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DESIGN REVIEW III
VARIANCES:

- **MAX BLDG HEIGHT**
- **STREET EXTENSION**
- **LOADING BAY QUANTITY**
- **ACCESSORY BUILDING DISTANCE REDUCTION**

LOT CONSOLIDATION & PARTITION
ROW DESIGN EXCEPTIONS
RCWOD PERMIT

To
City of Woodburn

For
Project Basie

Dated
April 16, 2021
(Revised May 28, 2021)

Project Number
2210133.00

MACKENZIE
Since 1960

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MATERIALS SUBMITTED SEPARATELY

1. Application Fee

I. PROJECT SUMMARY

Applicant/Purchaser:	Tom Nieswander (Project Manager) TC Pursuit Services, Inc. 1300 SW 5th Avenue, Suite 3350, Portland, OR 97201 (503) 946-4971 | TNieswander@trammelcrow.com
Site Location:	Approximately 130 acres located southeast of the Oregon Highway 219 – Butteville Road intersection
Marion County Tax Lots:	Tax Map 052W11 Tax Lots 00400, 00500, 00600; Tax Map 052W14 Tax Lots 00200, 00600, 02400, 02500
Subject Site Acreage:	Consolidation/Partition: 130 acres approximately Design Review III: 88.12 acres approximately ("Parcel 2")
Zoning:	Southwest Industrial Reserve (SWIR)
Zoning Overlay:	Interchange Management Area (IMA) Riparian Corridor & Wetlands Overlay District (RCWOD) SWIR Overlay
Comprehensive Plan:	Industrial with Southwest Industrial Reserve Overlay
Adjacent Comp Plan Designations and Uses:	North: Low-Density Residential (across Oregon Highway 219) – single-family residential (outside City Limit, within UGB) South: SWIR – vacant East: Light Industrial (LI) – WinCo Foods Distribution Center West: Marion County Exclusive Farm Use (EFU) – agriculture/rural residential, outside the Woodburn Urban Growth Boundary (UGB)
Existing Structures:	None
Request:	Design Review for a new 3,849,000 SF +/- Industrial Building Variance 1 to Exceed Maximum Building Height Variance 2 to Not Extend Woodland Avenue Variance 3 to Reduce Required Number of Loading Spaces Variance 4 to Allow Accessory Structures within 6' of Main Building Riparian Corridor and Wetland Overlay District Permit Right-of-Way Design Exception: Roundabout Configuration Right-of-Way Design Exception: South Extent of Butteville Road Improvements Lot Consolidation Land Partition
Project Contact:	Mackenzie Attn: Lee Leighton, AICP 1515 SE Water Avenue, Suite 100, Portland, OR 97214 (971) 346-3727 | lleighton@mcknze.com

II. INTRODUCTION

Description of Request

TC Pursuit Services, Inc. (applicant) presents this application package, including narrative, plans, drawings, and additional substantial evidence to support approval of a proposed five-story, approximately 3,849,000 square foot industrial building on approximately 82.18 acres in the Southwest Industrial Reserve (SWIR) area of the City of Woodburn. The building is complemented 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. The proposed development also includes construction of public utility system extensions (water, sanitary sewer and storm drainage) and public streets along the site's frontages (Oregon Highway 219 and Butteville Road).

The 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, but some aspects of the proposal differ due to the project's very large size and its access/circulation requirements. 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:

1. Lot Consolidation and Partition to assemble and replat all five Lots in the I5 Logistics Center Subdivision and the two (2) deed parcels located south of Lot 5, to form the proposed development site (Parcel 2) and two (2) other Parcels, and to dedicate right-of-way for a new alignment of Butteville Road and its intersection with Highway 219.
2. Variance to allow maximum building height to exceed 45 feet.
3. Variance to defer indefinitely the extension of S Woodland Avenue to intersect Butteville Road.
4. Variance to reduce the required number of loading bays.
5. Variance to reduce distance between accessory structures and main building.
6. Riparian Corridor and Wetlands Overlay District (RCWOD) Permit to define the RCWOD boundary within the subject property.
7. Exception to Street Right of Way and Improvement Requirements: Roundabout Lane Configuration
8. Exception to Street Right of Way and Improvement Requirements: South Extent of Butteville Road Street Improvements

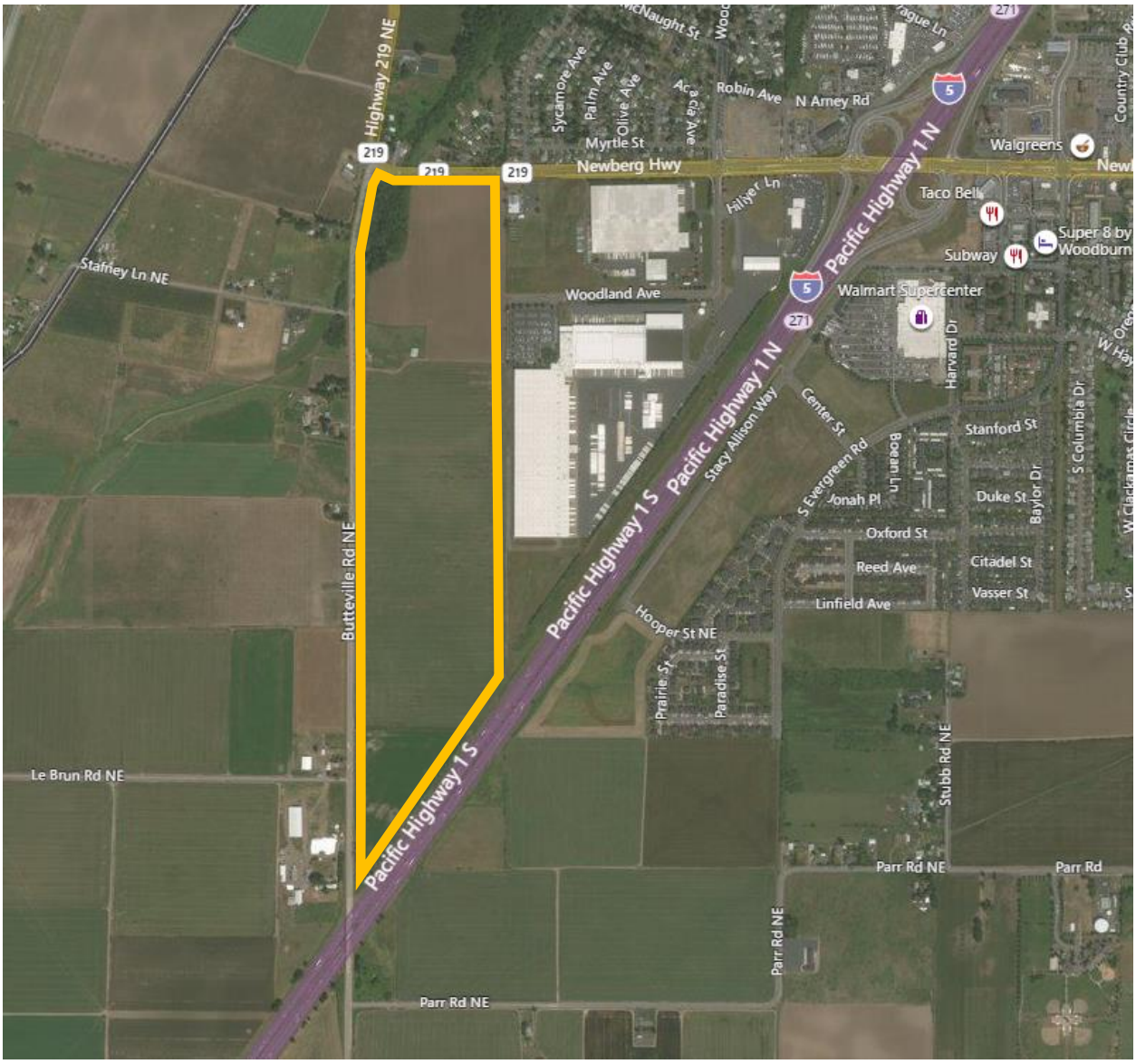
A pre-application meeting for this project was held on April 7, 2021 (PRE 21-11, see Exhibit G). Information and recommendations from that meeting have been incorporated into the proposal.

Existing Site & Surrounding Land Use

The subject property consists of approximately 130 acres located southeast of the intersection of Butteville Road and Highway 219. It has been in agricultural use; a single barn will be demolished. Senecal Creek runs through a broad and wide incised drainageway in the northwest corner of the site, flowing to the northeast under bridge crossings in Butteville Road and Highway 219. Delineated wetlands are present within the Senecal Creek channel, and the 100-Year FEMA flood hazard area is also contained within that channel.

Land to the north, across Highway 219, is in rural residential use. Land to the west, across Butteville Road, is outside the Woodburn UGB and supports a mix of agricultural and rural residential uses. The Do It Best and WinCo Foods distribution centers are on adjacent properties to the east, in the Light Industrial (IL) zone. The southeastern boundary of the subject property is formed by the west edge of Interstate 5 (I5).

Aerial Image – Project Site



Description of Proposed Development

To configure the approximately 130-acre property for the proposed development, a Lot Consolidation and Partition are proposed to consolidate the seven (7) lots and replat the whole subject property into three (3) new Parcels, of which one (Parcel 2) is the proposed development site for the Design Review and associated applications. The partition will also dedicate right-of-way for a new alignment of Butteville Road east of the Senecal Creek/wetlands significant natural resource area; a new roundabout intersection

with Oregon Highway 219 will provide sufficient traffic capacity while eliminating resource impacts that would otherwise be unavoidable at the current intersection location.

- Proposed Parcel 1 is in the northwest corner, including the Senecal Creek wetlands, northwest of the new Butteville Road right-of-way.
- Parcel 2, southeast of the new Butteville Road right-of-way, is the development site for the proposed Project Basie Design Review and associated applications.
- Parcel 3 contains the remaining area south of the Project Basie site, which will be capable of accommodating future industrial development.

A Riparian Corridor and Wetlands Overlay District (RCWOD) Permit is requested, to precisely define the boundary of the RCWOD area within the Subject Property. As noted above, the proposed realignment of Butteville Road and its intersection with Highway 219 makes it possible to avoid impacts on the Senecal Creek corridor that were previously thought to be unavoidable due to the need for widening of Butteville Road west of the Creek. Unlike a previous RCWOD permit approved in 2017, this RCWOD Permit request proposes no resource area impacts to accommodate new roadways or intersections.[1]

A single industrial building proposed for the approximately 82.18-acre development site (proposed Parcel 2) will contain approximately 3,849,000 square feet of floor area, comprised of the following component areas:

Building Footprint Areas	Square Feet +/-	
Dripline Building Area – Level 1	822,720	
Remote Smokers Canopy [2]	752	
Smokers Canopy	924	
Guard Houses / Access Control Stations (2 @ 300 SF +/-)	600	
Building Footprint Areas Subtotal		*824,996*
Upper-Level Interior Floor Areas		
Mezzanines	365,127	
Level 2	664,745	
Level 3	664,687	
Level 4	664,687	
Level 5	664,687	
Upper-Level Interior Floor Areas Subtotal		*3,023,933*
Total Proposed Building Square Footage (Approximate)		**3,848,929**

The project is designed for per-shift employment of 937 people in two daily shifts, making a significant contribution to economic development in the SWIR. The building is supported by on-site access and

[1] The applicant's traffic engineer, Kittelson & Associates, has prepared plans for the Highway 219-Butteville Road roundabout that the applicant believes can be constructed entirely east of the Highway 219 bridge crossing of Senecal Creek; however, other widening or improvements in Highway 219 to implement the City's Transportation System Plan (TSP) may involve widening of that bridge, which may impact the resource area.

[2] "Building" is defined in WDO 1.02 as "Any structure having a roof built for the support, shelter, or enclosure of persons, animals, or property of any kind." Canopies for human shelter have been included in this calculation.

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.

With five (5) floors, the proposed building will stand approximately 105 feet tall, exceeding the 45-foot building height requirement in the SWIR Zone. This application includes a Variance request to allow the additional building height.

The site is designed with all its access points on Butteville Road at the west; there will be no driveway accesses on Highway 219 at the north, and no proposed access to the existing stub terminus of S Woodland Avenue at the east. This application includes a related Variance request, to allow development without extending S Woodland Avenue west to intersect Butteville Road.

A third Variance request will allow a reduction in the required number of loading spaces, from 79 based on the direct application of the Code standard to the applicant's proposal for a total of 70.

A fourth Variance request is to allow free-standing canopy covers over proposed patio areas on the west side of the building to be located closer than six feet from the main building.

Transportation System

The Highway 219-Butteville Road intersection is located at the northwest corner of the subject property. The City's Transportation System Plan (TSP) and other planning actions have recognized the need for a reconfiguration of that intersection to provide safety and operational capacity as the Woodburn community grows, and in particular as planned economic development occurs in the SWIR area over time.

Operationally, the intersection has unusual characteristics due to its geometry. Although its geometry appears to be a familiar "T" intersection, its primary movement is not linear along the straight section (the top bar of the "T"). Instead, Highway 219 forms the east and north legs, with Butteville Road as the south leg, and the primary through movement involves turns through the intersection (i.e., a right turn if westbound on Highway 219, a left turn if eastbound). As a result, westbound motorists on Highway 219 seeking to turn left to go south on Butteville Road cannot see the approach of conflicting oncoming vehicles in Highway 219 eastbound from a safe distance.

The City has preliminarily investigated methods for providing additional capacity at the existing intersection location, such as widening with signalization and installation of a roundabout. All such improvement options at the present intersection location are hemmed in by the Urban Growth Boundary (UGB) at the west edge of the Butteville Road right-of-way, and by the Senecal Creek and wetlands significant resource area adjacent to the southeast corner of the intersection. Depending on the final configuration, any improvements were assumed to require permitting by some combination of federal and state agencies, including the US Army Corps of Engineers (USACE) and Oregon Department of State Lands (DSL), to allow public road construction impacts on Senecal Creek and its adjacent wetlands within the segment that flows through the subject property between Butteville Road and Highway 219. Additionally, widening of both road segments near the intersection would require reconstruction of both roadways' bridge crossings of Senecal Creek to achieve the necessary number of travel lanes and tapers. These issues all would add costs and regulatory hurdles to the project scope.

Project Basie introduces a previously unexamined concept for improving safety and capacity at the intersection of Highway 219 and Butteville Road, namely realignment of the segment of Butteville Road immediately south of Highway 219 to the east side of Senecal Creek, where it will intersect Highway 219 at a new roundabout intersection. This configuration will provide sufficient operational and safety characteristics to accommodate the proposed development and use, and also eliminate impacts on the Senecal Creek/wetlands resource corridor. A detailed presentation of the proposed alignment and preliminary design is presented in the applicant's Traffic Impact Analysis prepared by Kittelson & Associates (see Exhibit E).

The proposed Project Basie facility on proposed Parcel 2 is designed to have all site access by way of Butteville Road. This orientation and access plan differs from the public street network that was previously assumed to be necessary in the TSP; however, the applicant's TIA (Exhibit E) demonstrates that the proposed configuration is appropriate to meet the large industrial user's high employment needs as well as accommodate anticipated community growth. The TIA has been prepared in accordance with the specifications of City of Woodburn, Marion County, and the Oregon Department of Transportation (ODOT).

The proposed access plan routes trips appropriately on the high-capacity arterial-level roadways best suited to handle the facility's travel demand: Highway 219 is a Major Arterial and Butteville Road is a Minor Arterial. As a result, the existing industrial firms that rely on S Woodland Avenue for local access – i.e., the Do It Best and WinCo Foods distribution centers – will not experience additional traffic on that roadway. In this scenario, a western extension of Woodland Avenue is not necessary to provide local access, and the applicant has included a request for a Variance from the requirement to do so.

Utilities

Public street improvements will include construction of public utility system extensions (water, sanitary sewer and storm drainage) consistent with the proposed new public street alignments. While specific alignments and routing differ from the initial conceptual diagrams, the proposed infrastructure elements provide system connectivity and service capacities that are conceptually consistent with the approved SWIR Master Plan.[3]

The project will include these public water line extensions (See Sheet C-600 in Exhibit C):

- A 12" line from the existing western terminus in Highway 219 through the proposed roundabout, to a point east of the Senecal Creek bridge (suitable for future extension to serve additional properties to the west and north.
- A 12" line south from Highway 219 within the realigned Butteville Road right-of-way to the proposed Parcel 2/Parcel 3 boundary, forming a loop connection with a 10" public line in an easement around the east and south perimeter of proposed Parcel 2 (the proposed Project Basie site).

[3] 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.

- A 12” line in a 35’ wide easement (water and sewer) through the Project Basie site southwest and then west from the existing western terminus in Woodland Avenue, forming a loop connection with the new 12” line in Butteville Road.

The project will also include these public sanitary sewer line extensions (See Sheet C-600 in Exhibit C):

- A 12” line in a 20’ wide easement from the existing stub terminus in Woodland Avenue north to the Highway 219 right-of-way and west through the roundabout to a terminus east of the Senecal Creek bridge (suitable for future extension to serve additional properties to the west and north).
- A 15” line in the 35’ easement (water and sewer) through the Project Basie site southwest and then west from the existing western terminus in Woodland Avenue, then continuing south in Butteville Road to the Parcel 2/Parcel 3 boundary, where Parcel 3 can make a future connection.

To provide additional fire-fighting capacity for the building, two (2) locations are identified for supplemental fire reservoirs: one will be located southeast of the building’s southeast corner. If needed, subject to final determinations in the construction permitting phase, a second can be added northeast of the building, displacing an estimated 7 to 10 trailer parking spaces.

Storm drainage in this area flows to Senecal Creek, which flows generally to the northeast. It crosses Butteville Road and Oregon Highway 219 at bridge/culvert crossings at two (2) locations near the northwest corner of the subject property, flowing through the subject property between those two (2) road crossings. The proposed realignment of Butteville Road will include treatment and detention of public storm drainage from Butteville Road prior to outfalling to Senecal Creek at a point north of the proposed north driveway intersection. Public storm drainage from Highway 219 will be treated, detained and conveyed within the public right-of-way.

III. NARRATIVE & COMPLIANCE

The following discussion addresses the Woodburn Development Ordinance (WDO) approval criteria and development standards which apply to the Design Review III, Riparian Corridor Wetland Overlay District (RCWOD) Permit, Variances, and Lot Consolidation/Property Line Adjustment.

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*
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	*P*
Distribution and E-commerce including; wholesale trade, farm supplies and merchant wholesalers, packaging and labeling services.	*P*

Response: The proposed industrial facility is a proprietary design for a leading traded-sector firm in the rapidly evolving distribution and e-commerce field. The proposed use is in the above categories, which are both Permitted in the SWIR Zone. This standard is met.

C. Development Standards

Southwest Industrial Reserve (SWIR) - Site Development Standards Table 2.04E			
Standard		*Requirement*	Proposed (Parcel 2)
Lot Area, Minimum (square feet)		*See Table 2.04F*	Parcel 2: 82.18 acres, consistent with Table 2.04F (Area A)
Lot Width, Minimum (feet)		*No minimum*	Over 1,100 feet
Lot Depth, Minimum (feet)		*No minimum*	Over 1,100 feet
Street Frontage, Minimum (feet)		*No minimum*	Over 1,100 feet, 2 roads
Front Setback and Setback Abutting a Street, Minimum (feet)		*10* [1]	200 feet +/-
Side or Rear Setback, Minimum (feet)	*Abutting P/SP zone or a residential zone or use*	*30*	N/A
	Abutting a commercial or industrial zone	*0 or 5* [2]	245 feet +/-
Setback to a Private Access Easement, Minimum (feet)		*5*	not applicable
Lot Coverage, Maximum		*Not specified* [3]	Plans comply with setback, parking and landscaping requirements
Building Height, Maximum (feet)	*Primary or accessory structure*	*45*	105' at exterior wall; Variance requested
	Features not used for habitation	*70*	
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 above, the submitted plans demonstrate compliance with all applicable development standards in Table 2.04E with the exception of the maximum building height limitation. The height of the proposed building is approximately 105 feet, measured at the tallest point of the exterior wall. The applicant has requested a Variance to allow the additional building height; compliance findings are provided below in the Variance Section. With approval of the Variance request, these standards will be 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 most of Subarea A 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.*

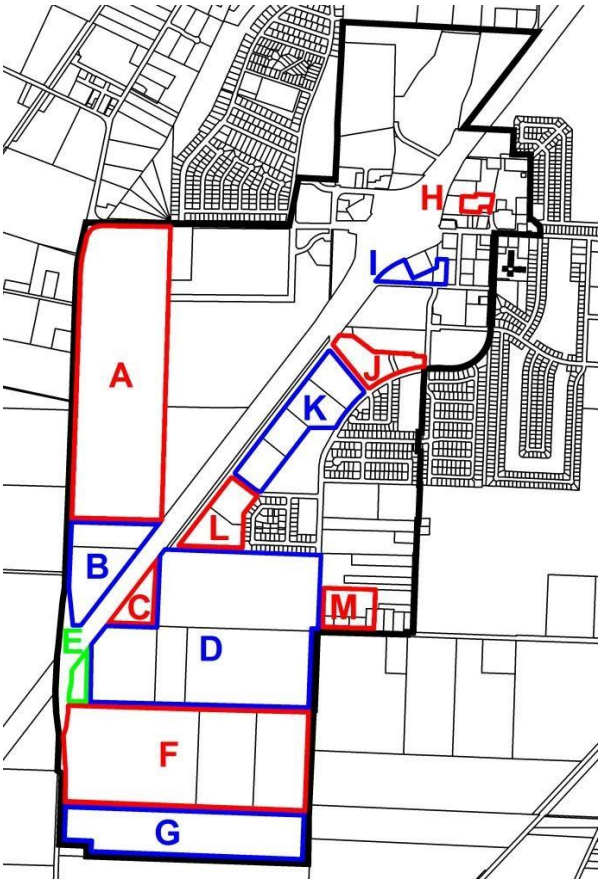


Figure 2.05B – Interchange Management Area Boundary and Subareas

VEHICLE TRIP BUDGET BY PARCEL TABLE 2.05A				
Subarea	**Assessor's Tax Lot Number**	**Comprehensive Plan Designation**	**Buildable Acres**	**Maximum Peak Hour Vehicle Trips**
A	052W11 00300	SWIR	88	968
B	052W14 00200 052W14 00600	SWIR	22	242
C	052W1400700	SWIR	Exempt	Exempt
D	052W14 00800 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 the Subject Property (Subareas A and B), concluding:

Subarea A has 968 trips and Subarea B has 242 trips for a total of 1,210 trips. Based on the maximum weekday PM peak hour trip profile estimates, Project Basie will generate approximately 1,176 trips which is within the combined Subarea A/B trip budget. (See Exhibit E.)

Therefore, the project's proposed trip generation complies with the allocations in Table 2.05A.

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). All study area intersections are anticipated to meet City and ODOT mobility standards for all scenarios, with construction of the realigned segment of Butteville Road, the roundabout intersection with Highway 219, and other mitigation measures detailed in the TIA Report.

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 and Marion County) 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: Project Basie is estimated to generate a total of 1,176 weekday PM peak hour trips. These trips are allocated on a first-developed, first-served basis. The majority of the remaining industrial properties located within the IMA are not yet developed. 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:*
   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: Ownership of Project Basie includes Subareas A and B in the SWIR. Subarea A has 968 trips and Subarea B has 242 trips for a total of 1,210 trips. Project Basie is anticipated to generate approximately 1,176 trips during the weekday PM peak hour, which is within the combined Subarea A/B trip budget. The proposed development represents an economic development success for the City of Woodburn in attracting a large traded-sector employer to locate in the SWIR. The applicant requests approval pursuant to the allowance specifically for this purpose in subparagraph a. 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 Project Basie tenant is anticipated to run a multiple day shift/night shift employment pattern. This shift pattern tends to more easily accommodate a variety of TDM

measures including carpooling and vanpooling. In addition, the site is anticipated to operate with a shift change pattern that staggers employee arrival and departure over a longer period of time to minimize traffic impacts on the surrounding roadway network. As with other similar facilities, the Project Basie tenant will work with the City of Woodburn to customize and continually update its overall TDM plan.

2.05.05 Riparian Corridor and Wetlands Overlay District (RCWOD)

A. Purpose

The Riparian Corridor and Wetlands Overlay District (RCWOD) is intended to conserve, protect and enhance significant riparian corridors, wetlands, and undeveloped floodplains in keeping with the goals and policies of the Comprehensive Plan. The RCWOD is further intended to protect and enhance water quality, prevent property damage during floods and storms, limit development activity in designated areas, protect native plant species, maintain and enhance fish and wildlife habitats, and conserve scenic and recreational values.

B. Boundaries of the RCWOD

1. The RCWOD includes:

a. Riparian corridors extending upland 50 feet from the top of the bank of the main stem of Senecal Creek and Mill Creek and those reaches of their tributaries identified as fish-bearing perennial streams on the Woodburn Wetlands Inventory Map; and

b. Significant wetlands identified on the Woodburn Wetlands Inventory Map. Where significant wetlands are located fully or partially within a riparian corridor, the RCWOD shall extend 50 feet from the edge of the wetland; and

c. The 100-year floodplain on properties identified as vacant or partly vacant on the 2005 Woodburn Buildable Lands Inventory.

Response: In 2017, to support the petition to annex the Subject Property, Pacific Habitat Services (PHS) was retained by the then-applicant to perform biological field inventory work, and surveyors (KC Development and Northwest Surveying) surveyed stream banks, wetlands and slopes/sections within the seasonal Senecal Creek riparian corridor. Additionally, Cascade Water Resources, LLC identified "100-year" Base Flood Elevations (BFE), flood inundation boundaries and floodway boundaries along the segment of Senecal Creek within the Subject Property. Mackenzie used those data sources to prepare SWIR Master Plan Figure 5, Riparian Corridor and Wetlands Overlay District (RCWOD) and Figure 5A, RCWOD Determination Detail. The SWIR Master Plan was approved by the Woodburn City Council in December 2017. The Preliminary Plat drawing in Exhibit F contains the RCWOD Determination Detail map data for the "100-Year" flood plain boundary, the delineated wetland boundary and a 50-foot buffer around it, which is the proposed location of the RCWOD boundary. However, unlike the RCWOD boundary permitted in 2017, which has now lapsed, this proposal does not include a request to fill wetlands in the south part of the RCWOD, because such filing is not necessary if Woodland Avenue is not extended west to intersect Butteville Road opposite Stafney Lane.

Along the segment of Senecal Creek within the Subject Property, the Butteville Road right-of-way is immediately adjacent to the stream/wetlands corridor, allowing only limited buffering opportunities on the west side of the resource features. On the east side of the resource, the RCWOD boundary is defined by the 50-foot buffer width adjacent to delineated wetlands, because

that boundary is consistently east of the Senecal Creek corridor and its 50-foot buffer as well as the "100-year" Base Flood boundary.

The SWIR Master Plan proposed to align the anticipated future extension of Woodland Avenue to intersect Butteville Road opposite Stafney Lane, forming a four-way intersection at that location. That alignment was determined to be preferable to a direct western extension, which would have intersected Butteville Road farther north, causing a larger impact on the RCWOD resource. The offset intersection alignment would also have created potential for conflicting left-turn movements entering Butteville Road from the two (2) side streets, due to their overlapping use of the center turn refuge lane.

Consistent with the above determination, an RCWOD Permit was approved in conjunction with the SWIR Master Plan and annexation in 2017, to allow disturbance of the RCWOD to the extent necessary to align Woodland Avenue opposite Stafney Lane. But, because no development requiring construction of the Woodland Avenue extension has occurred since that time, that RCWOD Permit expired after three (3) years, in December 2020.

The current proposal is a project, and an employer, of significantly larger scale than previously anticipated in the City's SWIR zoning. Its access and circulation function best when located entirely on Butteville Road, and its need for a large site conflicts with a western extension of Woodland Avenue (as anticipated in the TSP and SWIR Master Plan). As discussed above, the proposed realignment of Butteville Road to the east of the Senecal Creek corridor, forming a new roundabout intersection with Highway 219, is an innovative solution that provides the necessary traffic capacities while avoiding impacts on the Senecal Creek resource area.

In this new context/street layout, no access to Woodland Avenue is needed by Project Basie, so there is no property west of the current stub terminus of Woodland Avenue that requires local access. As a result, unlike the prior RCWOD Permit, this applicant's RCWOD Permit request does not involve any proposal to impact the RCWOD boundary due to road construction-related impacts; the RCWOD Permit will precisely establish the RCWOD boundary, based on Senecal Creek's inventoried characteristics supported by field surveying, as shown on the proposed Preliminary Plat in Exhibit F.

2. *The approximate boundaries of the RCWOD are shown on the Zoning Map. The precise boundaries for any particular lot should be verified by the property owner when making a land use application. Map errors may be corrected as provided in this Ordinance (Section 1.02.04).*
Response: Based on the technical evidence and analysis above for subsection 1, the Applicant proposes that the City approve the RCWOD Boundary illustrated on the Preliminary Plat drawing in Exhibit F as the precise RCWOD boundary applicable to the Subject Property.

C. Permitted Uses and activities

The following uses and activities are allowed, provided they are designed and constructed to minimize intrusion into the RCWOD:

1. *Erosion or flood control measures that have been approved by the Oregon Department of State Lands, the U.S. Army Corps of engineers, or another state or federal regulatory agency*
2. *Maintenance of existing structures, lawns and gardens*
3. *Passive recreation uses and activities*

4. *Removal of non-native plant species and replacement with native plant species*
5. *Streets, roads, and paths that are included in an element of the Comprehensive Plan*
6. *Utilities*
7. *Water-related and water-dependent uses, including drainage facilities, water and sewer facilities, flood control projects, drainage pumps, public paths, access ways, trails, picnic areas or interpretive and educational displays and overlooks, including benches and outdoor furniture.*

Response: None of the listed uses or activities, or impacts to support them, is proposed in the RCWOD. The Applicant proposes that the City approve the RCWOD Boundary illustrated on the Preliminary Plat drawing in Exhibit F as the precise RCWOD boundary applicable to the Subject Property.

D. Prohibited Uses and Activities

1. *New buildings or structures or impervious surfaces, except for replacement of existing structures within the original building footprint*
2. *Expansion of existing buildings or structures or impervious surfaces*
3. *Expansion of areas of pre-existing non-native landscaping such as lawn, gardens, etc.*
4. *Dumping, piling, or disposal of refuse, yard debris, or other material*
5. *Removal of vegetation except for:*
   a. *Uses permitted by this Section*
   b. *Perimeter mowing of a wetland for fire protection purposes;*
   c. *Water-related or water-dependent uses, provided they are designed and constructed to minimize impact on the existing riparian vegetation;*
   d. *Removal of emergent in-channel vegetation that has the potential to cause flooding;*
   e. *Hazardous tree removal.*
6. *Grading, excavation and the placement of fill except for uses permitted by this Section.*

Response: This application does not include a proposal to allow any Prohibited Uses and Activities in the proposed RCWOD Boundary. This requirement is satisfied.

E. Variances

The restrictions of this Section may be reduced or removed if they render an existing lot or parcel unbuildable or work an excessive hardship on the property owner. The reduction or removal shall be decided through the Variance process.

Response: As discussed above, the proposed realignment of Butteville Road east of Senecal Creek eliminates the need to impact the Senecal Creek RCWOD area. No Variance is requested with respect to the RCWOD provisions.

F. Site Maintenance

1. *Any use, sign or structure, and the maintenance thereof, lawfully existing on the date of adoption of this ordinance, is permitted within the RCWOD. Such use, sign or structure may continue at a similar level and manner as existed on the date of the adoption of this ordinance.*
2. *The maintenance and alteration of pre-existing ornamental landscaping is permitted as long as no native vegetation is disturbed. Maintenance of lawns, planted vegetation and landscaping shall be kept to a minimum and not include the spraying of pesticides or herbicides. Vegetation that is removed shall be replanted with native species. Maintenance trimming of existing trees shall be kept at a minimum and under no circumstances can the trimming maintenance be so severe as to compromise the tree's*

health, longevity, and resource functions. Vegetation within utility easements shall be kept in a natural state and replanted when necessary with native plant species.

Response: No use, sign or structure, or ornamental landscaping subject to these provisions is present or proposed within the proposed RCWOD Boundary. Therefore, these provisions are not applicable.

G. Site Plan

When a use or activity that requires the issuance of a building permit or approval of a land use application is proposed on a parcel within, or partially within the RCWOD, the property owner shall submit a site plan to scale showing the location of the top-of-bank, 100-year flood elevation, jurisdictional delineation of the wetland boundary approved by the Oregon Department of State Lands (if applicable), riparian setback, existing vegetation, existing and proposed site improvements, topography, and other relevant features.

Response: All applicable information required by Section 2.05.05.G is contained within the site plans included as Exhibit C of this application and the preliminary plat drawing (Exhibit F). The RCWOD boundaries are established using 50-foot wetland and riparian setbacks based on the wetland delineation and the flood elevation as established in the 2017 SWIR Master Plan approval process. As noted above, wetlands and areas in the 100-Year floodplain boundary are contained within the incised Senecal Creek drainage corridor. This standard is met.

H. Coordination with the Department of State Lands

The Oregon Department of State Lands shall be notified in writing of all applications to the City for development activities, including applications for plan and/or zone amendments, development or building permits, as well as any development proposals by the City that may affect any wetlands, creeks or waterways.

Response: This provision provides guidance for processing of development applications and requires no response from the Applicant. Notably with respect to the relationship with Oregon DSL, the Applicant notes that the proposed plans do not include development activities affecting wetlands, creeks or waterways.

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 and was designated SWIR when it was annexed in 2017. 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: The proposed Partition is a land division that will consolidate the 130 gross acres contained in SWIR Subareas A and B and replat them to form three (3) new parcels and a realigned corridor for Butteville Road. The largest of the three (3), Parcel 2, will contain approximately 82.18 acres, which exceeds the largest size range category for Subarea A or B (25-50 acres) in Table 2.04F. Broadly, assembly of parcels to create larger development sites in the SWIR is specifically permitted in the SWIR Overlay Chapter (emphasis added):

> *WDO 2.05.06.C.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****.*

These Code provisions are designed to ensure that large sites will remain available in the City's land inventory to attract large employers, by not allowing multiple small users or development projects to erode the large sub-area sizes identified in WDO Figure 2.05B to a point where the City would no longer be able to compete to attract large site users. In this case, the proposed development is for an employer that requires an even larger parcel area to accommodate its building and facilities than the Code provisions anticipated. The proposed area of the development site (Parcel 2) is therefore a required lot for this user. In this context, allowing a parcel size larger than the anticipated size ranges is consistent with the purpose of the lot size ranges in Figure 2.05B as well as the larger purposes of the SWIR. This requirement is met.

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, while adapting certain features for consistency in the context of a larger-than-anticipated employer locating in the Woodburn SWIR. 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 an alternative approach in the context of this new large employer: routing access exclusively by way of Butteville Road, not taking local access from or extending Woodland Avenue west from its present terminus to intersect Butteville Road, and realigning Butteville Road to form a new roundabout intersection with Highway 219 at a location that avoids impacting the Senecal Creek/wetland resource corridor. The applicant has included a Variance request in this application package, to support the alternative transportation solution without the western extension of Woodland Avenue. With approval of the requested Variance, this requirement is 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.*

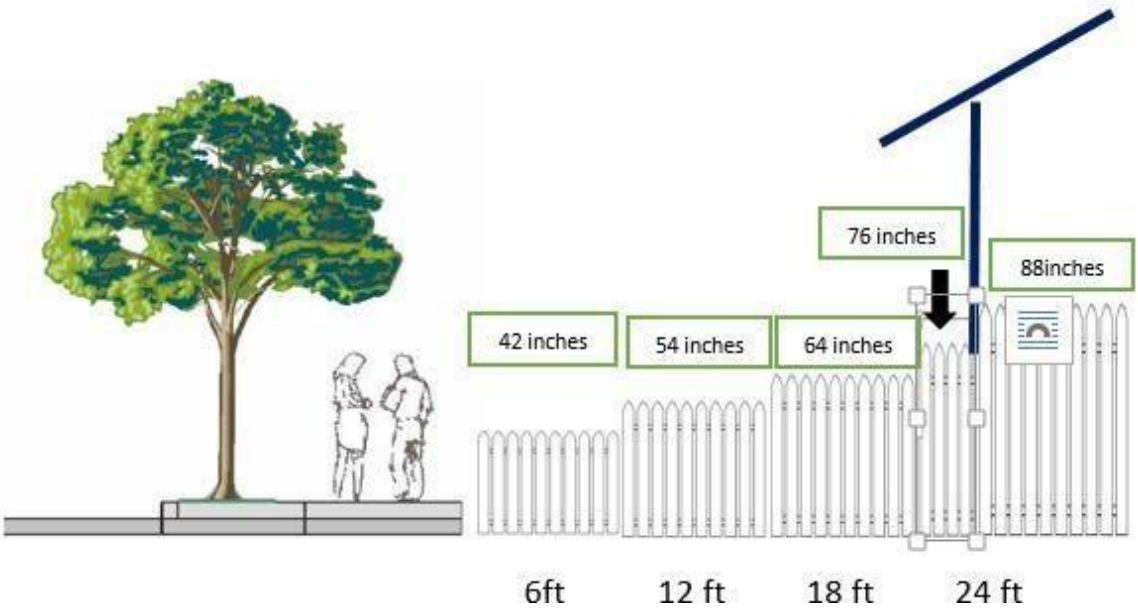


Figure 2.06A – Fence or Wall Height

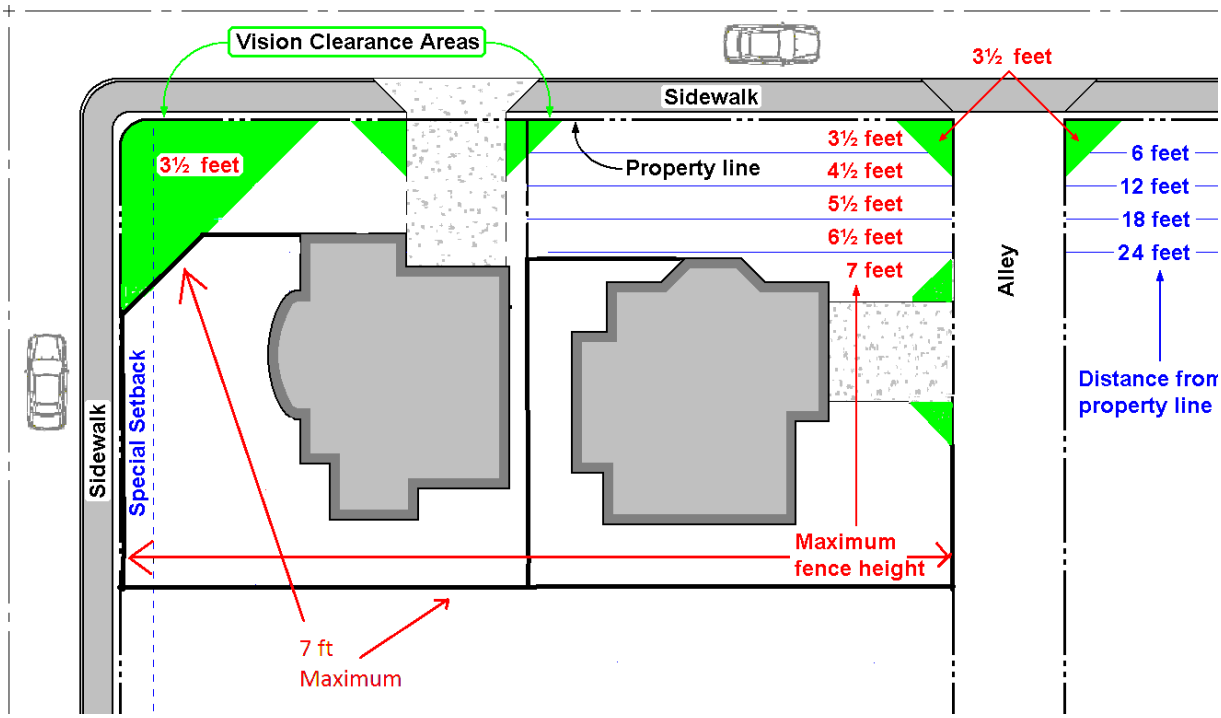


Figure 2.06B – Stepped Fence or Wall

Response: Site security fencing is proposed, consistent with these standards.

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.

Response: One (1) outdoor "Smoker's Shelter" is located on the east side of the building, with an attached canopy cover. (See Sheet C-200 in Exhibit C.) Its materials and appearance are integrated into the building design, as indicated in the submitted architectural elevation drawings. This standard is met.

B. The minimum separation between detached accessory structures and the primary building shall be six feet.

Response: Four (4) types of detached accessory structures are proposed (see Sheet A1.0 in Exhibit C):

1. Shelter Canopies: Two (2) patio areas on the west side of the building have shelter canopies that are not attached to the building. Their materials and appearance are integrated into the building design, as indicated in the submitted architectural drawings (see Sheet A1.4 in Exhibit C); however, the structures are partially within six (6) feet of the main building. A Variance request has been included to allow this configuration.
2. Guard Houses: A proposed primary guard house will be located southeast of the building, between two (2) on-site incoming truck driveway lanes. A secondary guard house will be located northwest of the building, near the throat of the north site driveway. Both contain less than 300 square feet of floor area. Neither is located within six (6) feet of the main building.
3. Employee Drop-Off Shelters: Two (2) employee "drop-off shelters" are located along the drive-aisle west of the building, adjacent to the two (2) employee drop-off short-term parking areas. Neither is located within six feet of the main building.
4. Supplemental Water Storage Tank(s): Two (2) locations are identified for on-site water storage tanks providing supplemental fire-fighting capacity. One is located southeast of the building. Subject to determinations in the permitting phase, if a second tank is needed it would be located near the northeast corner of the building, displacing an estimated 7 to 10 trailer storage spaces. Neither is located within six feet of the main building.

Based on the above facts, with approval of the Variance request this standard is met.

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.

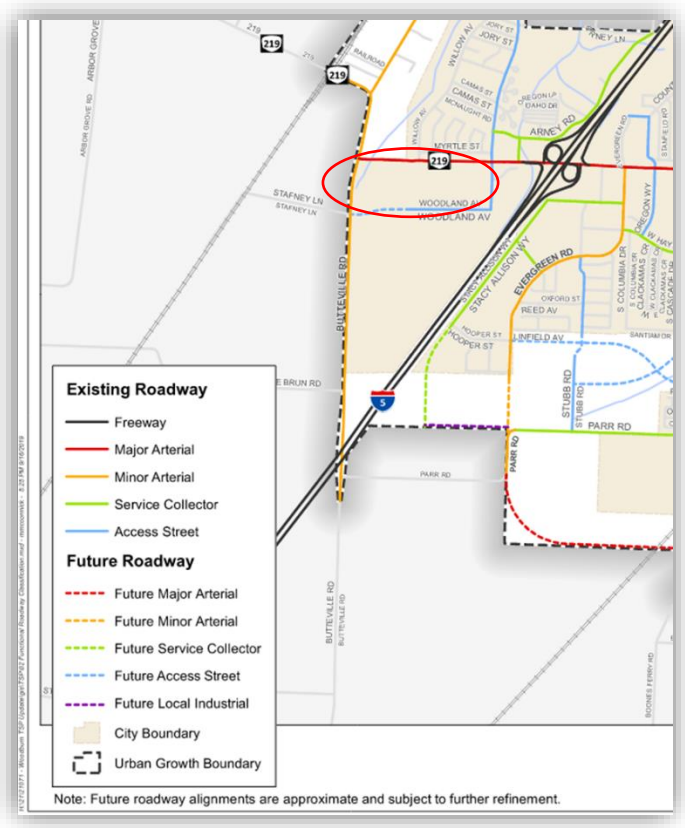
C. Functional standards are identified in the Woodburn TSP.

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.

Response: As noted above in the Project Description, the proposed development includes construction of Butteville Road improvements on a new proposed realignment, forming a new roundabout intersection with Highway 219 at a location east of the Senecal Creek corridor. The proposed plans include street design sections (configuration of lanes, sidewalks, planter strips, lighting and other features) for the new proposed roadways, consistent with recommendations in the TIA. (See Exhibits C and E.) This application

package includes a request for an Exception to Street Right of Way and Improvement Requirements because the special lane configurations and geometry associated with the roundabout differ from the applicable typical design sections.

Also as noted above, this application includes a Variance request because the proposed development plan does not require, and does not include, extension of Woodland Avenue west to intersect Butteville Road. The applicant has provided a TIA demonstrating that the proposed alternative transportation system configuration will function adequately. With approval of that Variance request, the proposed project will comply with this requirement.



Excerpt from Figure 2 (Functional Roadway Classification) from 2019 Woodburn Transportation System Plan

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: The applicant has submitted preliminary plans for improvements in public rights-of-way, which demonstrate compliance with these standards. The site has two (2) boundary street frontages subject to these provisions: State Highway 219 at the north, which is an ODOT facility, and Butteville Road at the west, which is under shared City and Marion County jurisdiction and is subject to a special design section – rural/agricultural with gravel shoulder on the west, urban arterial with curb, planter strip and sidewalk on the east – pursuant to an Intergovernmental Agreement (IGA). The design for Butteville Road

improvements implements that special design section in the segment south of the realignment, but the realigned northern section is designed to meet the City's Minor Arterial standard on both sides. As noted above, this application package includes a request for an Exception to Street Right of Way and Improvement Requirements because the special lane configurations and geometry associated with the roundabout differ from the applicable typical design sections. A second such Exception is requested to allow deferral of improvements in Butteville Road along the frontage of proposed Parcel 3 of the partition, to allow those improvements to be made in conjunction with development of that Parcel, which contains a remainder area not needed for Project Basie, but of sufficient size and proportions to accommodate additional employment development in the future.

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 two (2) Exceptions to Street Right-of-Way and Improvement Requirements. Findings are provided under the heading for Section 5.02.40.

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: The Subject Property's boundary streets are Butteville Road (western frontage) and Highway 219 at the north, but this application proposes to realign a segment of Butteville Road east of the Senecal Creek corridor and construct a roundabout intersection with Highway 219. The TIA in Exhibit E provides specific recommendations for lane configuration, alignment, and other parameters. An Exception to Street Right-of-Way and Improvement Requirements has been requested to allow the alternative roadway development plan. This standard is met.

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

Response: In the context of the proposed Partition, the realigned segment of Butteville Road separates proposed Parcels 1 and 2; it could therefore be considered an Internal Street. Its construction is proposed to satisfy the City's Minor Arterial street design standard, meeting this requirement.

The western extension of Butteville Road would be an internal street if it were extended through the property as shown in the TSP. The applicant has requested a Variance from that requirement, which is discussed in the Variance section below. This standard does not apply.

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: Proposed improvements in each of the proposed roadways are consistent with the applicable design section, meeting or exceeding these minimum improvement requirements. In the context of the proposed Partition, the segment of Butteville Road along the frontage of proposed Parcel 3 can be considered a Boundary Street. This request includes a request for an Exception to Street Right-of-Way and Improvement Requirements to allow construction of Butteville Road improvements abutting proposed Parcel 3 to be deferred until there is a development proposal for that Parcel. Findings are provided below under that section heading.

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.*

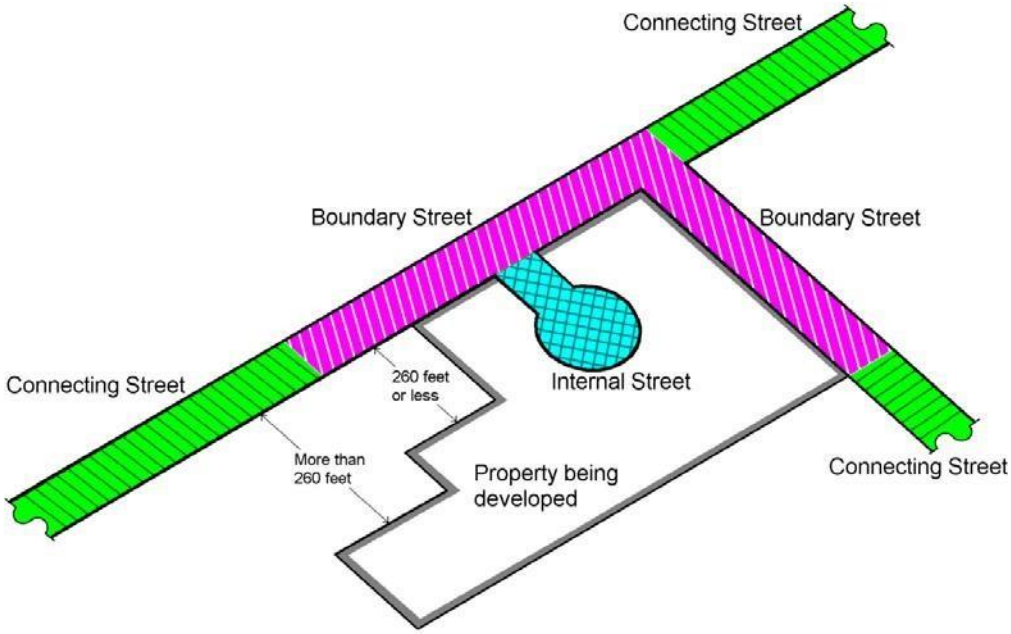


Figure 3.01A – Internal, Boundary, and Connecting Streets

Response: The predominant access route for most travel to and from the site will be the Interstate 5 – Highway 219 – Butteville Road connection. Highway 219 east of the subject property would be the applicable connecting street, and it does not require improvements to satisfy this requirement. These provisions are not applicable.

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.

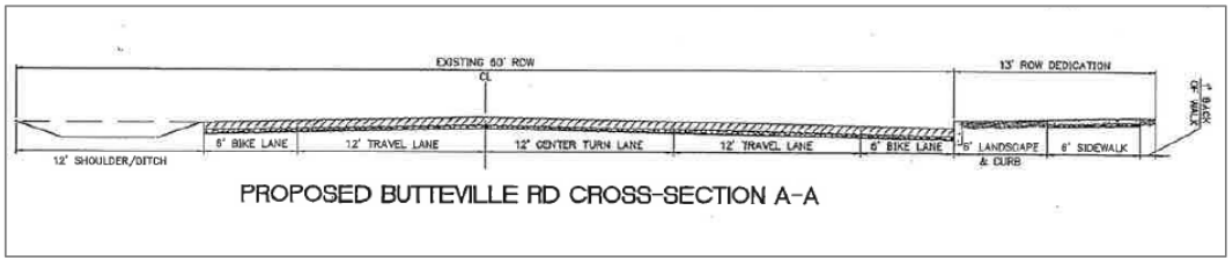
F. When the Director determines that a required improvement of a Boundary or Connecting Street would not be feasible, due to physical constraints of properties in the immediate vicinity or an inability to obtain right-of-way dedication, the Director may approve construction of a partial-width street, to the minimum standards set forth above.

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

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 Butteville Road, a Minor Arterial Street, are based on both the City's Minor Arterial design section (for the northern realigned segment) and, for the southern segment whose western edge is the Urban Growth Boundary, the special design section approved for it in conjunction with annexation of the northern part of the subject property in 2017.



Butteville Rd cross-section approved via intergovernmental agreement with Marion County

The proposed street improvements for Highway 219, a Major Arterial, are consistent with the applicable width requirements of Figure 3.01B – Major Arterial, subject to determination of the appropriate design for two-lane roundabout improvements to the Highway 219/Butteville Road intersection to meet operational and safety requirements in the context of the proposed project, together with anticipated future development in the SWIR and overall growth in traffic volumes. Because a roundabout design requires a special roundabout-specific configuration of approach/exit lanes, bike lanes, and pedestrian crossing/sidewalk alignments, the applicant has provided findings with respect to WDO Section 5.02.04, Exception to Street Right of Way and Improvement Requirements, below under the heading for that Code Section.

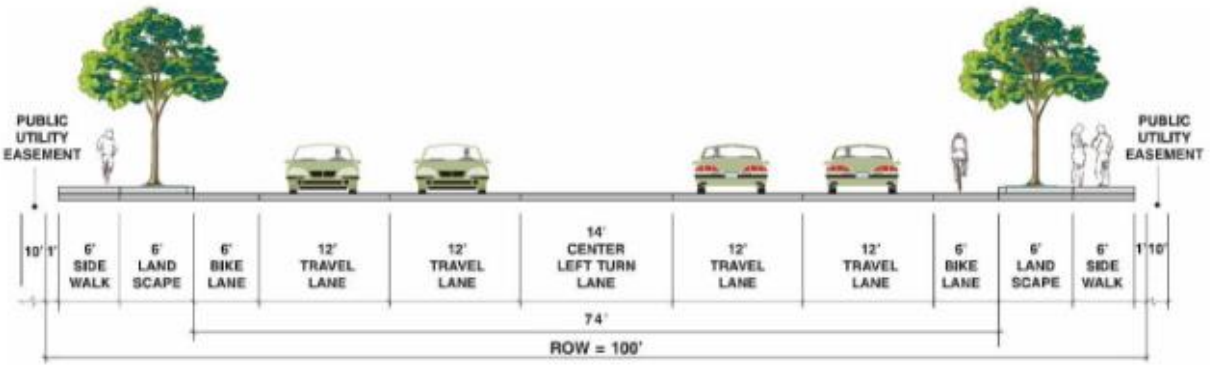


Figure 3.01B – Major Arterial

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 Settlemeier 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: For many years, S Woodland Avenue has operated as a temporary dead end or "stub street." From its intersection with Highway 219, it goes south, then turns sharply west and proceeds to its western terminus at the east boundary of the subject property. It is designated an Access Street in the Woodburn TSP. It currently serves only the two (2) principal industrial distribution facilities located on its two (2) sides: Do It Best Hardware on the west and north side of the street, and WinCo Foods on the east and south side. Both operations have organized their accesses and circulation so that truck traffic is limited to the north-south segment adjacent to Highway 219, so trucks do not travel to or beyond the angle point/curve in the roadway. The only traffic required to proceed west of the angle point in the roadway is passenger vehicle traffic to the WinCo Foods employee parking area on the south side of the street, near the terminus.

As noted above, the proposed development plan does not propose any site access from S Woodland Avenue, and the proposed new employer's very large site requirements conflict with extending it west to Butteville Road. In that case, the existing western stub terminus of Woodland Avenue will continue to be a long-term dead-end street in excess of the 250' length limitation in subsection 1.a. The applicant has included a Variance request to allow development of the subject property without extending Woodland Avenue west to intersect Butteville Road; responses to Variance approval criteria, including discussion of this effect, are provided below in that Section. The Traffic Impact Analysis Report by Kittelson & Associates (see Exhibit E) includes consideration of this result of the proposed plan for street improvements.

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-make*

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 (4) sides would contain 8.26 acres; this is completely incompatible with the applicable minimum 25-50 acre and 10-25 acre parcel size requirements for Subarea A of the SWIR Zone in Table 2.04F.

Appropriate bicycle and pedestrian access will be provided by bike lane striping in Butteville Road and Highway 219, consistent with their TSP designations and design sections, and sidewalks will be provided along the property's Butteville Road and Highway 219 frontages. 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 proposed realignment of Butteville Road is not a proposal for a new street. The applicant is not proposing a specific renaming of the former segment of Butteville Road that will be superseded by the realignment; the City and Marion County can make that determination, 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: The proposal includes construction of some public utility extensions in easements within the private development site (Parcel 2):

- A 12" public water main in a 35' utility easement extending southwest from the existing stub at the terminus of Woodland Avenue, then west to the proposed four-way intersection that will be formed by the Project Basie north driveway access on realigned Butteville Road (east leg), and the west leg providing access to old Butteville Road and Stafney Lane. This 12" water main connects

to a new public 12" water main to be constructed in the realigned segment of Butteville Road and the segment of Butteville Road to the south of it, as depicted on Sheet C-600 of Exhibit C.

- A 15" public sanitary sewer extension also within the 35' wide utility easement described above. From that point, the public sewer line extends south in Butteville Road to the Parcel 2-Parcel 3 boundary, where future development of Parcel 3 can make a connection or extend the line farther if necessary.

- A 12" public sanitary sewer line within a 20' wide utility easement along the eastern boundary of Parcel 2, between the terminus of Woodland Avenue and Highway 219.

- A 10" public water line within a 20' wide utility easement along the eastern boundary of Parcel 2 south of Woodland Avenue and the south boundary of Parcel 2, forming a loop with the new public water line in Butteville Road.

This provision is satisfied.

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) can be provided along the proposed three (3) Parcels' street frontages. A condition of approval can ensure that this standard is met by the final plat.

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.

Response: Senecal Creek runs through the northwest corner of the subject property. Exhibit F provides mapping of the 100-year flood plain, delineated wetland boundaries, and the required 50' vegetated buffer adjacent to the wetlands. The Proposed RCWOD boundary is based on those features. As seen on the preliminary plat map in Exhibit F, the 100-Year flood plain is within the proposed RCWOD boundary. A public improvement and maintenance easement can be required to satisfy this provision.

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 applicant supports providing a creek maintenance easement encompassing the entire width of the creek and wetland area to provide City staff with flexibility to maintain the channel. The easement will be recorded following City approval. This standard is met.

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: No new piped watercourse systems are proposed with this development. This standard does not apply.

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: Improvements in both streets 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. 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 single principal building as well as all accessory structures have 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, unobstructed by structures except Accessory Structures, i.e., two (2) guard houses at truck driveways, patio shelter covers on the west side of the main building, two (2) "drop-off shelters" adjacent to the drive aisle west of the main building, and one (1) (possibly two if necessary) supplemental water tank(s) for fire suppression. 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 subject site is in the process of acquisition by one (1) owner. The narrative demonstrates how the lot 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 existing Butteville Road right-of-way is 80 feet wide along the west property frontage, exceeding the 73-foot right-of-way needed to accommodate its approved special design section. The proposed dedication for the realigned section of Butteville Road is designed to meet the required width to meet the City's Minor Arterial designation, with additional right-of-way for the proposed roundabout intersection with Highway 219. The existing Highway 219 right-of-way is 80 feet wide along the north property frontage, which does not meet the 100-foot right-of-way needed to accommodate its approved design section (Woodburn Major Arterial). To allow the proposed roundabout intersection configuration, which necessarily differs from both roadways' typical design sections, this proposal includes a request for an Exception to Street Right of Way and Improvement Requirements. The proposed building and all improvements are set back well beyond the applicable special setback width requirement for both roadways. The proposed development meets this requirement.

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 is 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 is 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 is 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: 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 proposal includes four (4) driveways on Butteville Road as the only access points. The central two (2) driveways provide passenger vehicles direct access to parking on the west and south sides of the building.

Incoming truck traffic is routed to the southern driveway, providing substantial on-site queue capacity while directing access to the loading docks on the east side of the building. Departing truck traffic is routed primarily to the south driveway, but some truck departures will also use the north driveway.

All four (4) driveways are located and landscaped to provide clear vision areas consistent with the requirements of subparagraph 5.

These provisions are met.

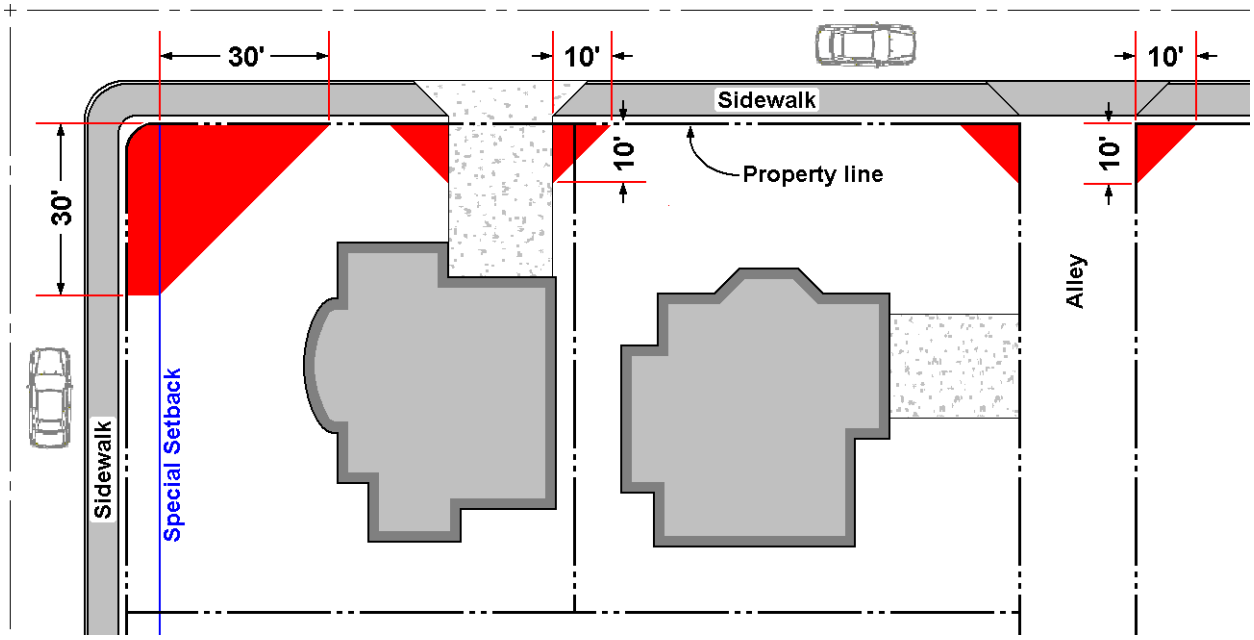


Figure 3.03A – Vision Clearance Area in All Zones Except DDC

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: 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 subject property has frontage on both Butteville Road and Highway 219. Direct access is proposed at four (4) driveways on Butteville Road. No access is proposed on Highway 219. No access is proposed at the stub of S Woodland Avenue. The proposal complies 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: Control of access to Butteville Road is subject to an Intergovernmental Agreement (IGA) between the City of Woodburn and Marion County. The applicant will submit access permit requests and comply with development standards as indicated by the City and County, in accordance with that Agreement.

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 Highway 219. This standard is met.

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: As noted above, the number and location of driveway accesses is designed to provide safe and efficient operations for all users, consistent with the designation of the abutting streets. The high-employment nature of this facility makes it appropriate to load traffic on high-capacity roadways while also providing turning movements with sufficient queueing capacity to operate safely and limit congestion impacts. (For more detailed operational analysis, see TIA in Exhibit E.) This is best accomplished at this location by having no access on Highway 219 (a Major Arterial), four (4) driveways on Butteville Road (a Minor Arterial), and no access on Woodland Avenue (an Access Street).

With the facility's truck docks on the east side of the building and its primary office area facing west, it is appropriate to provide passenger vehicle access at a central location along Butteville Road, serving the parking areas south and west of the building. Truck access occurs at separate driveways, with incoming trucks using the far south driveway and departing trucks mainly using the south driveway, and some departing right-out only at the north driveway.

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 Butteville Road in this industrial area. Having no access on Highway 219 allows the Highway to fulfil its Major Arterial function as smoothly as possible. Having no access on Woodland Avenue effectively reserves its capacity to serve the only two existing industrial users that rely on it today, consistent with its Access Street designation.

These provisions are met.

4. Unused driveways shall be closed.

Response: The previously agricultural site has been accessed from Butteville Road, including an existing driveway to the barn. No existing 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 use and its high employment figures require the proposed set of four (4) site driveways to efficiently distribute and accommodate its trip generation. The large facility has frontage exceeding 3,000 feet (more than half a mile) on Butteville Road, and all of the proposed driveways meet or substantially exceed the Minor Arterial minimum driveway spacing requirement (245' per Table 3.04A, quoted below). For these reasons, it is not appropriate to require a project of this scale to share a driveway with any other site.

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: This proposal includes a partition that will realign Butteville Road to form the boundary between proposed Parcel 1 and Parcel 2, forming a street network that meets access and circulation needs without the western extension of Woodland Avenue. (See Exhibit E for analysis of operational characteristics.) This application package includes a Variance request to allow the proposed reconfiguration without extending or taking access on Woodland Avenue. With the Butteville Road realignment, "the street with the lowest functional classification" abutting the development site will be Butteville Road, a Minor Arterial, rather than on Highway 219, a Major Arterial. The proposed development site (Parcel 2) will have frontage on both those roadways, but its access will only be by way of driveways on Butteville Road, consistent with this requirement.

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, the size of the proposed use and its high employment figures require the proposed set of four (4) site driveways to efficiently distribute and accommodate its trip generation. It is not appropriate to require this project to share a driveway with any other site. This provision is not applicable.

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: This provision is not applicable because this is a single-user facility proposal. The site's security requirements – including some 24-hour operations – are incompatible with interconnected access and parking with any neighboring site. These provisions are not applicable.

ACCESS REQUIREMENTS TABLE 3.04A (EXCERPT)		
		Commercial or Industrial Use
Flag Lot Access Width (feet) (See Figure 3.04A)		30 minimum
Paved Width of Driveway (feet) [3, 4]	1-way	12 minimum 20 maximum
	2-way	24 minimum 30 maximum (Add 8' if a turn lane is provided)
Curb Flare Radius (feet)		30 minimum
Throat Length (feet) [5]	Major Arterial, Minor Arterial, Service Collector	50 minimum
	Access or Local Street	20 minimum
Corner Clearance Guidelines [1] (See Figure 3.04B)	Access or Local Street	30 minimum
	Service Collector	50 minimum
	Minor Arterial	245 minimum
	Major Arterial	300 minimum
Driveway Separation Guidelines (feet) [1, 2] (See Figure 3.04B)	Driveway on the same parcel	50 minimum
	Access or Local Street	none
	Service Collector	50 minimum
	Minor Arterial	245 minimum
	Major arterial	300 minimum
Turnarounds (See Figure 3.04C)	Access to a Major or Minor Arterial	Required
	Access to any other street	Requirements per the Woodburn Fire District

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).*

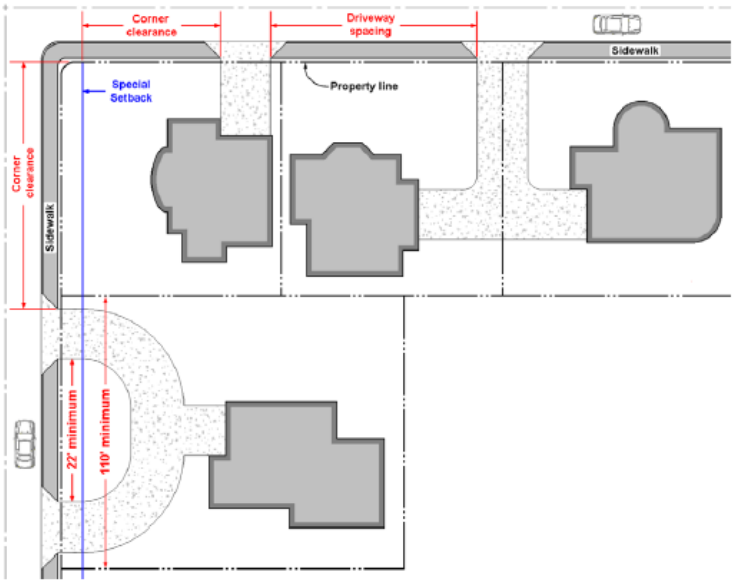


Figure 3.04B – Corner Clearance and Driveway Spacing

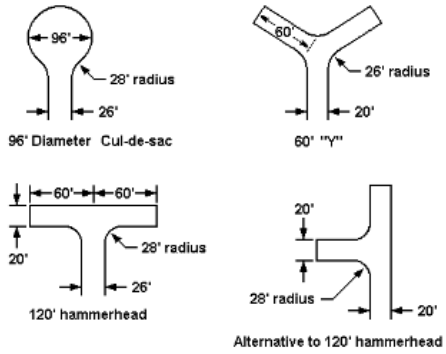


Figure 3.04C – Acceptable Turnarounds (from Oregon Fire Code Figure D103.1)

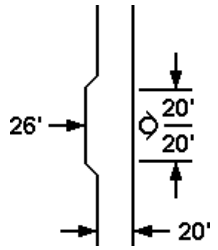


Figure 3.04D – Minimum Fire Hydrant Clearance (from Oregon Fire Code Figure D103.1)

Response: The spacing of the proposed four (4) driveways on Butteville Road exceeds the applicable Minor Arterial minimum requirement of 245' in Table 3.04A. 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 into the site will be paved with an appropriate section depth, based on the vehicle types they will serve, and asphalt concrete paving of at least two (2) inches. This standard is met.

3.04.05 Traffic Impact Analysis

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

Response: A Transportation Impact Analysis (TIA) by Kittelson & Associates 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: Providing adequate traffic capacity is a paramount objective of the proposed design, to enable the proposed facility to operate efficiently. Initial analysis of operational needs as well as environmental resource impacts that would be caused by enlargement of the Butteville Road-Highway 219 intersection at its present location led to a wider examination of potential solutions. That in turn led to the concept of realigning Butteville Road to avoid impacting Senecal Creek and its wetland areas, and locating a roundabout intersection in the north part of the subject property. This innovative alternative street network has been thoroughly investigated and found to deliver acceptable performance (i.e., meeting applicable maximum allowed volume-to-capacity ratios and other parameters), as documented in the TIA in Exhibit E. The TIA concludes with the following findings and recommendations:

- All study intersections and future study intersections are forecast to meet the ODOT, City, and County mobility standards during the weekday AM and PM peak periods under 2023 and 2040 traffic conditions with the inclusion of Butteville Road realignment and OR 219 roundabout

intersection. No other capacity-based mitigation needs were identified at the other study intersections.

Subject to City of Woodburn, Oregon Department of Transportation (ODOT), and Marion County approval, Project Basie should:

- Construct a new Butteville Road alignment to the east of Senecal Creek and its affiliated wetlands.
- Reconstruct and widen the southern segment of Butteville Road abutting the development site consistent with the special design section agreed upon by the City of Woodburn and Marion County, with three twelve-foot travel lanes (one NB lane, one center turn lane, and one SB lane), six-foot bike lanes, a rural shoulder on the west, and curb, landscape strip and a six-foot sidewalk on the east side of the road. The realigned northern segment of Butteville Road will be widened with a symmetrical City of Woodburn Collector design section on both sides.
- Construct a new double lane roundabout at the realigned Butteville Road intersection with OR 219 that is sized and designed to accommodate long-term projected traffic and heavy vehicle demands. West of the new roundabout, OR 219 should be widened to be consistent with the full improved section that currently ends east of the roundabout, near the Willow Avenue intersection.
- Close or modify the existing OR 219/Butteville Road intersection based on future conversations with ODOT, City, and County staff.
- Work with ODOT to identify an acceptable modification to the southbound I-5 offramp to maximize the amount of southbound right-turn lane storage and lengthen the overall offramp.
- Install STOP (R1-1) signs at each of the four proposed site access driveway approaches to Butteville Road in accordance with County standards and the Manual on Uniform Traffic Control Devices (MUTCD).

With implementation of the above recommendations and mitigations, the street network will have sufficient capacity to accommodate the proposed development and use. This requirement is met.

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. Additionally, the Oregon Department of Transportation (ODOT) and Marion County both were consulted in scoping the methodology and assumptions used in the study. 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 (1) 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 water quality and detention requirements, providing on-site treatment and detention in large surface facilities along the Butteville Road frontage of the development site (Parcel 2), before conveying storm drainage to an outfall at the bank of the natural drainageway, Senecal Creek. 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, there is more than four (4) feet of unobstructed passage on the walkway. 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, as shown in the site plans. 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: Compliance with this standard is demonstrated in the submitted plans. Off-street parking spaces will be delineated by double parallel lines as required. 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. 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***	**Proposed**
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*	1,671 Standard 124 Compact 16 Motorcycle 8 Accessible Van 24 Accessible Wheelchair Total 1,811 0.47 spaces/1000 SF
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 proprietary facility custom-designed to meet the needs of a competitive traded-sector firm in the rapidly-evolving distribution industry. Unlike the traditional forms of warehousing and distribution that form the basis for many jurisdictions' adopted parking standards, modern facilities in this highly competitive sector operate very differently. This facility will employ a high number of workers, sometimes in multiple overlapping work-shifts, who process incoming shipments and assemble outgoing merchandise shipments addressed directly to end-user recipients. As indicated in the TIA (Exhibit E), the facility uses shift overlaps to achieve high efficiencies and short throughput times in the order fulfillment/delivery process. As a result, its parking needs are commensurately higher than traditional facilities, corresponding to the total level of employment and the need for adequate parking spaces to accommodate incoming employees who arrive to start work before those whose shifts are ending have departed.

The site plan provides 1,811 parking spaces (including 124 compact vehicle and 16 motorcycle spaces) to serve the building's approximately 3,849,000 square feet of floor area, which is a proposed overall parking ratio of 0.47 spaces per 1,000 square feet of building floor area. The proposed parking will accommodate the anticipated per-shift employment of 937 people at this site while meeting the City's maximum parking ratio requirements by providing parking at not more than two (2) times the level of anticipated employment. (Shift employment data used in traffic analysis and parking requirements calculations are in the TIA, see Exhibit E.)

Significantly, 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. For the above reasons, the proposed on-site parking complies with the applicable standards.

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: The proposed development provides a total of 1,811 parking spaces, including 32 Accessible spaces, eight (8) of which are designated "VAN" spaces. The requirements in the *1,001 or more* category are a minimum of 20 Accessible spaces for the first 1,000 plus one for each additional 100 spaces; the resulting minimum requirement is 28 accessible spaces, of which one in every eight (3.5, rounding up to 4) must be "wheelchair user only" spaces. The total requirement is met, and the minimum wheelchair requirement is met. 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: Of the proposed 1,811 parking spaces required to meet the needs of this employer, 124 or 6.9% are shorter than the standard parking space depth but meet or exceed the compact vehicle parking space standard. This standard is met.

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 provided at 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 plan identifies locations for 20 bike rack spaces, on the west side of the building, south of the office area. This standard is met.

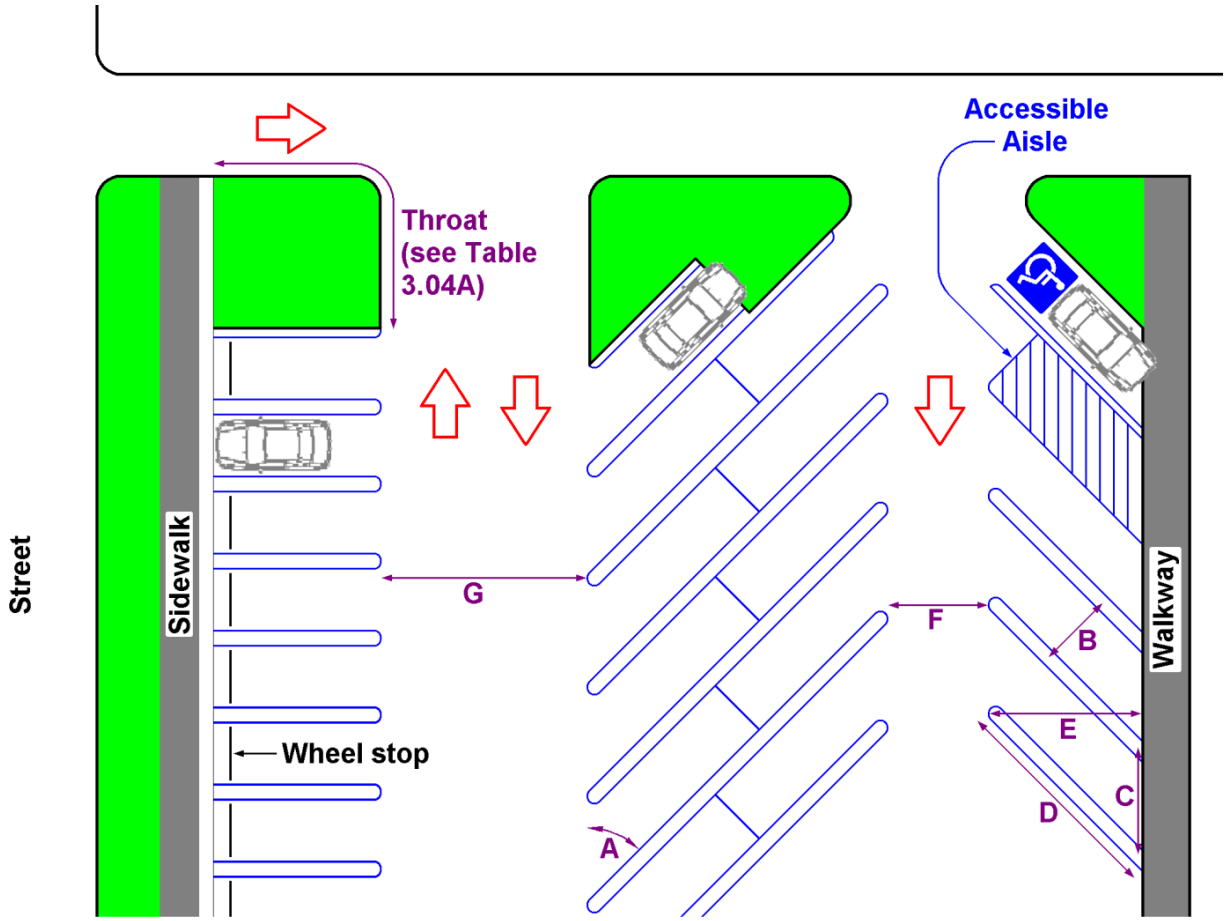


Figure 3.05B – Parking Space and Aisle Dimensions

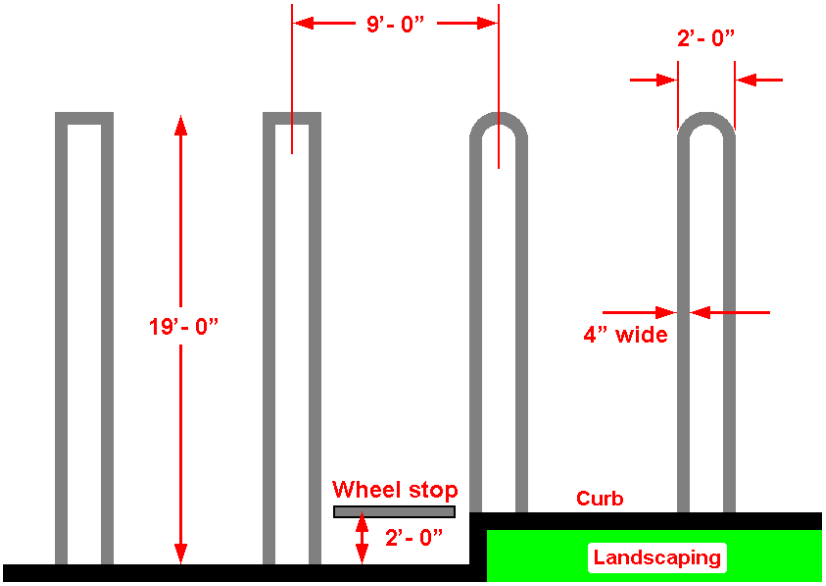


Figure 3.05C – Parking Space Striping

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
Office 0 – 4,999 5,000 – 41,999 42,000 or more	 0 1 2	12'	30'	14'
Nonresidential uses, except office, in the CO, CG, and NNC zones 0 – 9,999 10,000 – 41,999 42,000 – 81,999 82,000 or more	 1 2 3 4	12'	30'	14'
All uses in the IP, IL, and SWIR zones 0 – 11,999 12,000 – 35,999 36,000 – 59,999 60,000 – 99,999 100,000 or more	 1 2 3 4 1 additional for each 50,000 SF or fraction thereof	12'	60'	14'

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 a Warehousing/Distribution facility in the SWIR zone. Its loading areas contain a total of 70 loading docks to serve the approximately 3,847,000 square foot[4] facility: 48 loading docks on the building's east side (43 vertical lift dock doors at 9' x 10', 2 vertical lift drive up doors at 14' x 6', 1 vertical lift dock door for the waste compactor at 9' x 10', and 2 rolling doors for augers at 9' x 6'-4"), and

[4] For the loading spaces calculation, the separate guard shacks and smokers' canopies are excluded from gross building area, resulting in a net figure of 3,846,653 square feet.

22 vertical lift dock doors at 9' x 10' on its north[5]. The minimum standards would require a total of 79 loading spaces.

For this innovative distribution facility, the regulatory standard minimum ratio of loading docks in relation to building floor area mismatches the operation's actual needs. The applicant has included a Variance request to align the number of loading spaces with actual facility needs. Findings are provided below in the Variance Section. With approval of the Variance request, these standards will be met.

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 with this application package. 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 Sheet L-100 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 3 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 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.

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[5] Two upper-level loading doors each are located on the east façade of the building at the 2nd, 3rd 4th and 5th floor levels. These eight doors provide access for loading of equipment to and from those building levels, but they are not accessed in everyday operations. They have not been included in the "loading space" count for this analysis.

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. 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 sheets in Exhibit C show the distribution of planting materials, which will be distributed evenly in most areas to achieve a sense of rhythm, but grouped in some areas for visual effect or contrast. 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 Major Arterial designation of Highway 219 and the Minor Arterial designation of Butteville Road. 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	*• 1 small tree per 10 parking spaces; or[1]* *• 1 medium tree per 15 parking spaces; or[1]* *• 1 large tree per 25 parking spaces [1]* *and* *• 1 PU/20 square feet excluding required trees[2]*	*• 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 and circulation is required to be landscaped, which corresponds to a minimum area of 132,806 square feet; the plan proposes 192,967 square feet of landscaping within or adjacent to the parking and circulation areas. A detailed tabular summary of planting requirements by development site sub-area is provided on Sheet L-100. Summarizing from that table:

- Parking Lot Tree Planting requires 73 large trees; 73 are provided.

- Parking Lot Area Landscape requires 132,806 square feet; area of 192,967 square feet is provided.
- Parking Lot Planting Units required are 6,640; 8,609 are provided.
- Planting Unit Requirements by Site Sub-Area:
    - West: 1,385 Planting Units required; 2,138 provided
    - North: 1,445 Planting Units required; 7,080 provided
    - East: 393 Planting Units required; 393 provided
    - South: 115 Planting Units required; 115 provided

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

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

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.*

General notes:

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 facility in the SWIR zone.

The subject site abuts the IL-zoned Do It Best and WinCo Foods distribution facilities to the east. Land to the south is vacant land in the SWIR. On these edges, an architectural wall, fence, or hedge could potentially be required, as determined in the Design Review process; however, because neighboring properties are either in industrial use (Do It Best and WinCo Foods distribution facilities) or controlled by the applicant (proposed Parcel 3 of the partition), 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.

There are no abutting properties to the north and west, because the property boundaries are formed by frontages on Highway 219 at the north and Butteville Road at the west. Screening on those sides of the property is provided by landscaping in compliance with applicable requirements for those street edges.

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.

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: No architectural walls or retaining walls are proposed and the site does not abut a residential district. These provisions are not applicable.

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: The Overall Site Plan, Sheet A1.1, shows how the front of the building, facing Butteville Road at the west, has a prominent center section and prominent corner elements, with recessed wall areas between them. These front-and-back horizontal offsets create an interesting building form with multiple façade surfaces on the street-facing side.

The elevation drawings, Sheet A1.0, show how insulated metal panels and precast concrete panels in coordinated combinations of colors will be used to visually break up the large building into multiple surfaces. Blue-tinted glass doors and windows on the ground floor level and additional windows on some upper floor locations add visual interest in the central part of the façade, together with a blue cap at the top of the building wall. The resulting form is a composition of various-sized planes and color areas, which avoids creating a large, monolithic or blank-wall appearance.

Sheets A1.2 and A1.3 provide elevations for accessory buildings, including the Guardhouse buildings, the supplemental water tank/pumphouse building, trash enclosures and employee drop-off canopies.

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

Response: The building's primary function requires many truck loading bays on its north and east sides, which are not easily seen from any public street by virtue of distance (long setback from Highway 219 at the north) or orientation (east neighbor is the WinCo Foods

distribution facility). Perimeter landscaping is used on those on these sides to screen the building as well as the parking of trailers.

At the west, the central front entrance is set back over 200 feet from Butteville Road, and the main entrance is framed by a series of planters. The view from Butteville Road is also visually screened by street trees, a series of large stormwater treatment and detention facility ponds/swales, and vehicle parking in front of the building. A section diagram illustrating the visual relationship between the building and the Butteville Road right-of-way is provided on Sheet A1.0 in Exhibit C.

The south elevation faces the large employee parking area, with parking lot landscaping and a wide landscaping area adjacent to the building to soften its appearance from that perspective. Tree plantings within the landscape planters provide vertical accents.

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

Response: The principal building entrance is centrally located on the west façade, projecting forward approximately 90 feet from the building wall behind it. It is further identified and signified by plantings, blue-tinted glazing, and the alignment of the main pedestrian walkway from the street, which links to the central pedestrian walkway through the west parking area. These features call attention to the main entrance/office area, and enable it to stand out prominently in relation to the large building behind it.

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

Response: In addition to the use of insulated metal paneling and precast concrete paneling to form the skin of the building, graphic composition techniques such as grouping panels in patterns with different horizontal and vertical banding are used to break up wall surfaces into smaller visual components. This color treatment, combined with taller wall heights at some locations, draws attention away from the main mass of the building and creates the impression of variety in the building materials and forms.

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: The color scheme uses warm color tones in the insulated metal and precast concrete panels, for compatibility with the earth-tone colors of the surrounding, largely agricultural environment**.** The contrasting blue color band at the building wall cap, as well as the window and door glazing, are closely related to the blue of the sky, brightening the overall appearance, particularly when the sky may be cloudy and grey. The 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. A section diagram illustrating the visual relationship between the building and the Butteville Road right-of-way is provided on Sheet A1.0 in Exhibit C.

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

Response: Because different parts of the building have different heights, the building will be perceived as having many discrete but connected structural components with different roof heights. At the building corners, darker colored panel materials form the impression of vertical columns with elevated parapet walls rising above the main roofline, adding to the sense of variation. The taller parapet walls help to make the four corners define the building's edges and, by being taller, make the central part of the building appear comparatively lower.

Summary: The applicant's design team has incorporated a number of design techniques and visual strategies to manage perceptions of the building bulk & 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 proposed building is oriented with its main offices at the west (front), facing Butteville Road, and its loading facilities on its east (rear) and north (side) façades, consistent with subsection a.

Regarding subsection b, the westernmost north-facing loading space is over 420 feet away from the nearest property line, which is to the west on the Butteville Road frontage. North of that point, as the realigned Butteville Road right-of-way curves to the east, distances from the property boundary grow larger, reaching 474 feet where the center of the north driveway meets the right-of-way edge. In addition to those distances, views of the loading docks from Butteville Road will be obscured by site features such as lawn areas, the trailer parking area north of the building, the guardhouse along the north driveway throat, and the wide landscaped water quality/detention facilities along Butteville Road, as well as the street trees to be planted along the east side of the right-of-way.

The definition of "*Abutting*" in WDO 1.02 is: *[t]ouching on the edge or on the line, including at a corner. It shall include the terms adjacent, adjoining and contiguous.* At distances exceeding 420 feet from the public right-of-way, with landscaping and other features within that gap, the north-side loading facilities do not meet the definition of "abutting a street." Section b is not applicable.

All truck maneuvering areas are internal to the site, so no vehicle is ever required to make a reversing maneuver in a public street, consistent with subparagraph c.

These standards 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 are no existing solar collectors on abutting properties. This provision is not applicable.

5.01 Type I (Administrative) Decisions

5.01.08 Property Line Adjustment; Consolidation of Lots

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

Response: Consolidation of lots is proposed in conjunction with the proposed Partition request, for which findings are provided under the Section 5.02.05 heading below. The findings below demonstrate that the proposed consolidation complies with applicable zoning standards. It will be completed in compliance with state statutes, consistent with the purpose of this chapter, through the partition final plat process. These findings and responses to criteria are to be read in conjunction with the corresponding statements for Section 5.02.05.

B. Criteria:

1. Lot area, depth, width, frontage, building setbacks, vehicular access and lot coverage comply with the standards of this ordinance (Sections 2 and 3);

Response: The subject property is all of both Subarea A and Subarea B of the Interchange Management Area as depicted in Figure 2.05B (reproduced above at page 10). Subarea A contains the five Lots in the I5 Logistics Center subdivision plat. Subarea B contains two deed parcels located south of Subarea A.

Table 2.04F identifies Subarea A as containing gross area of 108 acres, with 88 Buildable Acres (presumably due to anticipated right-of-way dedications and environmental conservation along part of Senecal Creek in the northwest corner). Subarea B is listed as having 22 gross acres and 22 buildable acres.

The consolidated 130-acre area will be replatted to form three (3) Parcels and a realigned Butteville Road - Highway 219 intersection, all of which will be suitable for development in compliance with the lot area, depth, width, frontage, building setbacks, vehicular access and lot coverage standards of the WDO. (See findings below for Section 5.02.05.) This criterion is met.

2. Existing easements are accurately reflected;

Response: There are no existing easements on the subject properties. This standard is met.

3. *Existing land use and development on the subject property comply with the requirements of prior land use actions; and*

Response: The subject properties are undeveloped and have been in agricultural use. This standard is not applicable.

4. *Buildings and structures abutting the adjusted property lines comply with State building codes and with respect to current occupancy.*

Response: The subject properties are undeveloped and have been in agricultural use. There are no buildings or structures on either of the subject properties. This standard is not applicable.

5. *Property line adjustments are surveyed and monumented to the requirements set forth in State statutes (ORS Chapters 92 and 209) and recorded by the County Surveyor.*

Response: The applicant will retain a Professional Land Surveyor to complete the preparation and recording of a final plat following City approval of this request and the companion Partition Preliminary Plat application, to meet ORS and Marion County Surveyor requirements. Compliance can be assured through an appropriate condition of approval.

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

Response: Based on the above responses to approval criteria, the applicant respectfully requests the Director's approval of this Lot Consolidation request and the companion Partition application.

5.01.09 Riparian Corridor and Wetlands Overlay District (RCWOD) Permit

B. *Criteria:*

1. *The applicable standards of this Ordinance and the findings and action proposed by the Division of State Lands; or*
2. *A finding, verified by the Division of State Lands, of error in delineation of the RCWOD boundary.*

Response: Compliance with all applicable criteria pertaining to a Riparian Corridor and Wetlands Overlay District (RCWOD) Permit is demonstrated in Section 2.05.05 of this narrative. The RCWOD boundary has been established based on wetland inventory mapping and flood hazard elevations as mapped in Exhibit F. This standard is met.

C. *Procedure: The Director shall review the permit and approve it upon a determination that it meets the criteria of this ordinance.*

Response: This application includes a request for a RCWOD Permit approval. Compliance with all applicable criteria pertaining to a Riparian Corridor and Wetlands Overlay District (RCWOD) Permit is demonstrated in Section 2.05.05 of this narrative.

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.

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: This proposal includes a request to construct a new roundabout at the Highway 219-Butteville Road intersection at a location east of the Senecal Creek and wetlands resource area. In this case, an Exception to Street Right of Way and Improvement Requirements is necessary not because a lesser standard is proposed than the City's design sections for Highway 219 and Butteville Road, but rather because the City's standard design sections are not directly applicable to the design of roundabout intersections. The roundabout proposal prepared by Kittelson & Associates, and presented by the applicant, is a customized design that applies established design principles for roundabouts to the specific near- and long-term circulation needs of this location and its constraints.

The roundabout solution in this case addresses the safety, geometric, and operational challenges associated with the existing Highway 219-Butteville Road intersection. In that sense, the use of the proposed roundabout will be for both safety and convenience, for visitors to the Project Basie site as well as other motorists in the community who may happen to travel through the intersection.

A second Exception request is to terminate public improvements in the Butteville Road right-of-way at the Parcel 2-Parcel 3 boundary. At 25.31 acres, Parcel 3 is suitable for additional employment development, and public improvements along its frontage can be deferred at this time, to be construction when a project is proposed on that property. Because the vast majority of trips to and from the Project Basie site are anticipated to be to and from the north on Butteville Road, the anticipate travel impact on Butteville Road south of Project Basie is extremely small.

The TIA in Exhibit E provides data for trip generation by Project Basie as well as projected traffic conditions at key intersections in the vicinity. Using those data, Project Basie's share of trips in relation to the roadways subject to the Exception request can be calculated (Year 2023 projections are used in these calculations):

	Project Basie Trips (Butteville Road North of Site)	Project Basie Trips (OR 219 East of Butteville Road)	Butteville Road (North of Site) Background	Butteville Ratio: Basie/ Background	Highway 219 (East of Butteville Road) Background	Hwy 219 Ratio: Basie/ Background
AM Peak Hour (6:30-7:30)	612	548	344	1.78	678	0.81
AM Peak Hour (7:00-8:00)	417	373	358	1.16	588	0.63

PM Peak Hour (5:30-6:30)	1,023	918	451	2.27	725	1.27
PM Peak Hour (4:30-5:30)	160	143	501	0.32	1,006	0.14
Average Daily	3,627	3,252	5,010*	0.72	10,060*	0.32

*Estimated as 10 x PM Peak Hour (4:30-5:30)

2. The estimated level, on a quantitative basis, of rights-of-way and improvements needed to meet the estimated extent of use by persons served by the building or development;
Response: The proposed OR 219/Butteville Road roundabout will require a double lane design that will not only meet the traffic demand associated with Project Basie, but will also have capacity to meet the long-term growth needs associated with future development in the SWIR. The roundabout will have an inscribed circle diameter of 190 feet with multiple 12-foot travel lanes, landscaping buffers, and sidewalks on each approach. A detailed preliminary design layout of the roundabout and associated infrastructure improvements are provided in the TIA (Exhibit E).

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: A detailed preliminary design layout of the roundabout and associated Butteville Road realignment is provided in the TIA (Exhibit E). As shown, the entirety of the Butteville Road realignment will require right-of-way dedication by the applicant. The proposed placement of the roundabout will also require additional right-of-way dedication by the applicant along its Highway 219 frontage. An exact quantification of land and right-of-way will be determined as part of a more detailed design effort.

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: The proposed OR 219/Butteville Road roundabout, realignment of Butteville Road, and Butteville Road frontage improvements are the primary infrastructure improvements needed to mitigate the traffic impacts of Project Basie. A detailed preliminary design layout of these infrastructure improvements is provided in the TIA (Exhibit E). An exact quantification of land and right-of-way will be determined as part of a more detailed design effort.

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: This Exception request is not for the purpose of reducing a street right-of-way or cross-section requirement; it is to allow implementation of an alternative design whose performance is predicted to be equivalent or superior to that of standard intersection/traffic control configurations in this specific location and set of conditions. This provision is not applicable.

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: The proposed roundabout design differs in form from standard lane and at-grade intersection configurations, but it still provides comparable or superior traffic flow and capacity characteristics, including the ability to accommodate pedestrians, cyclists, and other forms of non-vehicular traffic. A detailed preliminary design layout of the multi-modal infrastructure improvements with the proposed roundabout are provided in the TIA (Exhibit E).

5.02.05 Partition, Preliminary Approval

A. Purpose: The purpose of this Type II review is to ensure that partitions - the dividing of a single lot into 3 or less lots within one calendar year - comply with this Ordinance, with the Land Use and Development Standards and Guidelines (Sections 2 and 3), and applicable Oregon State Statutes.

B. Criteria: Preliminary approval of a partition requires compliance with the following:

1. The preliminary partition complies with all applicable provisions of this ordinance.

Response: The subject property is all of both Subarea A and Subarea B of the Interchange Management Area as depicted in Figure 2.05B (reproduced above at page 10). Subarea A contains the five Lots in the I5 Logistics Center subdivision plat. Subarea B contains two deed parcels located south of Subarea A.

Table 2.04F identifies Subarea A as containing gross area of 108 acres, with 88 Buildable Acres (presumably due to anticipated right-of-way dedications and environmental conservation along part of Senecal Creek in the northwest corner). Subarea B is listed as having 22 gross acres and 22 buildable acres. Table 2.04F further breaks down planned parcel areas as follows:

Southwest Industrial Reserve (SWIR) - Lot Standards
Table 2.04F

Development Subarea	Assessor's Tax Lot Number	Gross Acres	Buildable Acres	Required Lot Sizes (Acres)	Conceptual Lot Sizes (Acres)
A [1]	052W1100300	108	88	25-50 10-25 10-25 5-10 5-10 2-5 2-5	35 15 15 8 8 4 3
B [2]	052W1400200	9	22	10-25 5-10	15 7
	052W1400600	13			

The proposed partition is for the purpose of reconfiguring the combined area of Subareas A and B to form three land Parcels and a new public right-of-way for a realignment of Butteville Road and its intersection with Oregon Highway 219. This will be achieved by (1) consolidating (conceptually) all seven parcels of land into one unit of land to be replatted, and (2) recording a final plat based on the proposed preliminary plat submittal, containing the following specific land areas:

Parcel 1 (northwest of realigned Butteville Road): 14.92 acres +/-

Parcel 2 (southeast of realigned Butteville Road): 82.18 acres +/-

Parcel 3 (south of Parcel 2): 25.31 acres +/-

With the exception of an existing barn within Lot 2 that will be demolished, none of the subject parcels contains any buildings or urban improvements. As a result, the proposed land division will not cause any noncompliance with building setbacks or other development standards. Per Table 2.04E, no minimum lot width or depth standards apply in the SWIR Zone. Compliance with development standards, such as building coverage, can be assured through the City's review/approval procedure for future development of all the Parcels.

At 82.18 acres, Parcel 2, the proposed subject property for the Design Review and related applications, exceeds the largest size range for parcels in Subarea A in Table 2.04F, which is the 25-50 acre category. But it is important to interpret that Table as a tool for use in implementing the City's SWIR zoning, the Purpose of which 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.*" [WDO 2.05.06.A.] The focus on *retention of large industrial parcels* arises from the City's awareness that allowing a number of small units of development to occur incrementally over time would ultimately compromise the City's ability to achieve the larger-scale development that its economic development planning efforts have been seeking for many years.

This application is a case where the SWIR has attracted a traded-sector firm in one of the *targeted industries identified in the Comprehensive Plan* that needs a site even larger than the City anticipated when preparing the SWIR zoning ordinance. In other words, a remarkable success that surpasses expectations and previous projections … and should not be penalized as a result. It is therefore appropriate to view the proposed development, and the Lot Consolidation/Partition that will support it, as being entirely consistent with the purpose of the SWIR Zone and deserving approval. Conversely, if the City will not allow the requested Lot Consolidation/Partition and the project cannot win approval, that outcome would be contrary to the Purpose of the SWIR zone.

Therefore, the proposed Partition satisfies this approval criterion because it better aligns with and achieves the purpose of the SWIR Zone, creating Parcels suitable for development and use consistent with zoning.

2. Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the safe and efficient development of any adjoining land.

Response: As noted above, the proposed partition will reconfigure the entire area under the applicant's control into three Parcels suitable for development. The configuration of the proposed streets is designed not only to provide safe and efficient access to the subject lots, but also to accommodate community traffic on Butteville Road and Highway 219, including access to other properties in the vicinity. Road system operation and safety issues are examined in detail in the applicant's TIA report – See Exhibit E. This criterion is met.

3. The proposed partition is served with City streets, water, sewer and storm drainage facilities with adequate capacity.

Response: The applicant has presented preliminary engineering plans for extensions of City water, sewer and storm drainage systems in conjunction with construction of roadway improvements,

as part of the consolidated Design Review application package, which includes this Partition proposal. This requirement is met.

4. *That the partition takes into account topography, vegetation and other natural features of the site.*

Response: The proposed Partition will shift Butteville Road to an alignment entirely east of the Senecal Creek riparian corridor. This will avoid significant wetland and stream resource impacts that would otherwise be necessary to widen and improve roadway segments adjacent to the Creek and wetland areas in both Butteville Road and Highway 219, near their current intersection, and near the Stafney Lane intersection, where a Woodland Avenue extension was planned. A companion application with this proposal is a Riparian Corridor and Wetlands Overlay District Permit to define the RCWOD boundary. In fact, the proposed Partition and realignment of Butteville Road eliminates RCWOD area impacts that were previously considered to be unavoidable to implement the City's Transportation System Plan and SWIR Master Plan. This will allow the RCWOD resource area to remain unaffected, and to be placed in a conservation easement.

5. *That adequate measures have been planned to alleviate identified hazards and limitations to development:*
   a. *For regulatory wetlands, these shall be the measures required by the Division of State Lands.*
   b. *For unstable areas, demonstration that streets and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected.*

Response: As noted above, the proposed Partition includes a realignment of Butteville Road that avoids impacting Senecal Creek and the wetlands along it, so no Oregon DSL permitting is necessary for the proposed construction. Within the whole subject property, the "100-Year" flood plain is contained within the RCWOD boundary along Senecal Creek; no proposed public street or portion of the property outside that limited corridor is in the flood plain. The subject property is in a generally flat and geologically stable area. Additionally, the applicant is currently engaged in extensive soils testing to provide technical information for the design of stable roadbeds as well as private on-site development and building construction. The testing information and geotechnical recommendations will be submitted to the City in conjunction with Public Works Permit plans for public utility/streets construction as well as private site development. This criterion is met.

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 square feet and is located in the SWIR zone. A Type III Design Review is the appropriate procedure.

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 high level of employment 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.

The four Variance requests are:

1. **Maximum Building Height**: Table 2.04E limits the height of a primary or accessory structure in the SWIR Zone to 45 feet (70 feet for "features not used for habitation"). The proposed facility requires a five-story building with height of approximately 105 feet to contain the equipment, inventory and work spaces needed for its function. This variance requests approval for building height of up to 105 feet.

2. **Woodland Avenue Extension**: Section 3.01.03.B requires construction of "internal streets" to "meet all standards of WDO and the TSP." Section 3.01.05 limits the length and provides other parameters for cul-de-sac streets. The Functional Roadway Classification (Figure 2) of the TSP identifies the existing Woodland Avenue as an "Access Street" and shows a western extension of it to intersect Butteville Road as "Future Access Street." For reasons discussed below, this variance requests approval of the proposed development plan without constructing this extension, allowing Woodland Avenue to continue to terminate in its present location and configuration.

3. **Minimum Number of Loading Spaces**: Table 3.05D specifies the minimum number of loading spaces required based on building square footage. For the proposed building containing approximately 3,847,000 square feet[6] of floor area, the Code requires a minimum of 79 loading spaces. The facility's operational design only requires 65 loading spaces, but the building also has 5 other loading doors, bringing the total to 70, which is nine short of the Code requirement. A Variance is requested to allow the proposed configuration with 65 shipping process bays and the five other loading doors.

4. **Variance to Reduce Distance between Accessory Structures and Main Building.** Free-standing canopy covers are proposed in two patio areas on the west side of the building. The structures are not attached to the building, but are located closer than the minimum six-foot separation from the main building required by WDO 2.06.03.B. A Variance is requested to allow the proposed configuration.

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

[6] For the loading spaces calculation, the separate guard shacks and smokers' canopies are excluded from gross building area, resulting in a net figure of 3,846,653 square feet.

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.*

Response: Variance 1 (maximum building height) is necessary because the proposed facility requires a five-floor multi-story structure in which to contain inventory management technology supporting a large number and wide variety of items for fulfilment of customer orders. A 45-foot tall building – or even a 70 foot tall building if upper floors were not considered "habitation" under the Code – is not capable of providing the floor area and multi-floor configuration necessary to achieve the proposed facility's operating characteristics. Attempting to operate the facility without the requisite approximately 105-foot building height would make the project infeasible, i.e., would impose an excessive burden on the applicant. Allowing the additional building height will not have any significant impact on existing or potential uses on the subject property or adjacent properties because: (1) the proposed use is a Permitted use in the SWIR that is consistent with the industrial nature of the area, and (2) the building is centrally located within the site such that its distance from neighboring properties and public streets mitigates potential impacts attributable to size or scale. To illustrate, the applicant has provided a "Building Sight Lines – East-West" exhibit on Sheet A1.0 in Exhibit C. It is based on the perspective of a six-foot tall person standing on the sidewalk on Butteville Road, west of the proposed building, with lines depicting the vertical angle of that person's view to the top of the lower front-office part of the building as well as the taller main part of the building. The SWIR Development standards in Table 2.04E would allow a building 45' tall to be constructed at a minimum 10' setback from the property line abutting a street. The diagram uses a grey shaded rectangle with dashed outline to represent a 45-foot tall building positioned to create the same vertical view angle as the top level of the proposed Project Basie building; that hypothetical building would be set back 169 feet from the front property line. Which is to say the proposed building's vertical view angle is comparable to that of a 45-foot tall building if it were set back about 169 feet from the west property line, but that setback far exceeds the minimum Code requirement. A 45-foot tall building located closer to the street, which would be allowed by the Code, would create a significantly steeper vertical view angle. For the above reasons, Variance 1 meets approval criteria 1 and 2 and should be approved.

Variance 2 (Woodland Avenue extension) is needed because the proposed facility requires a large, unitary site with three key component areas: the centrally located building is the hub of employment activity, with docks for shipments coming in and being dispatched out; a large storage area for trailers used for shipping; and a large parking area to support the facility's high number of employees. Extending Woodland Avenue west to intersect Butteville Road would require splitting the large contiguous site into at least two components separated by a public roadway, imposing an excessive burden on the applicant. This would in turn require the facility's vehicle movements to circulate on public streets just to operate. This is a much less efficient and less secure situation, one that would be burdensome and untenable for the proposed operation, as well as needlessly congesting circulation on public roads with short trips and numerous turning movements.

The proposal will in effect make the current western terminus of Woodland Avenue permanent. This condition will be inconsistent with WDO Section 3.01.05, which states:

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.*

The applicant has provided a detailed traffic impact analysis by Kittelson & Associates, to ensure that the public need for a safety and capacity in the local street system is met. As that report (Exhibit E) notes:

> *The Woodburn Transportation System Plan (TSP) shows a planned extension of Woodland Avenue from its current western terminus to Butteville Road. This extension is roughly identified to follow the parcel line between Tax Lots 400 and 500 (Lots 1 and 2 of I5 Logistics Center subdivision) and connect to Butteville Road across from the existing Stafney Lane intersection. The rationale for this planned extension is twofold: 1) to increase overall east-west connectivity south of OR 219 and serve future development in the SWIR, and 2) ensure that future potential development of Tax Lot 400 (I5LC Lot 1) would have reasonable site access, something that would be difficult to achieve considering strict access management requirements along the limited OR 219 frontage to the north, the lack of direct frontage to Butteville Road created by the Senecal Creek/wetland barrier to the west, and established private property to the east.*
>
> *As shown in Figure 2* [of the Kittelson report]*, this planned extension of Woodland Avenue is not being incorporated into the proposed site plan, which represents a major deviation from the TSP. The proposed modification of the planned transportation network is warranted for the following reasons:*
>
> - *Project Basie spans Tax Lots 400 and 500, so there is no longer a need to provide an individual access opportunity to Tax Lot 400. Furthermore, the full incorporation of Tax Lot 400 into the proposed site layout will ensure that it will not need future individual site access.*
>
> - *The proposed realignment of Butteville Road and a new roundabout intersection at OR 219 represents a major circulation and capacity enhancing improvement that was not envisioned when the Woodburn TSP was developed. In particular, the proposed OR 219/Butteville Road roundabout is being designed and sized to meet not only the needs of Project Basie, but also future development in the larger SWIR. The proposed realignment offers further benefits in the form of reduced impacts on the Senecal Creek drainageway and wetlands, which would have been significantly impacted by expansion and reconstruction of the OR 219/Butteville intersection at its current location.*
>
> - *All of the proposed Project Basie site access driveways are proposed along Butteville Road. As shown in the traffic study, these driveways, as well as projected future*

background traffic growth, can be fully accommodated by the proposed infrastructure improvements; neither the site nor the network need a Woodland Avenue extension to support use and functionality.

- *As a result of the observations above, in the context of the proposed roundabout traffic solution, the extension of Woodland Avenue is no longer needed from a capacity and circulation enhancing perspective.*

Approving the variance will not impact other uses or development in the area because the proposed project is designed to take all access on Butteville Road. In that situation, as the Kittelson report notes, there is no need for S Woodland Avenue to serve as an Access Street (as anticipated by the TSP) for any properties other than the two it currently serves: the Do It Best and WinCo Foods distribution operations located east of the subject property. Those users will benefit because no additional traffic will be added to the street that has provided their access to Highway 219 and the Interstate 5 Interchange to the east since its initial construction many years ago. With no anticipated future traffic, Woodland Avenue can be retained in this configuration without causing a problem for the traffic system. For the above reasons, Variance 2 meets approval criteria 1 and 2 and should be approved.

Variance 3 (number of loading spaces) would be burdensome to the industrial user because compliance would require design changes and construction of redundant loading spaces that are unnecessary and therefore counterproductive because they will be underutilized. The proposed facility has been designed to perform a specific set of fulfilment-related tasks in a large-scale, high-technology coordinated system that has been thoroughly designed with the benefit of the firm's proprietary experience and technologies. The proposed number of loading bays is based specifically on the needs of that system and the firm's strategies for maximizing efficiency, including substantial on-site queue capacity for incoming trucks, to accommodate peak arrivals without spillbacks affecting Butteville Road. The City's loading space metric is, by contrast, a linear mathematical extrapolation based on data from previous types of industrial activities, one that is not calibrated to the needs of this innovative firm. Allowing the designer of this custom facility to determine the number of loading spaces it requires will have no negative impact on any surrounding uses because its effects occur only within the site itself. For the above reasons, Variance 3 meets approval criteria 1 and 2 and should be approved.

Variance 4 (separation of less than six feet between patio shelter canopy structures and main building) is needed to allow a series of detached, free-standing canopy cover structures to be installed in two patio areas on the west side of the building without having to attach them to the building or move them at least six feet away from it. In Exhibit C, Sheet A1.0 has a plan view with callouts identifying the locations of the structures ("Smoker's Canopy" and "Nonsmokers Canopy"), and Sheet A1.4 provides two perspective illustrations of the proposed structures. Their location close to the building makes the gap between them and the building narrow enough to allow people in all seasons to walk in and out of the building without substantial exposure to rain. If a minimum six-foot separation were required, that would not be the case, and the patios would lose some of their all-season utility as a resting place for employees. Attaching them to the building is not desirable for structural reasons, in part because the slope of the roof could potentially concentrate storm water flows in contact with the building wall and cause damage over time. The canopies are located approximately 180 feet from the front property line (Butteville Road frontage), with parking and two drive aisles between them and the public right-of-way. Allowing the structures to be installed as proposed will have no discernable impact on any existing or potential uses or development on the remainder of the subject property or adjacent properties. For the above reasons, Variance 4 meets approval criteria 1 and 2 and should be approved.

Based on the applicant's evidence, these criteria are met for all four Variance requests.

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: Variance 1 (building height) seeks to overcome a building height constraint imposed by the City to make feasible a significant economic development that cannot succeed without being able to construct a five-story building. Any potential impact of the additional building height on adjacent properties is mitigated by the site plan's wide building setbacks from streets and neighboring properties. The additional building height will have no effect on land forms in the vicinity, but enabling the project to proceed will let the City benefit from the public infrastructure system construction that the developer will be required to perform, including extensions of water, sewer and storm drainage systems in the SWIR and improvements of roads. The size, scale and design of the proposed facility all are responses to external market factors demanding high-efficiency, high-throughput operations to satisfy competitive demands, which are not within the applicant's control. Approving Variance 1 to make the proposed project feasible is consistent with the Woodburn Comprehensive Plan because it will be a major milestone in achieving the Plan's economic development goals and objectives.

Variance 2 (Woodland Avenue) would allow the use of a large available tract for jobs development in the community without causing injury to existing properties or their future potential. The applicant has included a Traffic Impact Analysis and recommendations by Kittelson and Associates, demonstrating that the proposed design for a roundabout intersection for Oregon Highway 219 and Butteville Road at a point east of Senecal Creek will achieve sufficient transportation system functioning and local access without the need to extend Woodland Avenue to intersect Butteville Road, as had been assumed in prior planning.

Importantly, a key assumption behind the idea of extending Woodland Avenue was that smaller units of industrial development would occur within Subarea A of the SWIR, requiring an Access Street to provide

local service to multiple development sites; however, the large proposed development has no need for access by way of Woodland Avenue because improvements in Butteville Road and Highway 219 will meet transportation needs by alternate routes with sufficient capacities. This in effect reserves the capacity of the existing S Woodland Avenue for its two existing industrial users, which have been adequately served by Woodland Avenue in its present configuration for many years. There are no remaining undeveloped properties along Woodland Avenue that will need to rely on it for access in the future. An additional benefit of the proposed alternative roadway configuration is that wetland filling and other impacts on the RCWOD area along Senecal Creek are avoided entirely; by comparison, extending Woodland Avenue west to intersect Butteville Road at Stafney Lane would require placing fill in part of a delineated wetland, and any scenario for making improvements at the existing Butteville-219 intersection location requires realignment of Senecal Creek, substantial fill placement for embankment to support road widening, and mitigation of stream and wetland impacts. For these reasons, allowing the existing Woodland Avenue configuration to persist as a cul-de-sac in excess of 250 feet will not be injurious to the public or to other properties/owners in the area.

Finally, introduction of a large new employer in the SWIR makes a significant contribution to the City's plans for infrastructure, economic development, and community growth. 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 street network proposed, without the Woodland Avenue extension.

Variance 3 (loading spaces) has very limited potential to impact any other site or user. It will allow the applicant to construct their desired optimal number of loading spaces, affecting only the number of dock doors on the building and the applicant's operating efficiencies. It will have no effect on physical systems or infrastructure development. It is a very minimal request that has virtually no influence on Comprehensive Plan implementation or compliance issues.

Variance 4 (separation of less than six feet between patio shelter canopy structures and main building) is limited in its effect to the position of shade canopy structures located adjacent to the office area of the building, about 180 feet from the front property line. It will allow the shade canopy structures, which are not attached to the building, to be located closer than six feet from the main building. At this location, internal to the approximately 82-acre development site (Parcel 2), the Variance will have no effect on the public, or on any other property or person, natural resource area or system, or Comprehensive Plan policy. It will simply allow the canopy covers to be constructed close enough to the building to allow building occupants to step between the building and a patio cover through a gap of one or two feet rather than six feet, making them more functional during the rainy months of the year.

As noted above, the relevant Factors have been considered in review of the requested Variances. Based on the applicant's evidence, the three Variance requests 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 Type III Design Review, the four Variance requests, the Lot Consolidation/Partition, the Exception to Street Right of Way and Improvement Requirements, and the Resource Conservation and Wetlands Overlay District (RCWOD) Permit. The development complies with the applicable standards of the Woodburn Development Ordinance. The applicant respectfully requests approval by the City.