



City of Woodburn
Community Development

Memorandum

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Date: October 16, 2023
To: Melissa Gitt, Building Official
Cc: Alyssa Nichols, Permit Technician
Dago Garcia, P.E., City Engineer
Roy Reyes, Project Engineer
Jeff Bolton, Multi/Tech Engineering
Clayton Friedman, Friedman Properties LLC
From: Colin Cortes, AICP, CNU-A, Senior Planner *CC*
Subject: **Building permit 971-23-000613-STR-02 Hardcastle Apts. Planning Division review 3**

Introduction

On behalf of the Planning Division, I reviewed the building permit application revised site plans received October 9, 2023 for conformance with the [Conditional Use CU 22-04](#) land use final decision conditions of approval and notes to the applicant related to Hardcastle Apartments at 1755 Hardcastle Avenue (applicant's job # 7447).

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

The project is one building permit application as of October 16:

<i>Permit / Accela/ePermitting Record No.</i>	<i>Building</i>
971-23-000613-STR-02	n/a
To be determined (TBD) upon application	Gazebo/shelter 15 x 15 ft (225 sq ft)*

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

Below is what the applicant needs to do.

Additional Info Needed

In the October 9 revision, 5 items remain:

A. *Conditions G4a & CU1:*

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

2. *CU1: Construct, request and have inspection(s), and obtain acceptance of constructed public improvements per Conditions G4a & CU1.*

(a) Per the Building Official e-mail of October 16, 2023, “We are missing the full set of civil drawings for the Hardcastle Apartments. Please submit three sets of full civil drawings for review. It appears that you have only submitted random individual civil sheets and not a complete set in your last submittal. We cannot approve a new building or structure unless three full civil plans are submitted with the building plans.”

(b) Regarding CU 22-04 Condition CU1e(2) specifically about removal of PGE pole PL 3080, this needs resolution prior to a request for building permit final inspection.

Staff wouldn't inspect until resolved because although the condition does allow for fee in-lieu, it's not a set figure – the final decision Attachment 204 in row CU1e(2) outlines a cost estimate requirement. It's up the developer to plan the time to settle a dollar amount with the City and pay it to the City before inspection. Staff doesn't want to receive an inspection request and have to ask about the pole having received nothing.

E. Fencing: Regarding Conditions CU9c & D1, either apply for a fence permit (through the Associate Planner and/or Administrative Specialist) or revise the Sheet C1.3 note about new north yard fencing to refer to the case file number of the approved sign permit.

Item E remains.

The response letter stated, “The note for the requirement of a Fence Permit is identified for the northern property line for this 6' foot chain link fence through the City of Woodburn.” This doesn't address the item.

Either apply for a fence permit (through the Associate Planner and/or Administrative Specialist) or revise the Sheet C1.3 note about new north yard fencing to refer to the case file number of the approved sign permit.

G. Decorative pavement:

1. Regarding Condition CU11, supplement the Sheet C1.3 notes with specs or details, such as a cut or spec sheet and/or detail among the details on Sheets C8.1-8.3.

Item G remains.

The response letter stated, “We have also noted the required submittal process with Planning approval of the final design to be implemented.” This doesn’t address the item because there’s no such note – and a Sheet C1.3 note wouldn’t matter anyway because there is no “process” other than through building permit review; now is the time to submit.

Supplement the Sheet C1.3 notes with specs or details, such as a cut or spec sheet and/or detail among the details on Sheets C8.1-8.3.

K. Lighting: Revise Sheet C6.1 and/or C6.2 to:

2. CU16b: Address how the front yard pole mount shielding standard is met.

Item K remains.

The response letter stated, “Please see Sheet C6.1 and C6.2 for the additional detail for shielding light required” This doesn’t address the item because there’s no such detail. The sheet cloud 2 shows the same from the last submittal: the parking area pole light circle of light overlapping right-of-way (ROW), that is, that the requirement isn’t met.

Revise Sheet C6.1 to illustrate and note how a shield will truncate the south part of the circle at ROW. The Condition CU16b standard is, “The side of the fixture closest to the street shall have permanent shielding that extends down min 5 inches below the underside of the fixture, and the shielding shall wrap onto both of the two perpendicular sides for min width 3 inches.”

N. Patio delineation:

2. Revise the floor plans (Sheets A1.30, A1.40, & A1.50) and Sheets C8.1-8.3 details series to meet Condition D6b-d. Among these, include both plan and elevation views of typical delineation.

a. Scaled measurement of the cap or top of patio fences and balcony railings show they are below the minimum width of 3 inches per Condition D6b & c. Revise Sheets A1.30, A1.40, & A1.50 such that they are minimum width 3 inches.

Copy cloud 2 note from Sheet A1.30 onto Sheets A1.40 & A.50, and copy the text of Condition D6b-d as a note on Sheets A1.30, A1.40, A1.50, & A1.80:

“b. Patio railings/fencing & gate: The outermost edges of patio concrete slabs that do not abut building walls shall have either metal or wood railings or cedar wood fencing min 3 ft high. If railings, color(s) other than black or charcoal. If the latter, then opacity shall be full, but if fencing is higher than the minimum height, it shall be no more than 90% opaque, such as by being fully opaque from grade but from the top having a lattice pattern. Gates per WDO 3.05.06C.7. Gates shall (1) swing outward (2) swing both inward and outward, or (3) slide.

c. Balcony railings – and where installed on patios, railings instead of fencing – shall have a bottom or near bottom horizontal member and a second horizontal member in addition to the top railing to allow residents to affix to, hang from, and thread through elements from them instead of the top of the railings. Color(s) other than black or charcoal. The cap or top member of balcony and patio railings, as well as the cap or top member of patio wood cedar fencing, flat and 3 inches wide min. This condition part c. shall be applicable also to the south open-air stairwell second and third floor landing west railings.

d. Height maximum: The fencing or railings max height shall be 5 ft.”

b. Sheet A1.90 shows that balcony railings are missing a second horizontal member in addition to the top railing, per Condition D6c. Revise to add.

Revise the Sheet A1.80 balcony railings the same as CU 22-01 Woodburn Place West Apartments Building Q Sheet A15.80.

A. Re-submittal Process:

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

Attachment(s):

none