



City of Woodburn
Community Development

Memorandum

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Date: January 31, 2023
To: Melissa Gitt, Building Official
Cc: Alyssa Nichols, Permit Technician
Dago Garcia, P.E., City Engineer
Darren Hendren, Hendren Construction LLC
Randy Saunders, RSS Architecture
Phil Alfieri, ALF/Temple, LLC
From: Colin Cortes, AICP, CNU-A, Senior Planner *CC*
Subject: **Building permits 971-22-001059-STR through 1062-STR Cleveland Crossing Apts. (f.k.a. Templeton Apts.) Planning Division review [b]**

Introduction

On behalf of the Planning Division, I reviewed the building permit application site plans for which I was assigned review December 2022 for conformance with the Conditional Use CU 2020-01 land use final decision conditions of approval and notes to the applicant related to Cleveland Crossing Apartments, f.k.a. Templeton Apts., at 1430 E. Cleveland St (applicant's project no. 1907).

The "[final decision](#)" document with the conditions of approval remains on the [City project webpage](#) or via the City Projects webpage at www.woodburn-or.gov/projects.

The building permit applications so far are:

<i>Permit / Accela/ePermitting Record No.</i>	<i>Building</i>
971-22-001059-STR	A
971-22-001060-STR	B
971-22-001061-STR	C
971-22-001062-STR	D
1+ permits and their record nos. TBD upon applications	Bicycle parking shelter(s)* per Condition CU3c

*If a given shelter is large enough, per statewide uniform building code a building permit would be required.

Below is what the applicant needs to do.

Additional Info Needed

A. Land use Condition G1 from CU 2020-01 isn't met:

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

Re-submittal Process:

1. Use a dated cover or transmittal letter to cite and address each Planning Division review item by directing to a plan sheet or document. Specify the building permit record number(s), building letter, plan sheet number(s), and where relevant detail or note number(s), or document page number(s) where conformance is demonstrated, i.e. where the revision or additional information is.
2. Provide illustrations and notes through any of plan sheets primarily; however cut or spec sheets or other document types, may substitute when they are the best form for demonstrating conformance.
3. Besides submitting two paper copies of revised or additional documentation, upload PDFs of new or revised plans to the applicable Accela building permit record(s).
4. Submit revisions through the Building Division per its policies. Do not piecemeal additional information; submit a package of revised and additional information. Do not make direct submittal only to me; the applicant may courtesy copy me or mark materials to my attention while still routing them through the Building Division per its policies.

5. Provide demonstrations of conformance through building permit drawings to the max extent feasible such that they remain when the contractor receives site copies of approved plan sets. (If it's not on the plans or on the plans but too vague to act upon, the improvement in question wouldn't be known about or done right away.)
6. Feel free to ask me for any clarifications or further direction prior to re-submittal.

B. Conditions G4b and G6 aren't met:

1. G4b: "G4. Due dates / public improvements: Building permit: ... b. By issuance: Unless a condition specifies otherwise, ROW and easement dedications and recordation(s), construction of frontage/street improvements, construction of off-site, park, and other public improvements, and fees in-lieu are due by building permit issuance."

A site windshield survey December 15, 2022 showed that frontage/street improvements are neither constructed nor under construction. It's clear that construction, inspection, and acceptance couldn't happen by the time the building permits would otherwise be ready to issue in the next few weeks. Therefore, Planning staff cannot sign off on issuance.

Address the condition.

➔ Update: On January 3, 2023, the City Engineering informed me that the applicant has had approved civil engineering plans for approximately two months, but hasn't yet started construction.

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

There is no documentation that the applicant applied for and is getting Public Works Department civil engineering plan review and approval, precluding review of whether Condition EX1 would be met. There is no evidence that the street improvements conceptualized in the building permit plan set are copied from a civil engineering plan set that the Public Works Department reviewed and issued as approved.

Address the condition.

- C. Bicycle/pedestrian fees in-lieu: Because Condition G1 isn't met, there's no applicant indication to staff whether or not to expect certain improvements or fees in-lieu related to CU-BP1b & c. Lacking written direction, Planning staff would assume and assess both b(2) & c(2) fees in-lieu, adding them to the building permit fee totals per Condition G4b. Address Condition CU-BP1b & c.
- D. Condition D4 (access management / cross access)
1. Condition D4a(1) (drive aisle stub to 1444 E. Cleveland): The drive aisle stub up to the east lot line adjacent to 1444 E. Cleveland St is missing. Revise affected sheets, at least civil Sheet 4 of 18 as well as A1.0, A1.1, & L1.1.
 2. Condition D4c-e (CAE): I apologize if the applicant already submitted this to the City. I need an Adobe PDF copy of the cross access easement (CAE) that Condition D4c-e requires and I believe is likely already recorded.
- E. Condition D5b (drive aisle dead-end signage): Missing. Revise at least civil Sheet 4 of 18, as well as A1.1 site plan key note 20, and add a sign detail or details to a details sheet. Staff recommends models W14-2 and W14-2a among the two sets that the condition illustrates. (See also Item D1.)
- F. Condition D6 (compact parking striping, double striping):
1. Revise Sheet A1.1 to indicate that the contractor will double stripe parking and stripe compact parking as compact.
 2. Also revise a details sheet to either (a) provide a detail for uncovered parking similar to Sheet A1.1, Detail 17 for carport parking, or (b) reproduce WDO Figure 3.05C.
- G. Condition D8 (carports/garages): Sheet A1.0, key note 10, and Sheet A1.1 key note 10. The site plans outline in bold dashed line a total of 37 parking spaces as under carports, which is 44% of the total minimum parking requirement of 84 stalls, less than the 50.0% minimum. Revise to indicate minimum 50% carport parking (42 stalls) and in both aforementioned key notes specify the total number of carport spaces.

H. Street trees:

1. Condition D9b (street tree size at maturity): The proposed street tree species is proposed as a large category one, but medium size category is required. Revise Sheet L1.1 to indicate a medium species. See WDO Table 3.06B for size category descriptions, and coordinate revision with Item B2.
2. Condition EX1b(7): 3 street trees are required within a 6-ft band within 4 to 10 ft of south edge of sidewalk, but only 2 are proposed within this band. Revise Sheet L1.1, and coordinate revision with Item B2.

I. Condition D10b (patio railings/fencing): The proposed patio fencing of 6 feet (ft) height exceeds the max height of 3½ ft. Revise Sheet A3.0, Details 21, 22, & 26; Sheet A6.0, Details 9 & 11; and Sheet A6.1, Details 5 & 7.

J. Condition EX1:

1. Condition EX1b(6) (landscape strip): The proposed width is 6 ft excluding curb width, but the min is 8 ft excluding curb width. Revise Sheet L1.1, and coordinate revision with Item B2.
2. For the remainder of the condition, the status of conformance is unclear because there is no information about street frontage improvements; see Item B2.

K. Condition CU1 (access way & walkways):

1. Condition CU1a(2):
 - a. The walkway crossing of the south east-west drive aisle is not extension of walkway poured concrete. Revise civil Sheet 2 of 18, A1.0, and A1.1.
 - b. Because the north east-west drive aisle is missing – see Item D1 – the status of conformance is unclear. Ensure that it meets the condition.
2. Condition CU1b(1): All walkways between the access way and outdoor stairwell thresholds are to be min 8 ft wide, but none are. Revise civil Sheets 2-4 of 18, A1.0, A1.1, & L1.1.
3. Condition CU1b(3): The south east-west drive aisle north walkway does not extend per the condition. Revise civil Sheet 2 of 18, A1.0, A1.1, & L1.1.

L. Condition CU2 (patios and balconies):

1. Condition CU2a: The proposed balconies are 6 ft deep, but the min depth is 8½ ft. Revise Sheet A3.0, Detail 15; A3.1, Detail 15; and A3.2, Details 15 & 21.
2. Condition CU2c: The proposed balcony railings lack a second horizontal member in addition to the top railing. Provide a member near the top railing. Revise Sheet A4.3, at least two details among Details 20, 23, 27, & 28.

M. Condition CU3 (bicycle parking):

1. Condition CU3a(1): The patio and balcony bicycle hooks are proposed outside the outdoor closets, but the condition requires that they be a folding or retractable hook within each outdoor closet. Revise Sheet A4.3, Detail 26, and provide a cut or spec sheet of the hook model.
2. Condition CU3a(2): 20 stalls are proposed outdoors, but 24 are required. No stalls are proposed at the corners of the main drive aisle and the south east-west, but 2 are required at each of the NE and SE corners. Lastly, the south east-west drive aisle north side walkway east dead end requires 2 stalls. First, revise Sheet A2.0, Detail 24, plan view to illustrate that with the proposed rack model, each instance of the pad can in fact provide 5 instead of 3 bicycles. Second, revise civil Sheets 2-4 of 18, A1.0, A1.1, & L1.1, and on these sheets for each of the model pads per revised Detail 24, revise to symbolize with 5 instead of 3 bicycles.
3. Condition CU3a(4): The outdoor bicycle parking closest to E. Cleveland St right-of-way (ROW), which is at Building A NW corner, is too far south to be within the max 85-ft distance from ROW. Revise civil Sheet 4 of 18, A1.0, A1.1, & L1.1.
4. Condition CU3a(6): The site plans fail to show that min 14 of outdoor bicycle stalls, excluding outdoor closet stalls, are covered/sheltered. Revise to show locations of coverage/sheltering via civil Sheets 2-4 of 18, A1.0, A1.1, & L1.1, and provide plan view and cross section details of the cover(s)/shelter(s).
Notes:
 - a. Bicycle parking within stairwells counts towards this condition per Condition CU3c.
 - b. If structures exceed a certain square footage, per the statewide uniform building code they might require structural building permit applications.

5. Condition CU3c: Through site plan revisions show that any covers/shelters conform with the dimensional standards of this condition: min 7 ft height clearance and coverage/sheltering extending min 1 ft beyond stall boundaries.
- N. Condition CU4c (outdoor closet ceiling height): The status of conformance is unclear via Sheet A4.0 (building cross section) if each outdoor closet has a floor to ceiling height min of 7 ft.
- O. Condition CU4d (scuppers): Show where building rainwater scuppers, if any, are placed not to dump onto the pavement of an access way or walkway, or (via a site plan note) that there are no scuppers.
- P. Condition CU4e(1) (window proportions): Revise Sheets A6.0 & A6.1 to conform to the condition.
- Q. Condition CU4e(2) (window per room): For Building D, south facade, third floor, revise Sheet A3.2, Detail 21 floor plan, to indicate a bathroom window in keeping with what Sheet A6.1, Detail 7 elevation view shows.
- R. Item Triangle 1: Apart from conditions, Sheet L1.1 fails to account for Building D SW appended office.
- S. Condition CU5a (benches): As symbolized on the site plans, the status of conformance is unclear that each bench:
1. Specs: Is each min 6 ft wide and that min 2 of them have backs. Revise a details sheet to reproduce or excerpt a cut or spec sheet for the bench model (including a diagram, elevation view, or photo), which Sheet A1.1 note 16 proposes as unspecified vendor model number T9F277154.
 2. Siting: Meets the condition part that, "Benches shall be set back 1 ft, 9 inches min from edge of access way or walkway and with the distance to bench footings or mounts paved with brick, concrete pavers, fieldstone, or poured concrete."
- T. Condition CU5b (picnic bench): The condition requires picnic bench installation either within a shelter or with an umbrella 11 ft min span. As symbolized on the site plans, staff sees the bench would have the central post hole for an umbrella, but there is insufficient information about whether there'd be an umbrella of min dimension. Revise civil Sheet 2 of 18 to illustrate spur walkway and bench pad, Sheets A1.0, A1.1 and its Note 16, & L.1 plan views to indicate an umbrella, and revise a details sheet to provide umbrella specs.

U. Condition CU5c (dog waste station): Revise Sheet L1.1 to call-out and note the pet waste station similar to the way Sheet A1.1 Note 14 calls it out.

V. Condition CU5d (fence/fencing): The Sheet A1.1 site plan and Note 9 are insufficient for staff to determine:

1. If the condition would be met, so revise the sheet and note and provide a detail elevation of the fencing relevant to the condition;
2. If WDO 2.06.02C.1 would be met regarding max height, so indicate a conforming max height or heights;
3. If separate Condition CU7e (1450 E. Cleveland St wood fencing) would be met, so revise to indicate conformance; and
4. Apply for the required [fence permit](#) (per the reminder that is final decision document Note to the Applicant 2, p. 26) and demonstrate conformance with the condition through the permit app drawings and text.

W. Condition CU5e (mailboxes): Revise Sheets A1.1 & L1.1 to demonstrate conformance with the condition.

X. Condition CU5g (trash and recycling enclosure[s]):

1. Gate swing: Revise Sheets A1.1 and A3.1 Details 6 & 17 to demonstrate conformance with the condition part that states, “the gate shall be a push gate that either swings into the enclosure or in both directions. The south trash enclosure shall have gate hinges on the south instead of the north side of the opening”.
2. WDO 3.06.06B (enclosure wall standards):
 - a. 3.06.06B.5 (two colors): Revise Sheet A3.1 Details 2, 6 & 10 to indicate at least two colors and their placements.
 - b. 3.06.06B.6 (80% scoring, texture, or pattern): Revise Sheet A3.1 Details 1, 2, 6 & 10 to indicate such, for example, concrete masonry unit (CMU) block that is scored, as another example as CMU block that is split-face, or as yet another example as a pattern of CMU blocks each one of two colors.
 - c. 3.06.06B.7 (80% coloring other than grey): Factor in this WDO standard while addressing the above revisions related to 3.06.06B.5.

Y. Condition CU7 (landscaping):

1. CU7a(2)(a)(i) (parking aisle tree islands): 4 islands are proposed in this context, but 5 are required. Revise civil Sheets 1-4 of 18, A1.0, A1.1, & L1.1 to conform to the condition.
2. CU7a(2)(a)(ii) (tree preservation): One of the 5 required islands incorporates a tree that Condition CU7d(1) requires the developer to preserve absent burden of proof per that condition. Revise civil Sheet 3 of 18, A1.0, A1.1, & L1.1 to conform to the condition so that the island conforms to Condition CU7a(2)(a)(ii).
3. CU7a(2)(b) (west parallel parking): Revise civil Sheets 1-4 of 18, A1.0, A1.1, & L1.1 to conform.
4. CU7b (bark dust max): Revise Sheet L1.1 Notes 9 & 11 to indicate conformance.
5. CU7c (screening): Sheet L1.1 is insufficient for staff to determine if the condition is met. Revise to indicate where, if any, such equipment is and how screened per the condition.
6. CU7d(1) (tree preservation): Address the condition.
7. CU7d(3) (building corner and side trees): Revise to address for all buildings. The proposed species Eastern redbud is a “small” size category at maturity per Sheet L1.2 based on WDO Table 3.06B; “medium” size category is required for the trees subject to the condition.
8. CU7d(5) (front yard trees): As part of addressing Item D1 above, establish conformance with this condition as part of addressing that item.
9. CU7e (1450 E. Cleveland St wood fencing): The status of conformance is unclear. Revise Sheet A1.1 site plan and Note 9, add a A1.1 note specific to the condition, provide an elevation detail on a details sheet, and revise Sheet L1.1.

- Z. CU8 (exterior lighting): The status of conformance is unclear because the site plans do not address the condition. Submit an electrical/lighting/photometric site plan sheet or sheets, and include light fixture model cut/spec sheet information as plan sheet detail views.

AA. CU9a(2) (parking stenciling/stripping): The status of conformance is unclear. Provide a compact parking stall detail on a details sheet illustrating conformance.

BB. CU9b (visitor parking): The status of conformance is unclear. Address the condition, beginning with whether the situation it describes is applicable or not.

CC. CU10a(6) (interior setbacks): Building C south side & Building D north side fail to conform; they are each closer to the east-west drive aisle walkways than per the condition. (See the final decision Attachment 103 Sheet 1 of 7 – Sheet A1.0 – that the condition references, p. 49 of the Adobe PDF.) In no case can these sides of the buildings directly abut the walkways. There is tiny administrative leeway: For Building C south side, the applicant can go by a minimum distance from walkway of 10 ft instead of 14'-2". Revise civil Sheet 2 of 18, A1.0, A1.1, & L1.1.

DD. CU11b (tree preservation):

1. Revise Sheet L1.1 to symbolize the 2 trees to be preserved differently than how the plan symbolizes all other existing and additional trees.
2. Revise the site plans to confirm actual preservation of the trees by adjusting nearby site improvements (curbs, walkways, etc.) accordingly and provide a site plan detail of tree preservation during construction per final decision Note to the Applicant 17, including conforming construction fencing.

Note that removal of trees that the developer is required to preserve would be a violation subject to enforcement through a fine per Woodburn Ordinance No. 2592 (August 9, 2021), §3 of between \$5,000 and \$10,000 per tree.

EE. CU-BP1c (wayfinding signage): Address. Is the developer opting to install bicycle/pedestrian wayfinding signage or pay fee in-lieu?

FF.V1a(1) (wheel stops): The proposed wheel stops exceed the max height of 4 inches. Revise Sheets A1.1, Detail 19 and A2.0, Detail 26.

GG. V1b (two large parallel parking stalls): Revise the site plans to conform.

HH. V1c (stenciling of parallel parking stall lengths): Revise the site plans to conform, and provide a stenciling detail or details.

II. Building D north walkway: Revise civil Sheet 2 of 18 to swap the walkway, which is right at the building north side, with the parking area landscape strip, which is between the walkway and parking, so that the walkway abuts parking and there is landscaping between the walkway and Building D as intended by the land use review plan set.

JJ. Building letters: Revise the civil plan set (Sheets 1-18) where buildings appear to note building numbers within the building footprints, not just building finished floor elevations (FFE).

KK. Sidewalk v. walkway: Sheet L1.1:

1. Left plan view 'A': Relabel the "sidewalk" as "access way", and label the sidewalk as either "sidewalk" or "S/W".
2. Right plan view 'B': Relabel each of the two "sidewalk" labels to "walkway".

LL. Landscaping: Revise per the attached mark-ups to have more lawn area instead of shrubbery at the east rear of buildings near patios.

Note A: Addresses: Regarding Condition G4a and street address assignment, no revision is needed, but do ensure that when ordering and affixing apartment doorplates they're consistent with assigned addresses. For example, make sure that there is "A101", "B101", etc. instead of four "101" plates.

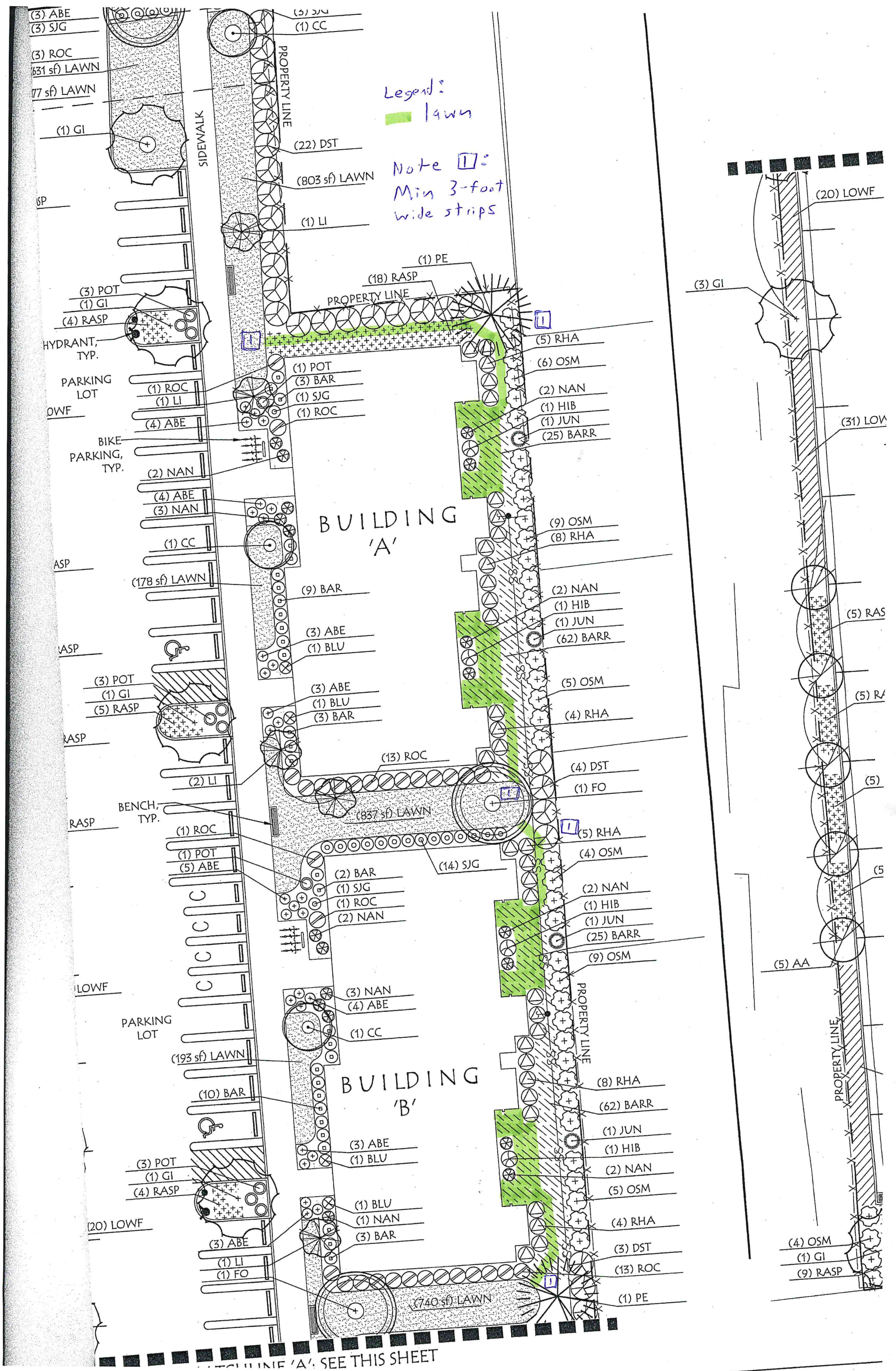
(A note for City staff: The applicable account receivable for land use conditioned fees and fees in-lieu is general ledger 363-000 3678 "Developer Contributions" unless management specifies otherwise.)

Attachment(s):

- Marked landscape plan excerpt in green 1
- Marked landscape plan excerpt in green 2

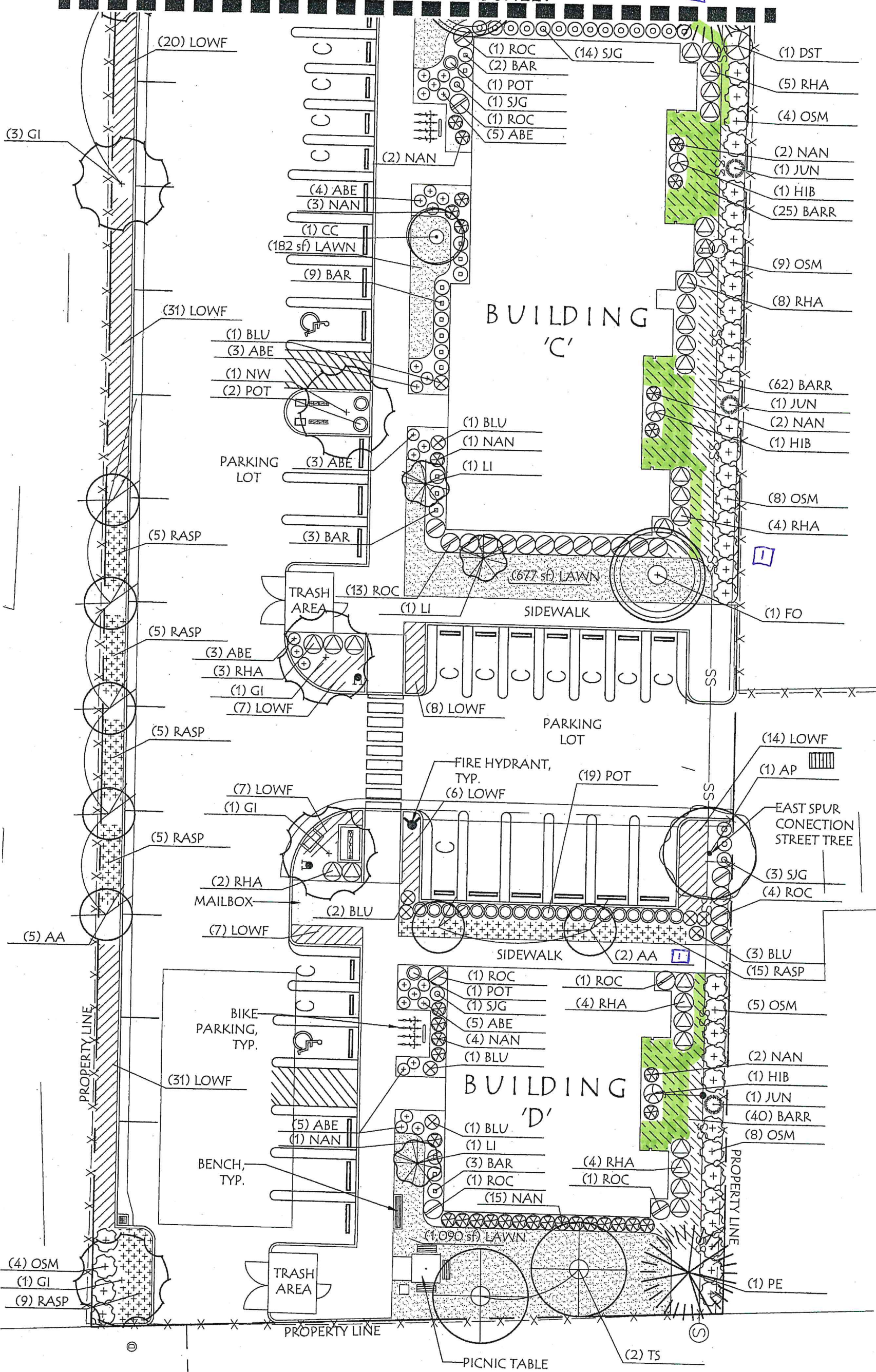
Legend:
Lawn

Note []:
Min 3-foot wide strips



PROPERTY LINE 'A' SEE THIS SHEET

MATCHLINE 'A': SEE THIS SHEET



Small / Medium Sh

Lawn / Groundcov

Total Plant Units

Landscape Other Yard

REQUIRED PLANT

SIGNIFICANT TREE = 10 F
 LARGE TREE = 8
 MEDIUM TREE = 4 PI
 LARGE SHRUB = 2
 SMALL/MEDIUM S
 LAWN/GROUND C

LANDSCAPE SQU/
 NUMBER OF PLA

Plants

Large Tree

Medium Tree

Small Tree

Large Shrub

Small / Medium Shr

Lawn / Groundcov

Total Plant Units

Landscape Buffer

REQUIRED PLANT

SIGNIFICANT TREE
 LARGE TREE = 10 P
 MEDIUM TREE = 8 I
 SMALL TREE = 4 PU
 LARGE SHRUB = 2 F
 SMALL/MEDIUM SF
 LAWN/GROUND C

LANDSCAPE SQU/
 NUMBER OF PLAI

Plants

Large Tree

Medium Tree

Small Tree

Large Shrub

Small / Medium Shr

Lawn / Groundcov

Total Plant Units