



City of Woodburn
Community Development

Memorandum

270 Montgomery Street

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Date: April 24, 2023
To: Melissa Gitt, Building Official
Cc: Alyssa Nichols, Permit Technician
Dago Garcia, P.E., City Engineer
Chris Peck, Triumph Specialty Construction, Inc.
Kirk Hall, Drafter/Designer III, Crow Engineering, Inc.
From: Colin Cortes, AICP, CNU-A, Senior Planner *CC*
Subject: **Building permit 971-23-000102-STR-02 Townsend Farms Planning Division review 2**

Introduction

On behalf of the Planning Division, I reviewed a copy of the building permit application site plan set submitted March 31, which contained only architectural and structural drawings, for conformance with the Conditional Use CU 22-02 land use final decision conditions of approval and notes to the applicant related to Townsend Farms industrial freezer tunnel at 960 Young St (applicant's project no. 21441).

The first Planning Division building permit review memo was February 28.

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

The building permit application is permit / Accela/ePermitting record no. 971-23-000102-STR-02 (phase 2 of phased permit, the one for vertical construction as distinct from 01 for foundation only).

Following the first Planning Division building permit review memo February 28, the remaining items needing resolution are italicized below. Red X's draw attention to staff commentary. (Blue and green icons confirm select items as now met or no longer relevant.)

Additional Info Needed

A. Land use Condition G1 from CU 22-02 Attachment 202 isn't met:

"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."

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.*
- 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, the improvement in question wouldn't be known about or done right away.)*
- 6. Feel free to ask me for any clarifications or further direction prior to re-submittal.*

- ✘ Because other items below remain, Item A about re-submittal including a cover letter remains applicable. Submit the revised and additional information regarding the items below per the above instructions.

B. Regarding Conditions G4a & b:

1. *“a. When public street improvements, and any fees in lieu of public improvements, are due shall be per WDO 3.01.02E and 4.02.12 unless if and where a condition of approval has more restrictive timing. By this condition, there is more restrictive timing: In any case, 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.”*

WDO 3.02.01E states:

“When all public improvements are due: The construction of all public improvements, their passing City inspections, and acceptance by the City are due no later than by either 5.01.06B in the context of land division final plat application to the City or by building permit issuance, except if (1) the developer applies to the City through the Public Works Department for deferral and (2) the City Administrator or designee issues a document approving and describing a bond or performance guarantee pursuant to Section 4.02.08. Administration of bonding and performance guarantees for improvements that are public defaults to the Public Works Department, and the department shall notify the Community Development Director of deferral applications and any approvals and conditions of approval.”

Public Works comments (final decision Attachment 102A), item 12 states, “All public improvements shall be deemed complete prior to issuance of building permit.”

Young Street frontage improvements are due, and because of the context per Item B3 below, it’s impossible that they are done already. Address the issue.

- ✘ The re-submittal doesn’t address Item B1 through plan sheets and/or supplemental documentation.
2. *“b. ROW/easements: Recordation of required right-of-way (ROW) and public easements is due by building permit issuance.” ...*
 - ✓ The City Engineer volunteered April 14 that the City Council on April 10 accepted the dedication of ROW and granting of streetside PUE, both recorded as Reel 4701 Page 148.

3. There's no documentation that the applicant applied for and obtained Public Works Department civil engineering plan (CEP) review and approval, i.e. review and approval of construction detail documents for Young Street improvements. Without the applicant forwarding a copy of the civil plan set marked approved by the Public Works Department, Planning Division staff cannot sign off on building permit issuance.

Also regarding CEP, see final decision Notes to Applicant 17a-c (final decision p. 15). Per final decision Attachment 203 (p. 3), CEP submittal is to come with a \$250 Planning Division review fee with payment through Planning Division administrative staff.

- ⊖ The City Engineer mentioned April 19 that the Public Works Department Engineering Division handled review of civil engineering of public improvements through other than the usual CEP review and had issued approval. The department hosted a pre-con(struction) meeting April 20.
- C. Landscaping: The permit set sheet list doesn't list landscaping plans, and one are included. Submit one or more landscape plan sheets per Condition G1 and that conform to the landscaping conditions of approval: CU3b(2), CU4, CU5, CU6, CU7, D1a(3), & D9a.*
- ✘ The re-submittal doesn't address Item C. The March 31 plan set, which contained only architectural and structural drawings, lacks landscape plan sheets (and there's no separate set of landscape plans).

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D. Fire apparatus access road west: Address Condition D4. Forward a written response from the District that indicates if the condition is relevant or not. If relevant, then illustrate and note conformance through revised site plans. Specify the sheet(s).

✘ Condition D4 states:

“Vehicular area pavement: This condition is applicable only if between land use approval and building permit issuance Oregon Fire Code (OFC) Appendix D as administered by the independent Woodburn Fire District designates a route in the west side yard leading to and from Gatch Street as a required fire apparatus access road: To increase conformance with WDO 3.05.02F, the developer shall pave per 3.04.04 a drive aisle min width 20 ft in the west yard where there is employee parking, extending at the west to the west lot line where there is an access easement that benefits the subject property across the property at 100 Gatch Street (Tax Lot 051W18AD07300) and at the east where there is existing asphalt or concrete vehicular area, an extent of approximately 130 ft. Due by building permit final inspection. (This condition does not require curbing; note that 3.04.04 allows “grasscrete”.) The developer shall revise the site plans prior to building permit issuance.”

The re-submittal doesn't address Item D through plan sheets and/or supplemental documentation.

E. Wide walkway: Illustrate and note conformance with Condition D5 through revised site plans. Specify the sheet(s).

✘ The re-submittal doesn't address Item E through a plan sheet or sheets.

F. Left turn pocket striping: Illustrate and note conformance with Condition D5a through revised site plans. Specify the sheet(s).

✘ The re-submittal doesn't address Item F through a plan sheet or sheets.

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G. Parking:

1. The applicant for land use approval (CU 22-02) submitted a draft parking plan on January 19, after Planning Commission staff report publication. Now that staff reviews it closely for conformance, conformance is unclear.

PARKING REQUIREMENTS			
SPACES	MIN. REQUIRED	RATIO	REQUIRED
EMPLOYEES	60	-	
<i>PARKING REQUIREMENTS PER WOODBURN DEVELOPMENT ORDINANCE (NO. 2603, JUNE 13, 2022)</i>			
WAREHOUSE (MOTOR FREIGHT TRANSPORTATION)	13,885 SF	1 per 5,000	3
MANUFACTURING	22,920 SF	1 per 800	28
OFFICE	4,677 SF	1 per 850	13
TOTAL REQUIRED			44
TOTAL PROVIDED			85
ADA STALLS		2 plus 1 VAN STALLS	3
EV STALL		5% OF STALLS	3
CARPOOL STALLS		5% OF STALLS	3
BICYCLE PARKING		15% OF STALLS	9

2. Regarding the above table excerpted from the parking plan, specify what row numbers in Table 3.05A are cited. It appears that row numbers 50, 55, & 56 are cited. Item 50 has one parking ratio, and rows 55 & 56 share another.
3. For all, the parking ratio is a “greater of” standard with three ways to calculate. Provide the analysis showing the ways to calculate parking and which is the greater of them.
4. The table breaks out accessory office use distinct from the primary industrial use(s) as if primary office and applied an office rate. Revise to calculate no differently than the industrial primary use(s).
5. If there is a difference in result between row numbers 50 and 55/56, specify which one(s) the applicant chooses.
6. Illustrate and note conformance with Condition D6 through a revised parking plan. (Submit with the revised building permit plan set.)

✘ The re-submittal doesn’t address Item G through plan sheets and/or supplemental documentation.

H. *Carpool/vanpool: Because total minimum parking ratio is unclear, it remains unclear how WDO Table 3.05C calculates and if the parking plan proposed 3 C/V stalls meet the minimum. Verify the C/V min requirement when addressing Item G in order to confirm conformance with the table through Condition D7.*

✘ The re-submittal doesn't address Item H through plan sheets and/or supplemental documentation. Addressing Item G is necessary to then address Item H.

I. *EV: Because total minimum parking ratio is unclear, it remains unclear how WDO Table 3.05E calculates and if the parking plan proposed 3 EV stalls meet the minimum. Verify the EV min requirement when addressing Item G in order to confirm conformance with the table through Condition D8.*

✘ The re-submittal doesn't address Item I through plan sheets and/or supplemental documentation. Addressing Item G is necessary to then address Item I.

J. *Bicycle parking: The parking plan indicates bicycle parking at 15% of stalls. Because total minimum parking ratio is unclear, it remains unclear how WDO Table 3.05D calculates what 15% would equal. Also, the plan does not indicate racks or other facilities, dimensions, and other information in conformance with WDO 3.05.06C through Condition D9.*

✘ The re-submittal doesn't address Item J through plan sheets and/or supplemental documentation. Addressing Item G is necessary to then address Item J.

K. *Monument sign removal: Address conformance with Condition D10 by revising a site plan sheet to note such. Specify the sheet. (Note that staff reads the condition to mean that removal is due by request for final inspection.)*

✘ Condition D10 states, "To conform with WDO 3.10.08R, the developer shall remove the existing monument sign from the area within Young Street widened ROW and streetside PUE."

The re-submittal doesn't address Item K through a plan sheet or sheets.

L. *Lighting: Address conformance with WDO 3.11 through Condition D11 about altered or new exterior lighting: mounting heights (3.11.02B) and hue / color temperature (3.11.02C).*

✘ The re-submittal doesn't address Item L through a plan sheet or sheets.

M. *Fire apparatus access road #1: Provide a status update about Condition V1, particularly parts b., c., & e.*

✘ Condition V1 parts b, c, & e state:

“Joyce Way west half-street improvements variance: Fire apparatus road #1: The request to vary from Woodburn Development Ordinance (WDO) 3.01.03A & C.1, Figure 3.01A, 3.01.04B.1, and Figure 3.01G regarding the unnamed paper street right-of-way (ROW) at the east that City staff terms “Joyce Way” is approved, but with provisions as follows and, where conflicting with Condition G4, superseding: ...

b. Due date: Per the WFD Fire Marshal, yet no later than before issuance of the first certificate of occupancy (C of O) for a 1030 Young Street redevelopment. The City delegates administration of this fire access condition to the WFD Fire Marshal, and after the developer and the Fire Marshal implement the condition, the developer shall submit to City staff documentation that the WFD considers the condition met, whether through improvement or fee in-lieu.

c. Fee in-lieu: If the WFD Fire Marshal allows, the developer may pay a fee in-lieu per Attachment 203. ...

e. The developer shall revise the site plans prior to building permit issuance.”

The re-submittal doesn't address Item M through plan sheets and/or supplemental documentation.

Attachment(s):

none