



City of Woodburn
 Community Development Department
 270 Montgomery Street
 Woodburn, OR 97071
 Phone: 503-982-5246
 Email: planning@ci.woodburn.or.us

OFFICE USE ONLY
 File Number(s):
 MAC 2020-02
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Uniform Application

DEC 10 2020

COMMUNITY DEVELOPMENT
 DEPARTMENT

Project			
Name:	Allison Way Apartments		
Address(es):	398 Stacy Allison Way & 3801 Hooper Street, Woodburn, OR 97071		
Tax Lot #(s):	052W14 02000, 02100 & 02300		
Applicant			
Name:	Eugene Labunsky	Title:	President
Phone:	503-989-1613	Firm:	West Coast Real Estate Holdings
Mailing Address:	25030 SW Parkway Ave, Suite 110; Wilsonville, OR 97070		
Email:	eugenel.wchs@gmail.com		
Applicant's Representative/Project Manager			
Name:	Doug Hamilton	Title:	Project Manager
Phone:	503-228-2840 ext 111	Firm:	Leeb Architects
Mailing Address:	308 SW 1st Ave, Suite 200; Portland, OR 97204		
Email:	dhamilton@leebarc.com		
Landowner			
Name:	Stacy Allison Way Holdings, LLC	Title:	
Phone:	503-989-1613	Firm:	West Coast Real Estate Holdings
Mailing Address:	25030 SW Parkway Ave, Suite 110; Wilsonville, OR 97070		
Email:	eugenel.wchs@gmail.com		
Architect			
Name:	see applicant's representative	Title:	
Phone:		Firm:	
Mailing Address:			
Email:			
Civil Engineer			
Name:	Jamie Van Agtmael	Title:	President
Phone:	503-399-3828 ext 104	Firm:	LEI Engineering & Surveying of Oregon
Mailing Address:	2564 19th St SE; Salem, OR 97302		
Email:	jamie@leiengineering.com		
Landscape Architect			
Name:	Aaron West	Title:	Associate
Phone:	503-232-0520	Firm:	Shapiro / Didway
Mailing Address:	1204 SE Water Ave. Suite 21; Portland, OR 97214		
Email:	aaron@shapirodidway.com		

Requested Review(s):

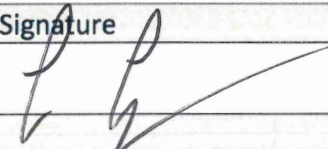
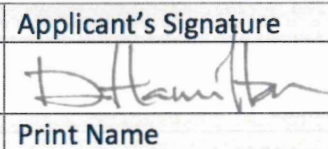
- Annexation
- Comprehensive Plan Amendment
- Conditional Use Permit
- Design Review
 - Type I
 - Type II
 - Type III
- Exception to Street ROW & Improvement Requirements ("Street Exception") - Modification to Conditions of Approval EX2 (DR 2019-05, EXCP 2020-05)
- Grading Permit
- Partition or Subdivision, Preliminary
- Partition or Subdivision, Final
- Phasing Plan
- Property Line Adjustment / Consolidation of Lots
- Planned Unit Development (PUD), Preliminary
- PUD, Final
- RCWOD Permit
- Significant Tree Removal Permit
- Variance
- Zoning Adjustment
- Zoning Map Change / Rezoning

Certification:

I hereby declare that as applicant or landowner, I have read the foregoing application and know the contents of the application to be true.

If applying on behalf of a corporation, Manager certifies that Manager has full power and authority (corporate or otherwise) to enter into this Agreement and to consummate the transactions contemplated by it. This Agreement has been duly authorized by all necessary action on the part of Manager and no other corporate or other action on the part of Manager is necessary to authorize the execution and delivery of this Agreement. The individual executing this Agreement for Manager has full authority to do so and thereby to bind Manager to its terms.

If Applicant is different from Landowner, Applicant must also obtain Landowner certification.

Landowner's Signature 	Applicant's Signature 
Print Name Eugene Labunsky	Print Name Doug Hamilton
Date 12/09/20	Date 12/09/20

- Landowner certification attached in lieu of form signature.

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Modification of Condition of Approval (EX2)

Written Narrative Detailing
"Existing" Stacy Allison Way - Street Improvements
Project area located adjacent to Phase 1 - Tax Lot 052W14-02300
Together with: "Extension" of Stacy Allison Way – Construction
Project area located adjacent to Phase 2 – Tax Lots 052W14-02000 & 02100
As shown on Exhibit A – Vicinity / Site Exhibit

This narrative is intended to document and show the relationship and differences between the: street classification City of Woodburn "Service Collector", existing conditions, requested street exception, approved condition EX2 (City Council, dated: Nov 9th, 2020) and the proposed modification to condition EX2 of existing Stacy Allison Street section and Right of Way (ROW).

City of Woodburn Street Classification – Service Collector

The classification of Stacy Allison Way has been defined as Service Collector. See Exhibit B – City of Woodburn Service Collector standard street section. This street classification requires a 72' ROW with a center typical section utilizing 70' constructed width from back of sidewalk to back of sidewalk. Additionally, a 5' Public Utility Easement (PUE) is required outside of ROW width.

ROW of 74' with 5' PUE was dedicated to the City by Subdivision Plat in 2002. This exceeds the required ROW for meeting the Service Collector condition and removes the need for any additional ROW dedication.

Existing Conditions Stacy Allison Way – Street Improvements, ROW & PUE

The existing constructed street improvements of Stacy Allison Way does not meet current City of Woodburn Standards. See Exhibit C – Existing Stacy Allison Way Typical Section. This section shows clearly how the City has deviated from the standard to the current constructed street section. This has allowed the City to use of a large portion of the City ROW for a storm water facility. The City also owns the tract of land between Interstate 5 and the Stacy Allison ROW. This tract together with the additional ROW are being utilized as regional storm water facility.

This deviation has reduced the available width for street improvements within the ROW. The current constructed section removes the southbound sidewalk completely and additionally reduces the planter strip width. Furthermore, this deviation also removes the northbound planter strip completely.

During our continued investigation of site constraints, we uncovered an additional 5' of PUE (10' total PUE width) was deeded during the construction period for the subdivision infrastructure improvements along Stacy Allison Way to allow for utility construction that additionally infringes on our client's property.

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DEPARTMENT

Requested Street Exception – Stacy Allison Way – Street Improvements

In summary we requested/proposed, to maintain the current street section for Stacy Allison Way for the entirety of proposed development. See Exhibit D – Proposed Stacy Allison Way Typical Section. This request is in line with the guidance from City Engineering Staff to date. As a mitigation measure for the lack of a northbound planter strip in the current street section configuration, we proposed planting street trees along the southbound planter area of the roadway and adjacent to the stormwater facility to the west side of Stacy Allison Way. An arborist memo was submitted to provide the City with options for trees with a small crown ratio to minimize concerns about tree planting so near the street improvements and existing fence along existing storm water facility.

During review by the City of Woodburn the exception was modified and therefore Condition EX2 was formed to track and address the Stacy Allison street improvement requirements.

Approved Condition EX2 – Stacy Allison Way – Street Improvements

In summary, the approved condition EX2 calls for a shifting of the existing northbound curb alignment of 3' to the West. See Exhibit E – Approved Condition EX2 Stacy Allison Way Typical Section. This can be accomplished by narrowing of the southbound bike lane to minimum 5' width from existing 6' width, narrowing the center turn lane to minimum 11' width from existing 12' width and narrowing of the northbound bike lane to minimum 5' width from existing 6' width. This provides 3' width, the additional 3' needed to provide the requested 6' planter strip is created by removing the existing northbound sidewalk and shifting the front of walk (FOW) 3' east. Furthermore, the City has requested an 8' bicycle/pedestrian path northbound to be constructed of which 4.5' width would be onto our client's property i.e., overhang the ROW line onto the PUE by 4.5'.

This approved configuration would require Stacy Allison Way street to transition (shift) through the subject property deviating from its current straight standard alignment. In addition to the negative visual, bicycle traffic and vehicular traffic effects the approval comes at significant cost to the developer. The approval would require; removal of existing curb and gutter, removal of existing 6' northbound sidewalk, grinding/removal of existing striping, installation of new curb and gutter, installation of new northbound 8' bicycle/pedestrian path and restriping of Stacy Allison Way. This identifies the surface effects of the approval which alone is significant. In addition, there are also numerous underground utility conflicts. Most impactful is the City of Woodburn 10" waterline that currently is installed under the northbound sidewalk. The approval requires removal of the 10" waterline and then construction of a new replacement 10" waterline which likely will require it to be constructed within the asphalt street section along the southbound lane of Stacy Allison Way. This will require saw cutting and trench patching of the street at significant cost to the developer, create visual impacts and long-term maintenance of Stacy Allison Way.

Proposed Modification to Condition EX2 - Stacy Allison Way – Street Improvements

Our proposed modification considers the long standing well documented constraints that the City's storm water facility has created along the Stacy Allison Way corridor. This proposed modification also limits the impacts of said changes to the public for both bicycle & vehicle traffic safety, the City street & utilities infrastructure maintenance and the burden on the developer. See Exhibit F – Proposed Modification to Condition EX2 Stacy Allison Way Typical Section. This proposed section accommodates the current location of all existing City street improvements and City utilities while providing the approved 8' bicycle/pedestrian path.

In conclusion we are proposing this modification as a reasonable solution to the deviation from the standard to the current constructed street section for Stacy Alison Way. It is our belief that the combination of the; existing 6' width bike lane, existing 6" tall - 2' width curb & gutter and the requested 8' bicycle/pedestrian path provides separation for pedestrians from traffic as well as removes impacts to both bicycle & vehicle traffic safety and, the City street & utilities infrastructure.

Respectfully submitted,



Greg J Zartman, P.E.
Engineer-of-Record



Exhibit A – Vicinity / Site Exhibit

Exhibit B – City of Woodburn “Service Collector”

Exhibit C – Existing - Stacy Allison Way Typical Section

Exhibit D – Requested Street Exception - Stacy Allison Way Typical Section

Exhibit E – Approved Condition EX2 - Stacy Allison Way Typical Section

Exhibit F – Proposed Modification to Condition EX2 - Stacy Allison Way Typical Section

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

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

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

- (6) Utilities: Relocate underground/subsurface utilities that would conflict with street trees, such as a potable water line, and surface utilities such as street light poles and boxes to be within either or both of the planter strip and a streetside PUE. Existing covered vaults may be incorporated within altered or additional sidewalk if meeting PW SS&Ds.
 - (7) NW side landscaping: The following applies between the project north end and the south end of the existing stormwater detention pond fencing – a point approximately 330 ft southwest along Allison ROW from Hooper centerline. The applicant shall plant at least two hundred and forty-eight (248) woody shrubs of large size category as WDO Table 3.06B defines, of one or more evergreen species capable of growing to a mature minimum height of ten (10) ft (preferably *Taxus brevifolia* var. *reptaneta* [English yew reptaneta variant]), and with average o.c. spacing of four (4) ft.
- b. Phase 2 / extension:
- (1) Lanes, travel: Minimum width twelve (12) ft.
 - (2) Lane, center left turn lane and turn pockets: Width eleven (11) ft.
 - (3) Bicycle lanes: ~~Northbound: none; and, southbound, either none or m~~ Minimum five (5) ft each.
 - (4) Planter strip: Install a planter strip six (6) ft wide and landscape with street trees at 1 per 30 ft of frontage, equaling forty-one (41) trees along the Phase 2 frontage (instead of 1 per 50 ft typical). The total number shall be divided evenly between *Betula pendula* [silver or European white birch] or another *Betula* [birch] species and an evergreen species among any of *Magnolia grandiflora* “Victoria” cultivar [magnolia cultivated for the Pacific Northwest], *Arbutus menziesii* [Pacific madrone], and *Tsuga heterophylla* [Western hemlock]. Ninety-five percent (95%) of the remainder of the strip shall be medium size category shrubbery to the minimum size at planting per Table 3.06B and at maximum size that maintains conformance with VCA, and at least six (6) distinct openings in the shrubbery that total the remaining area of five percent (5%) shall be lawn grass.
 - (5) Sidewalk: Construct a sidewalk as a bicycle/pedestrian path at minimum width of eight (8) ft (whether or not there is a northbound bicycle lane) that the City shall allow to overlap the streetside PUE by at least a half (½) ft and as much as four and a half (4½) ft from edge of ROW. If and where sidewalk would need to deflect or meander, such as at driveways A2 and A3 or at the southeast corner of Allison & Hooper, it may farther overlap a streetside PUE.
 - (6) ~~Median:~~ ... [previously struck by the Planning Commission]
 - (7) ~~Turn areas: At the north, the median shall ...~~ [previously struck by the Commission]
 - (8) NW side landscaping: The following applies between the fencing south end and the south end of extended Allison. The applicant shall plant at least two hundred and fifty-two (252) woody shrubs of large size category as WDO Table 3.06B defines, of one or more evergreen species capable of growing to a mature minimum height of ten (10) ft (preferably *Taxus brevifolia* var. *reptaneta* [English yew reptaneta variant]), and with average o.c. spacing of four (4) ft.:
 - (9) Interim signage: Signed barricades remain required per WDO 3.01.05A.2.b & c. and to PW SS&Ds. The developer shall also install an *MUTCD*-compliant dead-end sign, either W14-1 or W14-2, at the intersection of Allison & Hooper for southbound drivers. The City Engineer may require the developer to install either (a) also at the intersection either a W14-1a or a W14-

2a sign to warn drivers turning south from Hooper that Allison ends in the left direction as the arrow within the sign copy would indicate, or (b) a sign or signs serving similar purpose.



Design Review 2019-05: Transportation

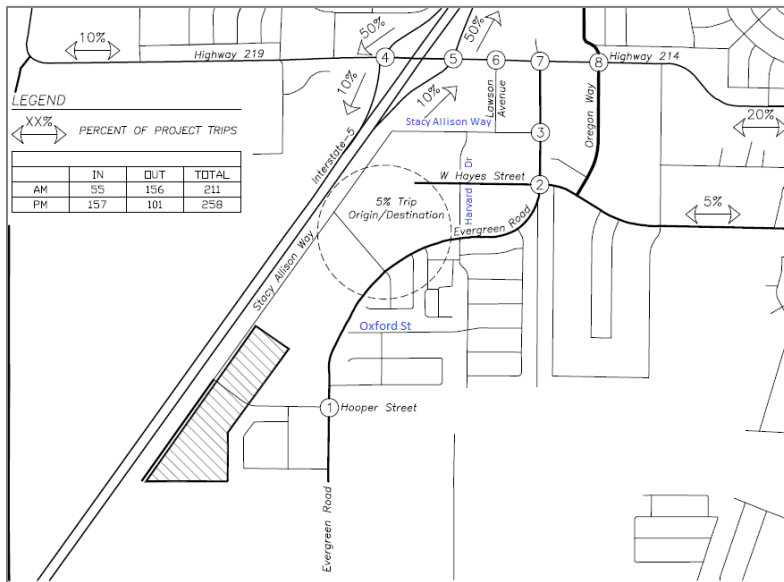


Exhibit T Vicinity map

T-A1. [Evergreen & W. Hayes](#): The developer shall:

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

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

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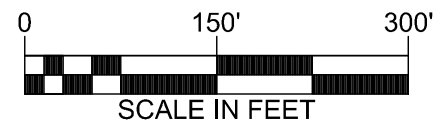
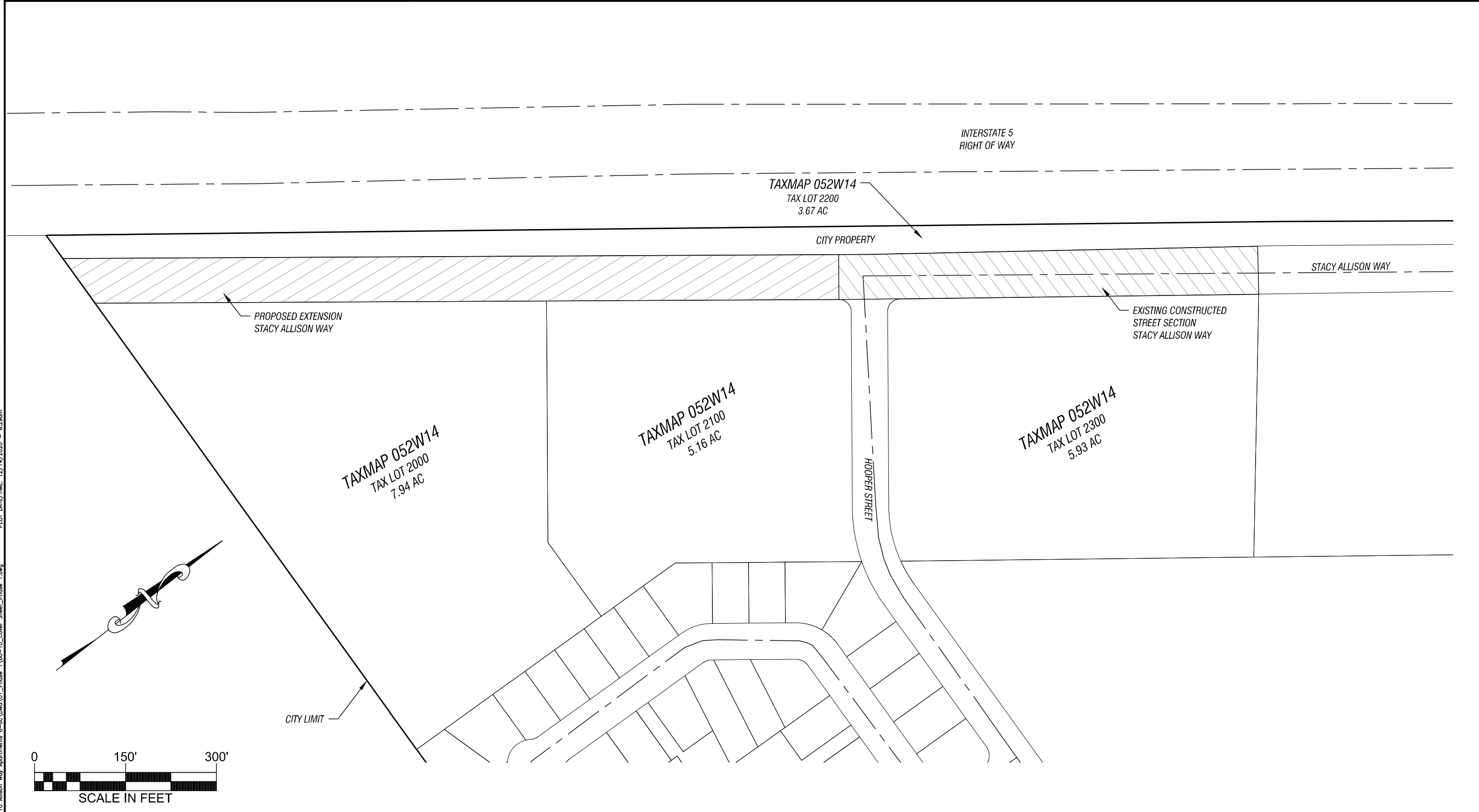


EXHIBIT A
VICINITY / SITE EXHIBIT

LEI ENGINEERING & SURVEYING
OF OREGON

2564 19TH St SE
Salem, Oregon 97302
(503) 399-3828
www.leiengineering.com

SCALE:	1" = 150'
PROJECT NO.:	60-10
DATE:	12-08-2020
PAGE:	1 OF 6

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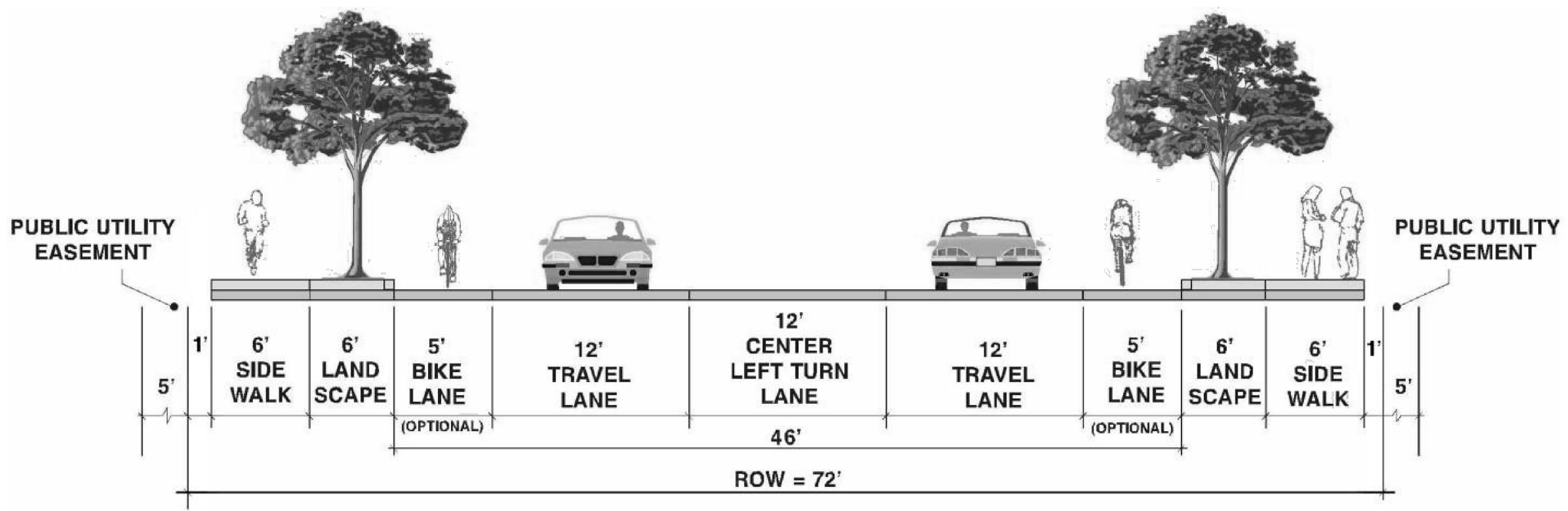


Figure 3.01D – Service Collector

EXHIBIT B		
<i>CITY OF WOODBURN "SERVICE COLLECTOR"</i>		
LEI ENGINEERING & SURVEYING OF OREGON	2564 19TH St SE Salem, Oregon 97302 (503) 399-3828 www.leiengineering.com	SCALE: NO SCALE
		PROJECT NO.: 60-10
		DATE: 12-08-2020
		PAGE: 2 OF 6

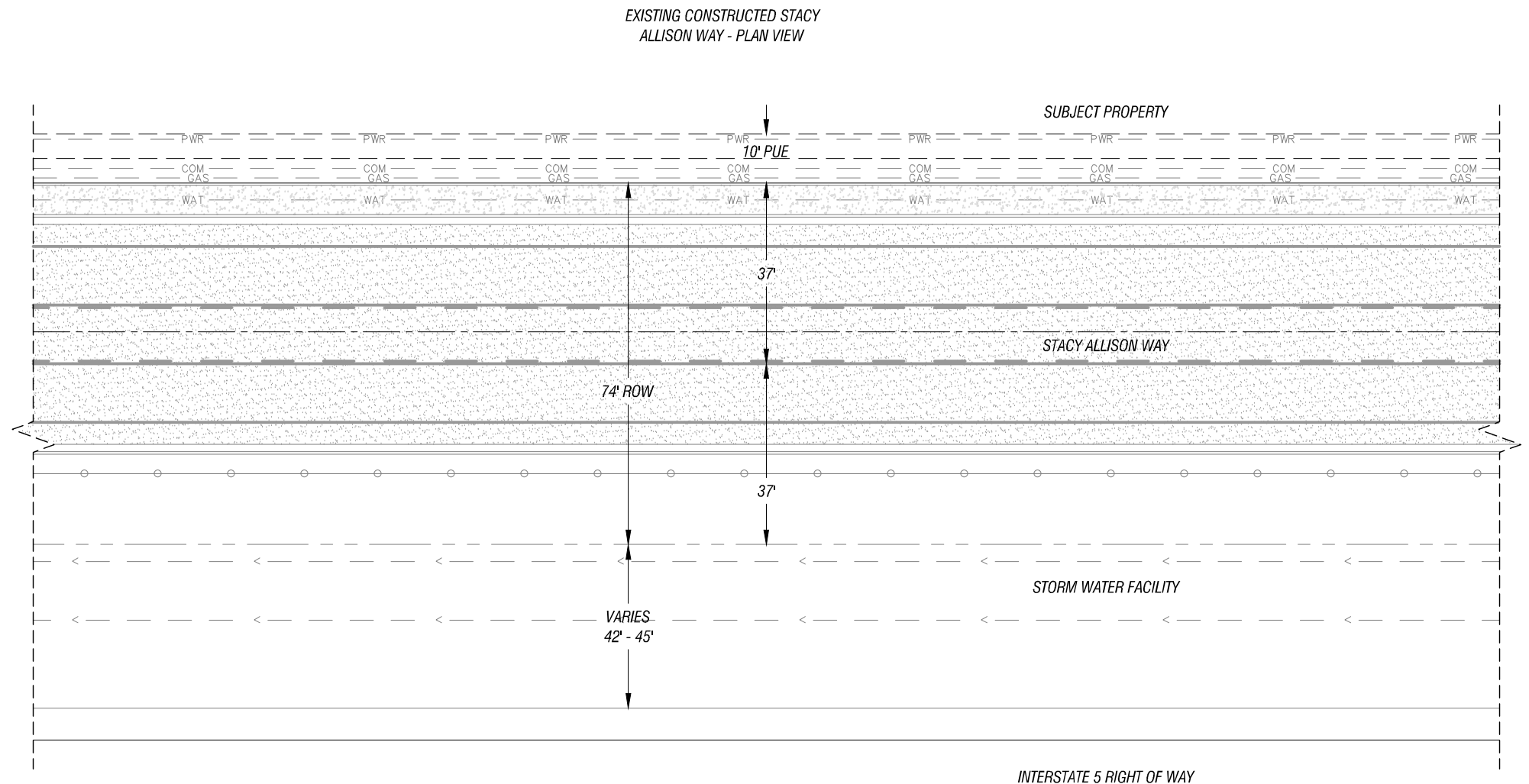
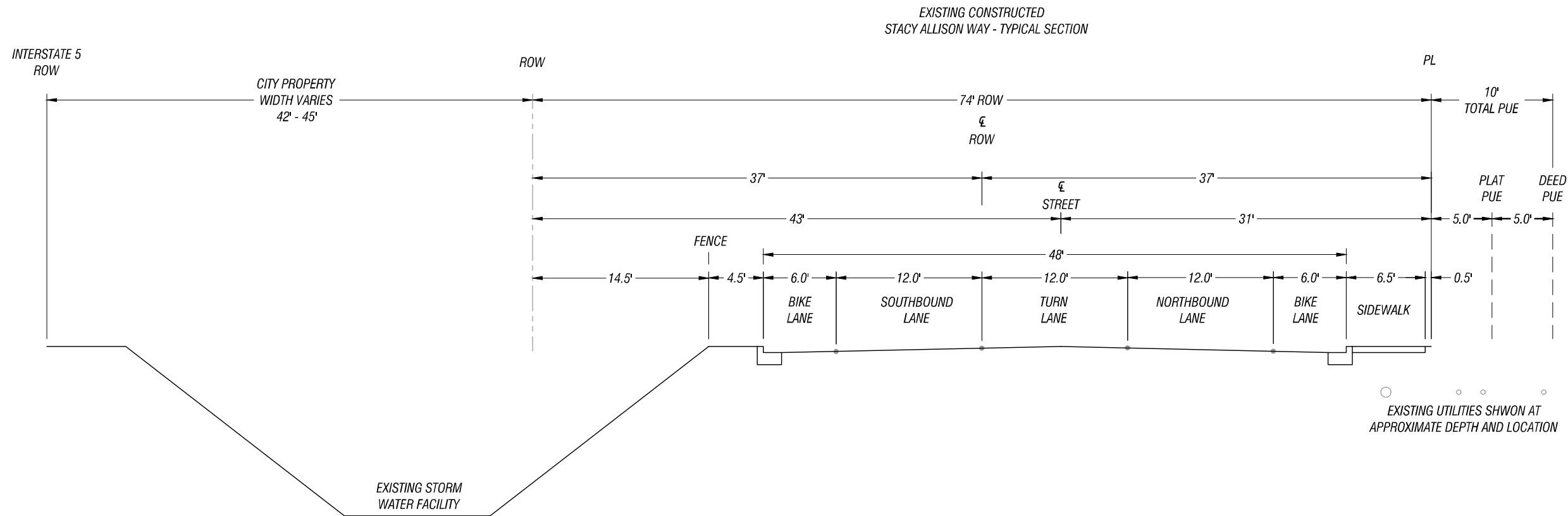


EXHIBIT C

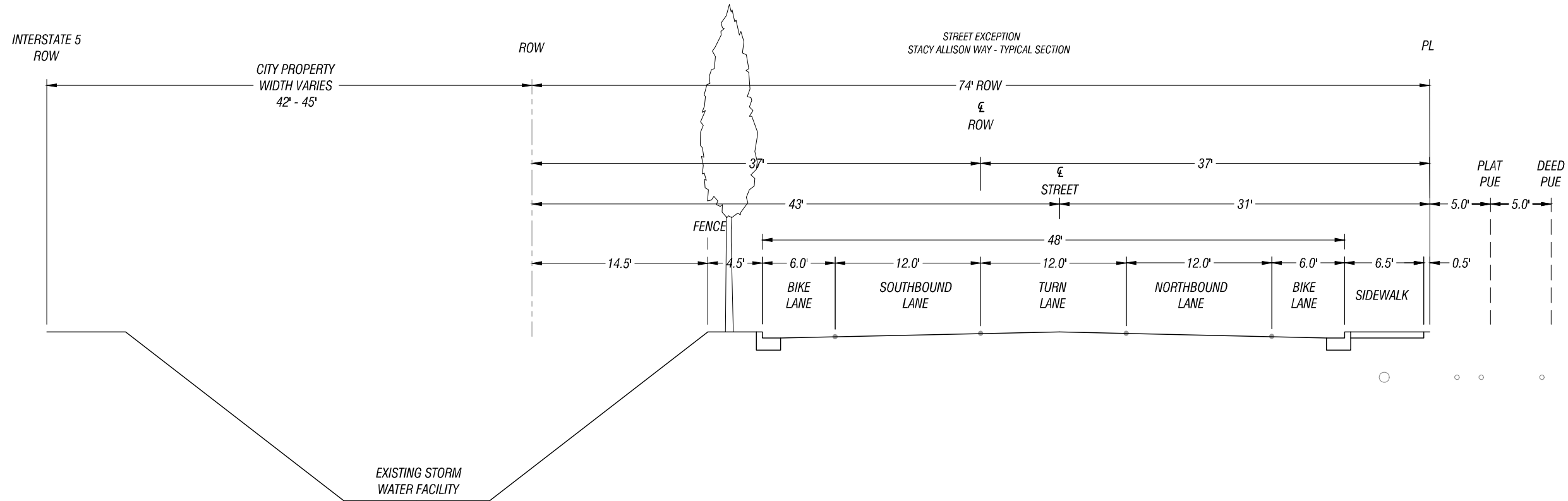
EXISTING - STACY ALLISON WAY TYPICAL SECTION

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SCALE:	AS NOTED
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PAGE:	3 OF 6

INTERSTATE 5 RIGHT OF WAY



STREET EXCEPTION STAY ALLISON WAY - TYPICAL SECTION

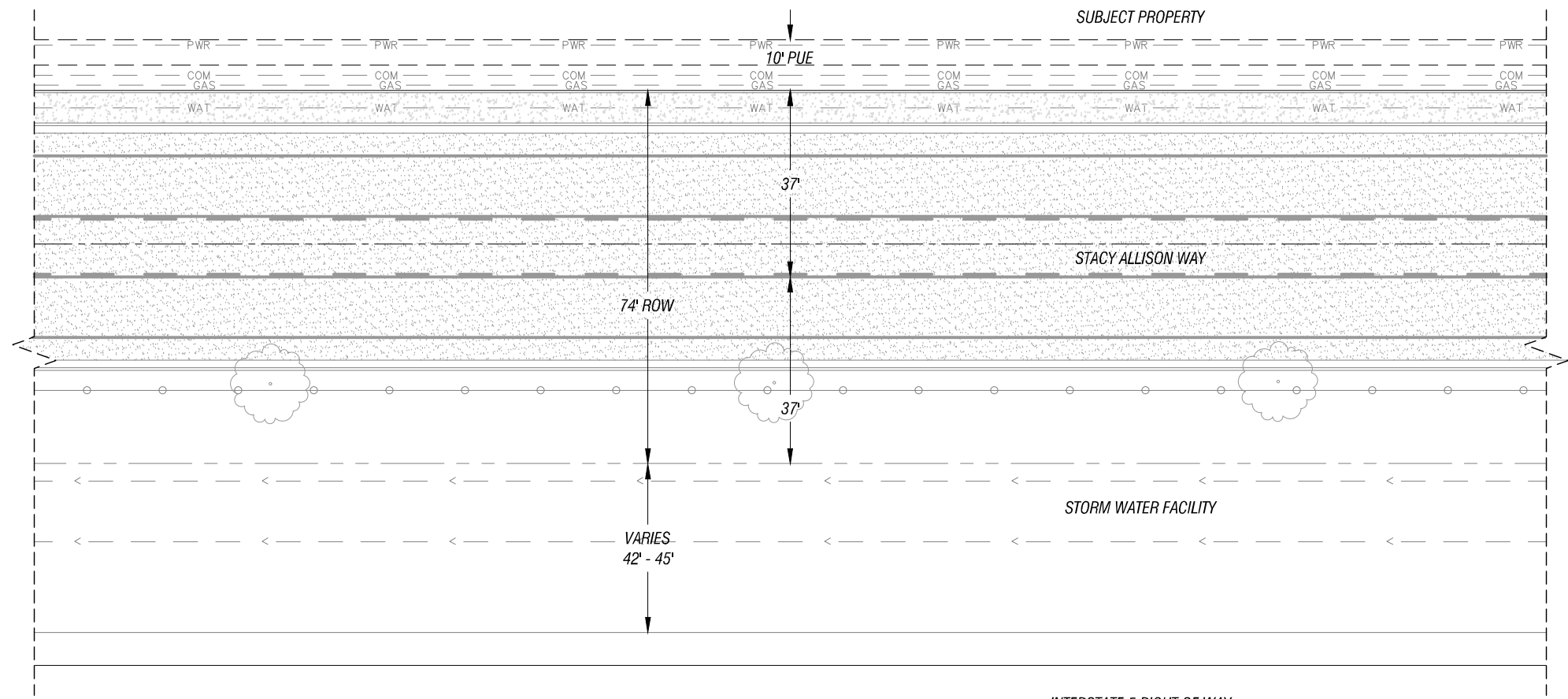
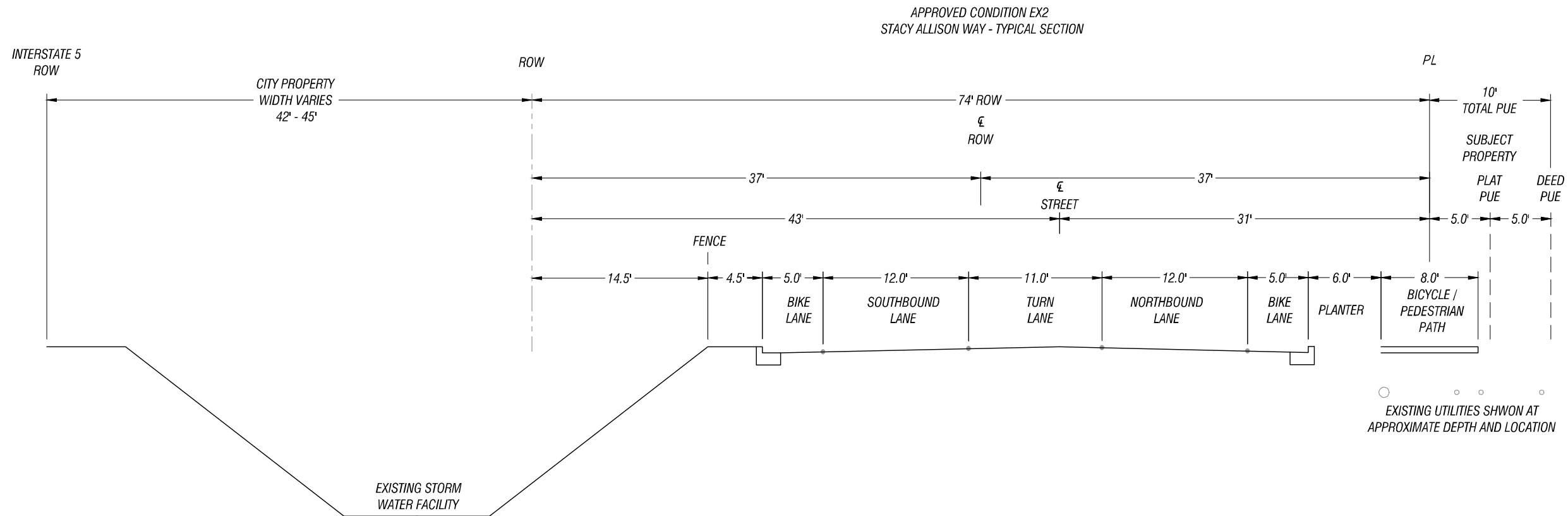


EXHIBIT D

REQUESTED STREET EXCEPTION - STACY ALLISON WAY TYPICAL SECTION

<p>LEI ENGINEERING & SURVEYING OF OREGON</p>	<p>2564 19TH St SE Salem, Oregon 97302 (503) 399-3828 www.leiengineering.com</p>	<p>SCALE: AS NOTED</p>
	<p>PROJECT NO.: 60-10</p>	<p>DATE: 12-08-2020</p>
	<p>PAGE: 4 OF 6</p>	

INTERSTATE 5 RIGHT OF WAY



APPROVED CONDITION EX2 STACY ALLISON WAY - PLAN VIEW

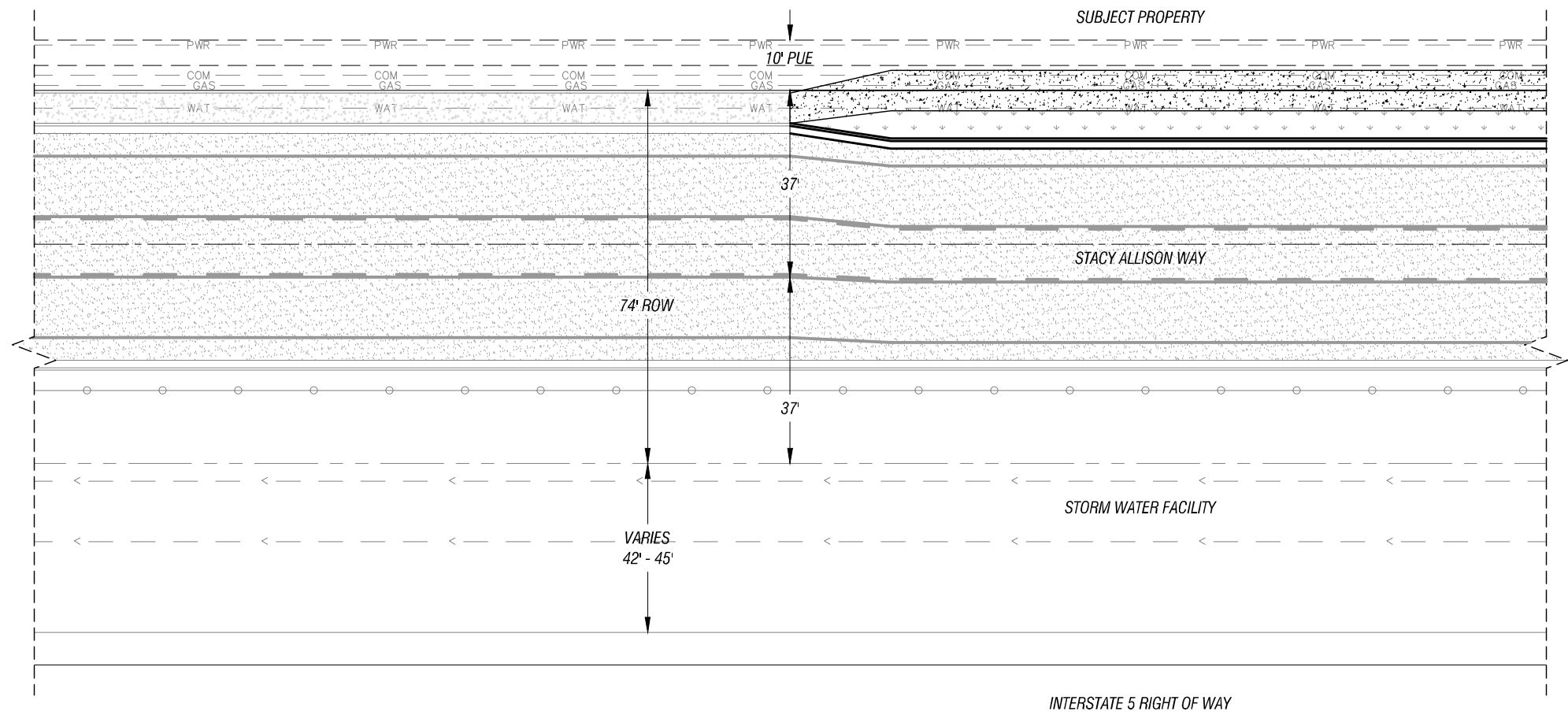


EXHIBIT E

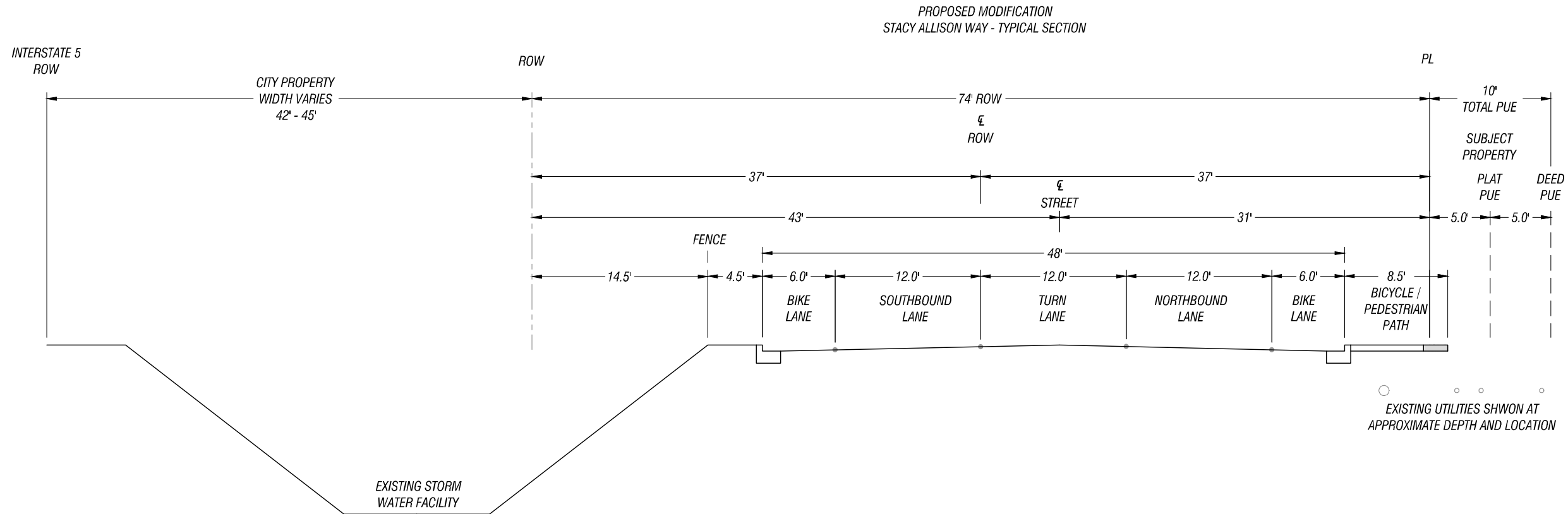
APPROVED CONDITION EX2 - STACY ALLISON WAY TYPICAL SECTION

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PROJECT NO.:	60-10
DATE:	12-08-2020
PAGE:	5 OF 6

P:\60 (West Coast Home Solutions)\60-10 Allison Way Apartments 6-c\DWG\01_Phase 1\60-10_Cover Sheet_Phase 1.dwg PLOT DATE/TIME: 12/8/2020 - 5:57pm



EXISTING STORM WATER FACILITY

EXISTING UTILITIES SHOWN AT APPROXIMATE DEPTH AND LOCATION

PROPOSED MODIFICATION STACY ALLISON WAY - PLAN VIEW

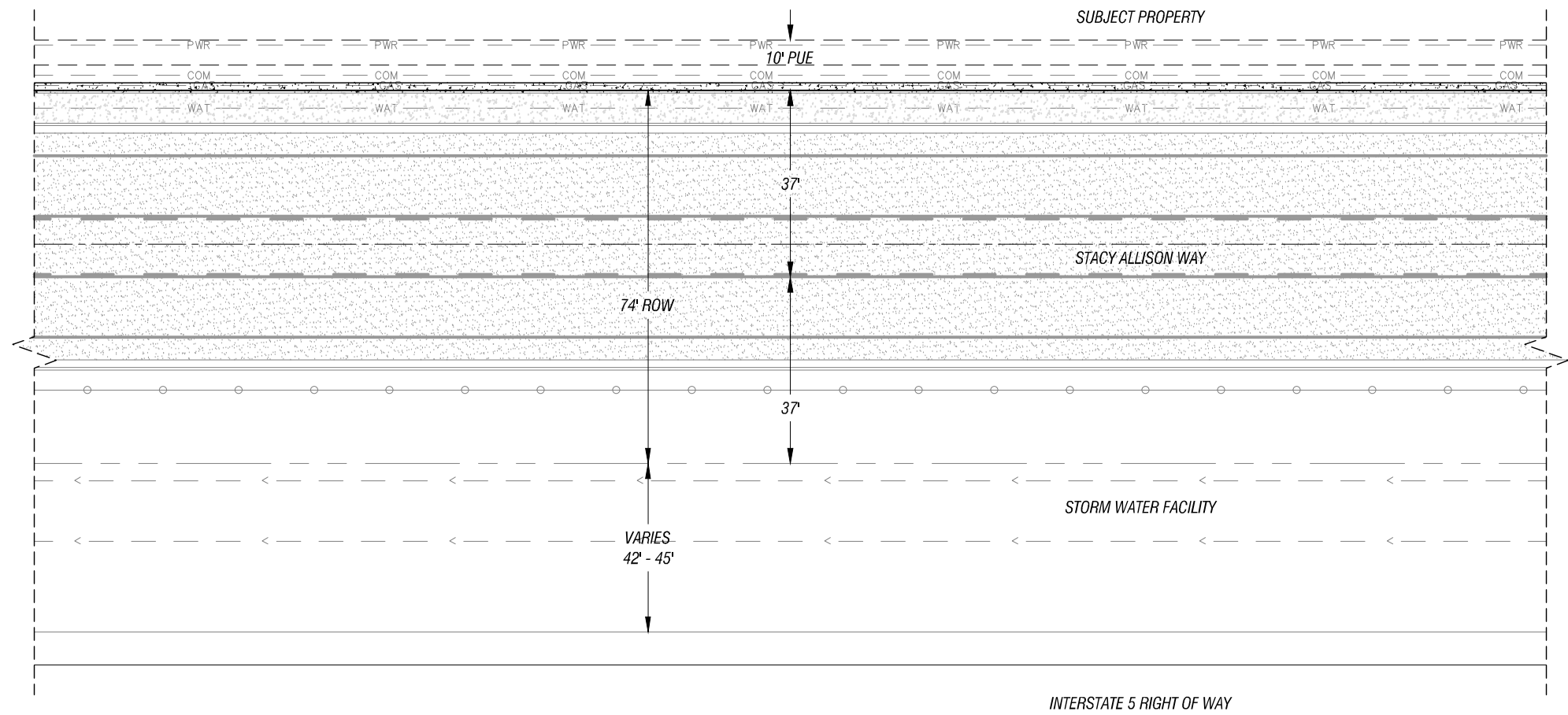


EXHIBIT F

PROPOSED MODIFICATION TO EX2 - STACY ALLISON WAY TYPICAL SECTION

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INTERSTATE 5 RIGHT OF WAY

P:\60 (West Coast Home Solutions)\60-10 Allison Way Apartments 6-c\DWG\01_Phase 1\60-10_Cover Sheet_Phase 1.dwg PLOT DATE/TIME: 12/8/2020 - 5:59pm