



February 6, 2023

Multi/Tech Engineering Services, Inc.  
Attn: Jeff Bolton  
1155 13<sup>th</sup> Street SE  
Salem, OR 97302

**RE: Approval of Grading Permit GRAD 23-01 "Hardcastle Apartments" for 1755 Hardcastle Ave (Tax Lot 051W08DC00900)**

Dear Mr. Bolton:

Staff approves the Grading Permit, subject to the conditions of approval outlined in this letter.

*Summary of Review:*

This site is subject to the development standards of the [Woodburn Development Ordinance \(WDO\)](#). The applicant is requesting to perform grading work in preparation for construction of a residential apartment complex per Conditional Use CU 22-04, which is scheduled for Planning Commission hearing on February 23, 2023. Pursuant to WDO 4.01.02, the Director shall render all Type I land use decisions. The Director's decision is the final decision of the City on a Type I application and cannot be appealed by any party through the City land use appeals process.

*Planning Conditions of Approval:*

1. Conformance with Approved Plans: All site work shall be in substantial conformance with the approved grading plans.
2. DEQ: All development activity shall be in accordance with the approved Oregon Department of Environmental Quality (DEQ) 1200-C permit. The applicant shall provide to the City any modifications to the DEQ permit.
3. Other agencies: The applicant, not the City, is responsible for obtaining permits from Marion County, US Army Corps of Engineers (USACE), Oregon Department of State Lands (DSL), Oregon Department of Transportation (ODOT), and other agencies which might require approval or permit.
4. ROW: All work within City rights-of-way (ROWs) or easements within City jurisdiction shall require plan approval and permit issuance from the Public Works Department.
5. Trees: Grading excludes approval to remove any Significant Trees as WDO 1.02 defines. Significant trees, which are trees that have a diameter at breast height (DBH) of 24 inches or more, must obtain

a Significant Tree Removal Permit to be removed per WDO 3.06.07 or a Type III or higher land use review, such as conditional use application CU 22-04 or Design Review DR 22-15. Significant Trees are to be preserved following the enclosed City of Portland Tree Protection Rules.

*Public Works Conditions of Approval:*

6. The applicant shall comply with the submitted grading and erosion control plans, including measures to keep the ROW clean, to protect existing catch basins around the work area, and maintain dust control measures. All catch basins around the work area shall be clean of debris and soils at all times.
7. Construction access is limited to only one construction entrance from Hardcastle Avenue.
8. The applicant shall continuously maintain adequate protection of all work from damage and protect the public and private property of others from injury or loss arising in connection with the work.
9. The applicant shall comply with City of Woodburn Planning Department requirements through Woodburn Development Ordinance (WDO) 5.01.04 Grading Permit.
10. Prior to starting work, contact the Public Works Department for inspection of the erosion control in the public ROW. Contact the Engineering Division at (503) 982-5240.
11. The applicant shall leave ROW in clean condition, free from litter and debris, at the end of each workday, or more frequently if directed by the City Inspector.
12. Sidewalk and street closures are not allowed under this permit.
13. Prior to starting work, silt fencing shall be installed around the entire perimeter of the work area. Applicant shall comply with all requirements and conditions set on the DEQ 1200-C permit.

Final decision approved by designee:

Heidi Hinshaw  
Associate Planner

February 6, 2023

*Heidi Hinshaw*

Enclosure:

1. Approved Plans
2. [City of Portland Tree Protection Rules](#)

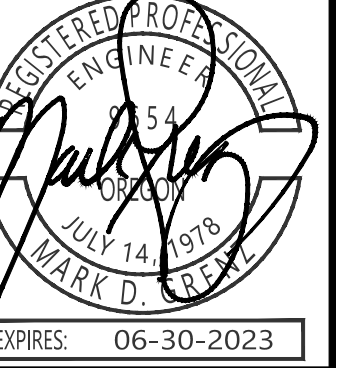
cc: Chris Kerr, Community Development Director  
Colin Cortes, AICP, CNU-A, Senior Planner  
Dan Handel, AICP, Planner  
Curtis Stultz, Public Works Director  
Dago Garcia, PE, City Engineer  
Clayton Friedman, Landowner

Mark Grenz, PE, Multi/Tech Engineering Services  
Scott Friedman, Owner, GT Landscape Solutions

file: GRAD 23-01

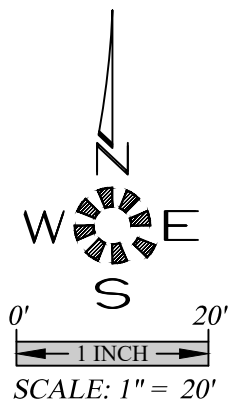
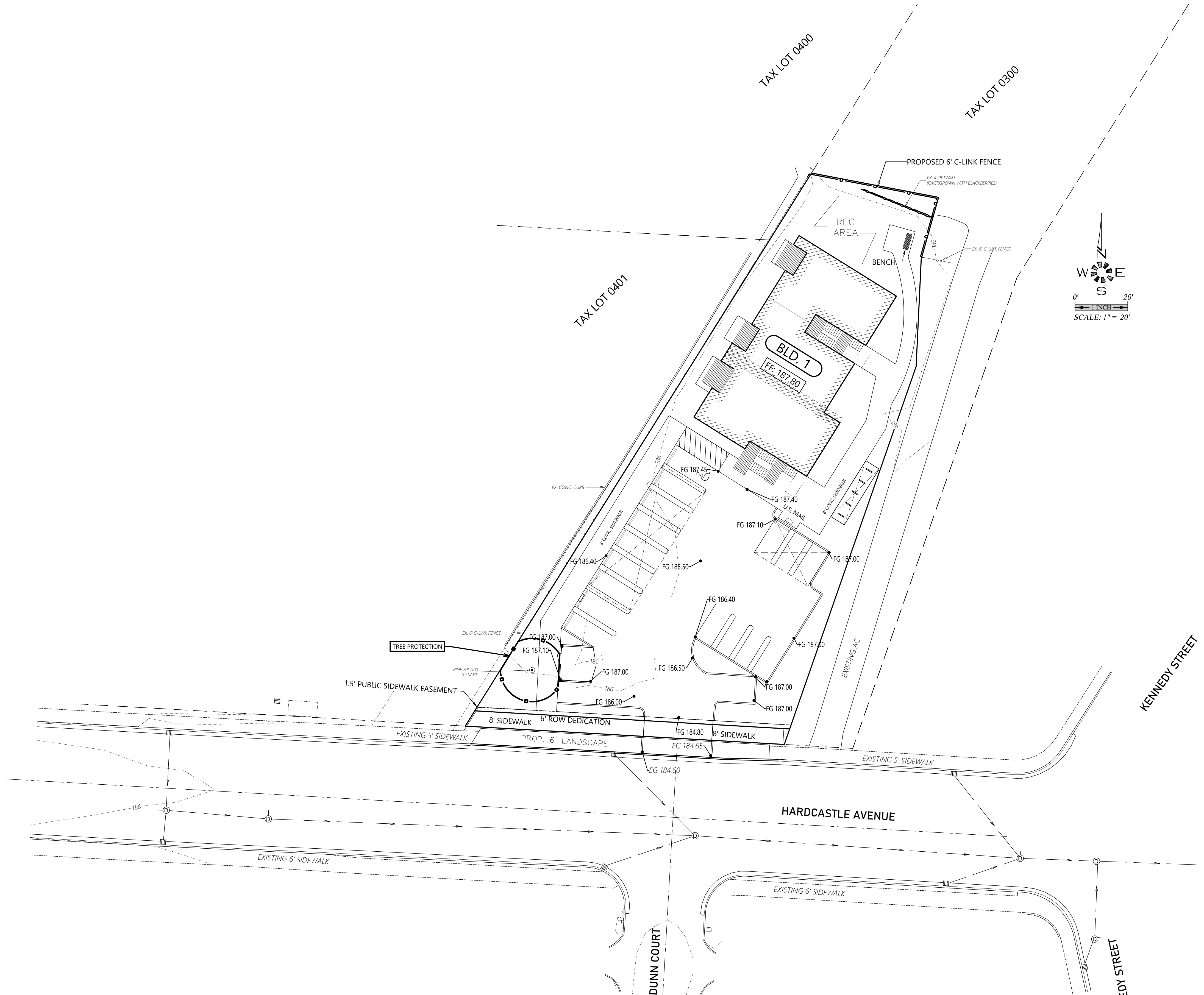
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 Drawn: C.F.G.  
 Checked: J.C.B.  
 Date: AUGUST 2022  
 Scale: AS SHOWN

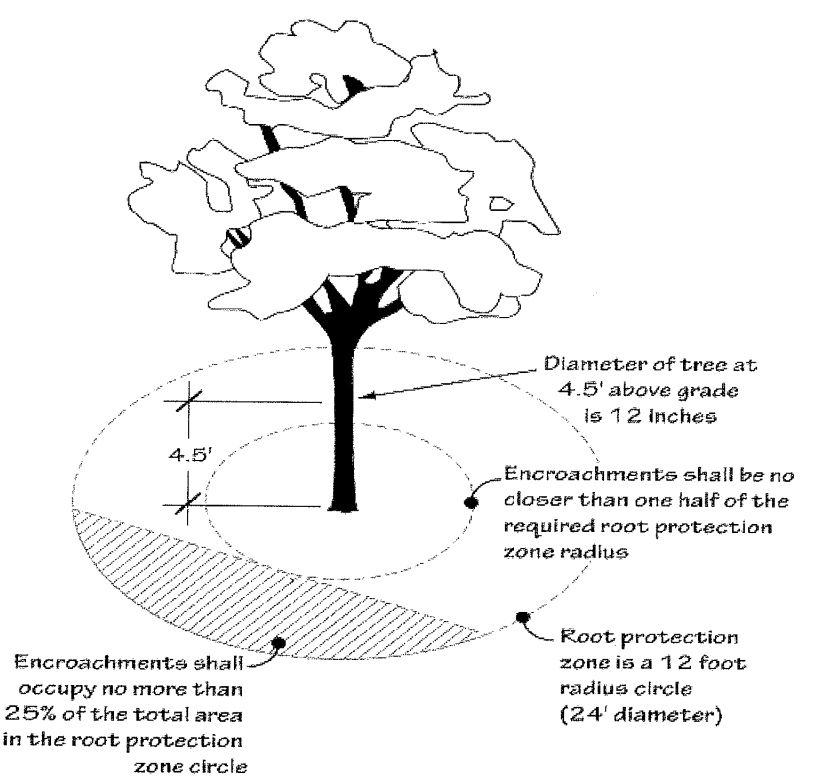


JOB # 7447

**C2.1**

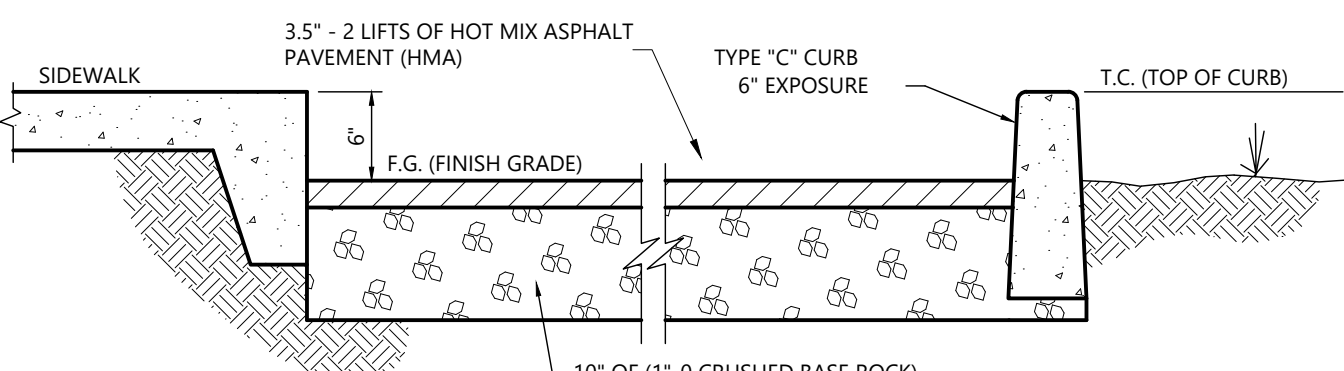


**Figure 60-1**  
 Permissible RPZ Encroachments



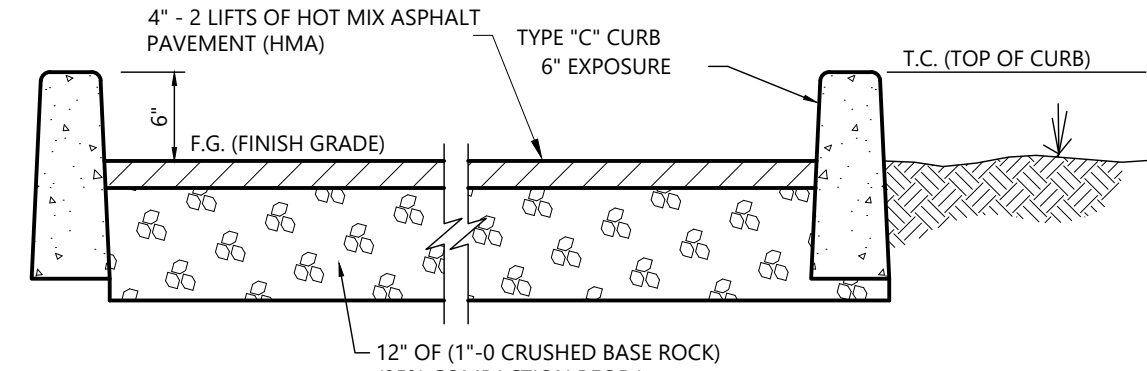
- b. Protection fencing
- (1) Protection fencing consisting of a minimum 6-foot high fence, either orange plastic fencing secured with posts or metal chain link construction fence secured with 8-foot metal posts, that shall be established at the edge of the RPZ and permissible encroachment area on the development site. Existing structures and/or existing secured fencing at least 3 1/2 feet tall can serve as the required protective fencing.
  - (2) When an RPZ extends beyond the development site, protection fencing is not required to extend beyond the development site. Existing structures and/or existing secured fencing at least 3 1/2 feet tall can serve as the required protective fencing.
    - (a) The following is prohibited within the RPZ of each tree or outside the limits of the development impact area: ground disturbance or

TREE PROTECTION TO BE IN PLACE PRIOR TO GRADING ON SITE.  
 EROSION CONTROL MEASURES TO BE IN PLACE PRIOR TO GRADING.



**PARKING STALL**

-NTS-



**DRIVE AREAS**

-NTS-

**PRIVATE  
 EROSION CONTROL PLAN**

**HARDCASTLE APARTMENTS**

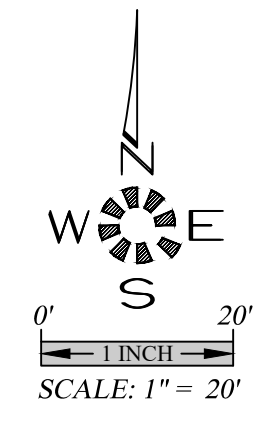
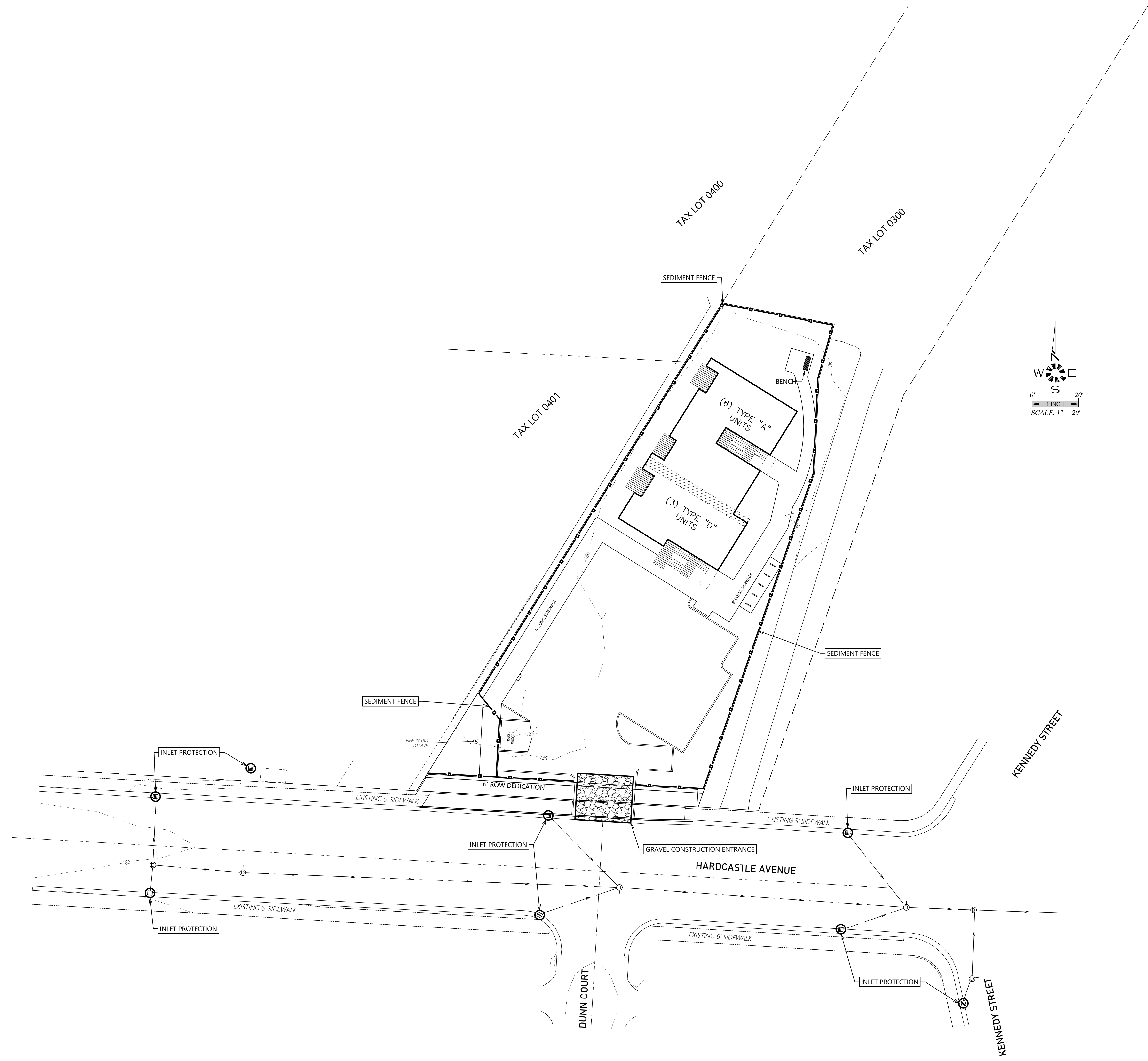
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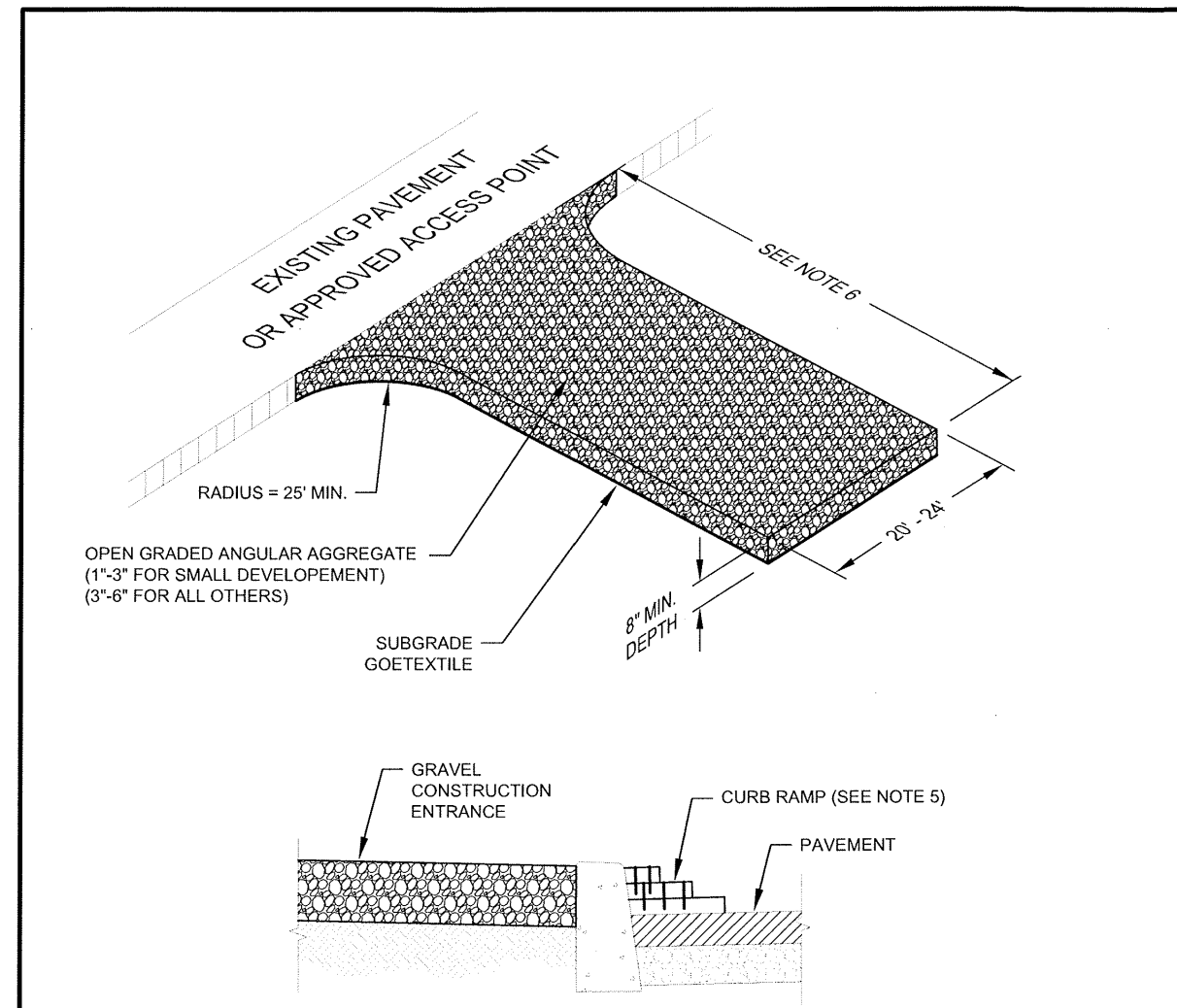
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EXPIRES: 06-30-2023  
 JOB # 7447

**EC1.0**





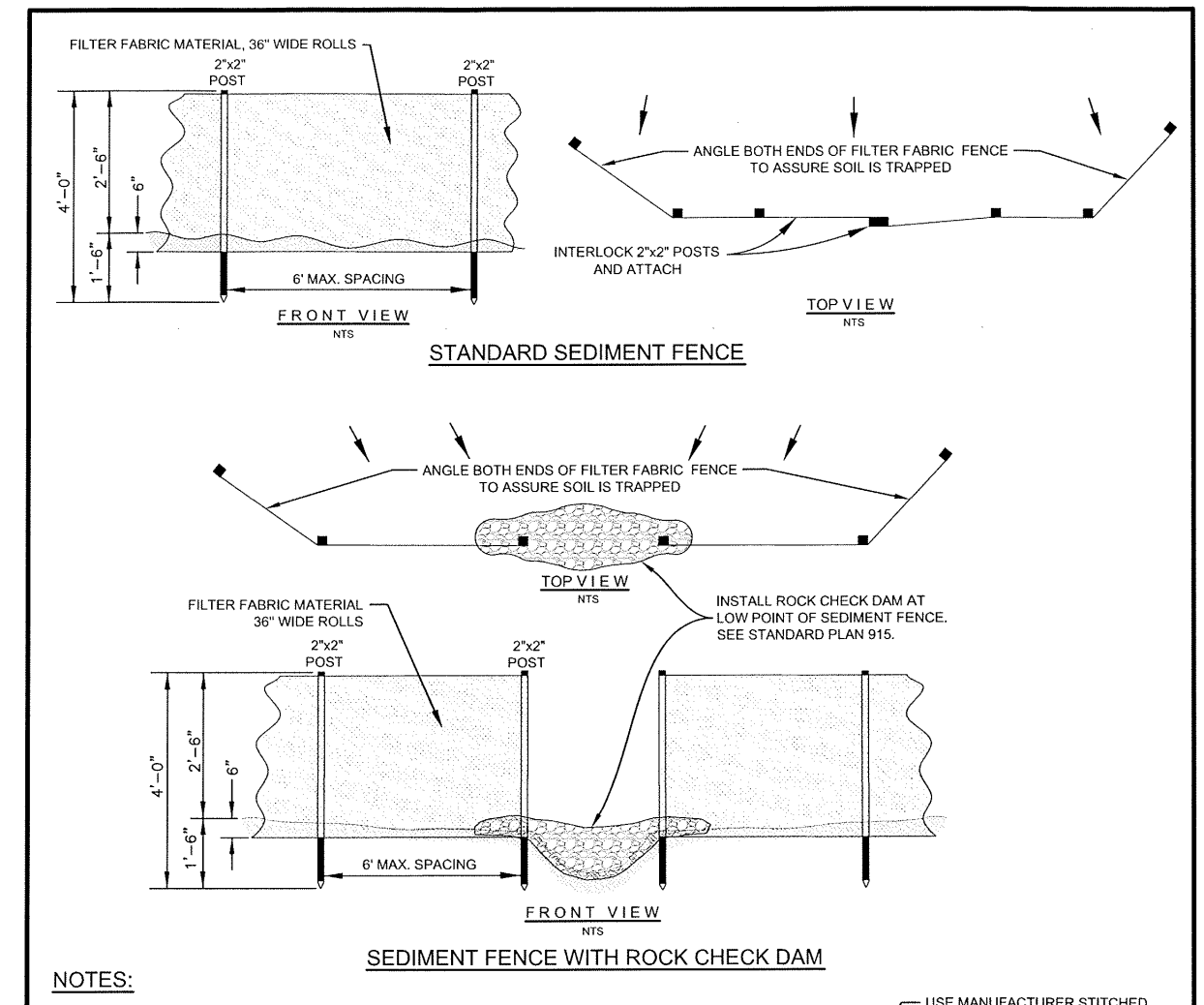
**NOTES:**

- THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.
- WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
- WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.
- WHERE RUNOFF CONTAINING SEDIMENT LADEN WATER IS LEAVING THE SITE VIA THE CONSTRUCTION ENTRANCE, OTHER MEASURES SHALL BE IMPLEMENTED TO DIVERT RUNOFF THROUGH AN APPROVED FILTERING SYSTEM.
- WHEN THE CURB HAS BEEN REMOVED FOR A NEW DRIVEWAY, WOOD CURB RAMP ARE NOT NEEDED. ADJUST GRAVEL DEPTH AS NEEDED TO PROVIDE MINIMUM DEPTH SHOWN.
- DIMENSIONS:**  
SINGLE FAMILY = 20' LONG X 20' WIDE X 6\"/>

**CITY OF SALEM  
DEPARTMENT OF PUBLIC WORKS**

STANDARD PLAN  
**GRAVEL CONSTRUCTION ENTRANCE**

APPROVED	<i>[Signature]</i>	DATE	3/10/14	DRAWN BY	DTN	1/2014	<b>NO.901</b>
	CITY ENGINEER			CHECKED BY	RLB	1/2014	



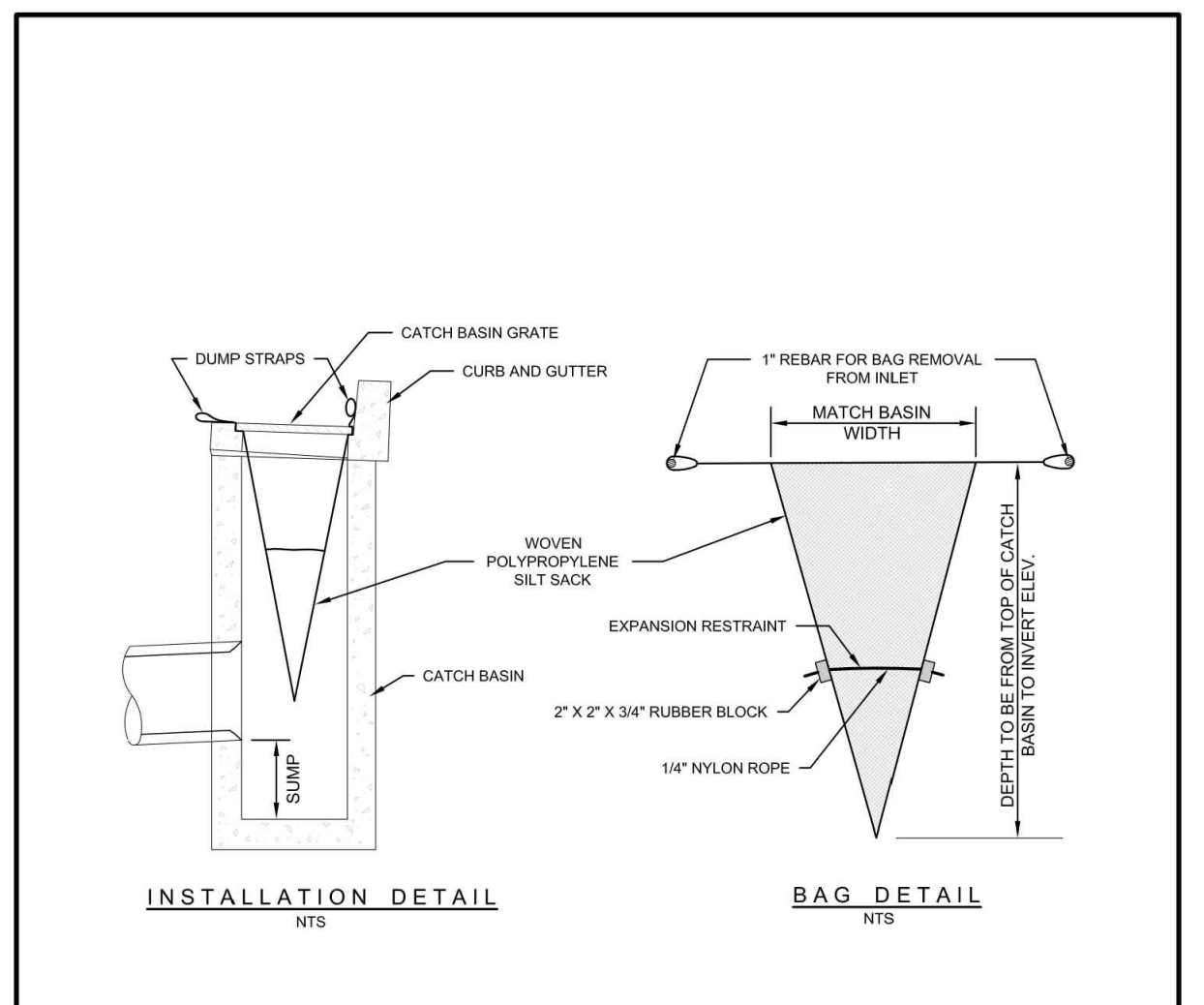
**NOTES:**

- FILTER FABRIC SHALL BE PURCHASED IN A CONTINUOUS ROLL CUT TO LENGTH OF THE BARRIER TO AVOID USE OF JOINTS. WHEN JOINTS ARE NECESSARY, FILTER CLOTH SHALL BE SPICED TOGETHER ONLY AT A SUPPORT POST, WITH A MINIMUM 6 INCH OVERLAP. BOTH ENDS SHALL BE SECURELY FASTENED TO THE POST OR OVERLAPPED AS SHOWN.
- THE FILTER FABRIC FENCE SHALL BE INSTALLED TO FOLLOW THE CONTOURS WHERE FEASIBLE. THE FENCE POSTS SHALL BE SPACED A MAXIMUM OF 6 FEET APART AND DRIVEN INTO THE GROUND A MINIMUM OF 18 INCHES.
- THE FILTER FABRIC SHALL HAVE A MINIMUM VERTICAL BURIAL OF 6 INCHES. ALL EXCAVATED MATERIAL FROM THE FENCE INSTALLATION SHALL BE BACKFILLED AND COMPACTED ALONG THE ENTIRE UP-HILL SIDE OF THE DISTURBED AREA.
- STANDARD HEAVY DUTY FILTER FABRIC FENCE SHALL HAVE MANUFACTURED STITCHED LOOPS FOR 2\"/>
- FILTER FABRIC FENCES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFUL PURPOSE, BUT NOT BEFORE THE UP-SLOPE AREA HAS BEEN PERMANENTLY PROTECTED, STABILIZED, AND APPROVED BY THE CITY.
- REMOVE ACCUMULATED SEDIMENT MATERIAL ONCE IT HAS REACHED WITHIN 18 INCHES OF THE TOP OF THE SEDIMENT FENCE.

**CITY OF SALEM  
DEPARTMENT OF PUBLIC WORKS**

STANDARD PLAN  
**SEDIMENT FENCE**

APPROVED	<i>[Signature]</i>	DATE	3/10/14	DRAWN BY	DTN	1/2014	<b>NO.902</b>
	CITY ENGINEER			CHECKED BY	RLB	1/2014	



**NOTES:**

- EMPTY SILT SACK WHEN ACCUMULATED SEDIMENT HAS FILLED OVER 1/2 OF THE DEPTH OF SACK.
- SILTSACK SEDIMENT CONTROL DEVICE AS MANUFACTURED BY ACF ENVIRONMENTAL AND SUPPLIED BY ACF WEST (903-771-5115) OR APPROVED EQUAL.
- RECESSED CURB INLET CATCH BASINS MUST BE BLOCKED WHEN USING FILTER FABRIC INLET SACKS. SIZE OF FILTER FABRIC INLET SACKS TO BE DETERMINED BY MANUFACTURER.

**CITY OF SALEM  
DEPARTMENT OF PUBLIC WORKS**

STANDARD PLAN  
**SILT SACK**

APPROVED	<i>[Signature]</i>	DATE	3/10/14	DRAWN BY	DTN	1/2014	<b>NO.913</b>
	CITY ENGINEER			CHECKED BY	RLB	1/2014	

**PRIVATE EROSION CONTROL  
DETAILS**

**HARDCASTLE APARTMENTS**

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JOB # 7447

The applicant shall protect the preserved trees pursuant similar to City of Portland Title [11.60.030](#), specifically either the subsections set of C.1.a.(1), (3) and C.1.b., e., & f. (clear and objective) and D.; or, the subsections set of C.2.a., b., & d.-f. (arborist's discretion) and D. as modified below and shall do so between land use approval and issuance of certificate of occupancy (C of O):

C. Protection methods. The Tree Plan shall show that the contractor adequately protects trees to be preserved during construction using one of the methods described below:

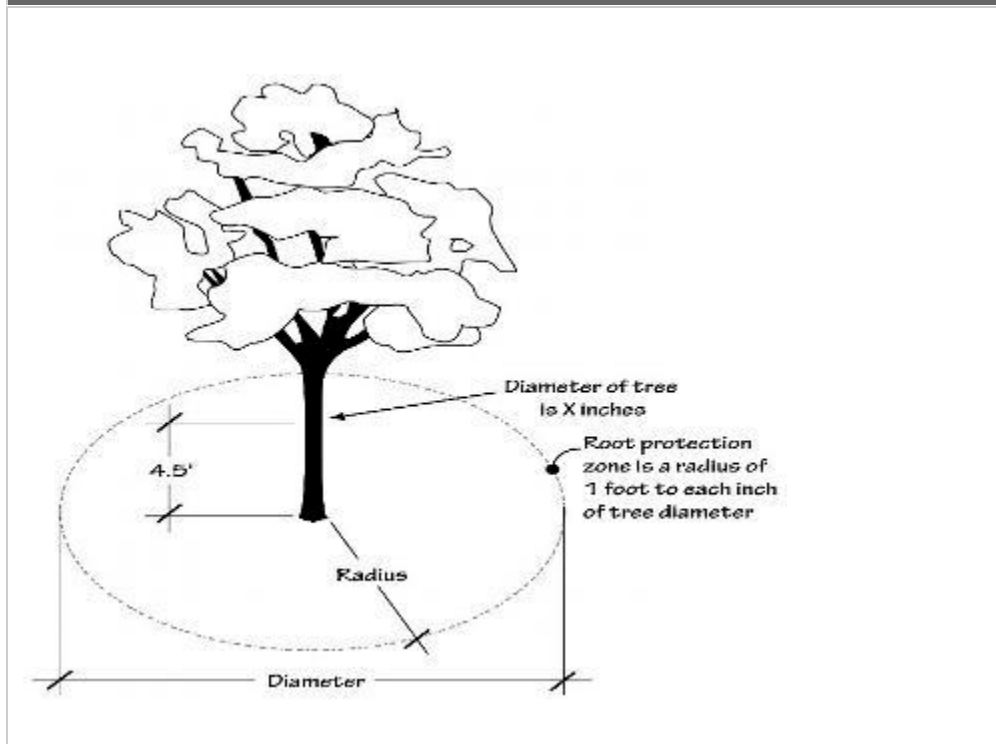
1. Clear & Objective Path.

a. A root protection zone is established as follows:

- (1) For trees on the development site - a minimum of 1 foot radius (measured horizontally away from the face of the tree trunk) for each inch of tree diameter (see Figure 80-2)

**Figure 80-2**

**Root Protection Zone**

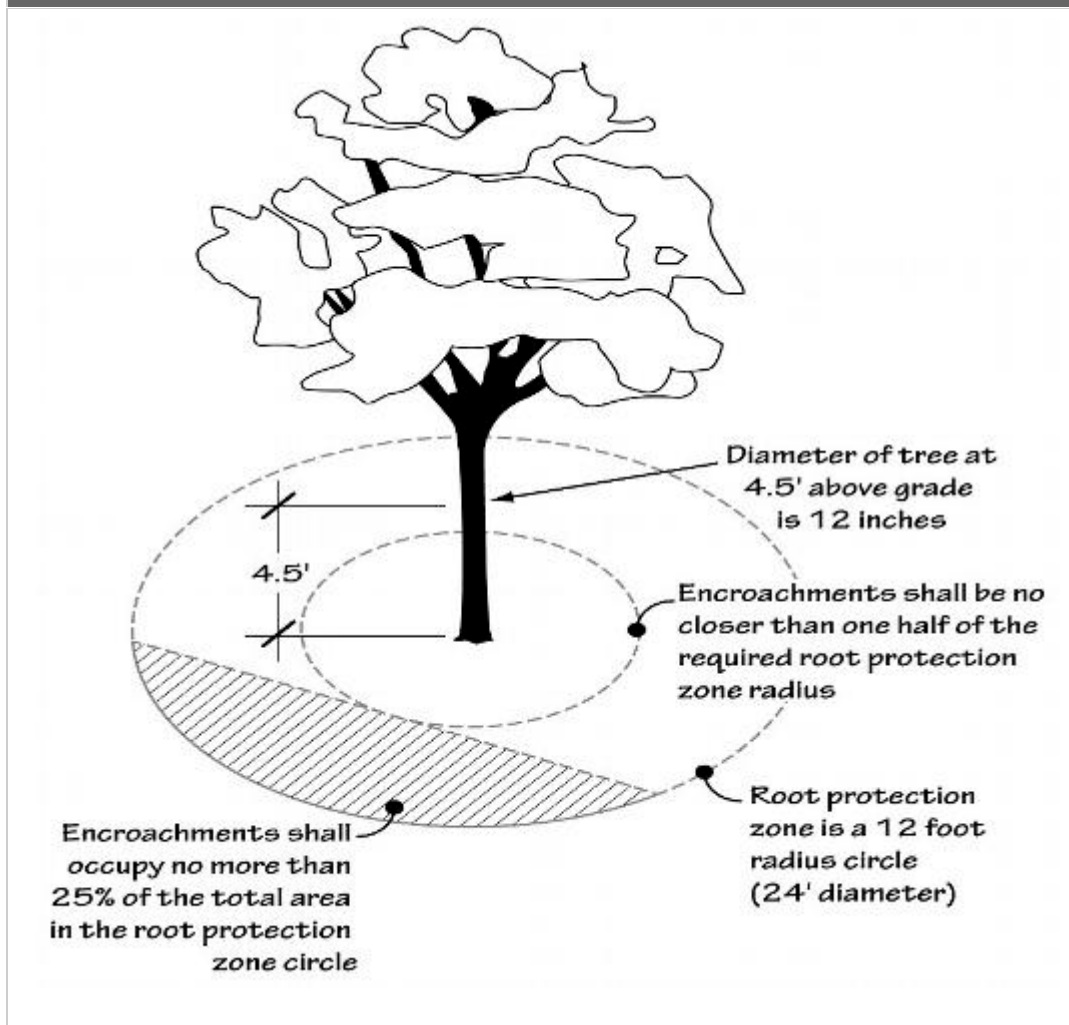


(3) Existing encroachments into the root protection zone, including structures, paved surfaces and utilities, may remain. New encroachments into the root protection zone are allowed provided:

- (a) the area of all new encroachments is less than 25 percent of the remaining root protection zone area when existing encroachments are subtracted; and
- (b) no new encroachment is closer than 1/2 the required radius distance (see Figure 60-1);

Figure 60-1

Permissible RPZ Encroachments



b. Protection fencing

(1) Protection fencing consisting of a minimum 6-foot high metal chain link construction fence, secured with 8-foot metal posts shall be established at the edge of the root protection zone and permissible encroachment area on the development site. Existing structures and/or existing secured fencing at least 3½ feet tall can serve as the required protective fencing.

(2) When a root protection zone extends beyond the development site, protection fencing is not required to extend beyond the development site. Existing structures and/or existing secured fencing at least 3½ feet tall can serve as the required protective fencing.

e. The following is prohibited within the root protection zone of each tree or outside the limits of the development impact area: ground disturbance or construction activity including vehicle or equipment access (but excluding access on existing streets or driveways), storage of



equipment or materials including soil, temporary or permanent stockpiling, proposed buildings, impervious surfaces, underground utilities, excavation or fill, trenching or other work activities; and

f. The fence shall be installed before any ground disturbing activities including clearing and grading, or construction starts; and shall remain in place until final inspection by Planning Division staff.

2. Arborist's Discretion. When the prescriptive path is not practicable, the applicant may propose alternative measures to modify the clear and objective root protection zone (RPZ), provided the following standards are met:

a. The alternative RPZ is prepared by an arborist who has visited the site and examined the specific tree's size, location, and extent of root cover, evaluated the tree's tolerance to construction impact based on its species and health, identified any past impacts that have occurred within the root zone, and forwarded a report through the developer to Planning Division staff;

b. The arborist has prepared a plan providing the rationale used to demonstrate that the alternate method provides an adequate level of protection based on the findings from the site visit described above;

d. If the alternative methods require the arborist be on site during construction activity, the applicant shall submit a copy of the contract for those services prior to permit issuance and a final report from the arborist documenting the inspections and verifying the viability of the tree(s) prior to final inspection by the Planning Division;

e. If the alternative tree protection method involves alternative construction techniques, an explanation of the techniques and materials used shall be submitted;

f. The arborist shall sign the tree preservation and protection plan and include contact information.

D. Changes to tree protection. Changes to the tree protection measures during the course of the development may be approved as a revision to a permit provided that the change is not the result of an unauthorized encroachment into a root protection zone (RPZ), and the applicant demonstrates that the tree protection standards of this Section continue to be met. When an unauthorized encroachment has occurred, the City may pursue an enforcement action or other remedy.