



City of Woodburn
Community Development

Memorandum

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Date: May 16, 2023
To: Melissa Gitt, Building Official
Cc: Alyssa Nichols, Permit Technician
Dago Garcia, P.E., City Engineer
Jeff Bolton, Multi/Tech Engineering
From: Colin Cortes, AICP, CNU-A, Senior Planner *cc.*
Subject: **Building permits 971-23-000066-STR etc. Woodburn Place West Apts. Planning Division review 2**

Introduction

On behalf of the Planning Division, I reviewed the building permit application revised and additional materials submitted March 31, May 4, & May 10 for conformance with the previous review memo (February 24, 2023) and the [Conditional Use CU 22-01](#) land use final decision conditions of approval and notes to the applicant related to Woodburn Place West Apartments at 2045 Molalla Road (applicant's job # 7402).

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

The building permit applications as of February 8 are:

<i>Permit / Accela/ePermitting Record No.</i>	<i>Building</i>	<i>Floor Plan Type</i>
971-23-000066-STR	A	C
971-23-000089-STR	B	C
TBD upon application	C	F
971-23-000034-STR	D	A
971-23-000035-STR	E	A
971-23-000036-STR	F	B
971-23-000067-STR	G	C & D
TBD upon application	H	A
TBD upon application	J	C
TBD upon application	K	C
TBD upon application	L	A
TBD upon application	M	A
TBD upon application	N	F
TBD upon application	P	A
971-23-000002-STR	Q	B
TBD upon application	R	A ("half" bldg: 1 stairwell)
TBD upon application	T	C
TBD upon application	U	C
TBD upon application	V	E
971-23-000003-STR	W	A
971-23-000004-STR	X	A
TBD upon application	Y	E
TBD upon application	1 (maintenance)	n/a
To be determined (TBD) upon application	Gazebo/shelter (near T, 1)	n/a
TBD upon application	BBQ shelter (near Q, W)	n/a
TBD upon application	Mail gangbox shelter (near U, 1)	n/a
4 record nos. TBD upon applications	Bicycle parking shelters*	n/a
n/a**	School bus stop shelter	n/a

*If a given shelter is large enough, per statewide uniform building code a building permit would be required. 4 shelters (near Buildings T, U, & V) appear to be large enough.

**Because proposed within highway right-of-way (ROW) landscape strip, that is, not on private property, no building permit would be required unless the state through the Oregon Department of Transportation (ODOT) would require.

Below is what the applicant needs to do. Italics indicate remaining items.

Additional Info Needed

A. Conditions G4a & CU1:

“Due dates / public improvements: a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E and 4.02.12 unless if and where a condition of approval has more restrictive timing. By this condition, there is more restrictive timing: In any case, the improvements are due no later than by Building Division issuance of certificate of occupancy (C of O) for the first of any of the buildings.”

*“Frontage/street improvements: These shall be: ...
b. Planter strip: 8 ft wide min, exc. curb dimension.*

The condition remains.

e. Electric power pole: Removal of the electric power pole at June Way and burial of lateral electric line(s) serving the development.”

Neither the cover letter nor the May 10 site plan addresses.

A1. G5, G6b: If already recorded, provide proof of recordation of right-of-way (ROW) dedication and granting of easements per Conditions G5, G6b, D1, D2, D4c, & Attachment 202. Provide print and Adobe PDF copies of all the recorded documents so that Planning staff has direct proof and to allow Public Works staff to archive them including for provision through the City geographic information system (GIS). If not yet recorded, submit drafts to City staff first to ensure conformance with the details of the conditions, particularly D1, D2, D4c, & Attachment 202.

First, the bad news: There's a problem: The easements aren't correctly recorded. Specifically, the text fails to conform to Condition D2 through final decision Attachment 202, Parts A & B. Briefly, the requirement is for the off-street public utility easements (PUEs) that serve as street reservations for Street Corridors "C" & "J" to have text explaining that they serve as such. Planning staff conveys apologies. It became apparent recently that the Public Works Dept., prior to Public Works completing its own review and clearing City Council to approve for recordation, neither reviewed for conformance with this condition nor informed the Planning Division that materials were submitted and ready for review by other departments.

Now, the good news: Though there's this problem, partly because a department is at fault, by itself the problem wouldn't preclude sign-off of the Building Division issuing building permit(s).

Instead, as the Community Development Director is allowing, resolution of this issue is due by *final inspection* of the *first building* among those of Woodburn Place West.

Resolution means revising the text of both easements to conform, then replacing the recorded easements through the Public Works and City Council process. Of course, I'd be happy to be the reviewer of the drafts and determine if they meet the condition before the applicant starts that Public Works and City Council process – in fact, *attached are Word documents of the revised easements I prepared for the applicant* using the Assistant City Attorney templates. (In the unlikely event that Public Works would want the applicant to edit text, as applicant you'd be the one to make sure that any edits wouldn't inadvertently interfere with Attachment 202.)

A2. CU1: Construct, request and have inspection(s), and obtain acceptance of constructed public improvements: ...

Conditions G4a & CU1 remain. Condition G4a states:

“When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E and 4.02.12 unless if and where a condition of approval has more restrictive timing. By this condition, there is more restrictive timing: In any case, the improvements are due no later than by Building Division issuance of certificate of occupancy (C of O) for the first of any of the buildings.”

F. Landscaping: No landscaping plan is submitted. Submit a landscape plan series and demonstrate conformance with CU7, CU8a & b, CU10a, D6, & D7e. The series may be appended to the civil set with the civil set sheet index updated.

The March 31 cover letter states there's a landscape plan, but I saw none any among the March 31, May 4, & May 10 materials. Staff also looked at the pile of building permit plan sets at the Building Division and found two copies of a civil set submitted April 17, but no appended landscape plan was to be found. I concluded my search by checking my e-mail inbox, but no e-mail from the applicant on or after March 31 had a landscape plan PDF attached. (Re-)submit.

H. CU15a(3): Windows per room (corners):

Type A units:

Building D (Type A units) land use review ground floor plan Sheet A1.30 illustrates the bottom left and bottom right bedrooms each with two windows, but building permit floor plan Sheet A4.30 shows one window for each.

The way the condition is applicable is that the bottom left requires two windows, one each wall, and the bottom right, proposed through building permit to have exterior electrical meters, min one small window per the condition. In short, the land use sheet showed compliance, but the building permit sheet doesn't. Revise accordingly. Staff assumes the same revision is needed for Buildings E, W, & X ground floors.

Types B & C:

The condition is not applicable to submitted Buildings A, B, F, & Q.

Type D:

I was unable to review Building G floor plans due to a missing plan set. If correction is needed as for Type A Building D, please make it.

Staff acknowledges that the March 31 cover letter stated, "Building plan review comments are still being addressed for plan updates regarding 'A' units". In any case, staff needs time anyway to review additional permit submittals from April 24: Buildings K & P (971-23-000309 & 363-STR).

I. CU15a(4): Rear narrow wall windows:

Type A units:

Met.

Types B & C:

The condition is not applicable to submitted Buildings A, B, F, & Q.

Type D:

I was unable to review Building G floor plans due to a missing plan set. If correction is needed as for Type A Building D, please make it.

Same as for Item H.

K. CU18a lighting:

1. *K1. Revise lighting plan Sheet C1.6 and provide a details sheet that shows the specs and shows conformance with WDO 3.11.02C hue / color temperature.*

Mark Sheet C1.7 to indicate, whether through a general note, call-outs, clouding, or colored ovals around selected color temperatures, that of the color temperature options for all the models, the temperature for each model to be installed is the only one (or ones) that fall within the range per 3.11.02C: 2,700 to 4,000° Kelvin. For example, for a model that comes in any of 3,000, 3,500, 4,000, or 5,000, specify any but 5,000.

New Item K4: Regarding Sheet C1.7, bottom right proposed lantern-like light fixture with frosted glass, revise to a full cut-off model. Staff realizes these are being installed next door in Woodburn Place, but for that project the land use decision and its conditions were different and older. Also, knowing that installations are limited to stairwells, patios, and balconies in Woodburn Place, for Woodburn Place West revise the model to be something else per Figure 3.11A in which either the bulb housing is opaque or the bulb is mounted higher within a container that though mostly glass has an opaque top around and atop the bulb, the point being the fixture model doesn't have to be the same as the black pointing-down one proposed for apartment building exteriors. It can look more homey but still be full cut-off.

M. D3: driveways:

2. *D3a(1): Revise the driveway from 31 to 30 ft wide (from 10/11/10 to 10/10/10 ft).*
3. *D3a(3): Advise if this is relevant or not (based on Woodburn Fire District building permit review).*

Regarding Item M1, the driveway max width condition remains.

Regarding Item M2, staff noticed that the SE dead-end drive aisle gained a hammerhead as a fire truck turn-around. In keeping with the intent of the condition, revise the proposed concrete pad west of walkway to be grasscrete (or concrete pavers) instead of poured concrete.

O. D7: Patio delineation: For the contractor, though Sheet C1.3 reiterates the condition, revise the Building A ground floor plan Sheet A1.30, building section Sheet A1.70, and elevations Sheet A1.80 to illustrate and either call out or note conformance with D7b, c, & d. Similarly revise the ground floor plan, building section, and elevations for all submitted buildings (B, D-G, Q, W, & X) and buildings yet to be submitted.

Staff defers review of this item to get the other review comments to the applicant sooner and because of Items H & I relating to architectural drawings.

P. WDO 3.05.02J: No outlet signs: Revise Sheet C1.3 and the site plan to demonstrate conformance at dead-end drive aisles.

Revise the Sheet C1.4 “no outlet sign” detail from a custom one to one compliant with the *Manual on Uniform Traffic Control Devices (MUTCD)*, specifically model W14-2:



Q. T-BP1: off-site sidewalk: Either construct the off-site sidewalk and add a sheet or sheets to the civil plans or submit proof of exemption per condition part e.

Staff acknowledges the April 3 submittal of the off-site sidewalk (2010 Molalla Rd) plan sheet (“Page 9 of 23 Offsite Sidewalk Plan”, which though not a final construction plan does illustrate meeting T-BP1c regarding min widths. In keeping with Condition G4a, see Item A.

R. T-BP2: bicycle/pedestrian wayfinding signage: Either illustrate and note on the site plan and through civil plans or direct staff to assess fee in-lieu.

Staff acknowledges the March 31 request to assess fee in lieu of wayfinding signage.

S. T-T2: school bus shelter:

4. *Though Sheet C1.4 contains a sign detail, there is none for the shelter itself, and no plan sheet illustrates and calls out, labels, or notes the location. Revise Sheets C1.1, C1.3, & C1.4*

Revise the call-out note for the school bus stop shelter sign to indicate to staff whether it's to be pole-mounted or mounted on the shelter itself.

(Acknowledged that staff recognizes and accepts the proposed school bus shelter as an installation of a City-spec bus shelter [Handi-Hut® Model #4-2D per WDO interpretation memo INT 22-0609 of June 9, 2022].)

New Item U: Parking: Staff noticed that the SE dead-end drive aisle gained a hammerhead as a fire truck turn-around that removed at least 6 parking stalls, which led staff to count parking stalls. Though the site plan tabulates 516, staff counted twice and totaled 513; the minimum for 258 apts. is 2 per apt. equaling 516. Whatever the exact number deficit, there's definitely a deficit. Address.

Re-submittal Process:

5. Use a dated cover or transmittal letter to cite and address each Planning Division review item by directing to a plan sheet or document. Specify the building permit record number(s), building letter, plan sheet number(s), and where relevant detail or note number(s), or document page number(s) where conformance is demonstrated, i.e. where the revision or additional information is.
6. Provide illustrations and notes through any of plan sheets primarily; however cut or spec sheets or other document types, may substitute when they are the best form for demonstrating conformance, such as for easements.
7. Besides submitting two paper copies of revised or additional documentation, upload PDFs of new or revised plans to the applicable Accela building permit record(s).
8. Submit revisions through the Building Division per its policies. Do not piecemeal additional information; submit a package of revised and additional information. Do not make direct submittal only to me; the applicant may courtesy copy me or mark materials to my attention while still routing them through the Building Division per its policies.
9. Provide demonstrations of conformance through building permit drawings to the max extent feasible such that they remain when the contractor receives site copies of approved plan sets. (If it's not on the plans or on the plans but too vague to act upon, a contractor won't know about it or do it right away.)
10. Feel free to ask me for any clarifications or further direction prior to re-submittal.

Attachment(s):

- Revised draft public easement for Street Corridor "C" (Microsoft Word document)
- Revised draft public easement for Street Corridor "J" (Microsoft Word document)