# Land Use Final Decision <br> Planning Commission 

| File number(s): | DR 22-06, PLA 22-04, SA 23-04, \& VAR 23-04 |
| :--- | :--- |
| Project name: | Young Street Apartments |
| Date of decision: | December 14, 2023 |
| Applicant: | Eugene Labunsky, President, West Coast Home Solutions, LLC, 25030 SW <br> Parkway Ave, Wilsonville, OR 97070-9816 |
| Landowner: | West Coast Home Solutions, LLC, 25030 SW Parkway Ave, Wilsonville, OR <br> 97070-9816, Attn: Eugene Labunsky |
| Site location: | 1030 Young St; Tax Lots 051W17BC06800 (primary) \& 051W18AD08400 |

Summary: The Planning Commission held a public hearing on December 14, 2023 and unanimously approved the consolidated applications package (Type III) with the conditions recommended by staff through the staff report published December 7 - except (1) with correction to Condition V10b(3) as recommended in the staff addendum memo published December 13 and (2) revising Conditions V3, V13a-c, \& V15a, striking Condition V15b, and through Condition V6 revising Attachment 204. (The Conditions section below and Attachment 204 show the strikethrough-and-underline edits.)

Through the Design Review application type, the applicant proposed site redevelopment of the site, which became an empty field following demolition of the Young Street Market built 1955 and that had burned down February 5, 2018, into an unnamed apartment complex of 4 buildings totaling 94 apartments.

Development comes with Joyce Path at the west (in place of east half-street improvement of "Joyce Way" thanks to a variance) and the subject property segment of Bicycle/Pedestrian Corridor RR2 and its Path RR2 at the south - 14 and 8 feet wide respectively, both narrower than the 20 and 10 feet that Woodburn Development Ordinance (WDO) 3.01.07 through Table 3.01A row 1b, and through 3.01.07D \& E the Community Development Director's WDO interpretation memo INT 22-0608 "Off-Street Public Bicycle/Pedestrian Facility Specifications" [June 8, 2022; Attachment 203], would have required for a Class B path thanks to a variance.

## Street Adjustment

Street Adjustment SA 23-04 was to the keep the Young Street curbing and roadway beyond as is, including center turn, travel, and bicycle lanes narrower than the standard cross section.

The conditioned approval allows the developer to construct either the standard half-street cross section of WDO Figure 3.01C "Minor Arterial" - including curb demolition, additional asphalt, new curb and gutter, and restriping as the Public Works Department Engineering Division administers - or an adjusted half-street cross section as conditioned.

Either half-street cross section comes with a landscape strip with street trees and other landscaping and with sidewalk. (At the time of land use approval, the frontage lacked even nominal, curb-tight sidewalk.)

## Variance

There were four variance requests:

1. "Joyce Way" east half-street improvements: To not construct an east half-street and offering instead an off-street bicycle/pedestrian path (Joyce Path).
2. Bicycle/Pedestrian Corridor RR2: To have Bicycle/Pedestrian Corridor RR2 be 12 feet ( ft ), narrower than the minimum 20 ft .
3. Path RR2: To have Path RR2 be 8 ft , narrower than the Class B minimum 10 ft per the Community Development Director's WDO interpretation memo INT 22-0608 "Off-Street Public Bicycle/Pedestrian Facility Specifications" (June 8, 2022; Attachment 203) through 3.01.07D \& E.
4. Only so many parking stalls in a row without a landscaped island: To have more than 10 consecutive parking spaces in a parking aisle without a mid-aisle landscape island or peninsula, having a range of 11-14 stalls in a row in a few locations. (Through conditioning, staff and the Commission allowed the developer to narrow the proposed parking area walkways that the site plan illustrates based on 3.05 .02 N . They are minimum width $31 / 2 \mathrm{ft}$ instead of the 6 - ft width that 3.04 .06 would have required. This is in order to fit in south side landscaped islands per 3.06.03C.4.)

The subject property is in the Mixed Use Village (MUV) zoning district and approximately 3.51 acres.
No one testified (besides members of the applicant's team). See the table below in the "Testifiers" section. Section references are to the Woodburn Development Ordinance (WDO).

## Conditions of Approval:

## General

G1. Prior to or as part of building permit application, the applicant shall submit revised site plans meeting the conditions of approval and obtain Planning Division approval through sign-off on permit issuance. The applicant shall submit a cover letter indicating what specific plans sheets or document page numbers demonstrate how the submittal meets each condition.

G2. The applicant or successors and assigns shall develop the property in substantial conformance with the final plans submitted and approved with these applications, except as modified by WDO requirements and these conditions of approval. Were the applicant to revise plans other than to meet conditions of approval or meet building code, even if Planning Division staff does not notice and signs off on building permit issuance, Division staff retains the right to obtain restoration of improvements as shown on an earlier land use review plan set in service of substantial conformance.

G3. References: Attachment 201 serves as a dictionary or glossary defining certain abbreviations, acronyms, phrases, terms, and words in the context of the conditions of approval. The 200 series of attachments are as binding as the conditions of approval in the main body of the final decision.

G4. Due dates / public improvements:
a. When public street improvements, and any fees in lieu of public improvements, are due shall be per Woodburn Development Ordinance (WDO) 3.01.02E and 4.02.12, unless a condition of approval allows for later improvement, as this condition provides below:
(1) Young St driveway, street trees: Regarding (a) construction of a Young Street driveway approach, apron, or curb cut, and (b) planting of street trees and remaining landscape strip landscaping along Young Street, by this condition the developer may defer apron construction and street tree plantings until building permit final inspection for the first apartment building; however, bonding through 3.01 .02E would remain required.
(2) Joyce: Regarding Condition V4 about Joyce Way:
(a) North "frontage" improvements shall remain due as part of and at the same time as Young St frontage upgrades.
(b) Pavement, hardscaping, and permanent irrigation infrastructure - all but landscaping (plantings of trees, shrubs, groundcover, and grass) - are due by building permit final inspection of the second-to-last apartment building; however, any and all of the Joyce Way improvements necessary and sufficient to provide for the emergency access fire lane are due by building permit issuance for the first apartment building.
(c) Landscaping is due by final inspection, which may be for the last apartment building. Note (2): Bonding per 3.01.02E would remain required, and an additional fee would be due through the Planning Division per the land use final decision 200 series attachment regarding conditioned fees.
(3) Corridor RR2: Regarding Condition V6 about Bicycle/Pedestrian Corridor RR2, then by final inspection of the second-to-last apartment building.
Note (3): Same as Note (2) above.
(4) Underground public improvements as the Public Works Director specifies, including a water main that serves as fire protection during construction of buildings as the Woodburn Fire District Fire Marshal specifies, are due by building permit issuance for the first apartment building.
b. ROW/easements: Recordation of required right-of-way (ROW) dedication and public easements grants is due by building permit issuance. See Note A below.
c. Where a Phasing Plan per WDO 5.03.05 is relevant, building permit issuance means issuance for the phase in which the conditioned improvement is located.
d. Where changes to street addresses are necessary, the developer shall apply through the Planning Division for and obtain approval of an Address Assignment Request. This is due prior to building permit application, and if and where land division is relevant, then also after recordation with the County.

G5. Recordation due dates: The applicant shall apply to the County for recordations of items that the City requires no later than 6 months prior to expiration of the land use approval as WDO 4.02.04B establishes, and shall complete recordations no later than three years past the land use "final decision" date. The due date to complete recordations shall not supersede when recordations are due relative to the building permit stage. See Note A below.

G6. Administration:
a. Conformance: That a land use approval does not reiterate any and each particular detail, provision, requirement, rule, spec, or standard from any of the WDO, other ordinances, resolutions, public works construction code, or department policies does not exempt development from conformance with them.
b. Review: Prior to beginning recordations of public easements or other legal instruments granting public bicycle/pedestrian access, cross access, ingress/egress, public access, or shared access, as well as those that identify, memorialize, and reserve future street corridors prior to recordation, the developer or developer's surveyor shall submit drafts to the City for review in a way that not only meets the needs of the Public Works Department (PW) Engineering Division but also alerts the Community Development Department Planning Division of timely need to review for conformance with the WDO and conditions of approval and identify needed revisions prior to recordations. See Note A below.
c. Copies: The developer, inc. any succeeding contract purchaser, shall provide copies of documentation, especially recorded documents, based on WDO 2.01.05 and upon City request.
d. Fees: The developer shall pay fees per Attachment 206.

G7. Grading: If WDO 5.01.04B is applicable, then prior to building permit issuance the applicant shall apply for and obtain a grading permit from the Planning Division.

G8. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. At least 3 City business days prior to a desired date of planning and zoning inspection of site improvements, either contact Planning Division staff directly first or proceed to make a planning inspection request (noting desired time on the requested date) through Oregon ePermitting for the applicable building permit record number.

G9. Public Works: See also Attachment 102A "Public Works Conditions of Land Use Approval" (August 10, 2023).

Note A: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through the Public Works Department (PW) and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the Planning Commission, contact PW to begin and finish dedication and granting sooner. The City Council usually meets second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.
$\square$

## Design Review 22-06

D1. Fence/fencing: To meet WDO 2.06.02D that requires coating, the developer shall:
a. Have proposed chain-link fencing conform with the coating requirement. See also Conditions V6 \& V7.
b. Prior to building permit issuance, revise site plans that illustrate and note chain-link fencing to conform.
c. Apply for and obtain a fence permit per 5.01 .03 for any fence, fencing, or free-standing walls (excepting recycling and trash enclosure walls), with the permit application form(s) indicating case file numbers DR 22-06 \& VAR 23-04.

D2. Street cross sections: To conform with WDO 3.01.01A, B, \& D; 3.01.02A, 3.01.03C.1, 3.01.04, and Figure 3.01C "Minor Arterial":
a. Young St: Upgrade, including to conform what other separate conditions might require, such as regarding electric power pole removal and line burial, and except where and as variance conditions supersede:
(1) ROW: Min 37 ft from centerline. Min dedication 7 ft .
(2) Streetside PUE: See Condition D3.
(3) Landscape strip: Landscape strips shall conform with the WDO 3.01.04B last paragraph. Otherwise, see Condition SA1.
(4) Street trees: See Condition D11.
(5) Sidewalk: See Condition SA1.
b. Joyce: See Condition V4.

D3. PUE: To conform with WDO 3.02.01B \& F.2, and as part of recordations, the applicant shall grant a streetside PUE along:
a. Young St: Min 5 ft and max 8 ft .
b. Joyce: N/a because none required. (See Condition V16 about distances between walkway and dwelling main wall planes.)
c. Site plans: The developer shall either:
(1) Prior to granting of streetside PUEs and prior to building permit application, revise the site and composite utility plans to delineate, label, and dimension such easements; or
(2) Upon granting of conforming streetside PUEs through correct recordation per general Condition G4b, G5, \& G6b and prior to building permit issuance, revising the site, composite utility, and landscape plans - or equivalent sheets within a building permit application plan set through the Building Division and/or a civil engineering review application civil plan set through the PW Engineering Division - and including within a label, call-out, or note the Marion County reel and page numbers and dates of recordation.

D4. Electric power poles:
a. To conform with WDO 3.02.04B along Young St, the developer shall either remove the two electric power poles and bury the lines, or, pay fee in-lieu per Attachment 206.
b. Improvement is due the same as WDO 3.01.02E, and fee in-lieu payment is due per Attachment 206.

D5. Cross access, shared access, or shared rear lane: Consistent with the Highway 99E Corridor Plan (H99ECP; Ordinance No. 2492, July 9, 2012), including pages $26 \& 27$ access management objectives, as well as Appendix E "Access Management Tools", and to conform with WDO 3.04.03B, prior to building permit issuance:
a. To conform with WDO 3.04.01A. 2 and 3.04.03B.5, C.1, C.4a, \& D.2, the developer shall grant a public cross access easement (CAE) or other legal instrument that grants the City and the public access to and from the driveway and connects to the east lot line, which is the west lot line of 119 N. Pacific Highway (Tax Lot 051W17BC07500), aligned with and centered on the centerline of the CAE and its drive aisle on that property that benefits the subject property;
b. To conform with WDO 3.04.01A.2, the easement shall contain text that, pursuant to Woodburn Development Ordinance (WDO) 3.04.03B.3, the public shared access (ingress and egress) right of this easement is revocable only with the written concurrence of the Community Development Director.
c. The easement shall have an Exhibit A legal description and an Exhibit B drawing that delineates, labels, and dimensions the CAE. Where a plat or re-plat is relevant, the face of the plat may accomplish the same in place of exhibits.
d. The CAE shall overlap a drive aisle stub that comes up to the location described in (a.) above. At the interface of a property line and a CAE drive aisle stub, fixed barriers are prohibited per WDO 3.04.03C.4b including curbing, fencing, free-standing walls, barricades affixed to the ground or pavement, and gates.
e. Speed bumps: Within the cross access, shared access, or shared rear lane, speed bumps and speed humps are prohibited. One or more speed tables are permissible if engineered and constructed to the standards of WDO 3.04.06D.1.
f. Cross access directional signage:
(1) For motorists exiting west into the shared rear lane from 119 N. Pacific Hwy, there shall be min 1 directional sign to Young St , at the east lot line along the shared rear lane north side (indicating straight).
(2) For motorists entering south from Young St, there shall be min 1 MUTCD-compliant directional sign to OR 99E, at the east lot line along the shared rear lane south side.

D6. Driveways max width: To conform with WDO Table 3.04A maximum regarding paved width of twoway driveways in a residential context, the developer shall revise site, composite utility, and landscape plans.

D7. Wheel stops: To conform with WDO 3.05 .02 H , the developer shall revise the site plans prior to building permit issuance and install wheel stops in any parking stalls abutting wide walkways, with exception per Condition V2c.

D8. No outlet drive aisle signage: To conform with WDO 3.05.02J, the developer shall revise the site plans prior to building permit issuance and install an MUTCD-compliant no outlet sign in any dead-end drive aisle 50 ft or longer.

D9. C/V, EV, \& bicycle parking: The developer shall revise site plans, or equivalent sheets within a building permit application plan set through the Building Division, regarding (a) carpool/vanpool (C/V), (b) electric vehicle (EV), and (c) bicycle parking to demonstrate that the supplies at the proposed locations conform with the detailed standards for such in WDO 3.05.03H, 3.05.03I, and 3.05.06, particularly 3.05.03H.2 \& 3; 3.05.03I.2 (charging level) \& 4 (sign mounting height); and 3.05.06C.3.

D10. Double-striping: To conform with WDO Figure 3.05C, the developer shall revise the site plans prior to building permit issuance and double-stripe parking stalls.

D11. Street trees: To conform with WDO 3.01.01B, 3.01.01D, 3.01.02A, 3.01.03C.1e, 3.01.04B, and 3.06.03A:
a. Young St: The developer shall:
(1) Along the 305 ft of frontage, plant for 10 trees total or pay a fee in lieu of max 2 trees per Attachment 206. See also through Condition V4 and in Attachment 204 about additional street trees along the north end of Joyce Way.
(2) Plant street trees centered in the landscape strip as WDO Figure 3.01C represents.
(3) Excavate along existing curbing as necessary to install root barriers per PW "Drawing No. 1 Street Tree Planting New Construction" (October 2007 or as amended), which land use review sheet L1.2 reproduced.
b. Joyce Way: See through Condition V4 and in Attachment 204 about bicycle/pedestrian corridor landscaping.
Plan revisions are due prior to building permit issuance. Street tree plantings are due by building permit final inspection, and fee in-lieu payment is due per Attachment 206.

D12. Landscaping: trees: The developer shall:
a. To meet WDO 3.06.02B, revise the landscape plan Sheets L1.1, Note 8 and L1.2, Note 9 - or equivalent sheets within a building permit application plan set through the Building Division and/or a civil engineering review application civil plan set through the PW Engineering Division to address irrigation more specifically in the contexts of Joyce Way and RR2 as other conditions reference.
b. To meet WDO Tables 3.06 B \& C regarding street trees, revise the landscape plan Sheet L1.2 tree legend to indicate for Young St street trees (1) a species that is large size category at maturity as Table 3.06B defines because WDO 3.06.03A.2.a requires it, and (2) a species other than Norway maple (Acer platanoides) because Table 3.06C prohibits the species.
c. Revise either Sheet L1.1 or L1.2 to make consistent the symbol used to indicate Young St street trees.

D13. Walkway landscaped islands: To conform with WDO 3.05.02N \& 3.06.03C.4, the developer shall revise site and landscape plans prior to building permit issuance and plant minimum area parking area landscaped islands at each of two drive aisle crossings of walkways that extend east from the walkways along the Buildings $B \& C$ north and south sides. The islands shall be at the east ends of the crossings, south sides.

D14. Patios: Visual separation shall conform with WDO 3.05.06C.7 last sentence \& 3.07.05B.1a as follows:
a. Pavement: Patios shall be paved with brick, poured concrete, concrete pavers, or square or rectangular cobblestone pavers.
b. Delineation/separation from common area: Either of the following shall line the outermost edges of each patio concrete slab and have a gap min width $2 \mathrm{ft}, 4$ inches, max width 3 ft :
(1) Evergreen shrubbery of small or medium size per WDO Table 3.06B, min number equal to average o.c. spacing of 1 shrub every 3 lineal ft; or
(2) Fencing per WDO 2.06.02D.1 and, if chain-link fence is applicable, also D.2. (Per WDO 1.02 introductory note and 4.02.06B.6b, fencing shall be a barrier, railing, or other upright structure, typically of wood or wire.)
(See also Condition V13.)

## Design Review 22-06: Transportation

T-BP1. Wayfinding: See instead the applicable parts of Conditions V4 \& V6.

T-T1. To conform with WDO 3.01.09B, the developer may allow the existing bus stop within the NW corner of Joyce Way ROW, which is improved with pad and bus shelter, to remain because were the Joyce Path was as far west as centered on ROW centerline, its shoulder would not come within 2 ft of the bus shelter east main wall plane.
a. However, the existing stop shall be improved per WDO interpretation memo INT 22-0609 memo (June 9, 2022 or amended), and the existing bus shelter may be considering conforming to spec. Specifically, the developer shall upgrade with a minor improvement to conform with INT 22-0609 Part D3: bicycle parking - or fee in-lieu per Attachment 206. Installation is due by final inspection. If opting for fee in-lieu, the developer should indicate such earlier: at building permit application so that staff can assess the fee on the permit and avoid separate invoicing and payment processing. [TDP Figure 63.]
b. If the Joyce Path west shoulder would fall within 2 ft of the bus shelter east main wall plane, the developer shall either (1) shift west the bus shelter outside the shoulder in coordination with either PW or the Transit Manager, or (2) shift east a northerly segment of Joyce Path to fit the west shoulder, including shift of the corresponding driveway apron, if any.

T-T2. The developer shall pay per Attachment 206:
a. A City bus transit / transit service fee, and
b. A regional express bus transit fee.

T-TDM1. Car share: Similar to Condition T-TDM1 from each of ANX 2019-01 \& CU 22-01, until July 1, 2033, the Director may invoke as a requirement that the property management team shall contract with a car share company or service, designate and mark a minimum number of parking spaces - which shall be min one - for one or more shared vehicles for tenant use, and follow program details that the Director establishes as necessary to implement the requirement.

## Street Adjustment 23-04

SA1. Street Adjustment: Young St: This condition documents the Street Adjustment request related to Young St frontage.
a. App fee: Because the SA application fee was not collected, the developer shall pay the app fee per Attachment 206.
b. ROW dedication and granting of streetside PUE remain required per other conditions.
c. Option 1: The developer may opt to decline construction of the adjusted half-street cross section by reverting to construction of the Young Street standard half-street cross section of WDO Figure 3.01C "Minor Arterial", including curb demolition, additional asphalt, new curb and gutter, and restriping as PW administers.
d. Option 2: Were the developer to construct an adjusted half-street cross section, it shall be as follows:
(1) South of centerline, the half of the center two-way left turn lane (TWLTL) may remain 4.5 ft instead of 6 ft , the eastbound travel lane may remain 11.5 ft instead of 12 ft , the eastbound bicycle lane may remain 5 ft instead of 6 ft , and the curb may remain in place.
(2) Curb: The developer shall repair or restore cracked, gouged, eroded, or missing curb as PW administers.
(3) Landscape strip: Min width 6.5 ft , inc. curb width.
(4) Sidewalk: Min width 8 ft , which may overlap outside ROW with granting of public access via either the streetside PUE or separate easement. The extra width shall be away from centerline, not consume a portion of the landscape strip, and not shift the alignment of sidewalk north edge relative to street centerline.
(5) Details: The developer shall remove or relocate franchise utility boxes, cabinets, pedestals, poles, and vaults as needed to be out of the way of, and 6 inches from each side of, new conforming sidewalk and set back min 2 ft from face of curb.
(6) This condition does not preclude through WDO 3.01.03G any ADA or crossings upgrades at the intersection of Young \& Bryan Streets along the west leg that PW might require during CEP or building permit review and that the Public Works comments in Attachment 102A state through item 7.
e. The developer shall choose between Options 1 and 2 no later than by PW approval of civil engineering plans, whether by application to PW for CEP or, if PW reviews civil engineering through building permit review, then building permit application.

## Variance 23-04

V1. Variances summary: This condition documents that the variance requests were to vary from:
a. "Joyce Way" east half-street improvements: WDO 3.01.03A \& C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01 G by not constructing an east half-street and offering instead an off-street bicycle/pedestrian path. This may be referenced as variance request 1.
b. Bicycle/Pedestrian Corridor RR2: WDO 3.01.07C and Table 3.01A row 1b(2) by having Bicycle/Pedestrian Corridor RR2 be narrower than the min 20 ft , the applicant's revised narrative p. 42 (submitted December 1, 2023) requesting that Corridor RR2 be 12 ft wide. Because of this request, there is also a request to have Path RR2 be 8 ft (instead of 10 ft ). Request 3 varies from related WDO 3.01.07D.2b that establishes Path RR2 as Class B, which through WDO interpretation memo INT memo INT 22-0608 "Off-Street Public Bicycle/Pedestrian Facility Specifications" (June 8, 2022; Attachment 203) means min width 10 ft . The site plan illustrates and dimensions an 8 -ft Path RR2. These may be referenced as variance requests 2 \& 3.
c. WDO 3.06.0C. 3 \& 4: Respectively the sections requiring that, "there shall be no more than 10 consecutive parking spaces in a parking aisle without a mid-aisle landscape island or peninsula ...", and, "at drive aisle crossings of walkways and wide walkways that respectively Sections 3.04.06D and 3.05 . 22 N describe, each south, southwest, and west side shall have a landscape island or peninsula to the same standards as subsection [3.06.03C.]1 above." These may be referenced as variance requests $4 \& 5$.

V2: Variance requests:
a. Variance requests 1-4 as Condition V1 above describes are approved as conditioned in parts (b.) and (c.) below, and variance request 5 is denied.
b. Regarding variance request 1, see Condition V4 and through it Attachment 204.
c. Regarding variance requests 2-4, to facilitate accommodation of Corridor RR2 and Path RR2 at the min widths conditioned elsewhere as well as conformance with WDO 3.06.03C. 4 regarding landscape islands at the drive aisle crossings of walkways:
(1) Shared rear lane parking: The developer shall consider adding a parking stall along the shared rear lane south side between the east parking aisle and the east lot line. The corners of the stall at the shared rear lane shall have vision clearance area (VCA) or sight triangles of lawn grass min 5 by 5 ft . This stall may make up for one elsewhere that site plan revision might remove.
(2) Compact parking: The development may have the same compact parking maximum as Zoning Adjustment (Type II) would have allowed per WDO 5.02.06C.20: max 40.0\% (of the minimum parking ratio). This would result in saved space of up to approximately $3,712 \mathrm{sq} \mathrm{ft}$ or about the same as 23 standard size stalls.
(3) Drive aisle width: Where not a designated fire lane, a drive aisle may be the same narrower width as Zoning Adjustment would have allowed per WDO 5.02.06C.21.
(4) Driveway throat: The Young Street driveway throat inbound west side may be min depth 16 ft between ROW and nearest parking stall. This would accommodate appending a parking stall to the adjacent parking aisle.
(5) The walkway crossing where it passes through a parking aisle may be min width 3.5 ft (instead of 6 ft ).
(6) Overhang / wheel stops: In parking aisles along and facing the rear and sides of the subject property and where a landscape strip lies between stalls and walkway, standard size and compact stalls shall overhang curbing and landscaping by min 6 inches, as WDO Figure 3.05C allows up to 1.5 ft max.
(7) Wide walkway overhang: Parking stalls facing wide walkways P1 \& P2 (per Exhibit V3) may overlap them if leaving minimum 6 ft of unobstructed passage, varying from WDO 3.05.02H and Table 3.05B footnote 3, and to this end these stalls are not required to have wheel stops.
(8) Consecutive parking: The development may vary from WDO 3.06.03C.3 as follows:
(a) Allowance limited to within the east parking area center parking aisles and the east site perimeter parking aisle segment north of the shared rear lane.
(b) In the north center parking aisles, max shall be (1) same as WDO 3.06.03C. 3 for standard size, (2) 12 consecutive compact spaces, or (3) 90 ft extent for mixture within an aisle.
(c) In the south center parking aisles, max shall be (1) 12 consecutive standard spaces, (2) 14 consecutive compact spaces, or (3) 108 ft extent for mixture within an aisle.
(d) In the east site perimeter parking aisle north of the shared drive aisle, same as part (c) above.
Note V2: Outside ROW, curbing and curbs may be min 4 inches high and wide per WDO 3.06.02। instead of 6 inches.

V3. Walkways, wide walkways, \& spur paths: WDO 3.04.06B and 3.07.05C.3a \& b are implemented as follows:
a. These shall be per the excerpted and marked site plan that is Exhibit V3 below. Walkways J1-J4 \& R1 may be referenced as spur paths.
b. Walkways J1-J4, P1, P2, R1, Y1, \& Y2 shall be wide walkways to the extents illustrated in blue.
G. Walkways Y3-\& Y4-shall-be-walkways min width-2.5-ft to the extentsillustrated in purple-
d. On-site walkways shall be min width 6 ft - other than the walkways that the exhibit labels and except if and where another condition supersedes.
e. Decorative pavement: Decorative pavement means any of bricks, concrete pavers, and poured concrete stamped or otherwise treated with a pattern resembling bricks, pavers, or paving stone. The following shall have decorative pavement:
(1) The-segments of Walkways Y3-\& Y4 south of Young St ROW.
(2) Within the north-south walkway between Buildings B \& C, the central segment between the intersecting east-west walkways that connect with breezeways.
f. Extension of poured concrete: Per WDO 3.04.06D, implemented such that the 2 crossings that are parallel to and west of the north-south drive aisles and that cross the east-west drive aisles shall each be extension of walkway poured concrete. Min width 6 ft , and striped as WDO 3.04.06D. 2 describes. It may and should overlap the ADA parking stalls accessible route, with allowance for poured concrete to be a larger area encompassing ADA parking stalls and accessible routes extending max 20 ft away from each side of the walkway crossing. (Note: WDO 3.04.06 \& 3.07.08C. 2 do not require speed tables at these two locations.)


Exhibit V3 (North is approximately to the right.)

V4. Joyce Way: Frontage/street improvements: Consistent with Comprehensive Plan Policies F-1.4, H1.3, \& H-1.4 (pages 25 \& 34) and Highway 99E Corridor Plan (H99ECP), Technical Memorandum \#5 section "Bicycle and Pedestrian Access from Local Streets" (January 26, 2011; p. 13) about mid-block passages; and, varying from conformance with WDO 3.01.04B. 1 and Figure 3.01G, and with variance the applicable means of deviation per WDO 3.01.02D, 3.01.03C.1, \& 5.02.04A, improvements shall be per Attachment 204.

V5. Shelter:
a. The developer shall either build a gazebo, pavilion, or open-air shelter, whether within Joyce or the apartment complex, per part (b) below, or pay fee-lieu per Attachment 206, with choice made prior to building permit issuance.
b. Specifications: Pad min 12 by 16 ft paved to the standards of WDO 3.04.04. Shelter area min 10 by 14 ft . Narrowest dimension measured between inside edges of outermost columns/piers/posts, not pad or roof edges. Min height clearance 10 ft min measured to underside of roof cross beams, and with columns, piers, or posts set back min 2 ft from the side of any path or walkway. Roof pitched (not shed), and minimum roof eaves and overhangs 2 ft . Painted green (like the dog waste station spec model) or otherwise finished/treated/varnished to protect from the elements and splinters. Any column/pier/post base with protruding bolts/screws must be guarded or housed for trip and cut safety. If placed with Joyce, place min one of the picnic benches, if any required, within it.

V6. Bicycle/Pedestrian Corridor RR2: Consistent with Comprehensive Plan Policies F-1.4, H-1.3, \& H-1.4 (pages 25 \& 34) and Highway 99E Corridor Plan, Technical Memorandum \#5 section "Bicycle and Pedestrian Access from Local Streets" (January 26, 2011; p. 13) about mid-block passages; and, varying from conformance with WDO 3.01.07C and Table 3.01A row $1 \mathrm{~b}(2)$, improvements of the segments of Bicycle/Pedestrian Corridor RR2 on both the subject property and within the Joyce Way ROW, shall be per Attachment 204.

V7. Fence/fencing/free-standing wall: If any proposed and specific to the north, east, and west yards, WDO 2.06.02A and Figure 2.06A (height limits) and 2.06.02D (fence materials) shall apply as if the property was residentially zoned, except as other conditions might supersede. (See also Condition D1.)

V8. Driveways: Max 1 along Young St and aligned with Bryan Street to the satisfaction of PW.

V9. Maximizing available parking for residents / mail carrier stall: If a stall is later proposed to be and is designated for mail carrier parking, it shall be available for resident parking on official postal holidays, Sundays, and remaining days outside the hours of 8 a.m. to 6 p.m. A sign min 12 by 18 inches shall note the range of hours when a space is limited to mail carrier parking and specify that it is available for resident parking outside the specified hours.

V10. Bicycle parking:
a. Number: Per WDO Table 3.05D, min 104 stalls and to the standards of 3.05.06.
b. Guest: Of the stalls outdoors, the following min shall be on site and along each of:
(1) Walkway J1 as Condition V3 Exhibit V3 labels, 4 stalls w/in 5-20 ft of ROW;
(2) Walkway J3, 4 w/in 10 ft of ROW;
(3) Walkway R1, $2 \mathrm{w} /$ in 40 ft of Row Corridor RR2; and
(4) Walkway Y1, $4 \mathrm{w} / \mathrm{in} 5-20 \mathrm{ft}$ of ROW.
c. Proximity/cover: The proposed breezeway or stairwell bicycle parking can meet the proximity and covered/sheltered standards of WDO 3.05.06C.5 \& 6.
d. Patio gates: If outdoor closets are proposed later, per WDO 3.05.06C.7 (1) each patio physical delineation/separation from common area would require a gate $\min 2 \mathrm{ft}, 4$ inches wide, and (2) patio and balcony closets might necessitate hooks per 3.05.06C.7.
e. Stairwell signage: A leasing office north main entrance sign shall direct to bicycle parking to the left (towards the office east side).
f. Vertical clearance: 8 ft min from floor or grade or, where a stall is under stairs, $\mathrm{min} 3 \mathrm{ft}, 9$ inches at the low end, min average 5 ft , and with the railing along the short side of cane protection area, if any, able to be lifted up.

V11. Landscaping:
a. Front yard trees: The first 18 ft of front yard (along Young St) shall have min 7 trees. If any of Walkways Y2-Y4 as Condition V3 Exhibit V3 labels them have a nearby tree, it or they should have the tree on its west side.
b. Front yard parking screening / Building A buffer: Besides that parking area screening which WDO 3.06.05B requires, the remainder of the front yard also shall have a hedge or row of evergreen shrubbery that can mature to 3 ft height. Such shall be planted and pruned to be min 1.5 ft from sidewalk and wide walkways and max height 3.5 ft . Min number equal to 1 plant per 3 ft of length.
c. Part (b.) shall be applicable also to the (1) east lot line shared with 1072 Young Street (Tax Lot 051W17BC06900) and (2) parking along the west lot line.
d. Interior yard: The yard between Buildings B \& C shall have min 8 trees. Of all trees within the apartment complex, min 4 shall be a flowering species.
e. Rear yard: The rear yard area that lies north of Path RR2 shall have $\min 5$ trees.
f. Rear yard parking screening / Building D buffer: Same as per condition part (b.) above, applying to the entire rear yard including Building D south side.
g. Patios: Between each gap in patio delineation/separation, amid groundcover and shrubbery there shall be lawn grass min width equal to the gap.
h. Bark dust: By the end of the time period per WDO 3.06.02C, 5.0\% max of unpaved landscaped area may be non-living material such as bark dust, mulch, wood chips, cobbles, gravel, or pebbles.
i. Retaining walls: If and where there are retaining walls, WDO 3.06 .06 C shall be applicable as a standard.
j. Screening: Evergreen hedge or shrubbery shall screen at-grade electrical and mechanical equipment along min three sides, min 1 shrub per 2 ft of screened side and of min medium size category at maturity per WDO Table 3.06B. For a transformer, min two sides instead.
k. Evergreen: Min 3 trees:
(1) They shall be 2 min of the following coniferous or evergreen species:

| Cedar, deodar | Madrone, Pacific |
| :--- | :--- |
| Cedar, incense | Oak, Oregon White |
| Cedar, Western Red | Pine, Lodgepole |
| Douglas-fir | Pine, Ponderosa |
| Fir, Grand | Pine, Western white; <br> and |
| Hemlock, Western | Yew, Pacific |

(2) Distribution: Min 1 on-site, and min 2 within Joyce Way ROW 1 each at north and south ends.
Note V14: WDO Table 3.06B indicates minimum size at planting.
I. Screening (of headlights): For parking areas with stalls that face an on-site dwelling, regardless of distance between dwellings and nearest facing stalls, and where each landscaped area in front of a ground floor window is at least 1.5 ft deep, the developer shall plant evergreen shrubbery of small or medium size per WDO Table 3.06B, min number equal to average o.c. spacing of 1 shrub every 3 lineal ft.

V12. Trash enclosure:
a. Color placement: The developer shall revise elevation notes to indicate colors other than gray to conform with WDO 3.06.06B.6.
b. Gate swing: The developer shall revise the enclosure plan view to indicate that the proposed gate for the required pedestrian opening, if it remains gated, swings inward to conform with WDO 3.06.06D.
c. Vehicle protection: If an enclosure side is flush with a parking stall, there shall be a rubber bump guard (against vehicle door and side view mirror strikes) in height, mounting height, and extent as land use Sheet LU 1.1 elevations represent and call out.

V13. Balconies and patios: These shall be in substantial conformance with the Design Review site plan and as follows:
a. Narrowest dimension: Either (1) 8ft min to fence or railing top inside edge, or (2) $8 \mathrm{ft}, 3$ inches min to slab or balcony floor edge. Exception: Building D-south side four patios (facing Path RR2): (3) 7.5 ft and (4) $7 \mathrm{ft}, 9$ inches mins respectively.
b. Patios: Eachslab area min area 96 sqft,
c. Balconies: At each upper story, min half of balconies (4) each min area 80 -sq ft with the remaining half each min area 68 -sq ft .
d. Patio delineation/separation from common area: If and where a structure (instead of landscaping), $\min 3 \mathrm{ft}$ high, $\max 5 \mathrm{ft}$. If $\min$ height, then opacity shall be full, but if fencing is higher than the min height, it shall be no more than $90.0 \%$ opaque, such as by being fully opaque from grade but from the top having a lattice pattern.
(1)a. The cap or top member shall be flat and min width 3 inches.
(2)b. Where it is wood fencing, it shall be cedar.
(See also Condition D14.)

V14. On-site common area improvements: They shall include:
a. Benches: Min 2, each 6 ft wide min. Metal or wood. A concrete or masonry seat wall may substitute for a backless bench for each segment that is min width 6 ft , height 1.5 ft including a smooth concrete cap, and min width $1 \mathrm{ft}, 3$ inches. Place min 1 bench along Walkway Y1 w/in the first 80 ft from ROW. Benches shall be set back $11 / 2 \mathrm{ft} \mathrm{min}$ from side of a walkway with the setback paved.
b. Dog run: The developer shall provide the conceptual "dog park" as a dog run or general pet area that the site plan delineates per the specs below or an alternative per the below:
(1) Narrowest dimension 14 ft , min area 588 sq ft .
(2) Fenced, height min 3.5 ft and max 5.
(3) Double sets of latch gates, the outer set enclosing an area in addition to the dog run min area, specifically min width $4 \mathrm{ft}, 8$ inches and min area 21 sq ft . All gates shall swing outward from the dog run.
(4) A min 12 by 18 sign with 4-inch type reading at least "Dog Run".
(5) Surfaced with mulch, wood chip, sand, artificial turf, or combination with allowance for lawn grass max area 84 sq ft . Bare dirt or mud prohibited.
(6) Dog waste station, that is, bag dispenser, and trash receptacle.
(7) One metal or wood bench without a back, min width 4 ft .

A newly planted tree may be within the fenced area.
c. Alternative to dog run: Any of the following:
(1) Mounted barbeque grill (fueled by charcoal briquettes or wood permissible; no natural gas required).
(2) Children's play structure. Min any of (a) 2 swings, (b) 1 slide, (c) zipline, or (d) monkey bars, or (e) a pre-fabricated structure with any combination of the aforementioned.
(3) Ornamental flower garden. Min area 450 sq ft . Min 36 plants at min size per Table 3.06B. Max 152 sq ft of min area may be a bark dust or wood chip paths each max width 4 ft .
(4) Vegetable garden. Min 6 raised planting beds per WDO Table 3.06B, except each min/max height 1.5 ft , wider interior min width 2 ft , interior area $\min 8 \mathrm{sq} \mathrm{ft}$, that enclosures must be wood, and min width of top of each enclosure must be flat and min 3 inches wide. Walking routes among beds min 3 ft wide.

V15. Architecture/buildings: Based on WDO 3.07.05 \& 3.07.08, the developer shall revise architectural plans prior to building permit issuance, and the building shall be as follows:
a. Awnings/canopies: Based on WDO 3.07.06B.1b(4) \& B.5a, there shall be any among canopies, fixed awnings, porte-cochères, building recesses, or roof projections that shelter from precipitation, and are min-9ft height clearance and at min at:
(1) Building A leasing office east side, over the patio door and patio, min depth 8 ft and min area 116 sq ft; and
(2) Building A leasing office north main entrance, min depth 4 ft , min width 10 ft .
(3) Min dimension is applicable to any of dimension parallel with (width) or perpendicular to (depth) the building. If and where there are posts, min dimension is measured between main wall plane and inside edges of posts.
b. Columns, piers, and posts: For:
(1) All excepting patios and balconies: Shaft min-8 inches-square-or diameter.
(2) Any exposed wood columns, piers, and posts-shall be finished/treated/varnished to protect from the elements and splinters.
(3) Leasing office north entrance, shall be divided visually into clear areas of capital, shaft, and base. If the bases would have-been-concrete-stubs, they shall be-covered with brick matching that proposed for much of the ground floor walls.
c. Colors: To help distinguish and find one's way among the apartment buildings, for each building on each of the two long elevations, min 325 sq ft of main wall plane shall be a color among a min of 3 different colors across the 4 buildings.
d. Masonry: The proposed ground floor brick cladding if reduced shall be min $15.0 \%$ of each ground floor elevation area abutting (1) Young St, (2) Joyce Way, and (3) Corridor RR2, expected to be applicable to five elevations and approximately equal to a band below windowsills.
e. Common room: If there remains a common room (in Building A), it shall have air conditioning (AC), and if revised to shrink from the proposed gross floor area (GFA) of $1,050 \mathrm{sq} \mathrm{ft}$, then GFA shall be min 774 sq ft .
f. Common room patio: If there remains a common room (in Building A), there shall remain a common room patio paved the same as per WDO 3.04 .04 min 116 sq ft ; narrowest dimension either (1) 8 ft min as measured between wall plane and inside edge of closest of any columns, piers, or posts or fence, railing, or wall top, or (2) $8 \mathrm{ft}, 3$ inches min as measured between wall plane and patio slab edge; and $\min 50$ sq shall be decorative pavement as Condition V3e defines.
g. Windows:
(1) Area/size: Min of a simple majority of all windows proposed on each façade shall average to min 12 sq ft each. The Building A leasing office, lobby, and reception rooms north façade shall have min $40.0 \%$ of wall area of those room volumes as seen in elevation view be windows or doorway openings per WDO 3.07.08E.1a [MUV], and the area shall conform to 3.07.08E.1a subsections.
(2) Insect screens: All operable windows shall have insect screens.
(3) Per room: Per room: Within apts., every habitable room abutting a building exterior wall shall have min 1 window. Each ground floor corner room proposed through land use review to have one on each elevation shall continue to have 2 ; however, where the developer to propose additional location(s) of exterior ground floor wall-mounted utilities and meters, then for each room, the second window may shrink to min 6 sq ft and be horizontally proportioned.
(4) Proportion: All windows shall be square or vertically proportioned, excepting (a) that horizontally proportioned windows are allowed if they have grilles or muntins dividing lights or panes so as to be vertically proportioned, and (b) transom windows.
(5) Narrow wall: For units with upper story floor plans resembling Exhibit V15 below, if any, with 3 ft or more off-set, each rear in the wall dividing a family or living room and balcony, approximately where the purple below indicates, shall have a window min width 1.5 ft and min area 2.25 sq ft.


Exhibit V15 Narrow wall windows
h. Scuppers: Any building rainwater scuppers shall not to dump onto the pavement of an access way or walkway.

V16. Setbacks \& privacy buffers: These shall be per Attachment 202 and as follows:
a. Details: Setbacks remain measured to building main wall plane, and encroachments and projections into min setbacks remain permissible per WDO 3.03 or as Attachment 202 supersedes.
b. Privacy: The distance between a walkway or wide walkway and a ground floor dwelling main wall plane shall be min 2 ft , except min (1) 7.5 ft between Building B and Walkways R1 \& Y1, (2) 7.5 ft between Building D and Walkway R1, (3) 8 ft between the north-south walkway between Buildings B \& C and each of those buildings.
c. Privacy and landscaping area: The distance between a walkway or wide walkway and a dwelling patio slab shall be min 1.5 ft for $\min 85.0 \%$ of dwelling patios.
d. Doors: Apartment front doors shall each have a peephole.

## V17. Signage:

a. In addition to WDO 3.10.06A, permanent signage, inc. supports and sign faces, shall not encroach within any PUE.
b. Apply for and obtain a sign permit per 5.01 .10 for any sign for which WDO 3.10 requires a permit, with the permit application form(s) indicating case file numbers DR 22-06 \& VAR 23-04.

V18. Lighting: The developer shall revise exterior lighting documentation prior to building permit issuance, and exterior lighting shall be as follows:
a. Per WDO 3.11 and, for permanent signage, per WDO 3.10.06G.
b. Front yard: Max one exterior wall-mounted fixture for each of (1) Building A north and west sides, (2) Building B or C, whichever is closer to Joyce Way ROW, west side, (3) and Building D west and south sides. The first 20 ft of north yard are limited to one pole-mount, and the first 20 ft of west yard are limited to two pole-mounts. The side of the pole fixture close to Young St and Joyce ROWs per WDO 3.11.02B. 2 shall have permanent shielding per that section.
c. Balconies/patios: Any ceiling and wall-mounted exterior light fixtures within balconies and patios shall also conform with WDO 3.11.02A-D \& F.
d. Stairwells: Any ceiling mounted exterior light fixtures within open-air stairwells shall also conform with WDO 3.11.02A, that is, be flush $w /$ the ceiling or shielded on all sides, and with WDO 3.11.02B-D \& F.

V19. Addressing: Each apartment address on or next to the apartment door shall contain the full unit number per City address assignment. For example, in Building A, Apt. A101 shall read "A101", not "101".

V20. Parking management and surveys by property manager: These shall be per Attachment 205.

## Notes to the Applicant:

1. Records: Staff recommends that the applicant retain a copy of the subject approval.
2. Fences, fencing, \& free-standing walls: The approval excludes any fences, fencing, \& free-standing walls, which are subject to WDO 2.06 and the permit process of 5.01.03.
3. Signage: The approval excludes any private signage, which is subject to WDO 3.10 and the permit process of 5.01.10.
4. Inspection: The applicant shall construct, install, or plant all improvements, including landscaping, prior to City staff verification. Contact Planning Division staff at least three (3) City business days prior to a desired date of planning and zoning inspection of site improvements. This is required and separate from and in addition to the usual building code and fire and life safety inspections. Note that Planning staff are not primarily inspectors, do not have the nearly immediate availability of building inspectors, and are not bound by any building inspector's schedule or general contractor convenience.
5. Mylar signature: The Community Development Director is the authority that signs plat Mylars and not any of the mayor, City Administrator, Public Works Director, or City Engineer. Only one City signature title block is necessary.
6. PLA Plat Tracker: Marion County maintains a plat tracking tool at [http://apps.co.marion.or.us/plattracker/](http://apps.co.marion.or.us/plattracker/). Use it to check on the status of a recordation request to the County. City staff does not track County plat recordation.
7. Technical standards:
a. Context: A reader shall not construe a land use condition of approval that reiterates a City technical standard, such as a PW standard, to exclude remaining standards or to assert that conditions of approval should have reiterated every standard the City has in order for those standards to be met.
b. Utilities: A condition involving altered or additional sidewalk or other frontage/street improvement that would in the field result in displacement or relocation of any of utility boxes, cabinets, vaults, or vault covers does not exempt the developer from having to move or pay to move any of these as directed by the City Engineer and with guidance from franchise utilities.
8. Other Agencies: The applicant, not the City, is responsible for obtaining permits from any county, state and/or federal agencies, which may require approval or permit, and must obtain all applicable City and County permits for work prior to the start of work and that the work meets the satisfaction of the permit-issuing jurisdiction. The Oregon Department of Transportation (ODOT) might require highway access, storm drainage, and other right-of-way (ROW) permits. All work within the public ROW or easements within City jurisdiction must conform to plans approved by the Public Works Department and must comply with a Public Works Right-of-Way permit issued by said department. Marion County plumbing permits must be issued for all waterline, sanitary sewer, and storm sewer work installed beyond the Public Right-of-Way, on private property.
9. Stormwater management: The storm sewer system and any required on-site detention for the development must comply with the City Storm Water Management Plan, Public Works storm water practices and the Storm Drainage Master Plan.
10. Public Works Review: Staff performs final review of the civil plans during the building permit stage. Public infrastructure must be constructed in accordance with plans approved by the City, as well as current Public Works construction specifications, Standard Drawings, Standard Details, and general conditions of a permit type issued by the Public Works Department.
11. ROW:
a. Dedication: The Public Works Department Engineering Division has document templates for ROW and easement dedications that applicants are to use.

ROW - and public utility easement (PUE) - dedications are due prior to building permit issuance per Public Works policy. (As a condition reflects, pursuant to the Public Works Director and the City Engineer during an internal meeting among staff August 8, 2023, the Joyce Way ROW east boundary does not require ROW dedication at all or a streetside PUE at all, and the appended Public Works comments [August 10, 2023; Attachment 102A] from the City Engineer, item 8, does not explicitly require "Joyce Way" ROW or "Joyce Way" streetside PUE.)
b. Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the Planning Commission, contact Public Works to begin and finish dedication and granting sooner. The City Council usually meets second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.
c. Work: All work within the public ROWs or easements within City jurisdiction must require plan approval and permit issuance from the Public Works Department. All public improvements construction work must be performed in accordance with the plans stamped "approved" by the City, and comply with the City's Standard Specifications and Standard drawings.
d. Driveways: Approach / apron / curb cut / ramp: Driveways shall conform with PW SS\&Ds, Section $\underline{4150}$ with objective to feel like it remains part of and at the level of the pedestrian realm and not an extension of a street.
12. Franchises: The applicant provides for the installation of all franchised utilities in any required easements.
13. Water: All water mains and appurtenances must comply with Public Works, Building Division, and Woodburn Fire District requirements. Existing water services lines that are not going to be use with this new development must be abandoned at the main line. The City performs required abandonment of existing water facilities at the water main with payment by the property owner. All taps to existing water mains must be done by a "Hot Tap" method and by approved City of Woodburn Contractors. The applicant shall install the proper type of backflow preventer for all domestic, lawn irrigation and fire sprinkler services. The backflow devices and meters shall be located near the city water main within an easement, unless approved otherwise by Public Works. Contact Byron Brooks, City of Woodburn Water Superintendent, for proper type and installation requirements of the backflow device at (503) 982-5380.
14. Grease Interceptor/Trap: If applicable, a grease trap would need to be installed on the sanitary service, either as a central unit or in a communal kitchen/food preparation area. Contact Marion County Plumbing Department for permit and installation requirements, (503) 588-5147.
15. Fire: Fire protection requirements must comply with Woodburn Fire District standards and requirements, including how the District interprets and applies Oregon Fire Code (OFC). Place fire hydrants within the public ROW or public utility easement and construct them in accordance with Public Works Department requirements, specifications, standards, and permit requirements. Fire protection access, fire hydrant locations and fire protection issues must comply with current fire codes and Woodburn Fire District standards. See City of Woodburn Standard Detail No. 5070-2 Fire Vault. The fire vault must be placed within the public right-of-way or public utility easement.
16. SDCs: The developer pays System Development Charges prior to building permit issuance. Staff will determine the water, sewer, storm and parks SDCs after the developer provides a complete Public Works Commercial/Industrial Development information sheet.
17. Public Improvements Civil Plan Review: The process by which to receive, review, and approve drawings and other documents related to public improvements required by these conditions of approval may be paired with or incorporated into building permit review, or, if directed by the City Engineer, through a civil engineering plans (CEP) review process led by the Engineering Division. If opting for CEP, the applicant shall not only follow the direction of the Engineer Division, but also take some actions to facilitate tracking by Planning staff and coordination with Engineering:
a. Cover letter: Upon submitting application to the Engineering Division, simultaneously alert the Planning Division through a cover letter to the attention of the Planning Division referencing the intended or, if known, actual submittal date as well as the project name, project phase, tax lot number(s), street address(es), and the land use / planning / zoning final decision conditions of approval that require the public improvement that is the subject of the civil engineering plans. Referencing conditions may be by quotation or citing the identification numbers (e.g., T-A1). Identify the specific sheet (by number) or document page number that illustrates or notes how each subpart of a condition is met.
b. Contact information: State the applicant's name, company, phone number, e-mail, and desired date for City staff to respond with review comments. The cover letter may include these.
c. Plan copies: Submit to the attention of the Planning Division at least two plan size copies of plan sets ( 24 by 36 inches). Within the cover sheet title block(s), include the phrase "civil engineering plans" or "public improvements civil plans". Submit also Adobe PDFs using a fileshare service.
d. Re-submittal fee: If there are multiple re-submittals, beginning with a third submittal / second revised submittal and continuing with each subsequent submittal, the applicant likely must pay through the Planning Division into City general revenue a fee.
Where public improvements involve the jurisdiction of an outside agency such as the Oregon Department of Transportation (ODOT), the developer must account for that when interacting with the City Engineer and City Public Works Department process.
18. Trucks: The Public Works Department may administratively regulate time, place, and manner of freight and truck access (ingress/egress) to and from the development and adjacent public streets. This condition shall not be construed to preclude the City from regulating development freight and truck access via ordinances that are applicable generally to properties that happen to include the subject property.
19. As of this writing, the City handles bonding of street trees specifically through the Planning Division starting with a street tree bond request form.

Appeals: Per WDO 4.01.11E., the decision is final unless appealed pursuant to Oregon Revised Statutes (ORS), state administrative rules, and WDO 4.02.01. The appeal to City Council due date is twelve (12) days from the mailing date of this notice per 4.02 .01 B . . A valid appeal must meet the requirements of 4.02.01.

A copy of the decision is available for inspection at no cost, and the City would provide a copy at reasonable cost at the Community Development Department, City Hall, 270 Montgomery Street, Woodburn, OR 97071. For questions or additional information, contact Cassandra Martinez, Administrative Specialist, at (503) 982-5246 or cassandra.martinez@ci.woodburn.or.us.

Expiration: Per Woodburn Development Ordinance (WDO) 4.02.04B., a final decision expires within three years of the date of the final decision unless:

1. A building permit to exercise the right granted by the decision has been issued;
2. The activity approved in the decision has commenced; or
3. A time extension, Section 4.02.05, has been approved.

Regarding subsection B. 1 above, if by 10 years past the final decision date there is no substantial construction as Section 1.02 defines following issuance of a building permit, the final decision shall expire and fail to vest.

Regarding subsection B. 2 above as applies to Property Line Adjustment, Consolidation of Lots, and Partition and Subdivision Final Plat Approval application, the developer shall complete recordation no later than the land use expiration date.

## Testifiers:

| Name | Address | Planning Commission |  |
| :--- | :--- | :--- | :--- |
|  |  | Written | Verbal |
| $\mathrm{n} / \mathrm{a}^{*}$ |  |  |  |

*Other than members of the applicant's team, no one testified.

## Attachments:

- Planning Commission December 14, 2023 Staff Report Attachment 101. Marked Tax Maps
- 102A. Public Works comments (August 10, 2023; 2 pages)
- 103. Site plans (submitted December 1, 2023; 16 sheets)
- 103A. "Joyce Way" bargain sale deed Vol. 683, Page 643 (1970)
- 104. Transportation System Plan (TSP) Fig. 2 "Functional Roadway Classification"
- 105. TSP Fig. 7 "Existing Transit Routes and Facilities"
- 106. Highway 99E Corridor Plan Fig. 6 "Redevelopment Potential in Young Street Mixed Use District" (p. 18; 2012)
- 107. Map "WDO Table 3.01A Row ib Bicycle/Pedestrian Corridors RR1 \& RR2 (2023)
- 108. Marked Transit Development Plan (TDP) Figure 63 (p. 80; 2023)
- 201.* DR 22-06 Young Street Apartments: Dictionary \& Glossary
- 202. DR 22-06 Young Street Apartments: Setbacks
- 203. DR 22-06 Young Street Apartments: WDO interpretation memo INT 22-0608 "Off-Street Public Bicycle/Pedestrian Facility Specifications" (June 8, 2022; 7 pages)
- 204. DR 22-06 Young Street Apartments: Joyce Way \& Bicycle/Pedestrian Corridor RR2
- 205. DR 22-06 Young Street Apartments: Parking Management and Surveys
- 206. DR 22-06 Young Street Apartments: Conditioned Fees
*The 200 series of attachments are details for the conditions of approval.

Sincerely,


Colin Cortes, AICP, CNU-A
Senior Planner

Affirmed,


Lisa Ellsworth, Planning Commission Chair

December 1 K 2023
Date
cc: Chris Kerr, Community Development Director [e-mail]
Curtis Stultz, Public Works Director [e-mail]
Dago Garcia, P.E., City Engineer [e-mail]
Melissa Gitt, Building Official [e-mail]
Jason Space, GIS Technician [e-mail]

Eugene Labunsky, President, West Coast Home Solutions, LLC, 25030 SW Parkway Ave, Ste 110, Wilsonville, OR 97070-9816 [applicant] [mail \& e-mail]
Gretchen Stone, Land Use Coordinator, CBTWO Architects, 500 Liberty St SE, Ste 100, Salem, OR 97301-3890 [applicant's representative] [mail \& e-mail]
[landowner: $\mathrm{n} / \mathrm{a}$ because same as applicant] [mail \& e-mail]
Testifiers: Per the table above. [mail]
Casey Knecht, P.E., Development Review Coordinator, Oregon Dept. of Transportation (ODOT) Region 2 [email]
Marion County Assessor's Office [assessor@co.marion.or.us](mailto:assessor@co.marion.or.us)
Marion County Geographic Information System (GIS) [gis@co.marion.or.us](mailto:gis@co.marion.or.us)
Marion Country Land Development Engineering \& Permits [mcldep@co.marion.or.us](mailto:mcldep@co.marion.or.us)
Marion County Planning Division [planning@co.marion.or.us](mailto:planning@co.marion.or.us)
Marion Country Public Works Dept. [mcdpw@co.marion.or.us](mailto:mcdpw@co.marion.or.us)
Willamette Valley Railway Co., P.O. Box 917, McMinnville, OR 97128-0917, Attn: David P. Root, Jr., President




# Young Street Apartments 1030 Young Street <br> DR 22-06\& PLA 22-04 <br> <br> Public Works Comments <br> <br> Public Works Comments <br> Land Used Application <br> August 10, 2023 

## CONDITIONS OF LAND USE APPROVAL:

1. The Applicant, not the City, is responsible for obtaining permits from state, county and/or federal agencies that may require such permit or approval.
2. Marion County plumbing permits must be issued for all storm sewer, sanitary sewer, and waterline work installed beyond the Public Right-of-Way, on private property.
3. Provide a final storm drainage analysis for detention and conveyance system. The storm drainage hydraulic analysis shall comply with the City's requirements. The Applicant, by this Development, shall not cause storm water runoff to be impounded on adjacent properties.
4. The property owner shall maintain all on-site detention areas in perpetuity.
5. All new public water main system or restoration shall be deemed complete prior to building permit issuance.
6. All public improvements (except water main infrastructure) or restoration improvements shall be deemed complete prior to building permit issuance.
7. Applicant to updated existing pedestrian crossing at Young Street and Bryan Street intersection to comply current ADA requirements for accessible sidewalks and street crossings as per Federal, State and City requirements/guidelines. Applicant to submit plans stamped by a professional license engineer in Oregon.
8. Provide and record the required right-of-way and public utility easements dedications prior to building permit issuance.
9. Applicant to provide street lighting in accordance with street lighting plan approved by the City and conforming to Portland General Electric installation and plan under option B, if applicable.
10. Fire protection access, fire hydrant locations and fire protection issues shall comply with current fire codes and Woodburn Fire District standards.
11. Final review of the Civil Plans will be done during the building permit application. Public infrastructure will be constructed in accordance with plans approved by the City of Woodburn public works.
12. System Development fees shall be paid at the time of building permit issuance.


SITE PLAN LEGEND


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-roof outine

- fence ine chanilined pence

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- Anenrrspace
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ARCHITECTS ${ }_{\text {wo }}$

(3) $\frac{\text { TRASH ENCLOSURE SITE PLAN }}{\text { SCALE: } 1 / 4^{\prime}=1.0^{\prime \prime}}$

SCALE: $1 / 4^{\prime \prime}=11^{1}-0^{\prime \prime}$

(4) TRASH ENCLOSURE EAST ELEVATION

TRASH ENCLOL

(6) TRASH ENCLOSURE WEST ELEVATION

(5) TRASH ENCLOSURE NORTH ELEVATION

(7) $\frac{\text { TRASH ENCLOSURE SOUTH ELEVATION }}{\text { SCALE: } 1 / 4^{\prime \prime}=1 \cdot 0^{\circ}}$

(1) TRASH ENCLOSURE SECTION
(1) $\frac{1}{\text { SCALE: } 3 / 4^{n}}=11^{-0}$

(2) $\frac{\text { LU - BIKE RACK DETAIL }}{\text { SCALE: } 1 / 2 \text { " }}=1 \cdot{ }^{1}$

SCALE: $1 / 2^{1 "}=1.0^{\prime \prime}$

(1) $\frac{\text { FIRST FLOOR PLAN - OVERALL (LEASING BUILDING) }}{\text { SCALE: } 1 / 8^{" 1}=1.1^{\prime \prime}}$

(2) SECOND FLOOR PLAN - OVERALL (LEASING BUILDING)

(1) $\frac{\text { FIRST FLOOR PLAN }- \text { OVERALL }}{\text { CCALE: } 1 / 8^{\prime \prime}=1^{1 .-0 "}}$

(2) $\frac{\text { SECOND \& THIRD FLOOR PLAN - OVERALL }}{\text { SCALE: } 1 / 8^{n}=1 \cdot 1 \cdot 0^{1 / 0}}$

(1) FRONT ELEVATION (LEASING BUILDING)

SCALE: $1 / 8^{\circ}=11^{1-0^{\prime}}$


(1) FRONT/BACK ELEVATION

SCALE: $1 / 8^{=1}=1-0^{-0}$

(2 SIDE ELEVATION
(2) $\frac{\text { SCALE: } 1 / 8^{\circ}=10^{1-0 "}}{}$
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CoLOR: $\left.\begin{array}{l}\text { OFF WHITE } \\ \text { FINSH: } \\ \text { SMOOTH }\end{array}\right]$
Material: figencenill

MATERAL: FIBER CEMENT LAP SIDING
MEDIUM BLUE-
SMOOTH
Materral: fiber cement lap siding

MATERRL:
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OOARD AND BATTEN
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| color: |
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| SMOOWHH |


Materil: fiber cement bulbing trim
color: $\begin{aligned} & \text { DARK GRAA } \\ & \text { FINSH: } \\ & \text { SMOOTH }\end{aligned}$

| MATERALL: ARCHITECTURAL COMP. SHINGLE |
| :--- |
| COLOR: |

## YOUNG STREET APARTMENTS

ASSESSOR'S MAP 05 1W 17BC TAX LOT 06800 AND
ASSESSOR'S MAP 05 1W 18AD TAX LOT 08400
MARION COUNTY, WOODBURN, OREGON


VICIIIIT MAP


STE MAP SCALE: No SCALE

PROJECT TEAM:
OWNER/APPLICANT:
WEST COAST HOME SOUTIONS UC 25030 SW PARKWAY AVE, SUITE 110 WILSONVIILE OREGON 97070

## ENGINEER:

GREG J. ZARTMAN, PE LEI ENGINEERING \& SURVEYING OF OREGON, LLC 2564 19TH ST. SE SALEM, OREGON 97302

SURVEYOR:
LARRY M. ALLEN, PLS LEI ENGINEERING \& SURVEYING OF OREGON, LLC
2564 19TH ST. SE
SALEM, OREGON 97302
GEOTECHNICAL ENGINEER:
DANIEL M. REDMOND, PE, GE
REDMOND GEOTECHNICAL SERVICES
PO BOX 20547
PORTLAND, OR 97294
TRAFFIC STUDY:
JENNIFER DANZIGER, PE
LANCASTER MOBLEY 321 SW 4TH AVE., SUITE 400 PORTLAND, OR 97204
ARCHITECT:
AARON TERPENING, AIA, LEED AP CB TWO ARCHITECTS 500 LIBERTY ST. SE, UNIT 100 SALEM, OR 97301
PROPERTY DESCRIPTION:
TAX LOT O6800, MARION COUNTY TAX MAP 05 1W 17BC AND TAX LOT O8400 MARION COUNTY TAX MAP 05 1W 18AD. LOCATED IN NW $1 / 4$ AND SW 1/4 OF SECTION 17, TOWNSHIP 5 SOUTH RANGE 1 WEST AND NE $1 / 4$ AND SE 1/4 OF SECTION 18 , TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAMETE MERIDIAN, MARION COUNTY, OREGON.









| reaured plants | PLANTUNTT PU)/15SF |  |
| :---: | :---: | :---: |
| LANDSCAPE SQUARE FOOTAGE $=2,400 \mathrm{SF}$ <br> NUMBER OF PLANT UNITS $=160 \mathrm{PU}$ |  |  |
|  | fof flar |  |
| Lane Tree | 2 | 20 |
| Medtum Tree | 4 | 32 |
| Smal Tree | 1 | 4 |
| Lagestrub | ${ }^{18}$ | ${ }_{36}$ |
| Small Medium Strub | ${ }_{6}$ | ${ }_{6} 6$ |
| Lam/ / Croundeoer | ${ }_{8315}$ | ${ }^{17}$ |
| tunts |  | T/5 |

Landscape Planting Requirements: Street Setback: Joyce


Landscape Planting Requirements: Common Areas

andscape Planting Requirements Off-Street Parking/Loading

## 

$\qquad$

ANDCAPE SOUARE F FOTACEEE 8,420 SF



mall Tree
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Reti ree plantin detal ses hef liz


| Preliminary Plant Schedule |  |  |  |  |
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|  | , |  |  | Smanl |
| NE | 4 |  |  | Large |
| $3$ | 3 |  | $2^{2} \mathrm{Ca}$ a, b\& ${ }^{\text {b }}$ | small |
| $y$ | ${ }^{16}$ |  |  | Small |
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| $\{.\}$ | 11 | Tlia ametanas/ Amentan Lnoter | $2{ }^{\text {ccala beb }}$ | Lage |
| $B$ | 11 |  | $22^{\prime 2} \mathrm{ca}$, bseb | Medum |
| ShRus | av | Botanlcal / Common name | sze |  |
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| \% | ${ }^{39}$ |  | ${ }^{3} \mathrm{Cal}$ |  |
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| $\theta$ | ${ }^{38}$ |  | 5 Cal |  |
| 4 | 124 |  | 1 Cal |  |
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Figure 6: Redevelopment Potential in Young Street Mixed Use District


WDO Table 3.01A Row 1b Bicycle/Pedestrian Corridors RR1 \& RR2


## BUS STOP CHANGES

Figure 63 Preferred Service Plan Bus Stop Changes


Figure 63 shows all existing, new, and removed bus stops that correspond to the Preferred Service Plan. New stops are required in areas where service is added and stops where service is eliminated would need to be removed. The following is a summary of where stops are added or removed.

- 33 existing stops (teal) are maintained. All of the existing stops with a shelter are maintained.
- 18 stops (red) are removed. None of the stops recommended for removal has a shelter.
- 31 new stops (orange) are added. Most stops would just have a sign pole and concrete pad.

Four new stops would include shelters in key locations:

- Centennial Park / Valor MS (south side of Parr Road)
- Legion Park (both sides of the street)
- Safeway (south side of Molalla Road/Highway 214)

It is important to note that all new stop locations presented on this map are for planning purposes only and are subject to change. Specific locations will be determined by WTS staff.

## Subject property and vicinity circled in light blue

Attachment 108

## DR 22-06 1030 Young Street Apartments:

## Attachment 201: Dictionary \& Glossary

This document defines and explains abbreviations, acronyms, phrases, and words particularly in the context of conditions of approval.

- "ADA" refers to the federal Americans with Disabilities Act of 1990.
- "Bicycle/Pedestrian Corridor RR2" refers to the bicycle/pedestrian corridor established by WDO 3.01.07 through Table 3.01A, row 1b.
- "C of O" refers to building certificate of occupancy.
- "CAE" refers to cross access easement, a.k.a. a shared access easement.
- "CEP" refers to City civil engineering plan review, which is a review process independent of land use review led by the Community Development Department Planning Division and that is led by the Public Works Department Engineering Division through any application forms, fees, and review criteria as the Division might establish. CEP follows land use review and approval, that is, a final decision, and either precedes building permit application or is part of building permit review.
- "Corridor RR2" refers to Bicycle/Pedestrian Corridor RR2.
- "County" refers to Marion County.
- "Director" refers to the Community Development Director.
- "exc." means excluding.
- "EV" refers to electric vehicle.
- "FOC" refers to face of curb.
- "ft" refers to feet.
- "highway" refers to OR 99E.
- "H99ECP" refers to the Highway 99E Corridor Plan adopted via Ordinance No. 2492 on July 9, 2012.
- "inc." means including.
- "Joyce Path" refers to a bicycle/pedestrian path within and along Joyce Way.
- "Joyce Way" refers to an unimproved unnamed City ROW 50 feet ( ft ) wide that runs northerly-southerly between 960 and 1030 Young Street (Tax Lots 051W18AD08300 \& 051W18AD08400) and extends to Young at the north and Willamette Valley railroad at the south. County Tax Map 051W18AD delineates it. (City Planning staff has referred to it as "Joyce Way" since the time of pre-application meeting PRE 2020-04 on February 27, 2020 because that is the same name as the nearest street to the north along an imaginary line, Joyce Street, and WDO 3.01.06C.1d lists the suffix "Way" as an acceptable one.) (Attachment 103A is the 1970 bargain and sale deed creating it.)
- "max" means maximum.
- "min" means minimum.
- "Modal share" means the percentage of travelers using a particular type of transportation or number of trips using a type, as examples walking, cycling, riding transit, and driving.
- "Modal shift" means a change in modal share.
- "MUTCD" refers to Manual on Uniform Traffic Control Devices of the U.S. Department of Transportation (U.S. DOT) Federal Highway Administration (FHWA).
- "NE means northeast.
- "NW" means northwest.
- "OAR" refers to Oregon Administrative Rules.
- "o.c." refers to on-center spacing, such as of trees or shrubs.
- "ODOT" refers to the Oregon Department of Transportation.
- "OR 99E" refers to Oregon Highway 99E.
- "ORS" refers to Oregon Revised Statutes.
- "Path RR2" refers to the bicycle/pedestrian path within Bicycle/Pedestrian Corridor RR2 established by WDO 3.01.07 through Table 3.01A, row 1b.
- "PGE" refers to electric utility Portland General Electric.
- "PU" refers to plant unit as WDO Table 3.06B describes.
- "PUE" refers to public utility easement, whether along and abutting public ROW ("streetside" PUE) or extending into or across the interior of private property ("off-street" PUE). In the context of property line adjustment, partition, or subdivision, the developer records through the plat with drawings and notes on the face of the plat. Absent this context, recordation is separate from land use review pursuant to a document template or templates established by PW and adapted by the developer to conform to land use conditions of approval. Prior to beginning recordations of all public easements or other legal instruments granting public bicycle/pedestrian access, cross access, ingress/egress, public access, or shared access, as well as those that identify, memorialize, and reserve future street corridors prior to recordation, the developer or developer's surveyor shall submit drafts to the City for review in a way that not only meets the needs of the Public Works Department (PW) Engineering Division but also alerts the Community Development Department Planning Division of timely need to review for conformance with the WDO and conditions of approval and identify needed revisions prior to recordations.
Note: Absent platting or re-platting, dedication of ROW and granting of public easements necessitates a process through Public Works (PW) and City Council acceptance separate from land use approval, which could take several weeks. Upon tentative land use approval by the Planning Commission (or City Council, where applicable such as for annexation), contact PW to begin and finish dedication and granting sooner. The City Council usually meets second and fourth Mondays, and agenda packet materials are due to the City Recorder by the prior Tuesday at noon.
- "PW" refers to Public Works (the department).
- "Root barrier" refers to that illustrated by PW SS\&Ds, Drawing No. 1 "Street Tree Planting New Construction".
- "ROW" refers to right-of-way.
- "RPZ" refers to root protection zone in the context of tree preservation.
- "SDCs" refers to system development charges, also known as impact fees.
- "SE" means southeast.
- "SDA" refers to site development area, the entire territory that is the subject of the land use application package.
- "sq ft" refers to square feet.
- "SS\&Ds" refers to City PW standard specifications and drawings.
- "Street trees" refer to trees that conform to the WDO, including 3.06.03A and Tables 3.06B \& C, and that have root barriers where applicable per PW Drawing No. 1 "Street Tree Planting New Construction".
- "SW" means southwest.
- "Tot." means total.
- "TDP" means the Woodburn Transit Development Plan dated June 2023 and adopted via Resolution No. 2213 on June 12, 2023.
- "TDM" refers to transportation demand management, which means according to the TSP (p. 82), "a policy tool as well as a general term used to describe any action that removes single occupant vehicle trips from the roadway during peak travel demand periods", and according to Wikipedia as of October 13, 2020, "the application of strategies and policies to reduce travel demand, or to redistribute this demand in space or in time."
- "TPU" means the Transit Plan Update Approved Final Report dated November 8, 2010 (Resolution No. 1980).
- "TSP" means the Woodburn Transportation System Plan (TSP).
- "UGB" means urban growth boundary.
- "Walkway" refers to what would otherwise be called sidewalk except the paved walking surface is on private property outside of any of ROW or an easement granting public access. Also, see WDO 3.04.06.
- "Wide walkway": See WDO 3.04.06C \& D.1.
- "WDO" refers to the Woodburn Development Ordinance.
- "WFD" refers to the Woodburn Fire District.
- "WTS" refers to the Woodburn Transit System.
- "w/i" means within.
- "w/o" means without.
- "VCA", a.k.a. a sight triangle, refers to vision clearance area as WDO 1.02 and 3.03 .06 establish or as a specific condition establishes.
- "Young St" refers to Young Street.


## Attachment 202: Setbacks

| Table 202. DR 22-06 1030 Young Street Apartments Setback Standards |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Yard | Buildings |  | Setbacks (ft) |  | Encroachments \& Projections Max (ft) |  |
|  |  |  | Min | Max | Within 14 ft of Grade | At and Above 14 ft from Grade |
| 1. North | a. Primary | (1) Height band 1: Within 10 ft of grade: | Equal to whichever is greater depth: <br> (A) Equal to a streetside PUE width that conforms with the min 5 ft or max 8 ft per WDO 3.02.01B \& F.2; or <br> (B) That the main wall planes of ground floor dwellings are set back min 8 ft from south edge of sidewalk. | Per WDO Table 2.03E (15 ft) | Max 2 ft , except none permissible into PUE. | $\mathrm{n} / \mathrm{a}$ |
|  |  | (2) Height band <br> 2: Between at 10 ft or less than 14 ft from grade: | Equal to a streetside PUE width that conforms with the min 5 ft or max 8 ft per WDO 3.02.01B \& F. 2 | Per WDO Table 2.03E (15 ft) | Max 2 ft , except none permissible over PUE. | n/a |
|  |  | (3) Height band <br> 3: At and above <br> 14 ft from grade: | 2 ft | Per WDO Table 2.03E (15 ft) | n/a | Equal to min setback (i.e. full projection) |
|  | b. Accessory |  | Same as primary | Same as primary | Same as primary | Same as primary |
| 2. South | a. Primary |  | 18 | No max | None permissible, except roof edge max 2 ft if $\min 10 \mathrm{ft}$ above grade | 4 |
|  | b. Accessory |  | 18 | No max | Same as primary | 4 |
| 3. East | a. Primary |  | 5 | No max | 2 | 2 |
|  | b. Accessory |  | 5 | No max | 2 | 2 |
| 4. West | a. Primary |  | 5 | 15 | 5 (i.e. full) | 5 (i.e. full) |
|  | b. Accessory |  | 5 | 10 | 5 (i.e. full) | 5 (i.e. full) |

City of Woodburn
Community Development Dept.

Memorandum

270 Montgomery Street
Woodburn, Oregon 97071
Phone (503) 982-5246
Fax (503) 982-5244
Date: June 8, 2022
To: Interpretations file
Through: Chris Kerr, AICP, Community Development Director
From: Colin Cortes, AICP, CNU-A, Senior Planner
Subject: Interpretation: Off-Street Public Bicycle/Pedestrian Facility Specifications (INT 22-0608)

## Background

Following Ordinance No. 2602 (Legislative Amendment LA 21-01) effective June 8, 2022, Woodburn Development Ordinance (WDO) 3.01.07 "Off-Street Public Bicycle/Pedestrian Corridors" in subsection 3.01.07D establishes three classes of facilities: A, B, \& C.

## Specifications

This memo establishes the improvement specifications for each facility class.
Abbreviations: "ft" = feet, "min" = minimum, "max" = maximum.

## Part A

| Table INT 22-0608A |  |  |
| :---: | ---: | :--- |
| Class | Pavement Min. <br> Width (ft) | Context |
| A | 12 | WDO 3.01.07D.1 \& 3.01.08. "Mill Creek Greenway" |
| B | 10 | WDO 3.01.07D.2 |
| C | 8 | WDO 3.01.07D.3 \& 3.01.05C.4. (land division connection <br> paths or shortcut paths) |

## Part B

1. Pavement type: Either or combination of:
a. Asphalt: Min 4 inches of hot mix asphalt (Level 3) atop min 8 inches of 1-inch minus crushed aggregate base course. ADA-compliant.
b. Poured concrete: Same specifications as for sidewalk per public works construction code.
2. Clear zones / shoulders:
a. Min width $2 \mathrm{ft}, 1$ each side.
b. Gravel: Where and if the Public Works Director or designee requires 1 ft width of gravel along each facility that the City would maintain, place so that the gravel finished grade is sloped such that, at the facility, the gravel is min. 1 inch below the path finished grade and, at 2 ft from path edge, it is 2 inches min below path finished grade.
3. Furniture and tree planting zones ("furniture zones"):
a. Class A: 2 min, 1 each side, min width 6 ft each.
b. Class B: $2 \mathrm{~min}, 1$ each side, min width either 5 ft each or 8 ft on south, southwest, or west side of facility and 2 ft on remaining north, northeast, or east side.
c. Class C: 1 min on south, southwest, or west side of facility, min width 5 ft .
4. Landscaping:
a. Trees: Per WDO Tables 3.06A (5. "common area"), B, \& C and:
(1) Number: Min number equal to and at approximate spacing of 1 to 30 (1:30).
(2) Placement: Within tree planting zones and:
(a) Inner: No closer than at clearance zone / shoulder.
(b) Outer: No closer to outer edge of tree planting zone than 3 ft .
(3) Species: Any except what WDO Table 3.06C, footnote 1 prohibits near right-of-way (ROW).
b. Other than trees: Remaining area planted per WDO Table 3.06A, row 5 (common areas), \& Table 3.06B.
c. Irrigation: Required:
(1) For facility that remains privately maintained: Per WDO 3.06.02B.
(2) For City-maintained facility: Per Community Services Director or Public Works Director or designee.
5. Amenity and support facility standards: Per Table INT 22-0608B below:

| Table INT 22-0608B <br> Off-Street Public Bicycle/Pedestrian Facility and Greenway Amenities and Support Facilities |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Amenity Type | Minimum Number ${ }^{1,2}$ by Class: |  |  | Specifications ${ }^{3}$ |
|  | $A$ | $B$ | C |  |
| Bench | 1 per 125 lineal ft of facility, equal to 8 per 1,000 | Same as Class A | 2 per corridor segme nt within a city block | Min width 6 ft ; min $75 \%$ with backs. Place along paths and sidewalks, set back at clearance zones / shoulders, and on at least 6 by 4 ft of pavement material that WDO 3.04.04 allows. If other than poured concrete, pour concrete for bench post footings. <br> For City-maintained facility, the City spec model (with back) is Dumor Bench 88-60PL in "cedar" color and with support posts in black. <br> Where both City-maintained facility and within a plaza, the applicable City spec would be Oregon Corrections Enterprises (OCE) 702-066-006 surface mount. See OCE Outdoor/Shelters category "Parks and Recreation" catalog. |
| Picnic bench | 1 per 250 lineal feet of facility, equal to 4 per 1,000 | n/a | n/a | Where a shelter is relevant, place in it. Min 1 ADA-accessible from a sidewalk or path. <br> For City-maintained facility, the City spec model is Tree Top Products 46" SuperSaver Commercial Square Picnic Table in black (SKU 1WG5685-KB), and the standard ADA model is SKU \#1WG5686-BK. Min 1 ADAcompliant. <br> Where both City-maintained facility and within a plaza, the applicable City spec would be Tree Top Products 1ZV6247 <br> ("Northgate"), and the standard ADA model is 1ZV6248. |
| Bicycle parking | 2 stalls per 200 lineal feet of facility, equal to 10 per 1,000 | 4 stalls per corridor within a city block | 2 stalls per corridor within a city block | Per WDO 3.05.06. For City-maintained facility, the City spec model is any of: <br> (a) Oregon Corrections Enterprises (OCE) "single bike rack" powder coated black, model \#718-012-006 (first priority; see OCE Outdoor/Shelters category "Parks and Recreation" catalog.); <br> (b) Dumor Bike Rack 290-00/S-2 powdercoated black surface mount; or, <br> (c) per City of Portland Bureau of <br> Transportation (PBOT) Standard Drawing No. P-576 "Bike Rack", in black. |


| Bollard | Applicable if Public Works Director or designee requires at any facility interface with a street where there is a driveway, or approach / apron / curb cut / ramp, other than a public driveway, that conceivably a poor driver could attempt to drive up. | Same as Class A | Same <br> as <br> Class <br> A | For City-maintained facility, the spec model is Uline Heavy Duty Safety Bollard $51 / 2$ by 42 inches, Removable. |
| :---: | :---: | :---: | :---: | :---: |
| Dog waste station | 1 installation per 400 lineal feet of facility, equal to 2.5 per 1,000 | 1 per corridor within a city block | n/a | For City-maintained facility, the City spec model is Mutt-Mitt Mini Dog Waste Station 1000/1002 "Mini Dispenser Station" in green. |
| Drinking fountain | Applies only where a corridor overlaps, will overlap because of the development, or abuts public potable water and sanitary sewer lines. |  |  | For City-maintained facility, the City spec model is Most Dependable Fountains model 440 SM, in green, with attached pet fountain. |
|  | 2 installations per corridor within a city block | n/a | n/a |  |
| Seat walls (optional) | No min; option in place of bench. |  |  | A developer may substitute a bench with a seat wall 6 ft wide min by $11 / 2 \mathrm{ft}$ deep and high, the height including a 2 -inch cap of smoother concrete. Not eligible within streetside or off-street public utility easement (PUE). |
| Signage | 1 per junction with each of any sidewalk, trail spur open to public, or other path open to public. | Same as Class A | Same <br> as <br> Class <br> A | Wayfinding: <br> Min sign faces per installation as follows: Either 2 each min 12 by 18 inches or 1 min 12 by 24 inches. <br> For Class $A$ and $B$ facilities, the developer is to base the sign face copy on Portland metro regional government Metro |

<I:\Community Development\Planning\Interpretations> INT 22-0608 Page 4 of 7

|  |  |  |  | "The Intertwine Regional Trails Signage Guidelines" (November 2017, 2nd Ed. or later). See examples in Figure INT 22-0608 below. <br> Park rules: For City-maintained facility, 1 park hours/rules sign per sign face copy specification separate from the WDO, applying only to land conveyed/dedicated/deeded to the City. Consult the Community Services Director. |
| :---: | :---: | :---: | :---: | :---: |
| Trash receptacle | 1 receptacle per 400 lineal feet of trail, equal to 2.5 receptacles per 1,000 | 2 per corridor within a city block | n/a | For City-maintained facility and other than within plaza, the City spec model for the trash receptacle is Dumor 41-40PL-RC 40-gallon in "cedar" color and with support post in black. <br> Where both City-maintained facility and within a plaza, the applicable City spec would be Oregon Corrections Enterprises (OCE) 744-101-006 surface mount. (See OCE Outdoor/Shelters category "Parks and Recreation" catalog.) |
| 1. Rounding: If the calculation results in a number ending in less than .50 , round down. If equal to .50 or greater up to .99 , round up. Where a facility crosses a right-of-way (ROW), the developer may subtract ROW width from facility total length. <br> 2. The developer use of a Phasing Plan per WDO 5.03.05 does not preclude calculation of minimums for a development as a whole. <br> 3. The Assistant City Administrator or Community Development Director may in writing administratively modify or specify more detail about specifications, including when a vendor or model becomes defunct. The Public Works Department Engineering Division may supersede greenway amenity / support facility specifications through the public works construction code specifying greater standards for such. <br> 4. Where a development dedicates land to the City for a park or parks and where not greenway, this table would be applicable also to off-street public bicycle/pedestrian facilities on the land as park improvement standards, unless the Assistant City Administrator in writing otherwise directs. Where unpaved paths or trails are proposed or required, they must be hazelnut shells poured min 2 inches or wood chips poured min 4 inches. |  |  |  |  |



Figure INT 22-0608 - Off-Street Public Bicycle/Pedestrian Facility Signage Models 1 \& 2

The Assistant City Administrator or Director can modify an improvement specification upon request by a developer.


Community Development Director

DR 22-06 1030 Young Street Apartments:
Attachment 204: Joyce Way \& Bicycle/Pedestrian Corridor RR2

This attachment implements the conditions of approval related to:
A. Joyce Way bicycle/pedestrian improvements in place of half-street improvements;
B. Bicycle/Pedestrian Corridor RR2 City/public provision of the segment of this corridor on the subject property per WDO Table 3.01A row 1 b , specifically if instead of the first method - dedication as a tract - it is through the second method, the granting of one or more public easements;
C. Bicycle/Pedestrian Corridor RR2 improvements; and
D. Joyce Way as an emergency access fire lane.

## Part A. Joyce Way Improvement Specifications:

Per Condition V4, Consistent with Comprehensive Plan Policies F-1.4, H-1.3, \& H-1.4 (pages 25 \& 34) and Highway 99E Corridor Plan (H99ECP), Technical Memorandum \#5 section "Bicycle and Pedestrian Access from Local Streets" (January 26, 2011; p. 13) about mid-block passages; and, varying from conformance with WDO 3.01.04B. 1 and Figure 3.01G, and with variance the applicable means of deviation per WDO 3.01.02D, 3.01.03C.1, \& 5.02.04A, improvements shall be per the below:

1. Objective: The Joyce Way ROW improved as a public off-street bicycle/pedestrian corridor with Joyce Path, landscaping, amenities, and support facilities; that connects Young St sidewalk and the Bicycle/Pedestrian Corridor Path RR2; and that has spur connections to the development walkway system.
2. ROW \& PUE: Pursuant to the Public Works Director and the City Engineer during an internal meeting among staff August 8,2023 , the Joyce Way ROW east boundary does not require ROW dedication at all or a streetside PUE at all, and the appended Public Works comments (August 10, 2023; Attachment 102A) from the City Engineer, item 8, does not explicitly require Joyce Way ROW or Joyce Way streetside PUE.
3. Due date: See Condition G4.
4. Improvements: To the specifications of WDO interpretation memo INT 22-0608 "OffStreet Public Bicycle/Pedestrian Facility Specifications" (June 8, 2022; Attachment 203), and premised on Class B. In any case, Joyce Path pavement min width shall be 10 ft .
5. Additional specifications:
a. Length: The Joyce Way ROW length extends between Young St sidewalk and is approximately 454.5 ft and width is 50 ft per County Tax Map 051W18AD. Min Joyce Path length shall be that which connects Young St sidewalk and Path RR2.
b. Placement: Joyce Path placement min 20 ft away from the ROW east boundary and $\min 8 \mathrm{ft}$ away from the west boundary.
c. ADA: The Joyce Path shall be ADA-compliant.
d. Min spur paths per Condition V3 Exhibit V3.
e. Curvature: Where the Joyce Path and Path RR2 intersect, the NE corner shall have additional pavement to form a curve for turning cyclists that has a radius of 10 ft .
f. Zones: As a deviation from INT 22-0608 Part B.3, along each side of the path the furniture and tree planting zone shall have a wider min width of 8 ft . This shall be the standard also along the spur paths, excepting emergency access fire lane grasscrete segments, if any such fire lane(s).
g. Trees: Within the Joyce Path furniture and tree planting zones total min number of trees shall be 31, with fee in lieu of max 2 trees and per Attachment 206. Plant as an allée with Joyce Path. Species shall be large and medium as WDO Table 3.06B describes, and along both sides of Joyce Path, the rows shall be a single, large species, excepting that individual trees that start or end rows may be different species than the rest of the rows. Trees shall include evergreens per Condition V11k as well as $\min 2$ Thundercloud plums, the plums being planted min 10 ft from Joyce Path and Path RR2. (In the Joyce "front yard" along Young St, there is no minimum of street trees or "front yard" trees in addition to what this condition part requires for Joyce or what a street tree condition requires for Young St.)
h. Landscaping generally:
(1) VCA: At every path junction, each corner shall have a sight triangle (vision clearance area) that may have trees and lawn grass but no shrubbery, min $8 \times 8 \mathrm{ft}$.
(2) Irrigation: For at least the trees, provide irrigation the same as the WDO 3.01.04B last paragraph. For further specification, consult either PW or the Community Services Department Community Services Director.
i. Picnic bench: As a deviation from Table INT 22-0608 in which a picnic bench is optional, min 2 , with placement each within pad area min 12 by 12 ft paved to the same standards as WDO 3.04 .04 and anywhere north of Path RR2 and min 9.5 ft south of an imaginary line in line with the Young St widened ROW boundary.
j. Drinking fountain: As a deviation from Table INT 22-0608 in which a drinking fountain is optional, $\min 1$, with placement assumed to be close to Young St potable water and sanitary sewer lines.
k. Driveway: If either the City Engineer or the WFD requires in writing, an approach, apron, curb cut, or ramp that connects with path with Young St. Were such driveway apron required or the developer were to propose one, then min width 8 ft and max width 10 ft . Were the WFD after land use review to request wider, then see within this attachment Part D below.
I. Benches: Regarding the min 4 benches per INT 22-0608, min placements at Joyce Path junctions with:
(1) Young St sidewalk, 1;
(2) Walkway J1 as Condition V3 Exhibit V3 labels, 1; and
(3) Path RR2, 1.

Min 3 of the benches shall each have extra pavement pad area at a side that allows stationing a wheelchair, min width 2.5 ft .
m. Bicycle parking: Regarding the min 4 bicycle parking stalls (which can be 2 U-racks), placement of $\min 2$ stalls each near junction with each of (a) Young St sidewalk and (b) choice of Path RR2 or Walkway J2.
n. Dog waste station: Regarding the dog waste station, site next to or a near a trash receptacle and near the junction with Young St sidewalk.
o. Wayfinding: Regarding the min wayfinding signage per INT 22-0608 providing direction to bicycle routes, multi-use paths, parks, schools, and other essential destinations, the resulting mins shall be 2 installations and 3 sign faces as follows: Category A:
1 installation at each junction of Joyce Path with (1) Young St sidewalk, min 1 sign face facing north for walkers and cyclists heading south and (2) Path RR2, min 2 sign faces facing north and south. Each face shall indicate path names per one of the following: (A) "Joyce Path" and "Path RR2", (B) the name resulting from a naming process led by parks and recreation staff and involving the City Council and Administration, if such process occurs prior to final inspection, or (C) if part (B) does not occur prior final inspection, then instead of sign installations the applicant shall pay fee in-lieu per Attachment 206. The developer may dispense with some or all wayfinding signage by opting to pay the fee in-lieu earlier - by building permit issuance.
Destinations and feet or mileage to list within sign face copy depending on the sign are Young Street, Joyce Path, Path RR2, and OR 99E at Cleveland Street.
p. Regarding the min 2 trash receptacles, placement shall be 1 each near junction with
(a) Young St sidewalk and (b) Path RR2.
q. Shelter or fee in-lieu: See Condition V5.
6. Frontage: If the developer chooses Condition SA1d Option 2, then the developer shall upgrade the Joyce north "frontage" along Young St the same as per Conditions D2a \& SA1d along the 50 ft of "frontage", excepting along the existing bus stop shelter pad.
7. Stormwater management: The developer shall grade the ROW to the extent necessary to ensure that Joyce Path, Path RR2, spur paths, and bench pads have positive drainage.
8. Landscaping at large: Within the ROW, every area not occupied by pavement, constructed or installed improvements, trees and their rings of mulch, or shrubbery shall be planted with lawn grass. Bare dirt is prohibited.
9. Emergency access fire lane: See Part D below.

## Part B. Bicycle/Pedestrian Corridor RR2: Method B: Granting of Public Easement(s)

1. Min width per Variance VAR $23-04$ Condition V6 and length across the subject property per WDO Table 3.01A row 1b.
2. Details: Expounding on WDO 3.01.07C:
a. Easement/instrument: If the developer refers to or makes use of this Attachment 204, then the assumed legal instrument is a public easement granted to the City; however, any legal instrument - such as any of a plat, re-plat, or deed conveyance is acceptable if it meets the land use conditions of approval, elicits no objections from PW, cannot be revoked without written concurrence by the City, and is recorded.
b. If the instrument type usually comes with or as exhibits, have Exhibit A be the legal description and Exhibit B the mapped area.
c. The drawing shall show and label legal boundaries some distance beyond that of the subject property for context.
d. In the body of the text or an Exhibit C, include a description that the easement serves to implement Woodburn Development Ordinance (WDO) 3.01A row 1b Bicycle/Pedestrian Corridor RR2 within the version of the WDO as amended by Ordinance No. 2602 on May 9, 2022 by reserving on the subject property a segment of Bicycle/Pedestrian Corridor RR2 and contain the corollary segment of Path RR2.

For example, if adapting a PW template for a PUE, one of the first paragraphs would state:
"... ("GRANTOR"), grants to the CITY OF WOODBURN, OREGON ("CITY") a permanent easement and right-of-way, including a grant of public access to implement Woodburn Development Ordinance (WDO) Table 3.01A row 1b Bicycle/Pedestrian Corridor RR2 within the version of the WDO as amended by Ordinance No. 2602 on May 9, 2022 through land use case file numbers Design Review DR 22-06 \& Variance VAR $23-04$ by reserving on the subject property a segment of Bicycle/Pedestrian Corridor RR2 at the minimum width per the land use condition(s) of approval over and across GRANTOR's ..."
e. In the body include text that, "This [blank] is revocable only with the written concurrence of the City of Woodburn Community Development Director", where [blank] is replaced with any of "easement", "grant of access", or the applicable correct legal terms.
f. Min 3 instances of the phrase "Bicycle/Pedestrian Corridor RR2": in any of the title, body (min 2), map Exhibit B (min 1), and, if any, an Exhibit C.
3. The developer or developer's survey has the option of sending an easement draft to the Planning Division, attention Senior Planner and/or Administrative Specialist, for review and edits prior to beginning recordation with the County.
4. No buildings and such: Within the width and extent of Corridor RR2 where such corridor remains private property with one or more public easements that grant both the City and the public unrestricted access, a developer shall not build buildings, install, mount, or place pre-fabricated buildings, or construct free-standing walls or structures such as carports and trash and recycling enclosures, and, the Public Works Director may direct a developer's arrangement of private utility lines and facilities if and where they pass under Corridor RR2. The south dead-end stubs of the north-south drive aisles, stubs of max 6 ft depth for maneuvering of vehicles backing out of parking stalls, may lie within the corridor.
5. TCE: If by the time of Path RR2 construction, (a) the 119 N . Pacific Highway west end of its path segment is not yet constructed, and (b) on the subject property, it is necessary to stop the path east end a few feet short of the property east boundary if re-grading, if any, necessitates and is documented, then the developer shall grant a temporary construction easement (TCE) to the benefit of both the City and 119 N. Pacific Highway (Tax Lot 051W17BC07500), delineating min area 180 sq ft . Because the situation might arise after lot consolidation and building permit issuance, the TCE shall be due no later than by building permit final inspection of the second-to-last apartment building.

## Part C. Bicycle/Pedestrian Corridor RR2 Improvement Specifications:

Bicycle/Pedestrian Corridor RR2: Per Condition V6, Consistent with Comprehensive Plan Policies F-1.4, H-1.3, \& H-1.4 (pages 25 \& 34) and Highway 99E Corridor Plan, Technical Memorandum \#5 section "Bicycle and Pedestrian Access from Local Streets" (January 26, 2011; p. 13) about mid-block passages; and, varying from conformance with WDO 3.01.07C and Table 3.01A row $1 \mathrm{~b}(2)$, improvements of the segments of Bicycle/Pedestrian Corridor RR2 on both the subject property and within the Joyce Way ROW, shall be per the below:

1. Objective: Corridor RR2 improved as a public off-street bicycle/pedestrian corridor with Path RR2, landscaping, amenities, and support facilities and that connects Joyce Path and the Path RR2 east segment at 119 N. Pacific Hwy and that has a wide walkway connection with the development walkway system.
2. Due date: See Condition G4.
3. Corridor width:
a. Min widths per parts (1)\&(2) below $\mathbf{1 4} \mathbf{f t}$ (because pursuant to the Public Works Director and the City Engineer August 8, 2023, Corridor RR2 does not need an offstreet PUE and so no wider width is needed for newly planted trees to be outside the PUE).

## (1) East: East of Walkway R1 (as Condition V3 Exhibit V3 labels) east edge, 14 ft Note(1): The-south dead-end stubs of the north-south drive aisles, stubs-of max 6 -ft depth for maneuvering of vehicles backing out of parking stalls, may lie within the corridor. <br> (2) West: West of Walkway R1 (as Condition V3 Exhibit V3 labels) east edge, 16 ft

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(3) To accommodate Corridor RR2, if necessary the developer shall have the Building D north side walkway and drive aisle partially overlap through the use of mountable curb, allowing the concrete overlap to serve as walkway and as fire access width, the asphalt width of drive aisle to narrow, and Building $D$ to shift north. Min overlap 1.5 ft width. If necessary, the drive aisle south ends that stub past the end of parking stalls shall shrink min 1 ft . See also Condition V13a allowing the four patios to be narrower, providing for several feet of landscaped area between path shoulder (and any fencing the developer might install) and patio slabs.
(4) Joyce Way ROW overlap: Where Corridor RR2 overlaps Joyce Way ROW, the south furniture and tree planting zone shall widen to 8 ft and the Path RR2 min width shall shift north.
b. To conform with WDO 3.01.07C and the conditioned min width of Bicycle/Pedestrian Corridor RR2, the developer shall:
(1) First Method: Dedicate Corridor RR2 to the City, whether as an adjusted lot, a Tract A, or as some other thing as the County Surveyor's Office would prefer to term.
(2) Second Method: Grant one or more public easements that cover the corridor and accomplish granting the City and the public unrestricted access. The easement or legal instrument may be an adaptation of the PW template for a PUE if the developer adapts it to meet these conditions of approval and any specifications in this Attachment 204.
(3) The developer shall default to the first method; however, the developer can use the second method through administrative means: If making written request to the attention of the Community Development Director, citing this case file and condition of approval, the Director approves in writing, and such occurs prior to both street address assignment and either property line adjustment or lot consolidation, but also that such request and approval occur no later than before the land use final decision expiration date.
(4) It is confirmed that because of overlap with Joyce Way ROW, dedication or granting is irrelevant to that Corridor RR2 segment.
4. Improvements: To the specifications of WDO interpretation memo INT 22-0608 "OffStreet Public Bicycle/Pedestrian Facility Specifications" (June 8, 2022; Attachment 203), and premised on Class B.
a. Length: The Corridor RR2 length is 378.9 ft per the lot consolidation survey. Min Path RR2 length shall be that which connects the east lot line and the Joyce Way ROW west boundary. The path may stop a few feet short of the west boundary if regrading, if any, necessitates and is documented. At the east, it shall join the path segment at 119 N. Pacific Highway, for which through DR 22-05 Condition 8c there will be a westerly temporary construction easement to the benefit of 1030 Young Street.
b. Pavement: In any case, Path RR2 pavement min width shall be-asfollows: 8 ft .
(1) East: East of Walkway R1, 8ft, which may abut curb width of drive aisles south dead-end stubs that Exhibit C4 shows below.


Exhibit-C4 Drive aisles south dead-end stubs
The path east end, with min width south planting zone per part c. below, would align with the planned or existing location of the 119 N. Pacific Highway path.
(2) West: West of Walkway R1, 10ft
c. Planting zone: Regarding INT 22-0608 Part B.3b, this condition supersedes in that only one furniture and tree planting zone shall be required, along the south side. Zone min width 4 ft (which includes south shoulder width). Where Corridor RR2 overlaps Joyce Way ROW, the zone shall widen to min width 6 ft .
d. Trees: In any case, within the Path RR2 south side furniture and tree planting zone total min number of trees shall be 11, with fee in lieu of max 1 tree and per Attachment 206. Species shall be large as WDO Table 3.06B describes. The row shall be shall be planted min 3 ft south of path edge The developer shall plant the area remaining after tree plantings the same as the WDO 3.01.04B last paragraph.
e. Irrigation: For at least the trees, provide irrigation the same as the WDO 3.01.04B last paragraph. For further specification, consult either PW or the Community Services Department Community Services Director.
5. Additional specifications:
a. Walkway R1 as Condition V3 Exhibit V3 labels.
b. Continue pavement from the east at the RR2 path segment at 119 N. Pacific Highway (051W17BC07500) that per DR 22-05 final decision Condition 8c is to manifest and also to come with a temporary construction easement (TCE) that the DR 22-06 1030 Young Street Apartments developer would use to come onto that other property to re-grade and extend Path RR2 pavement west.
c. Extend pavement as far west as the east lot line of 960 Young St (Tax Lot 051W18AD08300), or, as close as possible as re-grading, if any, necessitates and is documented. (Because this area is ROW, no temporary construction easement is relevant.)
d. Install a permanent all-weather pole sign at the Path RR2 west stub that states in lettering min height 4 inches: "This Public Path RR2 is Planned for Future Extension." The sign face shall be min 12 by 18 inches and mounted min 3.5 ft above grade and max the same as whatever the state rules are for ADA parking signage. This is due prior to building permit final inspection.

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e. Benches: None required.Regarding the min 3 benches, placements in the furniture zone, and min 1 within the overlap with Joyce Way ROW. Also min 2 of the benches each with extra pavement pad area at a side that allows stationing a wheelchair, min width 2.5 ft .
f. Regarding the min 2 bicycle parking stalls (which can be a U-rack), placement within the corridor overlap of Joyce Way ROW.
g. Regarding the dog waste station, site next to or a near a trash receptacle and near the junction with Joyce Path.
h. Wayfinding: Regarding the min wayfinding signage per INT 22-0608 providing direction to bicycle routes, multi-use paths, parks, schools, and other essential destinations, the resulting mins shall be 1 installation and 1 sign face as follows: Category B: 1 installation at Walkway R1, min 1 sign face facing north.
i. Regarding the min 1 trash receptacle, placement near the junction with Joyce Path.
6. Fence/fencing: Though not required, were the developer to install along the Corridor RR2 (excluding the Joyce Way ROW segment) a fence or free-standing wall:
a. North boundary: It shall be outside the corridor easement boundary and $\min 2 \mathrm{ft}$ north of Path RR2, max height 5 ft , and otherwise conform with the WDO 2.06.02D.2 coating requirement and 2.06.02D.4. Slats not required. Segments shall be min 2 ft away from each side of any connecting walkway, wide walkway, or spur path.
b. South boundary: It shall be max height 3.5 ft , a color (if any) other than black or charcoal, and otherwise conform with the WDO 2.06.02D.2 coating requirement and 2.06.02D.4. Slats not required.
c. If a free-standing wall, either:
(1) To not overly narrow the furniture and tree planting zone, main wall plane max width of 4 inches (the same nominal width as standard bricks), precluding concrete masonry unit (CMU) block that is 8 inches wide; or
(2) As a seat wall, which by being wider would provide seating as an objective of a furniture and tree planting zone, height 1.5 ft including a smooth concrete cap, width $\min 1 \mathrm{ft}, 3$ inches, and width max 1.5 ft .

## Part D. Joyce Way as an Emergency Access Fire Lane:

Emergency access fire lane: If Woodburn Fire District (WFD) application of the Oregon Fire Code (OFC) requires in writing provision for an emergency access fire lane to and from the development across Joyce Way, then:

1. The developer shall document if and how WFD OFC administration is applicable.
2. The developer shall revise the site, composite utility, landscape, and fire access plan plans to delineate and label the emergency access fire lane route(s).
3. Where routing overlaps the Joyce Way Path, the path shall be constructed to support fire apparatus weight per the OFC as the WFD administers.
4. Where route segments fall between Joyce Way Path and development drive aisles, such segments shall be improved with reinforced cellular concrete (cast on-site) grass paving surface ("grasscrete") and be landscaped with lawn grass.
5. Were the WFD after to request a driveway apron wider than conditioned elsewhere:
a. The apron absolute max width shall be 26 ft (between triangular slopes), regardless of a WFD request for wider.
b. The apron shall remain conforming to PW SS\&Ds, Section 4150 and not have curb radii.
c. The developer may if prompted by either PW or the WFD either (a) substitute the min bollard conditioned elsewhere with an emergency fire access gate to the specifications of the WFD or (b) install 3 bollards, the additional two separating the driveway apron and grasscrete.
d. South of sidewalk, the developer shall instead of widening Joyce Path asphalt or concrete install reinforced cellular concrete (cast on-site) grass paving surface ("grasscrete") along both sides up to an absolute max width of 26 ft , regardless of a WFD request for wider.
e. The min widths for furniture and tree planting zones shall widen as much as the emergency access fire lane widens so that the developer may plant the min trees and install the min amenities and support facilities. Any paved pads between Path RR2 and pads of things such as benches, picnic benches, and shelters shall lengthen as much as emergency access fire lane widens on the side that they are along.

## DR 22-06 1030 Young Street Apartments:

## Attachment 205: Parking Management and Surveys:

Follow site redevelopment into an apartment complex, this attachment implements the City of Woodburn, Oregon Design Review DR 22-06 \& Variance VAR 23-04 condition of approval related to parking management and surveys required by the property manager for a number of years.

## Part A.

Management operations: Regarding electric vehicle (EV) parking, property management of it shall conform with Woodburn Development Ordinance (WDO) 3.05.03I.5.

## Part B.

Survey: The applicant or any successor and assigns such as a property manager shall collect data about off-street parking usage or allocation and provide it to the City through the Planning Division to the attention of the Community Development Director.
(1) Reporting period: Collect data by each half of a year - January through June and July through December. Submit each biannual report by the last City business day in the last month of the next quarter of a year and that is not a federal holiday. (For example, a report for January through June 2029 would be due by September 30, 2029.)
(2) First report: The first report shall cover whatever irregular length of time would pass between phase occupancy and the end of the next half of a year ending June or December.
(3) Attributes: Collect and report on:
(a) Geography: n/a.
(b) The number of off-street spaces/stalls that are available and how many, if any, are closed due to occasional events such as parking area resurfacing, temporary outdoor events, outdoor storage, or the stationing of large trucks or truck trailers.
(c) Track stalls and usage by type: regular standard size, regular compact, accessible/ADA/handicap, EV, and any other type (such as those designated for visitors, leasing office employees, staff golf cart, or mail carrier).
(d) Collection: The property manager shall do field counts as per condition subpart ( 4 "field count") below and also provide a separate set of assumed counts based on lease agreements, i.e. what tenant households are allocated a stall or stalls and for what periods, assumed that stalls are occupied as lease agreements describe.
(e) Usage: Report how many stalls are used and allocated. For vacant apartments in the context of assumed counts, record stalls associated with vacant apartments as unallocated.
(f) If and when a parking area resurfacing project were to happen, provide written notice to the Director of approximate start date and duration, location, and number of stalls involved.
(g) Format: Use tables to report by phase absolute numbers and percentages of stall type occupancies. Include phase and sitewide totals.
(4) Field count: The property manager shall do at least two field counts per reporting period, meaning to travel the project and count in real time occupied and vacant stall types such as by marking a project site plan. Each count shall be on Tuesday, Wednesday, or Thursday that is neither a federal holiday nor within a week (7 days) of a federal holiday. One count shall be daytime starting no earlier than 9:30 a.m. and concluding no later than 4:30 p.m., and one count shall be nighttime starting no earlier than 10:00 p.m. and concluding no later than 12:30 a.m. Report when on a given date the counts were done and how long it took, for example, from 11:30 a.m. to noon.
(5) Bicycle parking: For outdoor bicycle parking stalls, including those within open-air stairwells but excluding outdoor closets, the property manager shall also do field counts the same way as per condition part (4) above and as part of the larger report confirm the total number of existing outdoor bicycle stalls.
(6) Parking demand management: The reporting that a parking demand management condition requires, if it exists, may be incorporated with the parking usage data collection report.
(7) Context: In each report, cite the project name, phases, street addresses, case file number DR 22-06, and the condition identification(s), state what period the report covers, state the number of vacant apartments and when and how the number was determined given fluctuation over six months, and provide an employee name and direct contact information for questions City staff might have.
(8) Intent: It is not the express intent of this condition to police property management or punish tenants or management for perceived misuse of parking, but instead without judgment to collect data on how parking is actually used in a conventional apartment development.
(9) Change of ownership: If and when property ownership were to change, the property manager shall pass along record of the conditions of approval to the contract purchaser and successive property manager.

Expiration: This parking survey condition becomes optional as of July 1, 2033. If reporting were to cease, the last report - for the January to June 2033 period - would be due September 30, 2033.

## DR 22-06 1030 Young Street Apts.:

## Attachment 206: Conditioned Fees

All of the following conditioned fees are due as applicable, whether or not mentioned directly by a condition of approval.

Refer to Condition G3 and/or Attachment 201 for a dictionary/glossary, including acronyms and shorthand text.

## Part A. Fee Provisions

1. Any and all conditioned fees are in addition to, and not in place or as discounts of, any existing charge or fee however termed ordinarily assessed based on any existing ordinance, resolution, or administrative policy, inc. adopted fee schedules. If and when the City amends any ordinance, resolution, or administrative policy, inc. a fee schedule, to increase a charge or fee that is (a) the same kind of charge or fee that is conditioned, (b) the amended charge or fee amount would exceed the amount conditioned, and (c) the increase takes effect before the conditioned fee is due, then the developer shall pay the greater amount.
2. Payments of conditioned fees shall reference a final decision case file number and the condition of approval letter/number designation, be it in a check memo field or through a cover or transmittal letter.
3. For fees due by building permit issuance, a developer may request the Director to allocate payments the same as allowed for fees in-lieu by WDO 4.02.12A.2, specifically, to pay across issuance of two or more structural building permits for the subject development.

For all administrative and logistical questions about payment of land use conditioned fees outside the context of assessment and payment through building permit, the developer is to contact the Administrative Assistant at (503) 982-5246 and refer to this attachment within the final decision, citing the case file number.

For payment method policy details, the developer is to contact the Finance Department at (503) 982-5222, option zero, for payment method policy details.

## Part B. Fee Table

| Table 206B. Fee Table |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Condition Reference | Fee Type | Amount | Context | Timing | Staff <br> Tracking: |
| D4 | Electric power pole removal and line burial | Per lineal ft of frontage, assessed at $\min 305 \mathrm{ft}$ : <br> 2023-24: <br> \$272.11; <br> 2025-26: <br> \$288.68; or <br> 2027 or later: <br> \$306.25. | WDO 3.02.04B \& 4.02.12A. Excludes Joyce Way north "frontage". | By building permit issuance |  |
| D11 | Street tree fee in-lieu for street trees omitted through building permit review or civil engineering plan (CEP) review, or, inspection missing tree fee. <br> Applicable also to Joyce Way ROW and Corridor RR2 trees. | \$950 per tree | Applies to omitted street trees, or, ones missing from required number upon inspection; WDO 4.02.12A | If building permit or CEP context, then by building permit issuance; if in inspection context, then prior to passing final inspection / obtaining certificate of occupancy |  |
| T-T1a | Bus stop minor improvement: bicycle parking | \$510 | Bicycle parking | By building permit issuance or final inspection |  |
| T-T2a | City bus transit / transit service fee | Per dwelling: <br> 2023-24: <br> \$143; <br> 2025-26: <br> \$151; or <br> 2027 or later: <br> \$160. | For operations. | By building permit issuance |  |

DR 22-06, etc. 1030 Young Street Apts. Staff Report / Final Decision Attachment 206

| Table 206B. Fee Table |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Condition Reference | Fee Type | Amount | Context | Timing | Staff <br> Tracking: |
| T-T2b | Regional express bus transit fee | Per dwelling: 2023-24: \$430; <br> 2025-26: <br> \$457; or <br> 2027 or later: <br> \$484. | Regional express bus transit to/from Salem and Wilsonville (Portland metro); TPU Projects 11 \& 12 | By building permit issuance |  |
| SA1a | SA 23-04 Street Adjustment Type III application fee | $\begin{aligned} & \text { 2023-24: } \\ & \$ 2,363 \text {; or } \\ & 2025 \text { or later: } \\ & \$ 4,560 \end{aligned}$ | Was not collected at time of application through invoice no. 971-22-000038-PLNG because the applicant mentioned SA in the narrative but had not checked the box on the uniform application. 202326 fee is the "old" fee based on narrative submittal having occurred prior to the July 1, 2023 Planning Division fee schedule increase. 2027 or later fee is the "new" fee. | By building permit issuance |  |
| V4 \& V6 | Wayfinding signage fee in-lieu (Joyce Way \& Bicycle/Pedestrian Corridor RR2) | 2023-26: <br> Category A: <br> \$1,500 per installation; <br> Category B: <br> \$750 per installation; or 2027 or later: <br> A, \$1,700; B, \$850. | See condition for category context. | By building permit issuance |  |


| Table 206B. Fee Table |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Condition Reference | Fee Type | Amount | Context | Timing | Staff <br> Tracking: |
| V5 | Shelter fee in-lieu | $\begin{aligned} & \text { 2023-24: } \\ & \$ 16,890 ; \\ & 2025-26: \\ & \$ 17,920 ; \text { or } \\ & 2027 \text { or later: } \\ & \$ 19,010 \text {. } \end{aligned}$ | See condition. | By building permit issuance |  |
| G6d <br> through <br> this 200 <br> series <br> attachment | Public Works Dept. (PW), or ODOT as applicable, civil engineering plan (CEP) review: Review by Planning Division. | See context note. | Per the Planning Division fee schedule. (Attachment 102A Public Works comments [Aug. 10, 2023], item 11.). Applicable whether civil plan review is through building permit or separate Public Works process. | Upon CEP application to PW, or to ODOT as applicable, or building permit application if civil plan review is through permit review; in any case no later than building permit issuance |  |
|  | Inspections by Planning Division | Public improvements: zero; \$75. Building permit: zero; \$75. | 1st inspection or "walkthrough"; 2nd. (3rd is per the Planning Division fee schedule.) | Inspection requests related to public (street) improvements and building permits |  |
|  | Street tree bonding / performance guarantee request fee | \$150 | Free to submit request form and materials for review by the Planning Division. Bond release or status letter fee is per the Planning Division fee schedule. | Upon street tree bonding request, but no later than building permit issuance |  |


| Table 206B. Fee Table | Amount | Context | Timing |  |  |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Condition <br> Reference | Fee Type | Any of (1) Bond / bonding / performance <br> guarantee or (2) public improvements deferral <br> through PW per WDO 3.01.02E: Specifically any <br> that would allow or allows the developer to <br> delay construction of street improvements <br> beyond either final plat, as applicable, or <br> building permit issuance, with exceptions, if any, <br> per land use conditions. | $\$ 4,695$ | Serves as bond or deferral <br> disincentive fee and isn't a <br> bond amount itself. Fee not <br> applicable to warranty <br> bonds or ordinary <br> construction bonds if they <br> do not authorize delay of <br> construction of street <br> improvements beyond <br> building permit issuance. <br> (See WDO 3.01.02E.) | By building permit <br> issuance |
|  |  |  |  |  |  |

[General ledger (GL) account 363-000 3678 "Developer Contributions".]

