by the property owners, that states: "This Street is Planned for Future Extension".*
- d. *Provide either a one foot-reserve strip deeded to the City, or an alternative method for limiting access approved by the City, at the temporary end of the right-of-way.*

Response: The proposed Local Industrial Street forming the west leg of the Evergreen-Parr Road intersection will be extended west along the south frontage of the proposed development site. That street can be extended as future development occurs to the west, to intersect Stacy Allison Way along the subject property's west boundary. (See C- and R-Series Sheets in Exhibit C.) There will temporarily be a stub terminus at the west edge of the proposed development site, but only pending development of the remainder to the west. No cul-de-sac street is proposed. These provisions are not applicable.

3. *Continuity of Public Bikeway and Pedestrian Facilities Located Off-Street*

Public bikeway and pedestrian facilities, other than those incorporated in a street right-of-way, shall either:

- a. *Provide for a continuous system, with each segment originating and terminating with a connection to a public street, or to a designated activity center; or*
- b. *Provide stubbed facilities that may extend beyond the limits of an approved development, when such a public facility has been required by the decision-maker.*

Response: There are no abutting off-street public bikeways or pedestrian facilities in the vicinity. This standard does not apply.

B. *Block Standards*

1. *Block length shall not be less than 200 feet and not more than 600 feet, except where street location is precluded by any of the following;*

- a. *Natural topography, wetlands, significant habitat areas or bodies of water, or pre-existing development;*
- b. *Blocks adjacent to arterial streets, limited-access highways, collectors or railroads;*
- c. *Residential blocks in which internal public circulation provides equivalent access.*

2. *In any block that is longer than 600 feet, as measured from the right-of-way line of the street to the right-of-way line of the adjacent street, a bikeway/ pedestrian facility shall be required through and near the middle of the block.*
3. *On any block longer than 1,200 feet, pathways may be required through the block at 600 foot intervals.*
4. *In a proposed development, or where redevelopment potential exists and a street connection is not proposed, one or more bikeway and pedestrian facilities may be required to connect a cul-de-sac to public streets, to other pathways, or to the project boundary to allow for future connections.*

Response: The applicant notes that the block size and pathway requirements of this subsection are suitable to guide smaller-scale commercial and residential development rather than large-scale industrial projects. For example, a block or site meeting a maximum 600-foot dimension on all four sides would contain 8.26 acres; this is completely incompatible with the applicable parcel size parameters for Subarea D of the SWIR Zone in Table 2.04F (e.g., 50-100 acre and 25-50 acres).

As noted above, construction of half-street improvements is proposed on the proposed development site's east and south sides (Evergreen Road and Local Industrial Street). The initial paved travel widths will be sufficient to accommodate two-way vehicular traffic, but when widening and full improvements are completed in the future, each of the roadway segments can be striped to comply with their required design sections. Appropriate bicycle and pedestrian access will be provided by bike lane striping in Evergreen Road, consistent with its TSP designation and Minor Arterial design section (WDO Figure 3.01C). The Local Industrial Street design section (WDO Figure 3.01F) does not require bike lanes. The half-street improvements on both frontages will include planter strip and sidewalk, per the applicable design sections. These methods of providing pedestrian and bicycle access are sufficient and appropriate for the large-scale industrial environment intended in the SWIR zone. This standard is met.

3.01.06 Street Names

- A. *All public streets and private manufactured dwelling park streets shall be named, after providing the Woodburn Fire District with an opportunity to review and comment.*
- B. *Public and private manufactured dwelling park streets shall be named as follows: [detailed provisions omitted for brevity]*
- C. *Streets shall be further named with a suffix.*
 1. *Except as indicated in the Woodburn Transportation System Plan, the following suffixes designations apply to new streets, as follows: ...*

Response: The applicant is not proposing a specific name for the Local Industrial Street; the City can make those determinations in accordance with these standards.

3.02 Utilities and Easements

3.02.01 Public Utility Easements

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

Response: No public utility facilities are proposed to be located in easements within the private development site. This provision is not applicable.



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

Response: A 5-foot wide public utility easement (PUE) will be provided along the three proposed right-of-way dedications on the east and south sides of the proposed development site, in conjunction with construction and dedication of those rights-of-way. A condition of approval can ensure that this standard is satisfied through the construction permitting process.

- 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.*

Response: This provision authorizes the Director to impose conditions of approval if appropriate to obtain public utility easements. The applicant will provide public easements for the proposed public utility system extension corridors.

3.02.02 Creeks and Watercourse Maintenance Easements

- A. *Public improvement and maintenance easements shall be dedicated along all creeks and other water courses. On streams and waterways where development is regulated, based on Federal Emergency Management Administration (FEMA) flood hazard delineation, the minimum width shall be adequate to accommodate the 100-year floodway.*

- B. *On other open channel water courses, such easements shall, at a minimum, extend from the top of one bank to the top of the other bank. These easements shall include an additional 20 feet in width at the top of the bank along the entire length, on one side of the open channel.*

Response: The site contains no creeks or other open water courses. These provisions are not applicable.

- C. *On all piped systems, the easement shall be a minimum of sixteen feet in width. Wider easements may be required by the Director, when needed to accommodate the installation of, or access to, larger and/or deeper pipes.*

Response: The project will include construction of new public storm drain lines in both proposed rights-of-way along the proposed development site's east and south frontages. Easements will not be required because the lines will be within the public rights-of-way. This standard is met.

3.02.03 Street Lighting

- A. *Public Streets*

Public streets abutting a development shall be illuminated with street lights installed to the standards of the City and the electric utility.

Response: Half-street improvements in Evergreen Road and the Local Industrial Street will include illumination compliant with City and Electric Utility Standards. A condition of approval can assure compliance in the required public works permitting process prior to construction. This standard is met.

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.

Response: All proposed utility connections will be provided underground as required. The applicant anticipates that the franchise utility provider will cooperate to underground the existing overhead power lines along the property's east frontage in conjunction with Evergreen Road improvements construction, consistent with underground utilities on the existing segments of Evergreen Road. This standard is met.

3.03 Setbacks and Open Space

3.03.01 Setbacks

A. *Setbacks*

1. *No required setback provided for any building or structure shall be considered as providing a setback for any other building.*
2. *No required setback for any building or structure shall be considered as providing lot coverage for another building, except for a common area not required to be located within a lot, when owned by a homeowner's association in a Planned Unit Development (PUD).*

Response: The proposed building has been located to meet applicable setback requirements with respect to the proposed development site boundaries. This standard is met.

- B. *Setbacks shall be open and unobstructed by buildings or structures from the ground to the sky, except as may otherwise be permitted in this Section and in Accessory Structures (Section 2.06).*

Response: The proposed setbacks for the proposed industrial building and its parking and loading areas will be open landscaped areas. This standard is met.

- C. *No portion of a lot necessary to meet the standards for lot area, width, frontage, setbacks, lot coverage, open space, or other requirement of this Ordinance shall have more than one owner, except through a zoning adjustment, or variance.*

Response: The proposed development site is owned by the applicant. The narrative demonstrates how the property meets all applicable development standards. This standard is met.

3.03.02 Special Setbacks

- A. *Special Setbacks are necessary when the existing street right-of-way is less than the designated right-of-way in the Woodburn Transportation System Plan. Special Setbacks ensure that development will conform with setback and vision clearance requirements, after a full right-of-way has been acquired.*
- B. *Special setback distances shall be measured at right angles to the center line of street rights-of-way.*
- C. *Where dedicated rights-of-way are less than the Special Setback, the setback abutting a street shall be measured from the Special Setback. All regulations applicable to setbacks abutting streets and vision clearance areas shall apply to the area between the lot line and the Special Setback. Fences and walls are allowed up to the property line.*

SPECIAL SETBACK BY STREET CLASSIFICATION TABLE 3.1.1	
Transportation System Plan Classification	Special Setback from Centerline
Major Arterial	50 feet ¹
Minor Arterial	37 feet
Service Collector	36 feet
Access Street/ Commercial Street	33 feet
Local Street, 60' right-of-way	30 feet
Local Street, 52' right-of-way	26 feet
Local Street, 50' right-of-way	25 feet
1. See TSP for varying rights of way along Highway 99E	

Response: The proposed half-street improvements and right-of-way dedications will meet or exceed the minimum width requirements for each of the affected roadways. No special setbacks are required.

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.
- E. Uncovered decks, not more than 18 inches above final grade, shall maintain at least a three foot setback from the property line or Special Setback.
- F. Flag poles shall maintain at least a five-foot setback from the property line or Special Setback.

Response: None of the listed features are proposed in a street setback. These standards do not apply.

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.
- B. Fire escapes, when not prohibited by any other code or ordinance, may not project into a side setback farther than one-third of the width of the setback, or less than three feet.
- C. Uncovered decks, not more than 18 inches above final grade, shall maintain at least a three foot setback from the property line or Special Setback.

Response: None of the listed features are proposed in a side setback. These standards do not apply.

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.*
- C. *Covered, unenclosed porches, extending not more than 10 feet beyond the rear walls of the building, shall maintain at least a 10 foot setback from the property line or Special Setback.*
- D. *Uncovered decks not more than 18 inches above final grade shall maintain at least a three foot setback from the property 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).*

Response: None of the listed features are proposed in a rear setback. These standards do not apply.

3.03.06 Vision Clearance Area

- A. *A vision clearance area (Figures 3.03A and B) is an area at the intersection of two streets, a street and a driveway, or a street and an alley, in which visual obstructions are limited for safety purposes.*
- B. *The vision clearance area is formed by a combination of the following lines:*
 1. *At the intersection of two public streets: a line extending 30 feet from the two lot lines adjacent to a street, and a third line drawn across the corner of the lot that connects the ends of the lines.*
 2. *At the intersection of a public street and a private street: a line extending 30 feet from the lot line adjacent to the public street, a line extending 30 feet from the outside edge of the pavement on private street, and a third line drawn across the corner of the lot that connects the ends of the lines.*
 3. *Within the DDC zone (Figure 3.03B): a line extending 20 feet from the two curb lines, and a third line drawn across the corner of the lot that connects the ends of the lines.*
 4. *At the intersection of a public street and an alley: a line extending ten feet from the intersection along the back of curb, a line extending ten feet from the property line along the alley and a line drawn across the corner of the lot that connects the ends of the lines.*
 5. *At the intersection of a public street and a driveway: a line extending ten feet from the intersection along the back of curb, a line extending ten feet along the side of the driveway, and a third line drawn across the corner of the lot that connects the ends of the lines.*
 6. *At the intersection of a private street and a driveway: a line extending ten feet from the outside edge of pavement on the private street, a line extending ten feet along the side of the driveway, and a third line drawn across the corner of the lot that connects the ends of the lines.*
 7. *If a street is subject to a Special Setback, the Special Setback shall be used to define the vision clearance area.*

Response: The applicant's submitted engineered plans (See R- and C-Series Sheets in Exhibit C) show how the proposed driveways and intersections satisfy these vision clearance area requirements. These provisions are met.

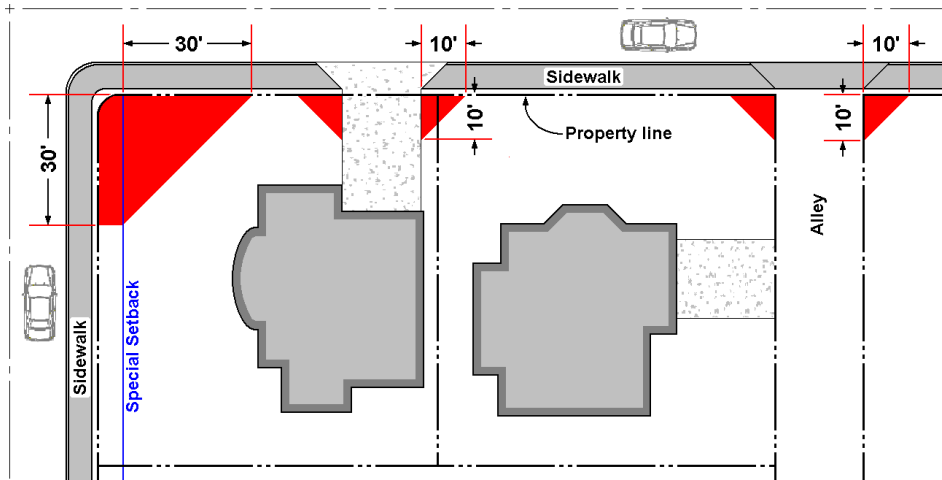


Figure 3.03A – Vision Clearance Area in All Zones Except DDC

- C. Vision clearance area shall contain no plants, fences, walls, structures, signs, parking spaces, loading spaces, temporary or permanent obstructions exceeding 42 inches in height (measured from the top of the curb or, where no curb exists, from the street centerline), except:
1. Trees, provided branches and foliage are removed to a height of 7 feet above grade;
 2. Utility poles;
 3. Utility boxes less than ten inches at the widest dimension; and
 4. Traffic control signs and devices.

Response: This development proposes clear vision areas where the new driveways are located. The landscape planting plans are designed to ensure that no obstructions over 42" in height will be placed in the clear vision areas. This standard is met.

- D. The Director shall have the authority to modify the standards for vision clearance areas upon finding that the modification is appropriate, due to one-way traffic patterns.

Response: At the north driveway on Evergreen Road, tractor-trailer movements will be restricted to inbound trips. All departing truck movements will be directed to the Local Industrial Street at the south and the Evergreen-Parr Road intersection. The proposal is to allow passenger vehicles to make all movements at all proposed driveways. There are no one-way streets adjacent to the site. This standard does not apply.

3.04 Vehicular Access

3.04.01 Applicability and Permit

A. Street Access

Every lot shall have:

1. Direct access to an abutting public street, or
2. Access to a public street by means of an access easement and maintenance agreement to the satisfaction of the Director, and revocable only with the concurrence of the Director.



Response: The proposed development site will have frontage on Evergreen Road on the east and a new Local Industrial Street at the south, with construction of half-street improvements in those roadways along both property frontages. Direct access is proposed at two driveways on Evergreen Road and two driveways on the Local Industrial Street extending west from the Evergreen-Parr Road intersection. (For the remainder of the subject property to the west [Parcel 1 of PP 2022-41], future access will be by way of the additional western extension of the Local Industrial Street and Stacy Allison Way, and driveways at locations along those frontages.) The proposed access configuration comply with subparagraph 1.

B. Access to City Streets

A City access permit shall be required for any new or modified vehicular access to a street that is under City jurisdiction.

C. Access to County Roads

Access to a road under the jurisdiction of Marion County shall be subject to County requirements. The Director may incorporate County requirements into the conditions of approval for any application.

Response: Parr Road is in Marion County jurisdiction. To implement an approved development plan, the applicant acknowledges the need to submit access permit requests and comply with development standards as indicated by the City and County, in accordance with their respective roadway jurisdictional authority, and consistent with the land use approval decision and approval conditions.

D. Access to State Highways

Access to a transportation facility under the jurisdiction of the Oregon Department of Transportation (ODOT) shall be subject to State requirements. The Director may incorporate ODOT requirements into the conditions of approval for any application.

Response: The proposed development includes no direct access on a state highway. This standard is not applicable.

3.04.02 Drive-Throughs

A. Drive-Through Lane Dimensions and Configuration

1. *Minimum Lane Width: 12 feet*
2. *Minimum Lane Length: 50 feet, unobstructed by lateral vehicular access. Precluded lateral vehicular access shall include the access/maneuvering area for off-street parking and overlap onto public street right-of-way. The unobstructed length shall be measured from the drive-up window or stop line, whichever is greater.*
3. *Minimum Turn Radius: 25 feet*

B. By-Pass Lane

Drive-throughs shall include a by-pass lane to a site exit with a minimum width of 8 feet.

Response: No drive-through facility is proposed. These provisions are not applicable.

3.04.03 Driveway Guidelines and Standards

A. Number of Driveways

3. *For nonresidential uses, the number of driveways should be minimized based on overall site design, including consideration of:*
 - a. *The function classification of abutting streets;*
 - b. *The on-site access pattern, including parking and circulation, joint access, turnarounds and building orientation;*
 - c. *The access needs of the use in terms of volume, intensity and duration characteristics of trip generation.*



Response: To achieve safe and efficient site access and circulation while reducing potential for conflicts among different users – in particular, to segregate passenger vehicles from semi tractor-trailer rigs and the docks and maneuvering areas where they operate – the proposed development includes two driveways on Evergreen Road and two driveways on the Local Industrial Street at the south as the only access points. The centrally-located southern driveway on Evergreen Road provides passenger vehicles direct access to parking centrally located on the east side of the building.

The north driveway is designed for inbound-only access by tractor-trailer rigs, to sweep southbound incoming trucks into the site at the earliest opportunity, reducing truck traffic south of that point. Exiting trips from this driveway will mainly provide a secondary exit route for passenger vehicles from the parking lot.

Tractor-trailer traffic will depart the development site at the southern driveways on the Local Industrial Street and proceed to the Evergreen Road-Parr Road intersection. From there, they will be able to proceed to the north on Evergreen Road, to the east on Parr Road, or to the south on Parr Road, which provides a linkage to Butteville Road. From that intersection, going north on Butteville Road makes the connection to Oregon Highway 214/219, which is the west leg of the I-5 Interchange.

Distributing traffic among multiple access points as proposed helps separate truck and passenger vehicle movements and helps maintain roadway capacity on the City's transportation network. (For more detailed operational analysis, see TIA in Exhibit E.) This is best accomplished at this location by locating two driveway accesses on Evergreen Road (a Minor Arterial) and two on the Local Industrial Street forming the west leg of the Evergreen Road-Parr Road intersection.

With the proposed building's truck docks on the north and south sides and its primary office area facing east, it is appropriate to provide passenger vehicle access at a central location along the Evergreen Road frontage, serving the parking area east of the building. Truck access will occur at the other driveways, with southbound incoming trucks using the far north driveway, and other arriving trucks as well as departing trucks using the Evergreen-Parr Road intersection, the Local Industrial street, and the south driveways.

This number and configuration of access locations is consistent with the overall site design and its on-site circulation needs, as well as the Minor Arterial function of Evergreen Road in this industrial area; however, the north driveway's location less than 245' south of Sweetwater Avenue differs from the minimum 245' Minor Arterial access spacing requirement in the WDO, so this application includes Variance request #4 to allow the specific northern driveway location.

With approval of the Variance request, these provisions are met.

4. *Unused driveways shall be closed.*

Response: No existing site access location is proposed to remain in use. This standard is met.

B. *Joint Access*

1. *Lots that access a Major Arterial, Minor Arterial, or Service Collector should be accessed via a shared driveway.*

Response: The size of the proposed development and its particular location and access needs make the proposed set of four site driveways (two on Evergreen Road and two on the Local Industrial Street to the south) appropriate to efficiently organize, distribute, and accommodate site trip generation. The site's approximately 995-foot frontage on Evergreen Road allows spacing of approximately 380' between the north and central driveways, and approximately 460' between the central driveway and the Local Industrial Street at the south, measuring edge-to-edge. All of the proposed access locations meet or substantially exceed the applicable Minor Arterial minimum driveway spacing requirement (245' per Table 3.04A, quoted below).

The neighboring property to the north adjacent to Evergreen Road is a residence in a residential zone, where a shared driveway would be inappropriate. The proposed north driveway is located approximately 170' from the Sweetwater Avenue right-of-way, measuring edge-to-edge; a Variance request is included to allow that driveway to be located less than the required 245-foot corner clearance distance for a Minor Arterial, per Table 3.04A.

At the south, the Local Industrial Street will also accommodate shared access for future industrial development of the property to the south, when the City brings that area into the UGB for urban development.

Based on the above findings, the proposed project complies with this requirement to the extent it is feasible to do so.

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.*

Response: The project proposes access to the proposed development site from the proposed Local Industrial Street, consistent with this provision; however, due to the scale of the proposed development, it is not reasonable to expect all site access to occur by way of the Local Industrial Street. Concentrating accesses on that street alone would be insufficient to meet the site's access and circulation needs. The proposed combination of driveways efficiently brings some arriving trucks into the site at the northeast corner, reducing the volume on Evergreen Road south of that point, separating the movements of trucks and passenger vehicles for safety, and routing departing trucks to the Evergreen-Parr Road intersection, where they can efficiently be distributed among alternative routes based on their destinations and routing. In light of the proposed development's scale and the numbers of passenger vehicles and trucks that will circulate to and from it, the proposed access configuration effectively distributes trips in a way that is appropriate and preferable to attempting to concentrate all site access on the Local Industrial Street.

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.*

Response: As noted for subparagraph 1, it is not appropriate to require this project to share a driveway with any other site. The Local Industrial Street at the south does not require an access easement because it will be a dedicated public right-of-way. This provision is not applicable.

Commented [LDL12]: Review with Brent Ahrend, revise as appropriate

C. Interconnected Parking Facilities



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

Response: The proposed speculative development project is designed for industrial use with occupancy by (typically) one or two tenants (possibly up to four, with offices at each of the four corners). Depending on their functions and activities, the building tenant(s) may want to establish fenced security perimeter(s) within the site. For these and other reasons, industrial tenants at this scale cannot be considered to be “compatible uses” for purposes of interconnected access and parking facilities with neighboring industrially-zoned sites. The neighboring properties to the north are residential development sites where shared access and parking would be inappropriate. Future industrial development to the south can have access on the south side of the proposed Local Industrial Street. These provisions are met.

ACCESS REQUIREMENTS TABLE 3.04A (EXCERPT)		
		<i>Commercial or Industrial Use</i>
<i>Flag Lot Access Width (feet) (See Figure 3.04A)</i>		<i>30 minimum</i>
<i>Paved Width of Driveway (feet)</i> ^{3, 4}	<i>1-way</i>	<i>12 minimum 20 maximum</i>
	<i>2-way</i>	<i>24 minimum 36 maximum (Add 8' if a turn lane is provided)</i>
<i>Curb Flare Radius (feet)</i>		<i>30 minimum</i>
<i>Throat Length (feet)</i> ⁵	<i>Major Arterial, Minor Arterial, Service Collector</i>	<i>50 minimum</i>
	<i>Access or Local Street</i>	<i>20 minimum</i>
<i>Corner Clearance Guidelines</i> ¹ (See <i>Figure 3.04B)</i>	<i>Access or Local Street</i>	<i>30 minimum</i>
	<i>Service Collector</i>	<i>50 minimum</i>
	<i>Minor Arterial</i>	<i>245 minimum</i>
	<i>Major Arterial</i>	<i>300 minimum</i>
<i>Driveway Separation Guidelines (feet)</i> ^{1, 2} (See <i>Figure 3.04B)</i>	<i>Driveway on the same parcel</i>	<i>50 minimum</i>
	<i>Access or Local Street</i>	<i>none</i>
	<i>Service Collector</i>	<i>50 minimum</i>
	<i>Minor Arterial</i>	<i>245 minimum</i>

	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

1. The separation should be maximized.
2. Driveways on abutting lots need not be separated from each other, and may be combined into a single shared driveway.
3. Driveways over 40 feet long and serving one dwelling unit may have a paved surface 12 feet wide.
4. Notwithstanding the widths listed in this table, the minimum clearance around a fire hydrant shall be provided (See Figure 3.04D).
5. Throat length is measured from the closest off-street parking or loading space to the right-of-way. A throat applies only at entrances (See Figure 3.05B).
6. Maximum of 4 individual lots can be served from single shared driveway (See Figure 3.01D).

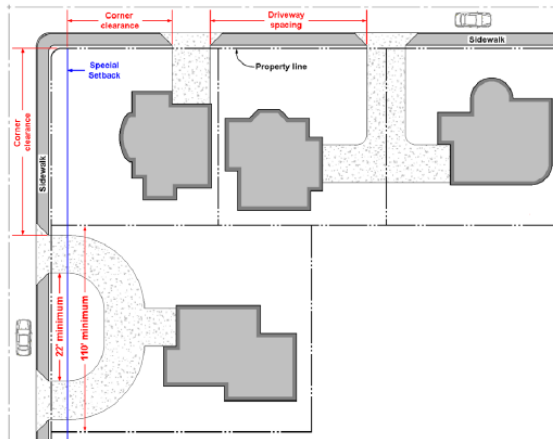


Figure 3.04B – Corner Clearance and Driveway Spacing

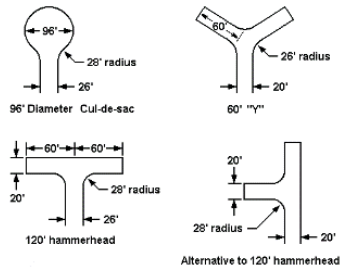


Figure 3.04C – Acceptable Turnarounds (from Oregon Fire Code Figure D103.1)

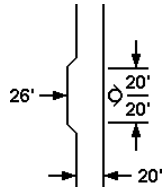


Figure 3.04D – Minimum Fire Hydrant Clearance (from Oregon Fire Code Figure D103.1)

Response: The spacing of the proposed access locations on Evergreen Road exceeds the applicable Minor Arterial minimum requirement of 245' in Table 3.04A, with one exception: the distance between the north driveway and the Sweetwater Avenue right-of-way is approximately 170'. This application includes a Variance request to allow that spacing. With approval of the Variance, these requirements are met.

3.04.04 Improvement Standards

The portion of a driveway on private property shall be paved with:

- A. Portland cement concrete to a minimum depth of six inches, or
- B. Asphalt concrete to a minimum depth of two inches, or
- C. Brick or pavers with a minimum depth of two and one-fourth inches.

Response: The proposed driveways will be paved with an appropriate section depth and asphalt paving, based on the vehicle types they will serve. Compliance can be assured through a condition of approval.

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.

Response: A Traffic Impact Analysis (TIA) by Mackenzie is included with this application as Exhibit E. This standard is met.

- B. A TIA shall evaluate the traffic impacts projected of a development proposal and the estimated effectiveness of potential traffic impact mitigation measures.

Response: Exhibit E contains a TIA prepared by Mackenzie to evaluate traffic impacts and provide recommendations for potential mitigation measures. The TIA recommends mitigation options to address identified intersection deficiencies, some of which occur under current conditions, but will also be affected by additional traffic. Some of the affected intersections are in the City's jurisdiction, and some are in ODOT or Marion County jurisdiction. For a number of the affected intersections, the City and County have an established practice of requiring developments to make proportionate-share financial contributions to help fund listed City- or County public improvement projects. For those intersections, the TIA provides recommendations and calculates corresponding proportionate-share contributions based on the trip generation anticipated in the TIA. This requirement is satisfied.

- C. The methodology for a TIA shall be consistent with City standards.



Response: This TIA has been prepared in accordance with Woodburn Development Ordinance (WDO), Sections 2.05.02 and 3.04.05 and ODOT's *Analysis Procedures Manual* (APM), Version 2. This requirement is met.

3.05 Off Street Parking and Loading

3.05.01 Applicability

The provisions of this Section shall apply to the following types of development:

- A. *All requirements and standards of Section 3.05 shall apply to any new building or structure constructed after the effective date of the Woodburn Development Ordinance (WDO).*
- B. *Any additional parking or loading required to accommodate a change in use, or expansion of an existing use, shall conform to all parking, loading and landscaping standards of the WDO.*

Response: The proposal is a new development; therefore, this provision is applicable. Satisfaction of WDO 3.05 applicable standards is explained in this section.

3.05.02 General Provisions

- A. *All required parking and loading spaces shall be retained and maintained in accordance with the standards of the WDO.*

Response: The applicant agrees to retain and maintain parking spaces and loading areas as required by the WDO. This standard is met.

- B. *The land for off-street parking and loading areas shall either be:*
 - 1. *Owned in fee title by the owner of the structure or site being served by the parking area, or*
 - 2. *Subject to legal documentation to the satisfaction of the Director, establishing permanent use of off-street parking that is under separate ownership. The parking, subject to such a parking agreement, shall be in compliance with all requirements and development standards of the WDO. The agreement shall be recorded with the County Recorder and filed with the Director.*

Response: Off-street parking will be provided on the same lot as its intended use and will be owned by the property owner of the proposed use. Standard B.1 of this paragraph is met; subparagraph B.2 is not applicable.

- C. *When calculations for determining the number of required off-street parking spaces results in a fractional space, any fraction of a space less than one-half shall be disregarded, and a fraction of one-half or greater shall be counted as one full space.*

Response: This method of calculation was used in determining required parking numbers for the development. This standard is met.

- D. *Location*
 - 1. *Off-street parking and loading spaces shall be provided on the same lot as the primary building or use except that:*
 - a. *In RS, R1S or RM zones, parking spaces for non-residential uses permitted in the zone may be located on another site, if such site is within 250 feet of the lot containing the primary building, structure or use.*

- b. *In any zone other than RS, R1S or RM, the parking spaces may be located on another site, if such site is within 500 feet of the site containing the primary building, structure or use.*

Response: All off-street parking will be provided on the same site as its associated use. This standard is met.

2. *Off-street parking shall be located either in the same zone, in a more intensive zone or in a zone where parking is allowed as a permitted use, or subject to approval as a conditional use.*

Response: All off-street parking will be provided within the subject property, all of which is in the SWIR zone. This standard is met.

E. *Setback*

1. *In commercial and industrial zones, the parking, loading, and circulation areas shall be set back from a street a minimum of five feet.*
2. *Parking, loading, and circulation areas shall be set back from a property line a minimum of five feet, unless there is a shared use agreement to the satisfaction of the Director, verifying shared use between the separate properties.*

Response: As shown the site plan and landscape plan drawings, all parking, loading, and circulation areas are set back from property lines a minimum of five (5) feet. There is no current shared use agreement, and one is not proposed as part of this application. This standard is met.

- F. *All vehicle parking and loading areas shall be paved to the standards of this ordinance (Section 3.04.04), except that in the IP, IL, SWIR, and P/SP zones, storage areas used for equipment that may damage pavement may be stored on a gravel-surface storage area. A gravel storage area shall be constructed to a minimum of surfacing of: six inches of one inch minus to three inch minus gravel. If three inch minus is used, the top two inches shall be one inch minus. The property owner shall maintain a gravel storage area to ensure continued drainage and dust control. A paved access apron to any paved access road is required, regardless of the storage area surface.*

Response: The proposed development site is located in the SWIR zone. All vehicle parking and loading areas will be paved. No gravel storage area is proposed. This standard is met.

- G. *All vehicle parking, loading, and storage areas shall be graded and provide storm drainage facilities approved by the Director.*

Response: All vehicle parking, loading, and storage areas will be graded and will include storm drainage facilities, as shown in the grading plans included in Exhibit C and supported by storm calculations in Exhibit D. The proposed stormwater management facilities are designed to comply with applicable storm water detention requirements, providing on-site detention in on-site surface facilities around the perimeter of the site. All drainage from the proposed development, including roadway improvements, is designed to flow to detention facilities along Evergreen Road and discharge to the storm line in Evergreen Road.

Conceptual engineering provided by the applicant shows that future flows from development of the parcel to the west (Parcel 1 of PP 2022-41) will be conveyed west to detention ponds along the Stacy Allison Way right-of-way, and will discharge to a drainage ditch that flows north in the City-owned corridor between I-5 and Stacy Allison Way. The existing ditch is to be extended south to abut the north boundary of the subject property as part of Stacy Allison Apartments Phase 2 construction. Alternatively, if development of the western remainder of the subject property proceeds first, it is feasible for that developer to extend

the ditch consistent with the design section for the ditch construction provided at Sheet R0.15 of Exhibit C. This standard is met.

- H. *All parking spaces, except those for single-family and duplex dwellings, shall be constructed with bumper guards or wheel barriers that prevent vehicles from damaging structures, projecting over walkways so as to leave less than four feet of unobstructed passage, or projecting over access ways, abutting properties or rights-of-way.*

Response: As shown in the site plans, wherever vehicle parking abuts a walkway, the minimum 7-foot width dimension provides at least four feet of unobstructed passage on the walkway after accounting for vehicle bumper overhangs. No access ways, abutting properties, or rights-of-way are obstructed. This standard is met.

- I. *Maneuvering areas shall be designed in compliance with this Section (Table 3.05C). Off-street parking areas shall be designed so that no backing or maneuvering within a public right-of-way is required. These provisions do not apply to single-family dwellings or duplexes.*

Response: The proposed development will have ample maneuvering room so that no backing or maneuvering within a right-of-way is required. The site will have interconnected drive aisle widths of at least 24 feet to facilitate backing and two-way circulation. This standard is met.

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

Response: The proposed development is required to have more than 20 parking spaces. The parking areas will have signs to control vehicle movement. This standard is met.

- K. *Except for single-family and duplex dwellings, off-street parking spaces shall be delineated by double parallel lines on each side of a space. The total width of the lines shall delineate a separation of two feet. The lines shall be four inches wide (See Figure 3.05C).*

Response: The site plan identifies the location and number of parking spaces. Off-street parking spaces will be delineated by double parallel lines as required; compliance with this striping standard can be assured through the construction permit issuance process. This standard is met.

- L. *For nonresidential uses:*

1. *Parking and loading areas should be illuminated at an average of 0.2 horizontal foot-candle at ground level (or 0.5 horizontal foot-candle if the applicant states that personal security or vandalism is a likely or severe problem), with a maximum uniformity ratio of 20:1 (maximum to minimum).*
2. *Entrance areas to the building should be illuminated at an average of 0.5 horizontal foot-candle at ground level (or 1.0 horizontal foot-candle if the applicant states that personal security or vandalism is a likely or severe problem), with a maximum uniformity ratio of 15:1 (maximum to minimum).*
3. *Illumination shall not shine or reflect onto residentially zoned property or a public street.*

Response: The applicant has provided a site lighting plan in Exhibit C showing that the appropriate lighting values are achieved at specified site locations. Exterior lighting fixture specifications are provided in Exhibit G. The plans demonstrate that light fixture locations and dispersion angles will avoid shedding direct or reflected light on residentially zoned property or a public street. This standard is met.

M. Required parking spaces shall be available for parking of operable vehicles of residents, customers, patrons and employees and shall not be used for the storage of vehicles or materials or for the parking of fleet vehicles, except for those fleet vehicles:

1. Driven by an employee to the site each work day from home, or
2. Stored during periods other than normal business hours.

Response: These standards govern future tenants’ use of approved parking areas. This application does not include any request to deviate from compliance. This standard is met.

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).

TABLE 3.05A OFF-STREET PARKING RATIO STANDARDS (EXCERPT)	
Use	Minimum Required
50. Manufacturing	Greater of: a. 1/ 800 square feet (0 to 49,999 square feet) b. 63 plus 1/ 1,000 square feet over 50,000 (50,000 to 99,999 square feet) c. 113 plus 1/ 2,000 square feet over 100,000 (100,000 square feet or more) or 1/ employee
55. Warehousing 56. Motor freight transportation and warehousing	Greater of: a. 1/ 5000 square feet (0 to 49,999 square feet) b. 10 plus 1/ 10,000 square feet over 50,000 (50,000 to 99,999 square feet) c. 15 plus 1/ 15,000 square feet over 100,000 (100,000 square feet or more) or 1/ employee
66. Freight transportation arrangement	1/ employee
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. 2. There is no required parking ratio for non-residential uses and residential units above first floor commercial uses in the DDC zone (See Section 3.07.07.C.12).	

Response: The proposed development is a speculative industrial building with lease space suitable for a wide range of potential industrial tenants. Typical anticipated tenants are primarily in the distribution segment of industry, but that is a dynamic and rapidly evolving sector of the economy. Contemporary distribution facilities operate quite differently from traditional (and increasingly outdated) industry warehousing/distribution models; some facilities have high employment (“head count”) and use multiple



shifts to achieve rapid order fulfillment and high throughput with low on-site inventory. The parking needs of such facilities resemble those of manufacturing operations.

Space within the proposed building could also be suitable for manufacturing or other activities that are permitted uses in the SWIR zone and have higher typical levels of employment and parking requirements.

For these reasons, the proposed plans provide sufficient on-site parking capacity to meet employment needs characteristic of contemporary firms and facilities the proposed building is designed to attract and secure as tenants. Table III-1 summarizes the proposed on-site parking facilities:

Table III-1. Parking and Ratio Range Analysis

Commented [LDL13]: Figures in Table III-1 have been updated based on final proposed building SF of 513,193 SF. Edits are not redlined because Word was attempting to re-dimension column widths. There are no corresponding changes in the text of the report (differences were too small to affect quoted figures).

Building SF	513,193					
Proposed Parking:						
Standard	431					
Compact	0					
Motorcycle	0					
Accessible Standard	7					
Accessible Wheelchair	2					
Combined Parking:	440				0.86	

Anticipated Use Mix, Typ.	Alloc.	SF	Min.	Max.	Min. Ratio (SP/KSF)	Max. Ratio (SP/KSF)
50. Manufacturing	52%	266,860	196.4	392.9	0.74	1.47
55-56 Warehousing/Freight	48%	246,333	24.8	49.5	0.10	0.20
Combined Requirement/Range:	100%	513,193	221.2	442.4	0.43	0.86

Anticipated Use Mix, Typ.	Alloc.	SF	Min.	Max.	Min. Ratio (SP/KSF)	Max. Ratio (SP/KSF)
50. Manufacturing	100%	513,193	319.6	639.2	0.62	1.25
55-56 Warehousing/Freight	0%	0	0.0	0.0	n/a	n/a
Combined Requirement/Range:	100%	513,193	319.6	639.2	0.62	1.25

Based on the analysis in Table III-1, the proposed parking ratio for the proposed building aligns with projected occupancy equivalent to a mix of at least 52% Manufacturing and 48% Warehousing/Freight activities, because the proposed 440 parking spaces falls within the calculated minimum/maximum range of 221 to 442 (overall parking ratio between 0.43 and 0.86 spaces per thousand square feet of building floor area, or KSF).

Table III-1 also provides a calculation for a 100% "Manufacturing" occupancy scenario. In that case, the proposed 440 parking spaces fall well within the allowed range – between 319 and 639 spaces, or 0.62 to 1.25 parking spaces per thousand square feet (KSF).

Summarizing from the above analysis, the proposed on-site parking is designed to anticipate and align with the needs of contemporary tenants in the competitive marketplace for industrial tenants, based on a reasonable method of making projections about their needs. Increasingly, Warehousing/Freight operations are resembling Manufacturing operations in terms of their levels of on-site employment and corresponding parking requirements.

Importantly, the standards in Table 3.05A allow parking to be provided at the rate of one (1) per employee, and note 1 of Table 3.05A authorizes the Planning Director to “authorize parking for any use not specifically listed in this table.” It is not apparent whether category 66, “Freight transportation arrangement” was intended to cover newer, innovative forms of shipping/distribution/fulfillment operations; nevertheless, the WDO anticipates the need for such interpretations and authorizes the Planning Director to make them. That policy provides flexibility to approve tenancies and parking ratios that align with the needs of firms in a dynamic marketplace.

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.

TABLE 3.05B ACCESSIBLE PARKING RATIO STANDARDS			
Total Spaces ^{2,3}	Minimum Total Accessible Spaces ¹	Minimum Van Accessible Spaces	Minimum “Wheelchair User Only” Spaces
1 to 25	1	1	
26 to 50	2	1	
51 to 75	3	1	
76 to 100	4	1	
101 to 150	5		1
151 to 200	6		1
201 to 300	7		1
301 to 400	8		1
401 to 500	9		2
501 to 1,000	2% of total		1 in every 8 accessible spaces or portion thereof
1,001 or more	20 plus 1 for each 100 spaces over 1,000		

1. “Van Accessible Spaces” and “Wheelchair User Only” are included in “Total Accessible Spaces.”
 2. Facilities providing outpatient services require ten percent of the total number of parking spaces to be accessible spaces.
 3. Facilities that specialize in treatment or services for persons with mobility impairments require 20 percent of the total number of parking spaces to be accessible spaces.

Response: As shown in the submitted plans and reflected in Table III-1 above, the proposed development provides accessible parking in compliance with Table 3.05B. This standard is met.

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

Response: No compact spaces are proposed; the proposal complies with this requirement.

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

TABLE 3.05C PARKING SPACE AND DRIVE AISLE DIMENSIONS (EXCERPT)

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		

1. A parking space may occupy up to two feet of 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 differs across a drive aisle, the greater drive aisle width shall be provided.

Response: All proposed parking spaces will be perpendicular (90 degrees), with dimensions including two-way drive aisles meeting the requirements of Table 3.05C. The above-mentioned parking space dimensions include up to two feet of bumper overhang into landscaped area or walkway (while still maintaining at least four feet clear width of a walkway). This standard is met.

E. All uses that are required to provide 10 or more off-street parking spaces and residential structures with four or more dwelling or living units shall provide a bicycle rack within 50 feet of the main building entrance. The number of required rack spaces shall be one space per ten vehicle parking spaces, with a maximum of 20 rack spaces.

Response: The site plans identify locations for 20 bike rack spaces for the proposed building, near the building's office entrance areas. This standard is met.

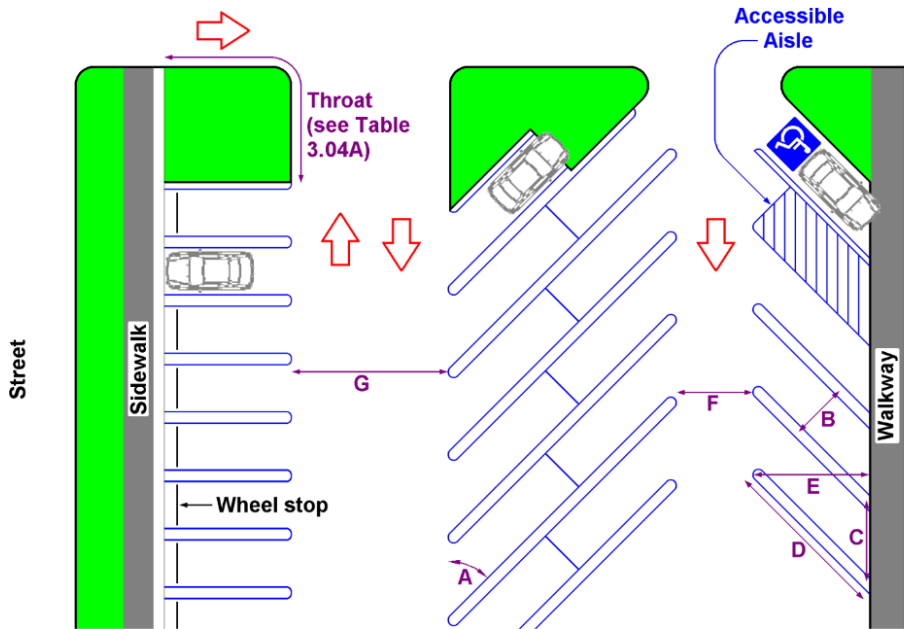


Figure 3.05B – Parking Space and Aisle Dimensions

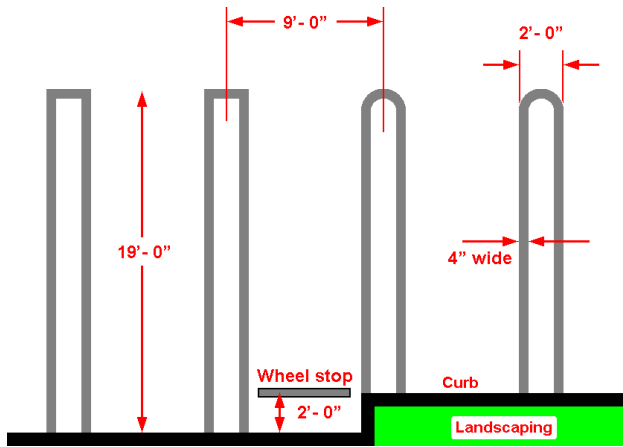


Figure 3.05C – Parking Space Striping

3.05.04 Off-Street Loading

- A. Off-street loading spaces shall comply with the dimensional standards and amounts not less than those set forth in this Section (Table 3.05D).
- 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.

TABLE 3.05D LOADING SPACE REQUIREMENTS				
Use and Area (Square Feet)	Minimum Number of Spaces	Minimum Size of Space (Feet)		
		Width	Length	Height
<i>Office</i>				
0 – 4,999	0	12'	30'	14'
5,000 – 41,999	1			
42,000 or more	2			
<i>Nonresidential uses, except office, in the CO, CG, and NNC zones</i>				
0 – 9,999	1	12'	30'	14'
10,000 – 41,999	2			
42,000 – 81,999	3			
82,000 or more	4			
<i>All uses in the IP, IL, and SWIR zones</i>				
0 – 11,999	1	12'	60'	14'
12,000 – 35,999	2			
36,000 – 59,999	3			
60,000 – 99,999	4			
100,000 or more	1 additional for each 50,000 SF or fraction thereof			

Response: “Loading space” is defined in WDO 1.02 as “An on-site space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or material.”

The proposed building is designed for Warehousing/Distribution, Manufacturing, or other industrial uses allowed in the SWIR zone. Table III-2 summarizes the minimum requirement and the loading dock/overhead doors capacity identified on the plans.

Table III-2. Loading Facilities

	Building Area	Minimum Loading (WDO Table 3.05D)	Proposed Dock-Height Capacity *	Proposed Drive-In
Proposed Building	512,798	13	100	4

* The building is designed using modular tilt-up walls with knock-out panels that can be converted to dock doors on both the north and south walls. Initial construction will include at least the minimum number of actual dock door installations required to meet Code requirements. Additional dock doors can be installed to meet tenant requirements as lease tenant(s) occupy the building(s).

Based on the proposed loading configuration, the proposed development complies with minimum loading requirements.

3.05.05 Shared Parking

A. *Shared parking shall be allowed through a Zoning Adjustment, Design Review, Conditional Use, or Planned Unit Development. [detailed provisions omitted for brevity]*

Response: This Section is not applicable because no shared parking is proposed.

3.06 Landscaping

3.06.02 General Requirements

A. *Building plans for all uses subject to landscaping requirements shall be accompanied by landscaping and irrigation plans.*

Response: Landscaping and irrigation plans are included in the L-Series Sheets L0.01-L1.17 of Exhibit C. This standard is met.

B. *All required landscaped areas shall be irrigated unless it is documented that the proposed landscaping does not require irrigation.*

Response: Notes in the landscaping plans specify irrigation for all new planting areas by an automatic irrigation system (see L-Series Sheets in Exhibit C). This standard is met.

C. *All shrubs and ground cover shall be of a size upon installation so as to attain 80% of ground coverage within 3 years.*

Response: As specified in the notes in the Landscape Plan sheets in Exhibit C, all shrubs and ground cover will be installed at a size such that 80% ground coverage will be achieved within three years. This standard is met.

D. *Installation of plant materials and irrigation specified in an approved landscaping plan shall occur at the time of development and shall be a condition of final occupancy. Should site conditions make installation impractical, an acceptable performance guarantee may be approved, subject to the requirements of this Ordinance (Section 4.02.08).*

Response: Installation of plant materials and irrigation will occur at the time of development as required. Compliance can be assured by a condition of approval. This standard is met.

E. *The property owner shall be responsible for maintaining all landscaping, fences, and walls in good condition, so as to present a healthy and orderly appearance. Unhealthy and dead plants shall be removed and replaced, in conformance with the original landscape plan.*

Response: The property owner acknowledges responsibility to maintain all landscaping, fences, and walls in good condition as required. This standard is met.

F. *The required number of plant units shall be met by a combination of plant materials listed in this Ordinance (Table 3.06B).*

Response: The landscape plans in Exhibit C include the Plant Unit Value for the proposed plantings, in accordance with Table 3.06B – see in particular the Plant Unit (PU) Calculations table on Sheet L0.01. The proposed plantings include a mix of large trees and shrubs, lawn, and living ground cover. Compliance can be assured through a condition of approval. This standard is met.

G. *Required plant units need not be allocated uniformly throughout specified landscaping areas, but may be grouped for visual effect.*

Response: The proposed Landscape Plan (L-Series) sheets in Exhibit C show a compliant distribution of planting materials. Along the north property edge, an Architectural Wall and a double-row combination of deciduous and evergreen trees will provide visual screening of the building and trailer storage during warm-weather months, while also allowing winter light and sunshine to reach the rear yards of homes along the shared north property boundary after deciduous trees shed their leaves in the autumn season. Particular attention has also been given to creating an attractively landscaped environment along the Evergreen Road frontage, using shrubs and groundcover plantings to partially screen visibility of parked vehicles while providing corridor views toward the building’s front façade, between aligned rows of both large and small tree plantings within the parking lot between the building and the street. This standard is met.

H. *Landscaped areas that are not covered by plant materials shall be covered by a layer of bark mulch or decorative rock, a minimum of two inches in depth.*

Response: As specified in the notes in the Landscape Plan sheets in Exhibit C, no landscape areas are not covered by plant materials. This standard is met.

I. *A six-inch high concrete curb shall be provided between landscaped areas and parking and circulation areas.*

Response: Where landscape areas abut parking areas, a six-inch-high concrete curb will be provided to protect the landscaping – see Grading and Site Plan sheets in Exhibit C. This standard is met.

J. *Plant materials shall be appropriate to the climate and environment of Woodburn. Inclusion of plants identified in “Suggested Plant Lists for Required Landscaping”, published by the Portland Bureau of Development Services, can be used to meet this standard. A landscape architect, certified arborist or nursery person may also attest to plant appropriateness.*

Response: Proposed plant materials were selected by landscape architects from multiple sources including the Portland Bureau of Development Services’ “Suggested Plant Lists for Required Landscaping.” The complete list of plant species is shown in the Landscape Plan sheets in Exhibit C. This standard is met.

K. *Prohibited trees identified by this ordinance (Table 3.06C) do not count towards required landscaping.*

Response: No prohibited trees are proposed for use as street trees or for on-site planting. This standard is met.

3.06.03 Landscaping Standards

A. *Street Trees*

Within the public street right-of-way abutting a development, street trees shall be planted to City standards, prior to final occupancy.

1. *One tree per every entire 50 feet of street frontage shall be planted within the right-of-way, subject to vision clearance area standards and placement of public utilities.*

2. *Street trees shall be planted according to the property's zoning, and the abutting street's classification in the Transportation System Plan:*
 - a. *Large trees shall be planted along Major and Minor Arterial streets. Large trees shall also be planted along all streets in the Neighborhood Conservation Overlay District (NCOD), regardless of street classification;*
 - b. *Medium trees shall be planted along Service Collector and Access/Commercial Streets;*
 - c. *Small trees shall be planted along all other streets.*
3. *The Director may modify this requirement, based on physical constraints and existing conditions, including the location of driveways and utilities. Such modification may include relocating the street trees to abutting private property.*

Response: The proposed street improvements plans include street trees consistent with the Minor Arterial designation of Evergreen Road and Local Industrial designation of the new east-west street along the south property boundary. This standard is met.

B. Site landscaping shall comply with Table 3.06A.

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

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.

3.06.04 Plant Unit Value

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
1. Existing vegetation that is retained has the same plant unit value as planted vegetation.		
2. No more than twenty percent (20%) of the required plant units may be satisfied by items in lines 8 through 15		

Response: The landscape plans in Exhibit C demonstrate compliance with the required planting calculations. In the SWIR zone, 10% of the paved surface area for parking, loading and circulation is required to be landscaped. All proposed paved surfaces within the proposed development site are for parking, loading, and circulation.

M.

The proposed development site net of right-of-way dedications contains 1,194,327 SF, of which 513,193 SF will be occupied by the building. Site landscaping of 190,950 SF is proposed, which is 16.0% of net site area and 39.2% of the 486,843 SF of site paved area (parking, loading and circulation). This allocation exceeds the minimum area requirement. Figures are provided on Sheet C1.10 in Exhibit C.

The L-Series Sheets provide planting specifications and calculations to demonstrate compliance with Plant Unit (PU) requirements.

Based on the submitted landscaping plans and calculations, the requirements of this Section, including Tables 3.06A and B, are satisfied.

Commented [LDL14]: Revise figures based on final plan set when completed.

PROHIBITED TREES TABLE 3.06C		
Common Name	Scientific Name	Negative Attributes
Almira Norway Maple	<i>Acer platanoides</i> "Almira"	Sidewalk damage
Box Elder	<i>Acer negundo</i>	Weak wood, sidewalk damage
Catalpas	<i>Catalpa Species</i>	Significant litter (hard fruit 12" or more as elongated pod)
Desert, or Velvet, Ash	<i>Fraxinus velutina</i>	Susceptible to bores, crotch breakage, significant litter
Douglas Fir	<i>Pseudotsuga menziesii</i>	Not as street tree
Elms	<i>Ulmus Species</i>	Susceptible to Dutch Elm disease
European Ash	<i>Fraxinus excelsior</i>	Disease susceptible, significant litter
Fruit bearing trees		Not appropriate due to fruit
Ginko, or Maidenhair, Tree	<i>Ginko biloba</i>	Disgusting odor from squashed fruit when female near male
Green Ash	<i>Fraxinus pennsylvanica</i>	Susceptible to insects and disease, crotch breakage, significant litter
Hackberry or Sugarberry	<i>Celtis Species</i>	Significant litter (fleshy fruit)
Hickory, Pecan	<i>Carya Species</i>	Significant litter (hard fruit)
Holly	<i>Ilex Species</i>	Sight obstruction (evergreen, low foliage)
Horse Chestnut	<i>Aesculus hippocastanum</i>	Significant litter (inedible nut)
Lavalle Hawthorne	<i>Crataegus lavellei</i>	Hazardous (thorns on trunk and branches)
Lilac	<i>Syringa Species</i>	Sight obstruction (low foliage), pollen allergies
Oak	<i>Quercus Species</i>	Significant litter (hard fruit)
Pines	<i>Pinus Species</i>	Sight obstruction (evergreen, low foliage)
Poplar, Cottonwood	<i>Populus Species</i>	Brittle, significant litter
Profusion Crab Apple	<i>Malus "Sargent"</i>	Significant litter (fleshy fruit)
Silver Maple	<i>Acer saccharinum</i>	Sidewalk damage, root invasion into pipes
Spruces	<i>Picea Species</i>	Sight obstruction (evergreen, low foliage)
Sweetgum	<i>Liquidambar styruciflua</i>	Significant litter (hard fruit)
Thundercloud Plum	<i>Prunus "Thundercloud"</i>	Significant litter (fleshy fruit)
Tree of Heaven	<i>Ailanthus altissima</i>	Sidewalk damage
Walnuts	<i>Juglans Species</i>	Significant litter (hard fruit)
Willow	<i>Salix Species</i>	Root invasion into pipes
Winter Crab Apple	<i>Malus "Winter Gold"</i>	Significant litter (fleshy fruit)

Response: No trees from the Prohibited Trees list are specified. This requirement is met.

3.06.05 Screening

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

SCREENING REQUIREMENTS
TABLE 3.06D (EXCERPT)

N = No screening required F = Sight-obscuring fence required W = Architectural wall required
D = Architectural wall, fence, or hedge may be required in the Design Review process

Adjacent properties – zone or use that receives the benefit of screening Property being Developed – must provide screening if no comparable screening exists on abutting protected property	RS, R1S, or RSN zone	RM or RMN zone	DDC or NNC zone	CO zone	CG or MUV zone	IP, IL, or SWIR zone	P/SP zone	Single-family dwelling, duplex, child care facility, or group home ⁷	Multiple-family dwelling, child care facility, group home or nursing home ^{5, 8}	Nonresidential use in a residential zone	Manufactured dwelling park
IP, IL, or SWIR zone	W ³	W ³	D	W ³	D	D	D	W ³	W ³	W ³	W ³
Refuse and recycling collection facilities except for single-family dwelling, duplex, child care facility, or group home	W ² _{6,7}	W ² _{6,7}	W ² _{6,7}	W ² _{6,7}	W ² _{6,7}	W ² _{6,7}	W ² _{6,7}	W ² _{6,7}	W ² _{6,7}	W ² _{6,7}	W ² _{6,7}
<ol style="list-style-type: none"> 1. Screening is only required from the view of abutting streets, parking lots, and residentially zoned property. Storage shall not exceed the height of the screening. 2. Six to seven feet in height 3. Six to nine feet in height 4. Abutting streets must also be screened. 5. Screening is required abutting multiple-family dwellings, commercial or industrial uses only. 6. In industrial zones, screening is required only where the refuse collection facility is in a yard abutting a public street, parking lot, or residentially zoned property. 7. Child care facility for 12 or fewer children, group home for five or fewer persons. 8. Child care facility for 13 or more children, group home for six or more persons. <p>General notes:</p> <ol style="list-style-type: none"> 9. Screening is subject to height limitations for Vision Clearance Areas (Section 3.03.06) and adjacent to streets (Section 2.01.02). 10. No screening is required where a building wall abuts a property line. 11. Where a wall is required and is located more than two feet from the property line, the yard areas on the exterior of the wall shall be landscaped to a density of one plant unit per 20 square feet. 											

Response: The proposed development is a single-building Warehouse/Distribution and/or Manufacturing facility in the SWIR zone. Land to the west is vacant land in the SWIR, within the UGB, consisting of the western remainder of the subject property, and land owned by ODOT to its west. Land to the south is vacant land in the SWIR, outside the UGB but in the City’s designated Urban Reserve Area. On these edges, an architectural wall, fence, or hedge could potentially be required, as determined in the Design Review process; however, because those neighboring properties are designated for industrial use, and because there will be new roadways along both the west and south frontages of the subject property, neither edge should be considered to have a significant or negative visual impact on the neighboring property or use, and no special screening is warranted on those sides.

To the north, the proposed development site abuts two different zones. The Nodal Single Family Residential (RSN) Zone is located north of the eastern part of the north property line, which is the shared boundary with Lots 36-50 of Paradise Pointe subdivision⁸, located on the south side of Sweetwater Avenue, whose rear yards abut the site. The Commercial General (CG) zone is located north of the western part of the north property line; that property is the Phase 2 area of the Allison Way Apartments project. The applicant understands that project to be fully vested and pending construction of new residential units.

Based on Table 3.06D, an Architectural Wall is required at the boundary abutting the RSN Zone, and an architectural wall, fence, or hedge may be required through Design Review at the boundary abutting the CG zone. In addition to providing an Architectural Wall along both the RSN and CG Zone boundary segments along the north boundary of the proposed development site, the applicant has proposed a 30-foot-wide landscape strip along the north property boundary with dense, primarily deciduous tree plantings that will provide a high level of visual screening during the spring and summer months, but will shed leaves and allow light to reach the residences to the north during the fall and winter months. (See L-Series Sheets in Exhibit C.)

There is no abutting property to the east because the southern extension of Evergreen Road will become the eastern property boundary. Screening on that side of the property is provided by landscaping in compliance with applicable requirements for that street edge.

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

Response: Proposed landscape plantings in areas between streets and parking areas include plantings to form a 42-inch visual screen. This standard is met.

3.06.06 Architectural Walls

- A. *This Section shall apply to required architectural walls in all zoning districts.*
- B. *Design Standards and Guidelines*
1. *An architectural wall shall meet the texture, color, and articulation requirements on the face away from the proposed development.*
 2. *An architectural wall should meet the texture, color, and articulation requirements on the face toward the proposed development.*
 3. *An architectural wall shall have a minimum three inch horizontal articulation of at least one linear foot of the wall of intervals not more than 40 feet; and*
 4. *An architectural wall shall have a minimum six inch vertical articulation of at least one linear foot of the wall of intervals not more than 40 feet.*
 5. *An architectural wall shall incorporate at least two colors.*
 6. *An architectural wall shall have an earth tone coloration other than grey on at least eighty percent (80%) of the surface.*

⁸ Lot 50 was partitioned by Marion County Partition Plat 15-005 such that only Parcel 2 has a shared boundary with the site.

7. *An architectural wall shall be architecturally treated with scoring, texture, or pattern on at least eighty percent (80%) of the surface.*
- 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.*

Response: Based on Table 3.06D, an Architectural Wall is required at the proposed development site's north boundary abutting the RSN Zone (eastern portion). The applicant proposes to construct an Architectural Wall along the proposed development site's north boundary adjacent to the RSN as well as the part abutting the CG Zone boundary, where construction of phase 2 of the Allison Way Apartments project is anticipated. This complies with the requirements of this section; compliance can be assured through a condition of approval. (See C-Series Sheets in Exhibit C.)

3.06.07 Significant Trees on Private Property

- A. *The purpose of this Section is to establish processes and standards which will minimize cutting or destruction of significant trees within the City. Significant trees enhance neighborhoods by creating a sense of character and permanence. In general, significant trees on private property shall be retained, unless determined to be hazardous to life or property.*
[additional subparagraphs B through F omitted for brevity]

Response: The site, which has been used for agricultural production, does not contain any significant trees. These provisions are not applicable.

3.07 Architectural Design

3.07.01 Applicability of Architectural Design Standards and Guidelines

- A. *For a Type I review, the criteria of this Section shall be read as "shall" and shall be applied as standards. For a Type II or III review, the criteria of this Section shall be read as "should" and shall be applied as guidelines.*

Response: The Design Review application will be processed as a Type III review; therefore, these criteria are addressed as guidelines rather than standards. All applicable guidelines for industrial development are addressed in this section to demonstrate that they have been taken into account during the design process.

3.07.10 Industrial Zones

- A. *Applicability*

The following design guidelines shall apply to all structures and buildings in the IP, IL and SWIR zones.

- B. *Design Guidelines*

1. *Building Bulk and Scale*

Long blank walls abutting streets should be avoided. The visual impact of building and scale should be reduced by:

- a. *Articulating building facades;*

Response: On the proposed building's front (east) façade, windows, reveals, and corner sections with taller parapets and additional reveals are used to create a panelized

appearance and establish a visual hierarchy, emphasizing that the east part of the building is the front and the primary entrance. Office corner bump-outs with a three-foot horizontal offset at the northeast and southeast corners emphasize the building corners and draw attention from the scale of the central wall area. (See A-Series Sheets in Exhibit C.) In addition, elevated parapet walls at the building corners and distinctive central wall segments with a subordinate elevated parapet height add interest and create a rhythm along all four sides of the building. Reveals on all building wall surfaces visually break up surfaces so they are perceived to have a rhythmic pattern of panels.

These visual elements and patterning are designed to be consistent with the large scale of the building as well as the distance at which it will be seen by the public: the front building wall is set back approximately 175' from the Evergreen Road right-of-way.

Therefore, the proposed building design includes features consistent with this Design Guideline.

b. Landscaping the area abutting building walls, including plant materials that provide vertical accents;

Response: As noted above, views of the front of the proposed building from Evergreen Road will be framed and punctuated by rows of tree plantings in the parking lot landscape islands between the building and the roadway. The building edge will be further softened by dense plantings of shrubs and groundcovers in planters adjacent to the front building wall. The side walls are devoted to truck docks, so plantings are not feasible adjacent to those building walls. This guideline is met.

c. Tying building entrances to the overall mass and composition of the building;

Response: The proposed building's principal entrances are located in two office bump-outs on the east façade, facing Evergreen Road. The entrances are identified and signified by horizontal projections, glazing, plantings, and elevated parapet walls to draw attention to those corner elements. These features call attention to the main entrance/office areas while integrating them into the mass and scale of the large building behind them.

d. Minimizing the use of smooth concrete, concrete block and all types of metal siding;

Response: As noted above, a combination of horizontal offsets at the office corner bump-outs, reveals, white and grey wall paint colors, elevated parapet segments, and fenestration on the front façade will break up the appearance of large surfaces. (See Materials and Colors Panel in Exhibit L.) The scale of the features and patterning is designed to create an aesthetic appearance as viewed primarily from the front (east/Evergreen Road) façade.

e. Shading colors with brown or black to create earth tones or tinting colors with white to soften the appearance. Day-glow, fluorescent and other intense colors shall be prohibited;

Response: Building paint colors are a combination of neutral white and gray shades to be applied to wall panels and reveals. The proposed color scheme does not incorporate any day-glow, fluorescent, or intense colors.

- f. *Screening exterior building equipment, including roof top equipment, from view; and*

Response: Rooftop equipment is screened from view by parapet walls. No other exterior building equipment is proposed.

- g. *Altering roof lines, constructing cornices, or parapets that offset the continuous plane of large buildings and extended building lines.*

Response: In each of the proposed buildings/phases, the parapet wall design includes elevated wall heights at the four building corners and at central locations along each wall, consistent with this guideline.

Summary: The applicant's design team has incorporated a number of design techniques and visual strategies to manage perceptions of the building bulk and scale, consistent with the design guidelines in this Section.

2. *Loading*

- a. *Loading facilities should be located at the rear or side of structures.*
 b. *The visual impact of loading facilities abutting a street should be mitigated by:*
 (1) *Offsetting the location of the driveway entrance and the loading dock; and*
 (2) *Screening the loading area with a sight-obscuring fence, wall or hedge.*
 c. *Loading areas should be located on the site so that backing onto or off the street frontage is not required.*

Response: The building is oriented with its main offices at the east facing Evergreen Road, and its loading facilities on its north and south sides, consistent with subparagraph a. Loading docks on the south side of the proposed building are screened by landscaping along the Local Industrial Street edge as well as trailer storage on the south side of the maneuvering area for the loading docks. Driveways are offset from the loading dock area to the extent feasible, limiting views from the street. The site plan locates all maneuvering areas so that no reversing movements onto or off a street are required. These provisions are met.

3. *Outdoor Lighting*

All outdoor lighting should be designed so as not to shine or reflect into any adjacent residentially zoned or used property, and shall not cast a glare onto moving vehicles on any public street.

Response: The lighting plan shows how light will be directed to areas of the site to meet night-time safety and surveillance needs without casting glare or stray light into public street areas. (See Exhibit C.) This standard is met.

4. *Solar Access Protection*

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

Response: There is at least one (1) rooftop photovoltaic installation on the abutting residences to the north of the site. Sheet A3.11 provides a graphic illustration of the extent of the proposed building's shadow during a four-hour mid-day period on the winter solstice (December 21, 2022). The graphic demonstrates that, due to the building's approximately 214-foot setback from the north property boundary (175' at the smaller office corner bump-outs), on the Winter Solstice (typically December 21 or 22 of the year) when the sun is at its lowest azimuth angle, the building's shadow will fall only within the subject property itself or the Architectural Wall between 9:00 a.m.



and 3:00 p.m., which is to say it will not cast a shadow on neighboring residences to the north – or even on their back yards – during those mid-day hours. (See Solar Analysis, Sheet A3.11 of Exhibit C, and Solar Angle Calculations in Exhibit I.)

5.01.10 Sign Permit

B. *Criteria: Applications shall be reviewed for compliance with the sign standards of this Ordinance.*

C. *Procedure: The Director shall review proposal signs for compliance to City regulations.*

Response: No signs are proposed with this application. The applicant understands that any proposed signs will need a sign permit. All procedures and standards will be followed when signs are proposed at a later date. These standards do not apply.

5.02.04 Exception to Street Right of Way and Improvement Requirements

A. *Purpose: The purpose of a Type II Street Exception is to allow deviation from the street standards required by this Ordinance (Section 3.01) for the functional classification of streets identified in the Woodburn Transportation System Plan. An exception for a development reviewed as a Type I or II application shall be considered as a Type II application, while development reviewed as a Type III application shall be considered a Type III application.*

Response: This application requests three Street/Right-of-Way Design Exceptions:

1. Exception request to shift the alignment of Stacy Allison Way slightly to the east, to provide sufficient width and stormwater management for the proposed “half-street” construction.
2. Exception request to shift the alignment of the Local Industrial Street slightly to the north and allow an offset-crown, to provide sufficient width and stormwater management for the proposed “half-street” construction.
3. Exception request to allow an interim alignment and improvements at the Evergreen-Parr Road intersection, to make full access operation feasible with limited right-of-way available on the east side of the intersection.

Responses to the approval criteria below refer to those specific requests by number.

B. *Criteria:*

1. *The estimated extent, on a quantitative basis, to which the rights-of-way and improvements will be used by persons served by the building or development, and whether the use is for safety or convenience;*

Response, Exception 1: The proposed development and use do not require access by way of Stacy Allison Way, so quantitative utilization by the proposed project alone is zero.

As explained above, the initial development planning included the western portion of the subject property (Parcel 1 of PP 2022-41), which the applicant has now sold to a new entity, so development of that property will be the subject of a separate development application by that owner; however, the applicant’s conceptual infrastructure development plans provide evidence of feasibility of providing road extensions and utility services to the western portion of the subject property, and have led to identifying some important features that will be necessary (such as the vertical profiles/elevations of roadways to achieve gravity storm drainage flows). Exception 1 is related to how such issues will affect future construction of the segment of Stacy Allison Way along the west frontage of the neighboring property to the west (Parcel 1 of PP 2022-41).



Development plans assume that future development of Parcel 1 of PP 2022-41 will be required to include construction of half-street improvements in Stacy Allison Way, making a road connection to the Local Industrial Street at the south and thence to the Evergreen-Parr Road intersection. (See Sheets R0.14 and R2.10-2.12 in Exhibit C.) The applicant's conceptual design includes a 23-foot paved width to the west of the curbline, which is consistent with the applicable 46' wide design section for a Service Collector, per WDO Figure 3.01D. (See Figure 1 of Sheet R0.14 in Exhibit C.) Elevating the Stacy Allison Way road surface to the south is necessary to make stormwater runoff flow northward and connect to the City's storm drain in the ditch system located west of Stacy Allison Way. Exception request 1 is therefore to shift the centerline alignment to the east sufficiently to allow placement of fill within the boundary of Parcel 1, PP 2022-41, and support the roadway with a 3:1 slope. This will make it feasible for that future applicant to construct the half-street improvement without requiring participation of the property owner to the west, such as to make a right-of-way dedication or provide easements for public access or slope.

As noted above, the proposed development does not require a street connection to Stacy Allison Way. The applicant is seeking Exception approval to shift the centerline alignment for the proposed half-street improvements to be constructed in the future because (1) the need was identified in the engineering design process, and (2) it will facilitate future construction of that roadway segment by others.

Response, Exception 2: Half-street improvements are proposed in the new Local Industrial Street along the south boundary of the proposed development site. (See Sheets R0.14 and R2.13-2.16 in Exhibit C.) The applicant proposes to construct a 22-foot paved width to the south of the curbline with a shed section that will drain to the north. This will make the pavement north of the anticipated future crown 4' wider than half the applicable 36' wide design section for a Local Industrial Street, which is 18' per WDO Figure 3.01F. (See Figure 2 of Sheet R0.14 in Exhibit C.) In addition to the shed section, elevating the Local Industrial Street road surface is necessary to make stormwater runoff flow in both directions from a high point aligned with the west boundary of the proposed development site, to the City's storm drain system in Evergreen Road at the east, and in the ditch system located west of Stacy Allison Way. Similar to the Stacy Allison Way situation, the applicant may need to shift the centerline alignment to the north in order to place necessary support fill for the proposed half-street improvement within the boundary of the proposed development site.

Exception request 2 is therefore to allow the applicant to construct the half-street improvement with a 22'-wide paved shed section, which could result in an offset-crown configuration when widening to the south occurs in the future, and to allow the applicant to shift the centerline alignment to the north if necessary to allow construction within property under the applicant's control, including placement of fill to support the roadway with a 3:1 slope. This will make it feasible for the applicant to construct the half-street improvement in conjunction with site development.

The applicant acknowledges that the Local Industrial Street will be used by persons served by development, and seeks Exception approval only for the 22'-wide shed section for the half-street improvement, and possibly a northward shift of centerline alignment to make construction feasible with site development.

Response, Exception 3: The applicant proposes to construct half-street improvements extending Evergreen Road south along the whole eastern frontage of the property, including sidewalk, planter strip, curb/gutter, and a minimum 24-foot paved width. (See Sheets R0.12-0.13 and R1.10-1.12 in Exhibit C.) The improvements will establish public two-way vehicular travel between the existing southern stub terminus and the Evergreen-Parr Road-Local Industrial Street intersection at the southeast corner of the



proposed development site. The proposed improvements are consistent with and contribute directly to construction of Evergreen Road in accordance with the City's required Minor Arterial Design Section per Figure 3.01C.

A Street Design Exception is needed because, on the east side of Parr Road at this time, the existing boundaries of properties not under the applicant's control will not allow widening to the east, which will ultimately be necessary to align north-south travel lanes through the intersection and form the permanent lane configuration and alignments. The applicant proposes to construct an interim improvement with a four-way stop configuration and geometry that allows all movements to occur on all four legs of the intersection (Evergreen Road at the north, Parr Road at the east and south, and the new Local Industrial Street at the west). The improvements are consistent with, and contribute directly to, implementing the full set of improvements as additional development occurs on the east side of the intersection in the future over time, but are adapted to achieve full functioning during the intervening period. This is important because it will allow trucks eastbound on the Local Industrial Street to proceed on any of the three alternative routes.

The applicant acknowledges that Evergreen Road will be used by persons served by the proposed development, and is seeking Exception approval only to allow the proposed interim alignment of the Evergreen-Parr Road intersection.

2. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;

Response, Exception 1: As noted above, the proposed development site is not adjacent to Stacy Allison Way and does not require that connection to achieve satisfactory access and circulation. Future development to the west (of property no longer owned by the applicant) will likely include one or more driveways on Stacy Allison Way, making it the primary (if not sole) destination when the roadway is first constructed. Subsequently, if and when the off-site segment of Stacy Allison Way to the north is connected (i.e., the west frontage of the approved Stacy Allison Way Apartments Phase 2), Stacy Allison Way will provide an additional access route, as well as serving additional employers in the remainder of the designated SWIR lands to the south, in the City's designated Urban Reserves.

The applicant notes that the proposed development does not require connectivity by way of Stacy Allison Way. The applicant requests Exception approval only to shift the centerline alignment for the proposed half-street improvements to be constructed in the future, based on findings from preparation of the engineering plans for street extensions around the perimeter of the subject property.

Response, Exception 2: As noted above, half-street improvements are proposed in the new Local Industrial Street along the south boundary of the proposed development site. The primary user of the proposed street construction will be the tenant(s) of the proposed development, at least initially; over time, as additional street extensions and connections are made, the improvements will support travel to and from other destinations in the vicinity.

The applicant acknowledges that the Local Industrial Street will be used by persons served by the proposed development, and is seeking Exception approval only for the 22'-wide shed section for the half-street improvement, and possibly a northward shift of centerline alignment to make construction feasible with site development, on a phase-by-phase basis.



Response, Exception 3: When initially constructed, the proposed Evergreen Road improvements will be partially used by persons served by the proposed development; however, because the proposed construction will establish a new public street network connection between Evergreen Road and Parr Road, it will provide a new travel route that can serve all members of the community as well.

As additional development occurs over time in other quadrants – commercially designated land to the east of the subject site, residentially designated land to the southeast, and SWIR designated land to the south in the Urban Reserve Area – the City will realize opportunities to require other abutting property owners around the Evergreen-Parr Road intersection to dedicate right-of-way and construct improvements that will ultimately complete its full build-out for normal traffic operations, as intended in the TSP. Presumably, those additional incremental improvements will align with increased travel demand associated with those new development projects.

The applicant acknowledges that Evergreen Road will be used by persons served by the proposed development, and is seeking Exception approval only to allow the proposed interim alignment of the Evergreen-Parr Road intersection.

3. The estimated impact, on a quantitative basis, of the building or development on the public infrastructure system of which the rights-of-way and improvements will be a part;

Response, Exception 1: As noted above, the proposed development is not adjacent to Stacy Allison Way and does not require a connection to it for sufficient access and circulation. Future development of the property to the west of the proposed development is likely to rely on one or more driveway accesses on Stacy Allison Way, making it the primary (if not sole) destination when the roadway is first constructed.

The applicant is seeking Exception approval only to shift the centerline alignment for future half-street improvements, because the need to do so became apparent in the preliminary engineering process. A quantitative analysis of relative shares of utilization is redundant because (1) no construction of Stacy Allison Way improvements is needed to serve the proposed development, and (2) the applicant is not asking to reduce the scale of the future improvements, only to shift the horizontal alignment for construction feasibility.

Response, Exception 2: As noted above, half-street improvements are proposed in the new Local Industrial Street along the south boundary of the proposed development site. The primary user will be the tenant(s) in the proposed development.

The applicant acknowledges that the Local Industrial Street will be used by persons served by the proposed development, and is seeking Exception approval only for the 22'-wide shed section for the half-street improvement, and possibly a northward shift of centerline alignment to make construction feasible with site development. A quantitative analysis of relative shares of utilization is redundant because the applicant is not asking to reduce the scale of the improvements, only to allow an offset-crown and shift the horizontal alignment for construction feasibility.

Response, Exception 3: As noted above, when initially constructed, the proposed Evergreen Road improvements will be partially used by persons served by the proposed development; however, because the proposed construction will establish a new public street network connection between Evergreen Road and Parr Road, it will provide a new travel route that can serve all members of the community as well.

As additional development occurs over time in other quadrants – commercially designated land to the east of the subject site, residentially designated land to the southeast, and SWIR designated land to the south, in the Urban Reserve Area – the City will realize opportunities to require other abutting property owners around the Evergreen-Parr Road intersection to dedicate right-of-way and construct improvements that will ultimately complete its full build-out for normal traffic operations, as intended in the TSP. Presumably, those additional incremental improvements will align with increased travel demand associated with those new development projects.

The applicant acknowledges that Evergreen Road will be used by persons served by the proposed development, and is seeking Exception approval only to allow the proposed interim alignment of the Evergreen-Parr Road intersection. A quantitative analysis of relative shares of utilization is redundant because the applicant is not asking to reduce the scale of the improvements, only to shift the horizontal lane alignments for construction feasibility within the constrained right-of-way.

4. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to mitigate the estimated impact on the public infrastructure system.

Response, Exception 1: The requested horizontal shift in the alignment of Stacy Allison Way will have no significant effect on its long-term functioning as a designated Service Collector. No mitigation is required.

Response, Exception 2: The requested offset-crown design section and horizontal shift in the alignment of the Local Industrial Street will have no significant effect on its long-term functioning as a designated Local Industrial Street. No mitigation is required.

Response, Exception 3: The request to allow an interim horizontal alignment at the Evergreen-Parr Road intersection will have no significant effect on future implementation of the ultimate alignment and design section for the intersection, because the improvements on the west side of the roadway align with the permanent configuration. The interim intersection alignment is designed to support all traffic movements at the intersection pending its future completion with three-lane approaches on all four legs (which will require additional right-of-way dedications or acquisitions on the east side of the road corridor). No mitigation is required.

***Proportionate Reduction in Standards:** An exception to reduce a street right-of-way or cross-section requirement below the functional classification standard may be approved when a lesser standard is justified, based on the nature and extent of the impacts of the proposed development. No exception may be granted from applicable construction specifications.*

Response, Exception 1: The requested exception is not to reduce the applicable standard below the functional classification, it is rather to shift the horizontal alignment just enough to make construction feasible in conjunction with future development of property located west of the proposed development site.

Response, Exception 2: The requested exception is not to reduce the applicable standard below the functional classification, it is rather to allow an offset-crown design section and possibly shift the horizontal alignment just enough to make construction feasible in conjunction with the proposed development.

Response, Exception 3: The requested exception is not to reduce the applicable standard below the functional classification, it is rather to shift the horizontal alignments, stop-bar locations, and other elements of the interim four-way intersection just enough to make construction and all-movement



operation feasible in conjunction with the proposed development. The proposed frontage improvements on the west side of the intersection will be fully compliant with the required Minor Arterial design section.

Minimum Standards: *To ensure a safe and functional street with capacity to meet current demands and to ensure safety for vehicles, bicyclists and pedestrians, as well as other forms of non-vehicular traffic, there are minimum standards for rights-of-way and improvements that must be provided to meet the standards of this Ordinance (Section 3.01).*

Response, Exception 1: The requested exception is not to reduce the applicable standard below the functional classification, it is rather to shift the horizontal centerline alignment just enough to make construction feasible in conjunction with future development of property to the west of the proposed development site. The conceptual design section for future frontage improvements includes a pedestrian sidewalk, and the pavement width is consistent with striping the required configuration including bike lanes when the full-width Service Collector roadway construction is completed to the west in the future as development of that property (by others) occurs.

Response, Exception 2: The requested exception is not to reduce the applicable standard below the functional classification, it is rather to allow an offset-crown design section and possibly shift the horizontal alignment just enough to make construction feasible in conjunction with the proposed development. The proposed frontage improvements include a pedestrian sidewalk, and the pavement width is consistent with striping the required lane configuration when the full-width Local Industrial Street roadway construction is completed to the south in the future as development of that property occurs.

Response, Exception 3: The requested exception is not to reduce the applicable standard below the functional classification, it is rather to shift the horizontal alignments, stop-bar locations, and other elements of the interim four-way intersection just enough to make construction and all-movement operation feasible in conjunction with the proposed development. The proposed frontage improvements on the west side of the intersection will be fully compliant with the required Minor Arterial design section. The proposed frontage improvements include a pedestrian sidewalk, and the pavement width is consistent with striping the required lane configuration when the full-width Minor Arterial roadway construction is completed to the east in the future as development of that property occurs.

5.03 Type III (Quasi-Judicial) Decisions

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:*
 - 4. *Structures greater than 3,000 square feet in the IP, IL, and SWIR zones.*

Response: The proposed new building exceeds 3,000 SF and is located in the SWIR zone. A Type III Design Review is the appropriate procedure.



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

- A. *Purpose: The purpose of a Type III Phasing Permit is to allow phased construction of development while meeting the standards of this ordinance (Sections 2 and 3), while providing fully functional phases that develop in compliance with the tentative approval for the development.*
- B. *Criteria: The proposed phasing of development shall:*
1. *Ensure that individual phases will be properly coordinated with each other and can be designed to meet City development standards; and*
 2. *Ensure that the phases do not unreasonably impede future development of adjacent undeveloped properties;*
 3. *Ensure that access, circulation, and public utilities are sized for future development of the remainder of the site and adjacent undeveloped sites.*

Response: As noted above, following initial submittal of an application for phased development of the subject property, the applicant completed the sale of the western part of the property (Parcel 1 of Marion County Partition Plat 2022-41) to another entity. That property, which corresponded precisely with the boundary of the “Phase 2” portion of the initial development plan, is no longer in the applicant’s ownership and is not part of this revised development application. This proposal is for a single-phase development of the proposed development site, located on Parcel 2 of PP 2022-41. There is no longer a phasing plan subject to review under this Section, so it is not applicable.

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.*

Response: The proposed facility’s size and access/circulation characteristics differ from certain Code provisions that apply to industrial development generally, or in the SWIR Zone specifically. Without Variance relief from those specific standards, the proposed development will not be able to achieve the scale of operations needed for it to be successful.

Summary of Variance Request – Minor Arterial Access Spacing: The proposed development’s north driveway on Evergreen Road, a Minor Arterial, is located approximately 170’ south of the Sweetwater Avenue right-of-way, but guidelines in Table 3.04A call for 245-foot minimum spacing between a driveway and the right-of-way of an intersecting street.⁹

- 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.*

⁹ The rule also applies relative to a special setback of an intersecting street, where applicable; no special setback applies in this situation.



Response: The requested Variance is needed because the access and circulation requirements of the proposed facility cannot be met by concentrating all of its trips at a single location on Evergreen Road, such as at one (1) Local Industrial Street intersection. Much better functioning can be achieved by separating truck and passenger vehicle traffic as much as possible. Most site trips – and particularly truck trips – will be to and from the I-5 interchange, and some inbound trips are expected to arrive by way of Evergreen Road. The proposed access plan will use the north driveway to sweep incoming southbound trucks into the site (taking them off Evergreen Road) and circulate them counterclockwise around the building to access loading docks. Trucks arriving northbound on Evergreen Road will turn left at the Local Industrial Street and enter by way of the two driveways on that roadway. Within the site, departing trucks will leave the site at the south truck driveway onto the Local Industrial Street forming the west leg of the Evergreen Road-Parr Road intersection. They will then advance to the Evergreen Road/Parr Road intersection, stop, and proceed to the north, east, or south.

Arriving passenger vehicles will not use the north driveway to enter the site; they will proceed to a central driveway serving the parking lot in front of the building (its east side), where the offices and employee entrances are located. This method of concentrating and separating passenger vehicle movements from truck circulation will provide operational and safety benefits for all users, as well as for motorists passing by on the Minor Arterial in the future.

The applicant has provided a Traffic Impact Analysis by Mackenzie that demonstrates that the proposed configuration and specific driveway locations and functions will operate safely, based on driveway/intersection spacing and sight distances.

Approving the Variance will not impact other uses or development in the area because the proposed project is designed to take all access from the two driveways on Evergreen Road and two on the Local Industrial Street. Moreover, approving the variance will separate in- and out-bound truck movements in a way that reduces the overall traffic volume on the new segment of Evergreen Road, reducing congestion and improving the function of the central driveway as well as the Evergreen-Parr Road intersection. For the above reasons, the Variance request meets approval criteria 1 and 2 and should be approved.

Based on the applicant's evidence, these criteria are met.

- 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 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.*

Response: Approval of the requested Variance will foster jobs development within the SWIR without detrimental effects on nearby properties, including their future potentials. The applicant's TIA demonstrates that the alternative access configuration will operate satisfactorily and safely, while contributing to the extension and connection of Evergreen Road to Parr Road. Introduction of a large new employer in the SWIR contributes to the City's plans for community growth, economic development, and the infrastructure necessary to support those objectives. The requested Variance does not conflict with the Comprehensive Plan because the applicant has presented substantial evidence to demonstrate that adequate transportation system functioning will be achieved by the alternative interim construction/operation plan for the intersection and the proposed street improvements.

As noted above, the relevant Factors have been considered in review of the requested Variance. Based on the applicant's evidence, the Variance request should be approved.



IV. CONCLUSION

Based on the information presented and discussed in this narrative and the attached supporting plans and documentation, this application meets applicable standards necessary for the requested Type III Design Review, Variance, and Street Design Exceptions approvals. The development complies with the applicable standards of the Woodburn Development Ordinance. The applicant respectfully requests approval by the City.