



City of Woodburn
Community Development

Memorandum

270 Montgomery Street

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Date: May 22, 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 3**

Introduction

On behalf of the Planning Division, I reviewed a copy of the building permit application site plan set submitted May 2 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 "[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 previous first Planning Division building permit review memo April 24, the remaining items needing resolution are italicized below. Red X's draw attention to staff commentary. (Blue and green icons, if any, 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.

- ✘ In response to, “A performance bond has been issued ...” forward a copy of the Public Works approval of the bond. With a copy, Planning staff would find this Item B1 resolved.

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.

✘ Revise the site and landscaping plans to conform with Conditions:

1. CU3b(2): Sheet L100 doesn't show 2 coniferous/evergreen trees in the easterly south yard along the building addition. With a 5-ft wide building perimeter walkway proposed in the 10½-ft deep south yard, if proximity of new trees to building foundation is a concern, then shift an easterly segment of the walkway from south to north to be adjacent to the building and illustrate and note the 2 trees along the south side of the walkway segment.
2. CU4b: The row is 17 shrubs and missing 1 for a total of 18. Illustrate one in the east gap in the row.
3. CU7: Sheet C100 Keynote 4 & L100 show and note a transformer. Three sides remain unscreened. Typically, two sides must remain unscreened in the immediate vicinity for technician access. Screen two of the four sides (with the second side having min 2 shrubs like those proposed elsewhere in the east yard).

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.

- ✘ The Sheet C100 rectangular paving area leaves near its northeast corner a triangular gap between its east side and existing pavement. Revise to show proposed pavement also within this gap.

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.

- ▲ Note: C100, including its inset enlarged plan, shows 3 carpool/vanpool (C/V) stalls (2 towards the NE, 1 towards the site center) though the parking table calculates a min of 4. However, the parking table overestimates. The minimum C/V parking of either 2 stalls or 3% is based on minimum parking, not proposed, so the correct base is the minimum 60 stalls, not 80. The actual C/V minimum is 2 stalls. The applicant may omit one of the NE C/V stalls.

- ✘ 1. Regarding C100 Keynote 27, which refers to "3.05 Section H":
 - a. Revise reference to "3.05.03H".
 - b. Revise Sheet C100 and provide details, such as through a details sheet, illustrating how C/V standards are met: H.2 (striping) & H.3 (signage). The revisions would feed into a Building Division approved site copy, direct what the contractor would install, and direct staff what to look for and inspect.

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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.

▲ Note: C100, including its inset enlarged plan, shows 4 electric vehicle (EV) stalls (towards the site center) though the parking table calculates a min of 4. However, the parking table overestimates. The minimum EV parking of either 2 stalls or 5% is based on minimum parking, not proposed, so the correct base is the minimum 60 stalls, not 80. The actual EV minimum is 3 stalls. The applicant may omit one of the EV stalls.

- ✘ Regarding C100 Keynote 26, which refers to "3.05 Section I":
 1. Revise reference to "3.05.03I".
 2. Revise Sheet C100 and provide details, such as through a details sheet, illustrating how EV standards are met: I.3 (striping) & I.4 (signage).

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.

- ✘ Regarding C100 Keynote 20, revise Sheet C100 and provide details, such as through a details sheet, illustrating how bicycle parking standards are met in 3.05.06C:
 1. C.1 (pavement): Sheets C100 & L100 have a call-out circle "2" for the bicycle parking area, but it's unclear what it conveys (another sheet? another detail?) Staff almost overlooked that the landscape plan, not the site plan, has the bicycle parking pavement note and detail, and the detail has no number (like "2"). Revise so that the site plan clearly refers to the landscape plan and the notes and detail on that sheet.
 2. C.4 (signage): Provide details, such as through a details sheet. Indicate posting locations.

3. C.5 (proximity): It's unclear if the proposed bicycle parking location would conform to, "maximum 50 feet of the main entrance and per Figures 3.05J-L".
4. C.6 (coverage/shelter): Demonstrate conformance with, "... shall cover or shelter from precipitation among the total required bicycle parking minimum 50 percent of any and all parking that is outdoors".*

*The keynote reference to deferred submittal isn't an option for zoning conformance – unless the applicant meant an intended shelter that would be large and/or high enough per building code to require a separate building permit and that the applicant would want staff to determine conformance of the coverage/shelter through the shelter permit. Please confirm or, if not accurate, demonstrate conformance through the present building permit.

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.

- ✘ The cover letter refers to Sheet E000-01, but the sheet isn't among the re-submittal sheets or among the other plan sets with the Building Division. Submit something that updates for conformance what land use review Sheet C006 showed.

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.

Staff acknowledges the cover letter response that, “The client is working with the Fire district on this requirement contingent on the developing property to the east and Joyce way being built during their development phase. If the timing does not work, the client will pay a fee in-lieu of or work in a bond guarantee to ensure that the requirements for gates, lock boxes, etc. are paid for when the street improvements for Joyce Way are initiated. An e-mail regarding this will be forthcoming.”

New Item N: The revised Sheets C100, C150, & L100 illustrate striping of new parking stalls within existing pavement in the northeast outdoor storage yard. The land use review drawings hadn't proposed this. No new land use review is required; however, conformance with the WDO parking development standards remains required.

1. Double-striping: Unlike new parking at the south central of the site, the stalls aren't shown as double-striped per WDO 3.05.02K & Fig. 3.05C.
2. Island: Both of the NE parking aisles require landscape islands at the west per 3.06.03C.1 and to the standards of that section.

Attachment(s):

none