



Staff Report

To: Planning Commission

Through: Chris Kerr, AICP, Community Development Director *CK*

From: Colin Cortes, AICP, CNU-A, Senior Planner

Meeting Date: July 27, 2023 (Prepared July 20, 2023)

Item: 300 [S.] Woodland Ave, "Chick-fil-A" (DR 22-26)

Tax Lot(s): 052W110000106

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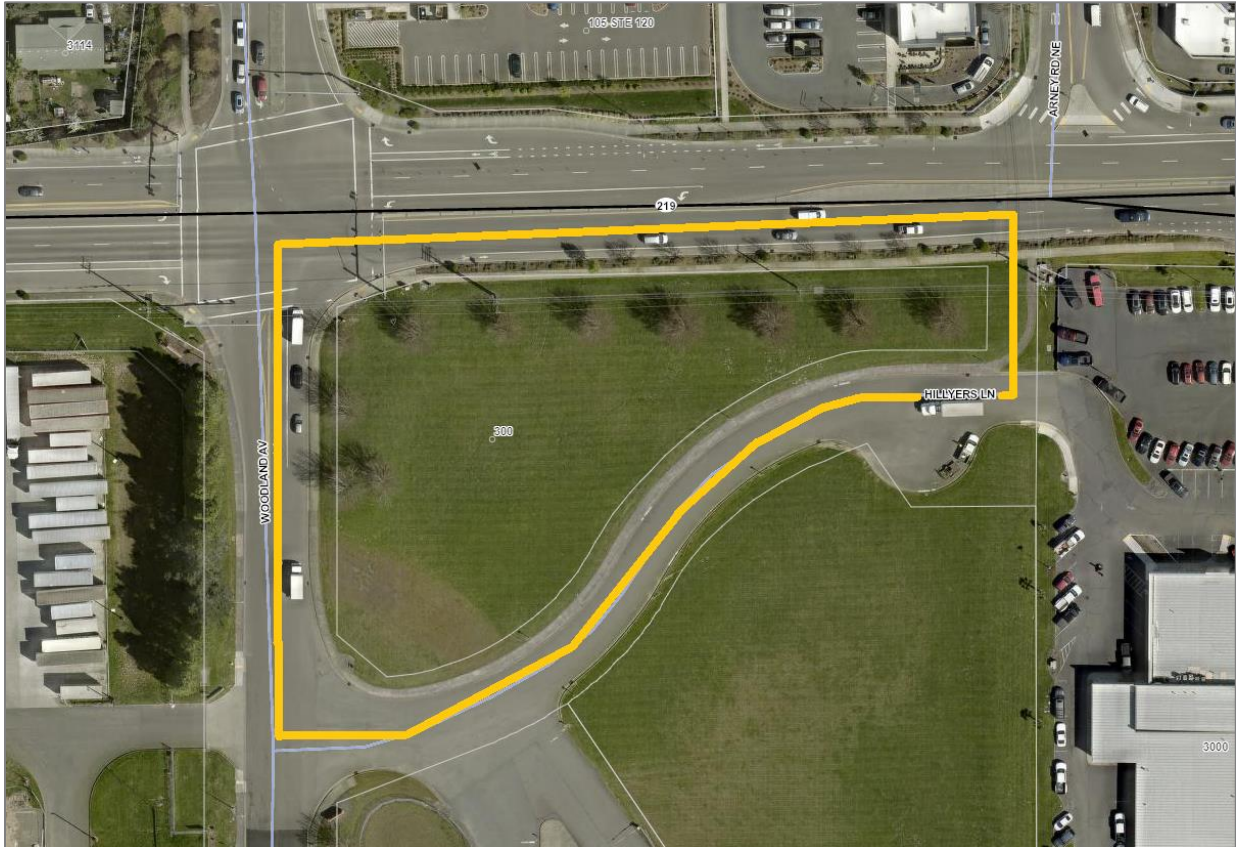
Issue before the Planning Commission

Design Review DR 22-26 (Type III) for proposed site development of a Chick-fil-A fast food restaurant with drive-throughs and Variance VAR 22-15 for a request to exceed *maximum* off-street parking of 23 stalls by 20 stalls to have 43 stalls total: Commission decision.

Executive Summary

Location

The proposal is to approve the development of a Chick-fil-A fast food restaurant on the subject property that is zoned Commercial General (CG), composed of one tax lot of 1.39 acres, at 300 [S.] Woodland Avenue. The property is located west of I-5 at the southeast corner of Oregon Highway 219 and Woodland. The south/southeasterly property frontage is along the cul-de-sac Hillyer Lane.



Vicinity of subject property; subject property outlined in yellow



Close-up of subject property

Design Review

The applicant proposes development through a building of 2,872 square feet (sq ft), two drive-through lanes, and – through a variance request – 43 parking stalls.

Development comes with upgrading the Woodland Avenue and Hillyer Lane frontages each to have a landscape strip with street trees and new sidewalk.

Incidentally, the proposed restaurant has no interior dining area and so no dine-in service. Along with the drive-through of two lanes, the applicant proposes a walk-up window and two picnic tables.

Variance

There is one variance request and it relates to *maximum* off-street parking.

The applicable parking ratio is for “limited-service eating place”, i.e. fast-food restaurant or quick-service restaurant as known within the industry. The math of 2,872 sq ft of proposed building / 250 = 11.4 → 11 stalls minimum parking. The site plan proposes more than this, exceeding the minimum standard.

Woodburn Development Ordinance (WDO) 3.05.03A.2 specifies a cap or maximum for all land uses of twice the minimum, which for the proposal equals $11.4 \times 2 = 22.8 \rightarrow 23$ stalls maximum parking; however, the applicant submitted a variance request to have 43 total stalls, 20 more than the maximum.

About the variance in particular, staff confirms recommendation of approval with the recommended conditions of approval that mitigate the variance.

The Proposal

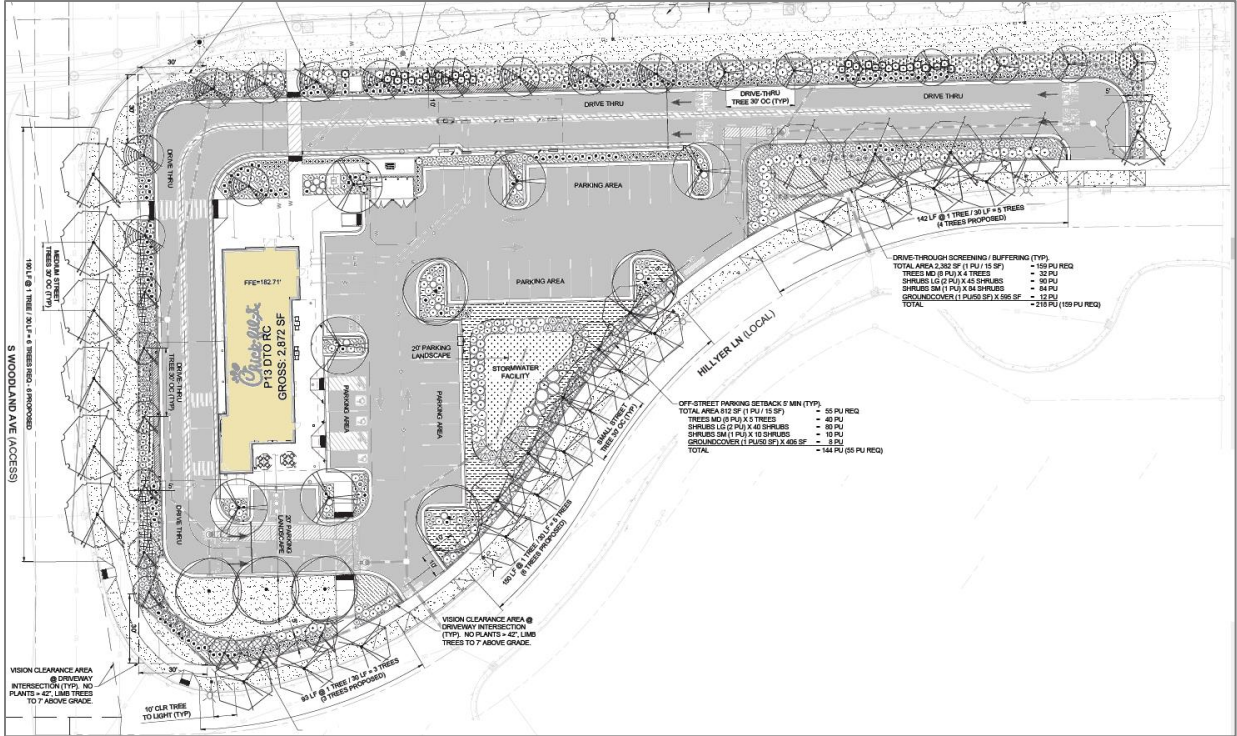
Staff and the developer have worked to produce a good site development outcome by focusing on several things:

1. Woodland Avenue and Hillyer Lane frontage/street improvements including wide sidewalk and street trees;
2. The look and feel of street frontage for passers-by walking, cycling, and driving;
3. Urban design: How many and how large are windows; door canopies or fixed awnings that shelter from precipitation;
4. How safely and comfortably pedestrians and cyclist can access and circulation among on-site buildings through walkways and visibly distinct crossings of drive aisles;
5. Landscaping and a wall as buffering/screening of the drive-through and parking area;
6. Having enough on-site trash receptacles near sidewalk to lessen the likelihood of litter of yards along streets and street frontage by convenience store customers on foot;
7. Getting a highway electric power pole removal and line burial fee in-lieu paid to fund such elsewhere in town;
8. Carpool/vanpool (C/V) and electric vehicle (EV) parking stalls and EV charging;
9. Increase street trees and on-site trees, and provide for fee in-lieu to fund tree plantings elsewhere in town;
10. A fee for removal of all the nice trees from the property;
11. Having a few evergreen trees among newly planted trees on the property;
12. A bus transit / transit service fee to improve walking, cycling, and local and regional bus ridership;
13. An enhanced bus stop fee in-lieu; and
14. Requiring a traffic management plan for opening period traffic.

The staff analyses and findings (Attachment 102), especially the Design Review and Variance Provisions sections, provide much more detail, and the recommended conditions of approval secure the above things.

Site Plan

A site plan excerpt follows on the next page, and a larger version is among the attached site plans (Attachment 103). There are also architectural elevation views below.



Landscape plan (Sheet L1.0 excerpt colored by staff)



Top façade is west facing Woodland; bottom is east facing parking area and Hillyer



Top façade is south facing Hillyer; bottom is north facing Oregon Highway 219

Staff finds that the proposal meets applicable Woodburn Development Ordinance (WDO) provisions with the recommended conditions of approval per the analyses and findings (Attachment 102).

Recommendation

Approval with conditions: Staff recommends that the Planning Commission consider the staff report and attachments and approve the consolidated applications package with the conditions that staff recommends.

See the next page for the start of conditions.

Conditions of Approval

The conditions are copied from towards the end of the analyses and findings (Attachment 102):

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 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 WDO 3.01.02E and 4.02.12.
- b. ROW/easements: Recordation of required right-of-way (ROW) and public easements 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 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, that a City staff person requests regardless if the documentation source or copies are another City staff person or department.
- d. Fees: The developer shall pay fees per Attachment 202.

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" (July 13, 2023).

Note A: 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, 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.

Design Review DR 22-26

D1. Street cross sections: To conform with WDO 3.01.01A, B, & D; 3.01.02A, 3.01.03C.1, and 3.01.04:

- a. OR Hwy 219: No change required other than (1) what other separate conditions might require such as regarding electric power pole removal and line burial, and (2) replacing the dead or deformed street tree located second from the west – a dead leaning trunk near an existing electric power pole – with a tree conforming to WDO 3.06.03A.2. Otherwise, per subsection d1 below.



Exhibit D1a: OR Hwy 219 street tree stump

- b. Woodland: Regarding a parking lane, the developer shall:
 - (1) Provide a parking lane minimum extent 110 ft (equal to five 22-ft long spaces); or
 - (2) Provide a parking lane of lesser extent per subsection d3 below, and pay a fee in lieu of omitted spaces.

Otherwise, Per subsection d1 below. This includes variable width ROW dedication if and where accommodating the left turn lane pushes the parking lane past where it would have fit along existing curb as well as resulting curb demolition, additional asphalt pavement, new curb along the widened asphalt within the parking lane, and meander of landscape strip and sidewalk.

- c. Hillyer: Per subsection d1 below.
- d. General:
 - (1) Half-streets shall conform with WDO Figures 3.01B, E, & G respectively except where and as (a) variance conditions supersede or (b) ODOT has jurisdiction and documented application of its permitting process necessitates deviation.
 - (2) Landscape strips shall conform with the WDO 3.01.04B last paragraph.
 - (3) Where ODOT application of its permitting process necessitates deviation, document where and how and submit notice to the Planning Division and Public Works Department (PW) Engineering Division. If there would be two or more deviations, wait until ODOT identifies them before notifying the City to avoid piecemeal notices.

- (4) The developer or developer's civil engineer shall courtesy copy Planning Division and PW Engineering Division staff of (a) application to ODOT for permit to construct the street improvements, prior to City building permit issuance, and (b) a copy of the permit(s) that the agency issues with the construction drawings it issued as approved, prior to City building permit final inspection.

D2. 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. OR Hwy 219: Plant for 15 trees or pay a fee in lieu of max 2 trees per Attachment 202.
- b. Woodland: Plant for 8 trees or pay a fee in lieu of max 3 trees per Attachment 202.
- c. Hillyer: Plant for 17 trees or pay a fee in lieu of max 5 trees per Attachment 202.

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 202.

D3. East unnamed Boundary Street ROW: To conform with WDO 3.01.01B & D, 3.01.02A, and 3.01.03F, the developer shall:

- a. Alter the existing path – or remove it and pave a new path – to be a paved bicycle/pedestrian path min 8 ft wide and to the specifications of WDO interpretation memo INT 22-0608 “Off-Street Public Bicycle/Pedestrian Facility Specifications”, Parts A & B.1-4, which include trees, and assuming Class C.
- b. Implement ADA compliance, to which WDO 3.01.03G refers, through and with ODOT, and including the City PW Engineering Division if and where relevant.
- c. Include curb ramp at Hillyer Lane, if one would not already exist by the time of development thanks to another party, as a counterpart to the existing curb ramp at the SE corner of Hillyer ROW.
- d. Conformance with this condition allows the improved path to serve as and be considered as the required walkway for the OR Hwy 219 frontage per WDO 3.04.06C and the other two frontages having wide walkways, and the applicant to revise the site plans to remove the proposed highway walkway.
- e. See Condition D6.

The condition is due the same as WDO 3.01.02E.

D4. Bus shelter / enhanced bus stop: To conform with WDO 3.01.09B, the developer shall pay a an enhanced bus stop fee per Attachment 202.

D5. PUEs, streetside: To conform with WDO Figure 3.01B and Sections 3.02.01B & F.2 regarding streetside public utility easements (PUEs), the developer shall delineate and label dimension at a width or widths per the WDO sections either:

- a. Prior to granting of streetside PUEs and prior to building permit application, revising the site and composite utility plans; or
- b. 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.

D6. Electric power poles:

- a. To conform with WDO 3.02.04B, the developer remove the electric power poles and bury the lines, or, pay fee in lieu per Attachment 202. Improvement is due the same as WDO 3.01.02E, and fee in-lieu payment is due per Attachment 202.
- b. Regarding the electric power pole within the east unnamed Boundary Street ROW, because of Condition D3, because the pole is not considered one of the OR Hwy 219 frontage poles, and because the pole lines go not only east-west but also spur north across the highway to another pole, this condition makes explicit that neither its removal nor fee in-lieu is required *per se*. Its removal would be applicable only if the developer would conform with condition subsection D6a above through removal of the highway poles and burial of the lines and if materially necessary because of Portland General Electric (PGE) application of agency standards.

D7. Drive-through landscaping and streetside PUE: To conform with WDO 3.04.02A.3, anticipating that ODOT and/or the City PW would preclude planting of new trees within streetside PUEs, with both WDO Figure 3.01B and 3.02.01B establishing a different minimum width along each of the highway and Woodland, and with WDO 3.02.01F.2 establishing max width, the developer shall revise the site, composite utility, and landscape plan sheets prior to building permit issuance and along the drive-through segment that is parallel with:

- a. OR Hwy 219: (1) Widen the highway drive-through site perimeter planting area from 11 to 13 ft, and (2) shift the row of trees to be planted o.c. along the edge of the streetside PUE, i.e. 10 ft from the highway ROW boundary.
- b. Woodland: Shift the row of trees to be planted o.c. along the edge of the streetside PUE, i.e. 5 ft from the Woodland ROW boundary.

D8. Driveway max width: To conform with WDO Table 3.04A maximum regarding paved width of two-way driveways in a commercial context, the developer shall revise the site and composite utility 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 – either to illustrate and dimension the approach, apron, curb cut, or ramp of the middle of the three driveways (Driveway 2) at 24 ft max width or to document if and how Table 3.04A footnote 7 about Woodburn Fire District OFC administration is applicable. For the latter, documentation shall include at least either (a) a letter or equivalent from the District or (b) revision of the fire access plan, which Exhibit D8 excerpts, to narrow the driveway to that necessary to accommodate the illustrated fire apparatus outside turning radius and to dimension the narrowed driveway apron. If through building permit review, then this is due prior to issuance, or if through civil engineering plan review, then due prior to ODOT or PW issuance of an approved civil plan set.

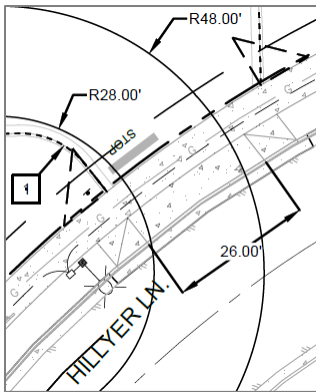


Exhibit D8 Sheet C5.1 Fire access plan excerpt

D9. Wheel stops: To conform with WDO 3.05.02H and Table 3.05B footnote 3, the developer shall revise the site plans prior to building permit issuance and install wheel stops in the parking stalls along the building east perimeter wide walkway.

D10. Bicycle parking: To conform with WDO 3.05.06C.4-6, the developer shall revise the site plans per WDO 3.05.06C.8c prior to building permit issuance and install signage per C.4, relocate bicycle parking to be within max 50 ft of the main entrance per C.5, and cover or shelter min 50% per C.6.

D11. 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.

D12. Landscaping notes: To conform with WDO 3.06.02J, the developer shall revise landscape plan Sheet L1.0 general note 2 to correct jurisdictional references prior to building permit issuance.

D13. Walkway landscaped islands: To conform with WDO 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 wide walkways:


- a. Woodland wide walkway crossing of drive-through, east end, south side.
- b. Hillyer wide walkway crossing of drive-through, north end, west side.

D14. Trash enclosure Architectural Wall: To conform with WDO 3.06.06B.6 & 7, the developer shall revise architectural sheets prior to building permit issuance, including to revise Sheet A-103 to add color and material legend information so that it would not be necessary to turn to Sheet A-301. Specifically:

- a. 3.06.06B.6 regarding having, “an earth tone coloration other than grey on at least eighty percent (80%) of the surface”: For both the grayscale and color elevations, either clarify that the bottom, larger area of color is not grey or revise to other than grey.
- b. 3.06.06B.7 regarding the wall being, “architecturally treated with scoring, texture, or pattern on at least eighty percent (80%) of the surface”: Brick itself is not texture, and default stretcher bond does not count as a pattern. Either use another brick bond, any of header stretcher, English, or Flemish, or in the bottom area that is the majority of wall area use two colors, with one laying out a diamond pattern similar to any of the examples that the exhibit below illustrates. Stucco would be acceptable as a means of texture.



Exhibit D14



Design Review 22-26: Transportation

T-A1: Traffic management: Prior to requesting building permit final inspection, the developer or the manager of the Chick-fil-A shall meet or discuss with (a) ODOT, (b) City police, (c) and if and as needed the Public Works Department (PW), (d) a representative of Hillyer's Mid-City Ford car dealership (3000 Hillyer Ln), and (e) a representative of WinCo Foods warehouse and distribution center (400 [S.] Woodland Ave), a plan for min the first 12 day that the Chick-fil-A is open to customers to minimize traffic queue extending into public ROW, especially Woodland and OR Hwy 219, to avoid blocking traffic to and from other properties along Hillyer, and engage police or other appropriate personnel to manage traffic. Prior to passing final inspection, the developer shall submit to the attention of the Planning Division and the PW Engineering Division a written statement confirming that the communication(s) occurred and on what date(s).

T-A2: Traffic management: During min the first 12 days that the Chick-fil-A is open to customers:

- a. Hours of operation: Temporary hours of operation shall be (1) on Sundays and Saturdays, as early as 6:30 a.m. and as late as 11:30 p.m., and (2) on weekdays, as early as 9:30 a.m. and as late as 4:30 p.m. Within a permanent monument or pole sign, any electronic changing image, if and where WDO 3.10 allows such and is installed and operational by the first day, shall display the temporary hours of operation per WDO 3.10.12A at regular intervals totaling min half the time the sign is on for the day.
- b. Delivery vehicles: Delivery vehicles shall arrive when Chick-fil-A is closed to customers and depart from the parking area prior to opening hours.
- c. Employee parking off-site: All employees who drive and would arrive or depart within a half-hour of the start of hours of operation or during hours of operation, including the general manager and any visiting managers and staff from company offices, shall park off-site. Though there is always the ODOT Woodburn Memorial Transit Center / Woodburn park and ride at the northwest corner of OR Highway 214 & Evergreen Road, employees may park in any private parking lot for which Chick-fil-A or franchisee can obtain landowner permission. Chick-fil-A or franchisee may arrange for a shuttle. Employees with valid state of Oregon disabled person parking permits are exempted and so may park on site any time. Also exempt is any employee carpools or vanpools, which may park on site in the carpool/vanpool (C/V) stalls that Condition V5a requires.

- d. Traffic management: If publicly apparent traffic congestion or dangerous queuing or maneuvering in public ROW arises, either the developer or the manager of the Chick-fil-A, continuing through at least days 13-19 that the Chick-fil-A is open to and serving customers, shall cooperate with ODOT and, if and where involved, City Police and/or PW, to identify and implement measures to mitigate opening period traffic and, if asked, provide a status update to City Administration.
- e. Traffic pattern change: If ODOT were to permit, Hillyer on-street parking lanes may cease to operate as on-street parking to allow for the full curb-to-curb width of travel way to be used such that there are two eastbound lanes, one for entering Chick-fil-A and one for access to other properties along Hillyer, and two westbound lanes, one for exiting Chick-fil-A and one for access from other properties along Hillyer.

Any of ODOT or City Police or PW may administer this condition as they see fit.

T-A3: Traffic management: During min the first 19 days that the Chick-fil-A is open to customers:

- a. Mark min 3 stalls within any of the east or south parking aisle closest to the building for convenient parking and pick-up by customers who ordered online and by third-party food delivery workers.
- b. Signage, whether temporary traffic control signage within ROW and/or on-site temporary or permanent signage, shall direct motorists not to idle (gasoline) engines.

T-A4: Director traffic management discretion: If the threat of opening period traffic as the above conditions anticipate either fails to materialize within 3 days or materializes for fewer than 12 days, then Chick-fil-A or the franchisee may request in writing that regarding above Conditions T-A2 & T-A3 that the Public Works Director do any of the following, with this condition authorizing the Public Works Director to approve such administratively and in writing:

- a. Lessen the degree or severity of a condition or subsection;
- b. Waive one or more condition subsections; or
- c. Waive one or both conditions.

A request shall be courtesy copied to the Community Development Director.



Variance 22-15

The Variance request is approved per the following conditions:

V1. Variance: This condition documents that the variance request was to vary from WDO 3.05.03A.2, that off-street vehicle parking spaces shall not exceed two times the amount required in WDO Table 3.05A use 11 for “limited-service eating place”, such that instead of max parking of 23 stalls total based on min parking for a building of 2,872 sq ft of 11.4 stalls (prior to rounding), there may be max 43 parking stalls total.

V2. Streetscape: The developer shall revise site plans to indicate and construct in the field

- a. Landscape strip: Min width 6.5 inc. curb width along Woodland.
- b. Sidewalk: Sidewalks min width 8 ft along (1) Woodland and (2) the west segment of Hillyer between Woodland sidewalk and the Hillyer wide walkway.

V3. The developer shall pay a bus transit / transit service fee per Attachment 202.

V4. Walkways: The OR Hwy 219 walkway and Woodland wide walkway crossings of the drive-through shall be patterned, stamped, or treated to be visually and tactilely distinct from adjacent concrete, that is, seen and felt by motorists. The developer shall revise site plans prior to building permit issuance.

V5. C/V & EV: The developer shall revise site plans to indicate the below and install in the field, specifically within any of the east or south parking aisle closest to the building:

- a. Min 2 carpool/vanpool stalls that meet the standards of WDO 3.05.03H; and
- b. Min 2 electric vehicle stalls that meet the standards of WDO 3.05.03I.

V6. Landscaping: The developer shall revise landscape plans prior to building permit issuance and plant or act as follows:

- a. 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.

b. Evergreen: Min 2 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; and
Hemlock, Western	Yew, Pacific

(2) Distribution: Among the min, 1 near the site SW corner and 1 near the east corner.

- c. Hillyer yard trees: That as proposed, there remain proposed and be planted min 18 trees within the first 35 ft of yard abutting Hillyer.
- d. Retaining walls: If and where there are retaining walls, WDO 3.06.06C shall be applicable as a standard.
- e. Screening: Evergreen hedge or shrubbery shall be screen at-grade electrical and mechanical equipment, including a transformer, along min two sides, min 1 shrub per 2 ft of screened side and of min medium size category at maturity per WDO Table 3.06B.
- f. Significant Tree removals: The developer shall upon building permit application submit documentation as to whether each of the 10 existing on-site trees is significant per WDO 1.02 or not and for all trees shall be a removal fee per Attachment 202.

V7. Architecture: The developer shall revise architectural plans prior to building permit issuance and act as follows:

- a. Fenestration/glass/glazing/windows: Transparency required, except along a kitchen, and as follows:
 - (1) WDO 3.07.06B.2b(1) shall be applicable as a standard to each of min 2 facades of the developer's choice among all 4.
 - (2) Of the remaining 2 facades, each min 15% window area.
- b. Awnings/canopies: That as proposed, there shall remain proposed and be installed door canopies or fixed awnings that shelter from precipitation, are 8 ft narrowest dimension, min 9 ft height clearance, and per the following remaining min dimensions:
 - (1) East façade main entrance / south facade: 955 sq ft min area total (similar to as proposed).
 - (2) Restrooms foyer door: 64 sq ft min area.
 - (3) Employee north door: 40 sq ft min area.

Min dimension is applicable to any of dimension parallel with or perpendicular to the building. If and where there are posts, min dimension is measured between main wall plane and inside edges of posts.
- c. Roof-top screening: WDO 3.07.06B.4 regarding screening of roof-mounted equipment shall be applicable as a standard.

V8. Signage:

- a. In addition to WDO 3.10.06A, permanent signage, inc. supports and sign faces, shall not encroach within any public easement.
- b. Electronic changing image: In addition to WDO 3.10.12, based on the hours in Ordinance No. 2338, Section 5A Light Trespass, any sign electronic changing image, if and where WDO 3.10 allows such, shall be off every evening or night during the hours of 9:00 p.m. to 7:00 a.m. Pacific time.

V9. Lighting: Exterior neon and any newer lighting technology that mimics neon are prohibited as accent of buildings, open-air shelters, or free-standing or retaining walls.

V10. Trash receptacle: There shall be min one combination of a trash receptacle and min one recycling receptacle along one of the highway walkway, Woodland wide walkway, or Hillyer wide walkway, set min 1 ft from walkway edge and within 5-30 ft of ROW, for intended use by customers and remaining privately maintained and serviced. The developer shall revise site plans prior to building permit issuance.

V11. Employee/worker count: Following the developer's variance narrative and application materials parking demand analysis (Exhibit H) having stated that the Chick-fil-A will have 18 to 20 employees per shift, the developer shall submit the attention of the Planning Division:

- a. Prior to building permit issuance, a written statement of the number, starting and ending times, and duration of shifts on each typical weekday and weekend day, the average, median, and most commonly recurring number (mode) of employees per shift.

Prior to passing final inspection, a written statement of the number, starting and ending times, and duration of shifts as scheduled for the first 12 days that the store is open to customers and the number of employees per shift.

Actions

The Planning Commission may instead act on the land use application to:

1. Approve with modified conditions, or
2. Deny, based on WDO criteria or other City provisions.

Attachment List

101. Marked Tax Map
102. Analyses & Findings
- 102A. Public Works comments (July 13, 2023)
103. Site plans (submitted June 9, 2023; 13 sheets)
104. Transportation System Plan (TSP) Fig. 2 “Functional Roadway Classification”
104. Transportation System Plan (TSP) Fig. 2 “Functional Roadway Classification”
105. E-mail “RE: Woodburn app status DR 22-26 Chick-fil-A 300 S. Woodland Ave [east bike/ped path]” (May 30, 2023; 1 page)
- 106A. Transit Development Plan (TDP) p. 80 (Figure 63)
- 106B. TDP p. 94 (Figure 68)
- 107A. Article "Despite Being Safer, Underground Power Lines Are Very Expensive" (Oct. 23, 2017; 6 pages)
- 107B. Applicant’s untitled narrative about electric power pole removal and line burial fee in-lieu (submitted March 13, 2023; 4 pages)
- 107C. E-mail “RE: Woodburn app status DR 22-26 Chick-fil-A 300 S. Woodland Ave [electric undergrounding]” (April 4, 2023; 3 pages)
108. TSP Fig. 7 “Existing Transit Routes and Facilities”
201. DR 22-26 Chick-fil-A: Dictionary & Glossary
202. DR 22-26 Chick-fil-A: Conditioned Fees

05 2W 11

05 2W 11 WOODBURN



MARION COUNTY, OREGON
SEC 11 T5S R2W W.M.
SCALE 1" = 400'

LEGEND

- LINE TYPES**
- Taxlot Boundary
 - Road Right-of-Way
 - Railroad Right-of-Way
 - Private Road ROW
 - Subdivision/Plat Bndry
 - Waterline - Taxlot Bndry
 - Historical Boundary
 - Easement
 - Railroad Centerline
 - Taxcode Line
 - Map Boundary
 - Waterline - Non Bndry

- CORNER TYPES**
- + 1/16TH Section Cor.
 - ⊙ DLC Corner
 - ⊠ 1/4 Section Cor.
 - ⊠ 16, 15 Section Corner
 - ⊠ 21, 22

NUMBERS

Tax Code Number
00 00 0

Acreege
0.25 AC

All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

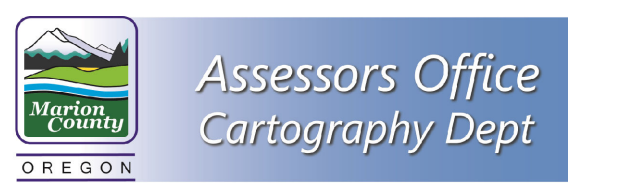
NOTES

Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW

CANCELLED NUMBERS	
105	
300	
400	
500	
600	

Attachment 101

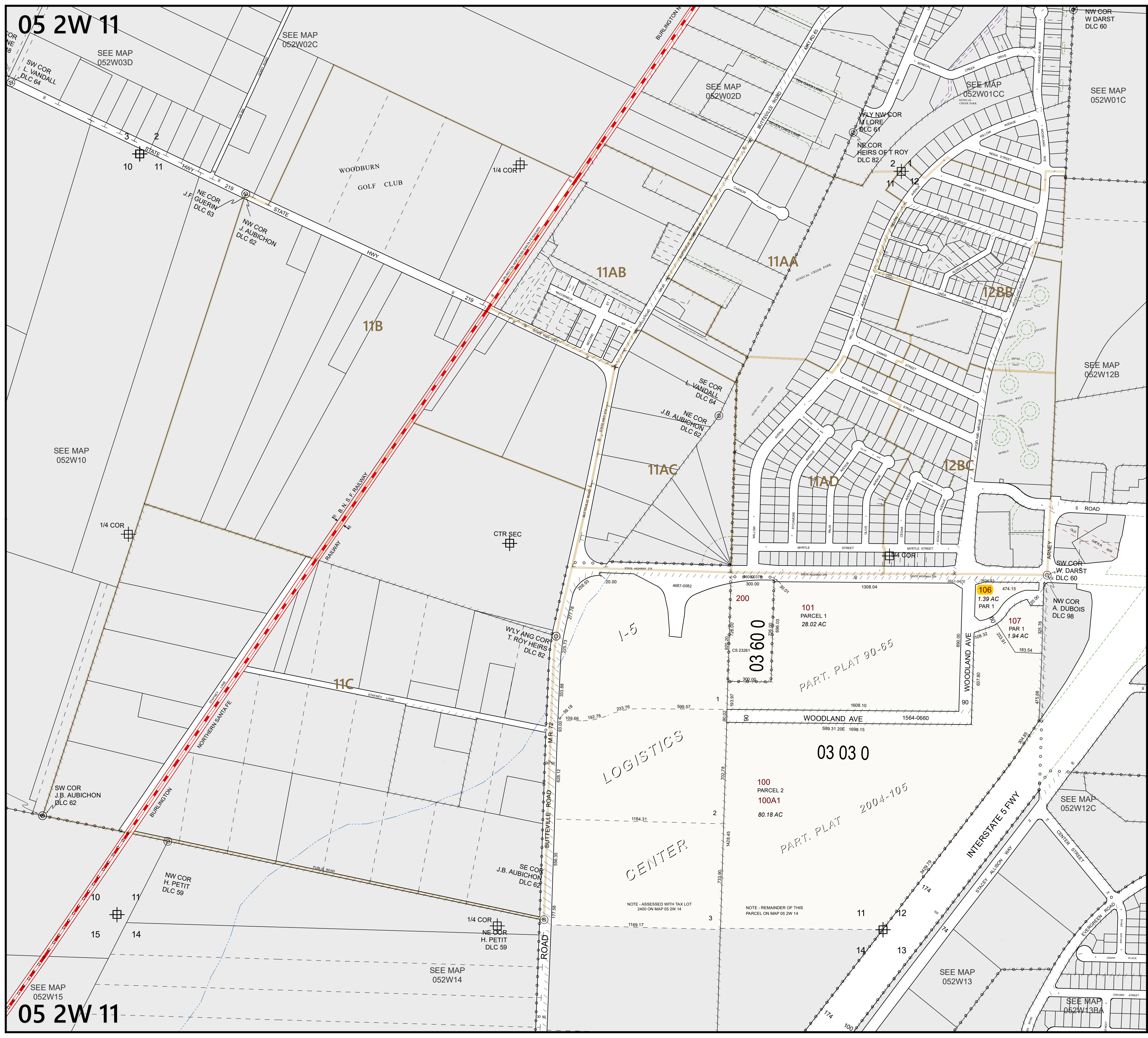
DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us

PLOT DATE: 3/14/2023

WOODBURN 05 2W 11



05 2W 11

Analyses & Findings

This attachment to the staff report analyzes the application materials and finds through statements how the application materials relate to and meet applicable provisions such as criteria, requirements, and standards. They confirm that a given standard is met or if not met, they call attention to it, suggest a remedy, and have a corresponding recommended condition of approval. Symbols aid locating and understanding categories of findings:

<i>Symbol</i>	<i>Category</i>	<i>Indication</i>
✓	Requirement (or guideline) met	No action needed
✗	Requirement (or guideline) not met	Correction needed
⊖	Requirement (or guideline) not applicable	No action needed
▲	<ul style="list-style-type: none"> Requirement (or guideline) met, but might become unmet because of condition applied to meet separate and related requirement that is not met Plan sheets and/or narrative inconsistent Other special circumstance benefitting from attention 	Revision needed for clear and consistent records
■	Variance	Request to vary from requirement

Section references are to the [Woodburn Development Ordinance \(WDO\)](#).

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Recommended Conditions of Approval.....	63
Applicant Identity.....	75
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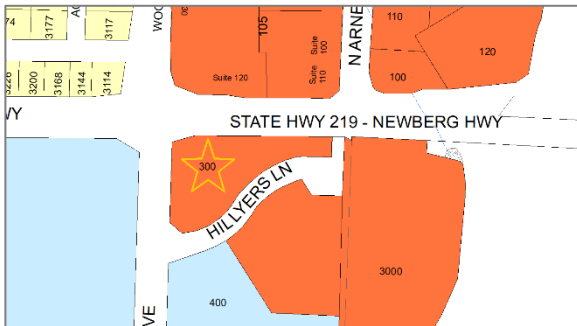
Location

<i>Address(es)</i>	300 [S.]* Woodland Ave *Most maps indicate Woodland as North and South, but ODOT or the City hadn't signed the street as such in the field
<i>Tax Lot(s)</i>	052W110000106
<i>Nearest intersection</i>	Oregon Highway 219 (OR Hwy 219) / Hillsboro-Silverton Highway & [S.] Woodland Ave

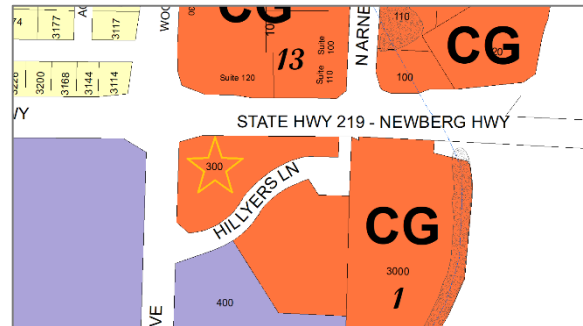
Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Commercial
<i>Zoning District</i>	Commercial General (CG)
<i>Overlay District(s)</i>	Interchange Management Area (IMA), though none of the lettered subareas
<i>Existing Use(s)</i>	none / undeveloped field / vacant

For context, the comprehensive plan land use map designations and zoning are illustrated below with excerpts from the City geographic information system (GIS) and the zoning is tabulated further below:



Comprehensive Plan land use map excerpt; an amber star marks the subject property



Zoning map excerpt

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	CG: Woodburn Station strip mall
East	CG: Hillyer's Mid-City Ford dealership
South	East: Across unnamed east Boundary Street ROW: CG: undeveloped land owned by the Hillyers of Hillyer's Mid-City Ford; West: Light Industrial (IL): WinCo Foods truck yard
West	IL: Do It Best hardware industrial operations

Statutory Dates

<i>Application Completeness</i>	June 16, 2023
<i>120-Day Final Decision Deadline</i>	October 14, 2023 per Oregon Revised Statutes (ORS) 227.178 . (The nearest and prior regularly scheduled City Council date is October 9, 2023.)



Design Review Provisions

The project name is Chick-fil-A.

Note: The City Council amended the WDO by Ordinance 2602 on May 9, 2022 (Legislative Amendment LA 21-01) effective June 8, 2022 and by Ordinance 2603 on June 13, 2022 effective June 30, 2022 (LA 21-02). Because the DR 22-26 & VAR 22-15 consolidated application package submittal was December 22, 2022, the present version of the WDO is the one that the proposal is subject to and the version that these analyses and findings cite because of the state “goal post” rule codified in Oregon Revised Statutes (ORS) 227.178(3)(a).

4.01.07 Consolidated Applications

An applicant may request, in writing, to consolidate applications needed for a single development project. Under a consolidated review, all applications shall be processed following the procedures applicable for the highest type decision requested. It is the express policy of the City that development review not be segmented into discrete parts in a manner that precludes a comprehensive review of the entire development and its cumulative impacts.

5.03.02 Design Review, Type III

A. Purpose: The purpose of Type III design review is to ensure that new buildings or additions to existing buildings comply with Land Use and Development Guidelines and Standards of this Ordinance (Sections 2 and 3).

B. Type III Design Review is required for the following:

- 1. Non-residential structures in residential zones greater than 1,000 square feet in the RS, R1S, RM, and P/SP zones.**
- 2. Multi-family dwellings not meeting all architectural design guidelines and standards.**
- 3. Structures greater than 2,000 square feet in the CO, CG, MUV, DDC, and NNC zones.**
- 4. Structures greater than 3,000 square feet in the IP, IL, and SWIR zones.**
- 5. For sites with existing buildings in the CO, CG, MUV, DDC, NNC, IP, IL, and SWIR zones; expansions or new buildings that increase lot coverage by more 25%.**
- 6. Change of use that results in a greater than 25% increase in required parking.**

Because the proposal is for a building greater than 2,000 square feet (sq ft) in the CG zoning district, per subsection 3. it requires a Type III Design Review. Additionally, the applicant submitted the Type III application type of variance, which per 4.01.07 cited above elevates the consolidated applications package to the highest level required among the individual application types. The applicant submitted site plans on December 22, 2022 and revised site

plans through June 9, 2023 (within Attachment 103). (Staff hosted two pre-application meetings, one on March 9, 2021 for PRE 21-06 and one on May 18, 2022 for PRE 22-19.)

✓ The requirement is met.

2.03 Commercial Zones

A. The City of Woodburn is divided into the following commercial zones:

2. The Commercial General (CG) zone is the community’s primary commercial area, providing for businesses requiring extensive land intensive outdoor storage and display of merchandise, equipment, or inventory.

B. Approval Types (Table 2.03A)

1. Accessory Uses (A) are allowed outright, subject to the general standards of this Ordinance.

2. Conditional Uses (CU) may be allowed, subject to the general development standards of this Ordinance and conditions of Conditional Use approval.

3. Permitted Uses (P) are allowed outright, subject to the general development standards of this Ordinance.

Uses Allowed in Commercial Zones Table 2.03A		
Use		Zone
Accessory Uses (A) Conditional Uses (CU) Permitted Uses (P) Special Permitted Uses (S) Specific Conditional Uses (SCU)		CG
B	Commercial	
21	Restaurants and drinking places	P

The proposed use matches B.21, which is a permitted use.

✓ The requirement is met.

**Commercial General (CG) - Site Development Standards
Table 2.03C**

Lot Area, Minimum (square feet)		No minimum			
Lot Width, Minimum (feet)		No minimum			
Lot Depth, Minimum (feet)		No minimum			
Street Frontage, Minimum (feet)		No minimum			
Front Setback and Setback Abutting a Street, Minimum (feet)		5¹			
Side or Rear Setback, Minimum (feet)	Abutting RS, R1S, or RM zone		10⁴		
	Abutting CO, CG, DDC, NNC, P/SP, IP, SWIR, or IL zone		0 or 5^{4,5}		
Setback to a Private Access Easement, Minimum (feet)		1			
Lot Coverage, Maximum		Not specified²			
Residential Density (units per net acre)	Minimum	Townhouse		12	
		Child care facility, group home, or nursing home		12	
		Triplex, quadplex, multi-family dwelling	Stand-alone		12
			In mixed use development		No minimum
	Maximum	Row house		24	
		Child care facility, group home, or nursing home		32	
		Triplex, quadplex, multi-family dwelling	Stand-alone		32
			In mixed use development		32

- | | | | |
|--|---|--------------------------------|------------|
| Building Height, Maximum (feet) | Primary or accessory structure | Outside Gateway subarea | 70 |
| | | Western Gateway subarea | 50 |
| | | Eastern Gateway subarea | 40 |
| | Features not used for habitation | | 100 |
1. Measured from the Street Widening Setback (Section 3.03.02), if any
 2. Lot coverage is limited by setbacks, off-street parking, and landscaping requirements.
 3. Only allowed in the Gateway Overlay District
 4. A house of worship shall be set back at least 20 feet from a property line abutting a residential zone or use.
 5. A building may be constructed at the property line, or shall be set back at least five feet.

Lot Dimensions

The CG zoning district has no minimum lot size, width, depth, or street frontage or maximum lot coverage.

Setbacks

Determining setbacks requires first determining what lot lines are front, sides, and rear as 1.02 defines because these influence the applying of setback minimums:

11.02 Definitions

...

Lot Line: The property lines forming the exterior boundaries of a lot.

- **Front Lot Line:**
 1. In the case of an interior lot, a line separating the lot from the street.
 2. In the case of a corner lot, a line separating the lot from the street from the architectural front of the existing or contemplated primary building.
 3. In the case of a flag lot resembling Figure 1.02D example Lot 3, the lot line which is most nearly parallel to the street that provides access to the interior lot, or resembling example Lot 4 by not having a pole, then the lot line most nearly parallel to the access easement and that is closest to the easement.
- **Rear Lot Line:**
 1. In the case of an irregular, triangular, diamond, or trapezoidal shaped lot which is narrowest at the rear and has a distance between the side lot lines at the rear of less than ten feet, the rear line for setback purposes shall be an assumed line within the lot ten feet in length, parallel to, and at the maximum distance from, the front lot line; or
 2. In any other case, the lot line opposite and most distant from the front lot line.
- **Side Lot Line: Any lot line, which is not a front or rear lot line.**

Based on the definition of front and rear lot lines and that the proposed fast-food restaurant front door is on the east facade, south/southeast is front, west is rear, and north and south are sides. The building is nowhere near 5 feet or fewer from the a property line.

Because the application materials do not include – nor does staff condition – one or more cross access easements (CAEs), the 1-foot setback is not applicable.

Density

Because the proposal is not residential, density is not applicable.

Height

The sheets illustrating building elevations note that the building is below the height limit as measured per 1.02 “Building Height” and Figure 1.02A, meeting the provision.

✓ The site development provisions are met.

2.05 Overlay Districts

The subject property is within the Interchange Management Area (IMA) Overlay District per Figure 2.05B, but not within one of the lettered subareas per Figure 2.05B.

2.05.02B states, “The provisions of this Section apply to all Type II – V land use applications that propose to allow development that will generate more than 20 peak hour vehicle trips (based on the latest Institute of Transportation Engineers *Trip Generation Manual*) on parcels identified in Table 2.05A.” The transportation impact analysis (TIA), which is application materials Exhibit G, on page 17 indicates 33 pm peak hour trips per the ITE Trip Generation Manual and 46.9 pm peak hour trips averaged from observation of 5 other developed Chick-fil-A’s. However, Table 2.05A does not include the subject property, Tax Lot 052W110000106.

The applicant’s TIA dated April 6, 2023 and submitted June 9, 2023 states on page 4 that:

“This site is located within the Interchange Management Area Overlay District (IMA) for the OR 214/I-5 interchange; however, is outside of any of the defined areas in Table 2.05A and thus is not subject to the IMA provisions per WDO 2.05.02B “Applicability”.”

Planning staff concurs, and the appended Public Works comments (July 13, 2023; Attachment 102A) from the City Engineer do not identify the applicant’s IMA conclusion as an issue.

✓ The IMA provisions are met.

2.06 Accessory Structures

2.06.02 Fences and Walls

C. Height in Non-Residential Zones

1. In commercial, industrial, or public zones, the maximum height of a fence or wall located in a yard abutting a street shall be 6 feet, relative to the ground elevation under the fence or wall. Fence height may increase to 9 feet once flush with the building face, or 20 feet from street right-of-way.
2. Fences and walls may be constructed in the Street Widening Setback provided the property owner agrees to removal at such time as street improvements are made.

D. Fence Materials

1. Materials: Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls, such as wood, stone, rock, or brick, or other durable materials.
2. Coating and slats: Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Chain link fence in a residential zone, except where part of refuse and recycling collection facility gates, is exempt from the slats requirement. Slats may not be required when visibility into features such as open

space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.

3. **Industrial:** For manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in industrial districts, the preceding standards apply when visible from, and within 20 feet of, a public street.
4. **Prohibition:** A fence constructed of materials that could cause bodily harm, including, but not limited to, those conveying electric current, barbed wire, razor wire, spikes and broken glass, is prohibited.

2.06.03 Structures

- A. **Accessory structures attached to a primary building shall be considered as a portion of the primary building and subject to the same requirements as the primary building.**
- B. **The minimum separation between detached accessory structures and the primary building shall be six feet.**

The proposal includes a recycling and trash enclosure, and the developer might later propose additional fencing or walls. Because the subject property is commercially instead of residentially zoned, the stair-stepped maximum heights of fencing and walls are not applicable. Fencing can and will meet requirements and standards, as well as any conditions of approval, through either building permit review or a fence permit per 5.01.03.

✓ The provisions are met.

2.07 Special Uses

– None are applicable.

3.01 Streets

3.01.02 General Provisions

A. No development shall be approved, or access permit issued, unless the internal streets, boundary streets and connecting streets are constructed to at least the minimum standards set forth in this Section, or are required to be so constructed as a condition of approval.

D. The standards of this Section may be modified, subject to approval of a Street Adjustment, Planned Unit Development, Zoning Adjustment, or Variance. Other sections restrict where and how these application types apply.

3.01.04B. All public streets under the jurisdiction of the City of Woodburn shall comply with the cross-sections depicted in this Section, unless the developer obtains approval of Street Adjustment, modification through Planned Unit Development, Zoning Adjustment, or Variance as the WDO allows them to be applicable.

1. For local residential streets, the standard cross section is Figure 3.01G. Another among local cross section figures, or a custom cross section, may apply through Street Adjustment or Planned Unit Development. ...

Landscape or planter strips shall have area remaining after street tree plantings landscaped with lawn grass or, if the Public Works Director in writing allows, a species of groundcover. Cobblestones, gravel, pebbles, and rocks are prohibited. Bark dust, mulch, or wood chips are permissible only within the immediate vicinity of a street tree trunk. The developer shall install landscape strip irrigation, and shall provide temporary irrigation during construction, per the public works construction code.

3.01.04C. Exceeding cross section element minimums: Provision of ROW, sidewalk, or landscape strip that exceeds minimum width does not require modification, adjustment, or Variance.

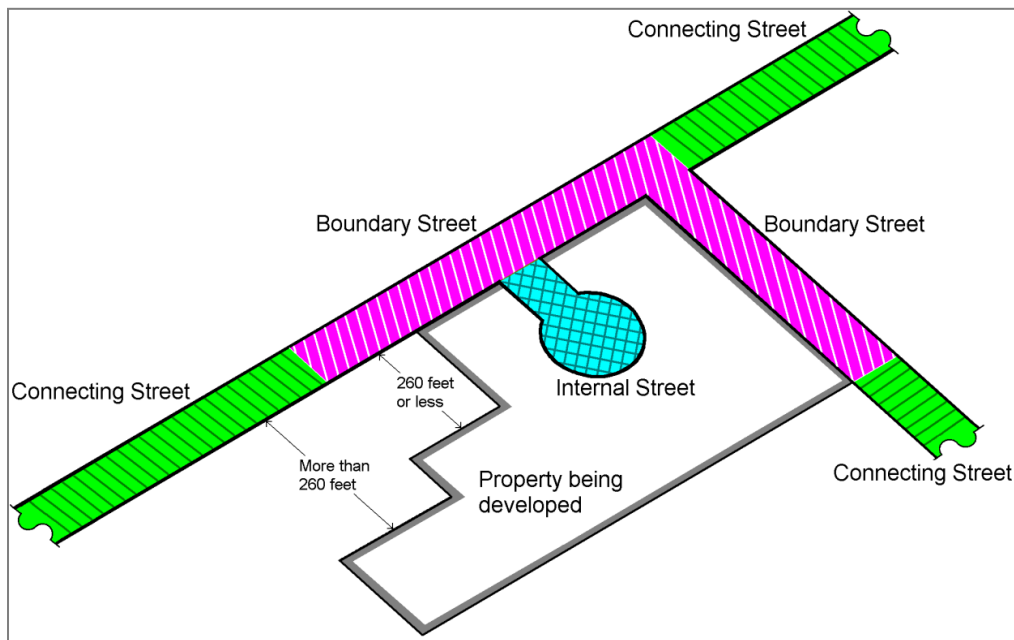


Figure 3.01A – Internal, Boundary, and Connecting Streets

The subject property has frontage along Oregon Highway 219 (OR Hwy 219) / Hillsboro-Silverton Highway, [S.]* Woodland Avenue, and Hillyer Lane.

*Most maps indicate Woodland as North and South, but ODOT or the City hadn't signed the street as such in the field.

Per Transportation System Plan (TSP) [Figure 2 "Functional Roadway Classification"](#) (Attachment 104), OR Hwy 219 is a Major Arterial, Woodland is an Access Street, and Hillyer is a local street. For a Service Collector, WDO Figure 3.01D applies:

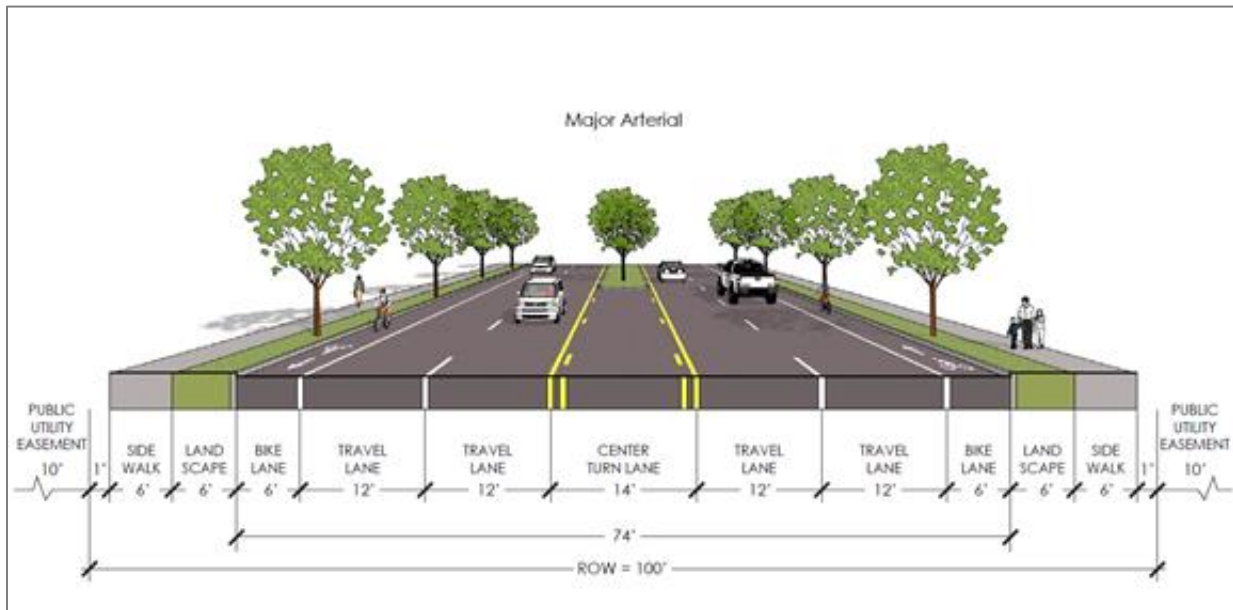


Figure 3.01B – Major Arterial

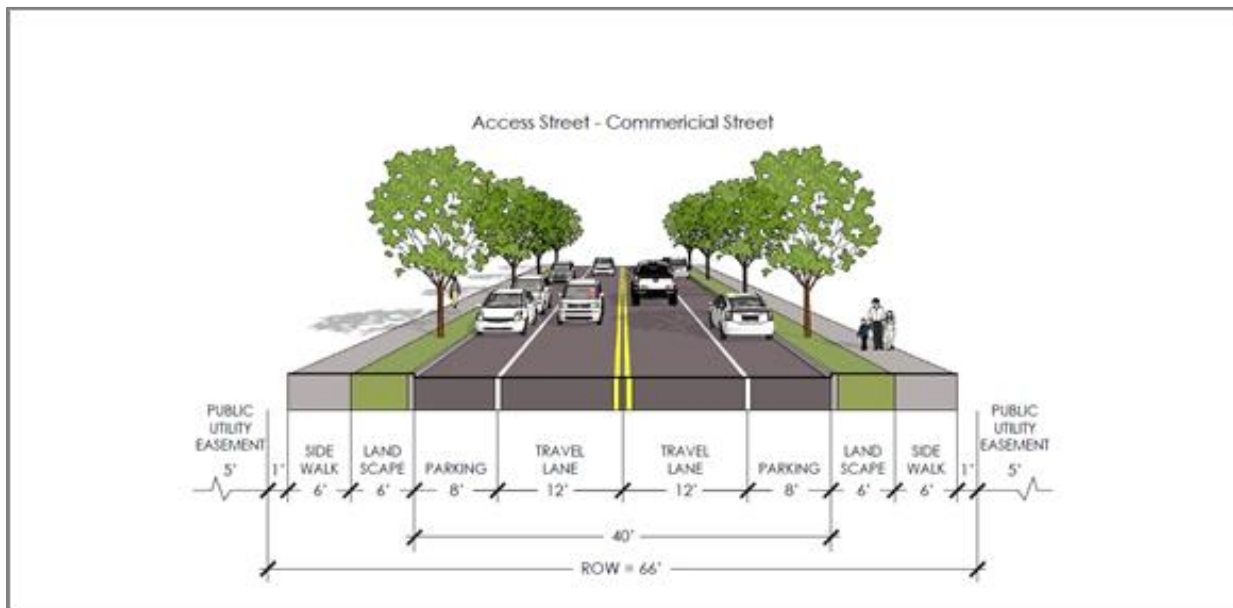


Figure 3.01E – Access Street

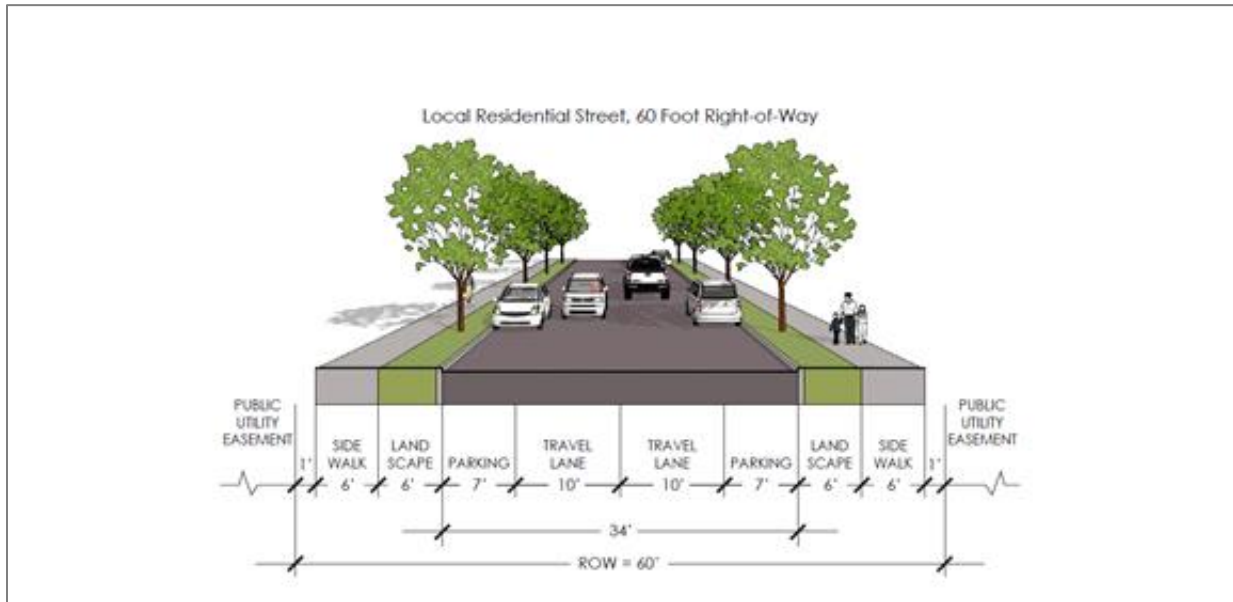


Figure 3.01G – Local

Frontage/public/street improvements are required to upgrade the frontages to present standards per 3.01.01B & D.

Long-range Planning

TSP Figure 6 “Local Street Connectivity Plan” shows no street connections, represented by blue arrows, on or near the subject property.

a. OR Hwy 219 (north)

There appears to exist right-of-way (ROW) of at least 50 feet south of centerline and 100 ft or more total. Within the roadway, there are a left turn lane and two eastbound travel lanes. There is curb, a 6-ft planter with 11 street trees, and 6-ft sidewalk. Except for number of street trees, the frontage conforms with Figure 3.01B. 3.06.03A.1 requires a number of trees equal to one tree per every 30 feet of street frontage.

Though Marion County Tax Map 052W11 (Attachment 101) appears to indicate highway frontage of 474.15 ft, the floating label is likely not referring to the north lot line. The site plans, including existing conditions sheet C1.0 indicates that the north lot line segments of 406.87 and 33.74 total 440.61 ft, which rounds to 441 ft.

The street tree minimum is $(441 / 30) = 14.7 \rightarrow 15$. With 12 existing, 3 remain required, and the planter strip is constrained. Staff conditions accordingly, establishing a fee in-lieu, the concept of which 3.06.03A.4 acknowledges and 4.02.12 regulates. The City Council hasn't yet adopted a master schedule of fees in-lieu. By condition, staff establishes willingness

administratively per 4.02.12 to accept a fee in lieu of the 5 street trees along OR Hwy 219 and establishes a specific amount, which is necessary to administer 3.06.03A.4 & 4.02.12, based on past practice regarding street trees.

Incidentally, one of the existing street tree is dead or deformed and located second from the west, the one nearest the existing electric power pole. It needs replacement.



Exhibit: Dead or deformed street tree

▲ In order to secure highway street trees conforming to 3.06.03A.2, staff applies a condition.

b. Woodland (west)

There appears to exist right-of-way (ROW) of at least 33 feet south of centerline and 90 ft total, more than the total minimum 66 ft. The roadway is two lanes and a left turn lane. There is curb and curb-tight sidewalk. The site plans proposed upgrade to conform by providing a planter 5.5 ft wide (excluding curb width) with 6 street trees and a 6-ft sidewalk. Except for number of street trees, the frontage conforms with Figure 3.01E. 3.06.03A.1 requires a number of trees equal to one tree per every 30 feet of street frontage. The Marion County Tax Map 052W11 does not indicate road frontage. Because scaled measurement of the site plan yields (12.4 inches x 20 ft) = 248 ft, the minimum is $(248 / 30) = 8.3 \rightarrow 8$. With 6 existing, 2 remain required, and the proposed planter strip is constrained. Staff conditions accordingly, establishing a fee in-lieu, the concept of which 3.06.03A.4 acknowledges and 4.02.12 regulates. The City Council hasn't yet adopted a master schedule of fees in-lieu. By condition, staff establishes willingness administratively per 4.02.12 to accept a fee in lieu of the 2 street trees along Woodland and establishes a specific amount, which is necessary to administer 3.06.03A.4 & 4.02.12, based on past practice regarding street trees.

Regarding the park lane, because Fig. 3.01E (1) isn't and isn't meant to be a construction drawing (2) is a typical cross section, not reflective of intersection legs where a left turn lane or lanes exist, (3) includes no plan view, which is helpful for seeing the extent of a parking lane, and (4) because of ODOT jurisdiction and possibility of conflict between agency standards and

what the City Public Works Department Engineering Division would have applied from the public works construction code were it clearly and simply City jurisdiction, the extent of parking lane resulting from the developer's civil engineer and ODOT applying Fig. 3.01E to conditions in the field, particularly accommodating the left turn lane, cannot be determined during land use review. However, to prevent after land use approval with conditions and during civil engineering plan review immediate default to a path of least resistance that would result in no parking at all, parameters are necessary to guide civil engineering before that conclusion could be reached.

Based on an applicant e-mail to the Director June 6, 2023 at 12:02 p.m., assume that ODOT would direct that a parking lane not extend north of the start of the left turn lane right white stripe, a distance of approximately 107 ft per the following colored diagram that the e-mail included:

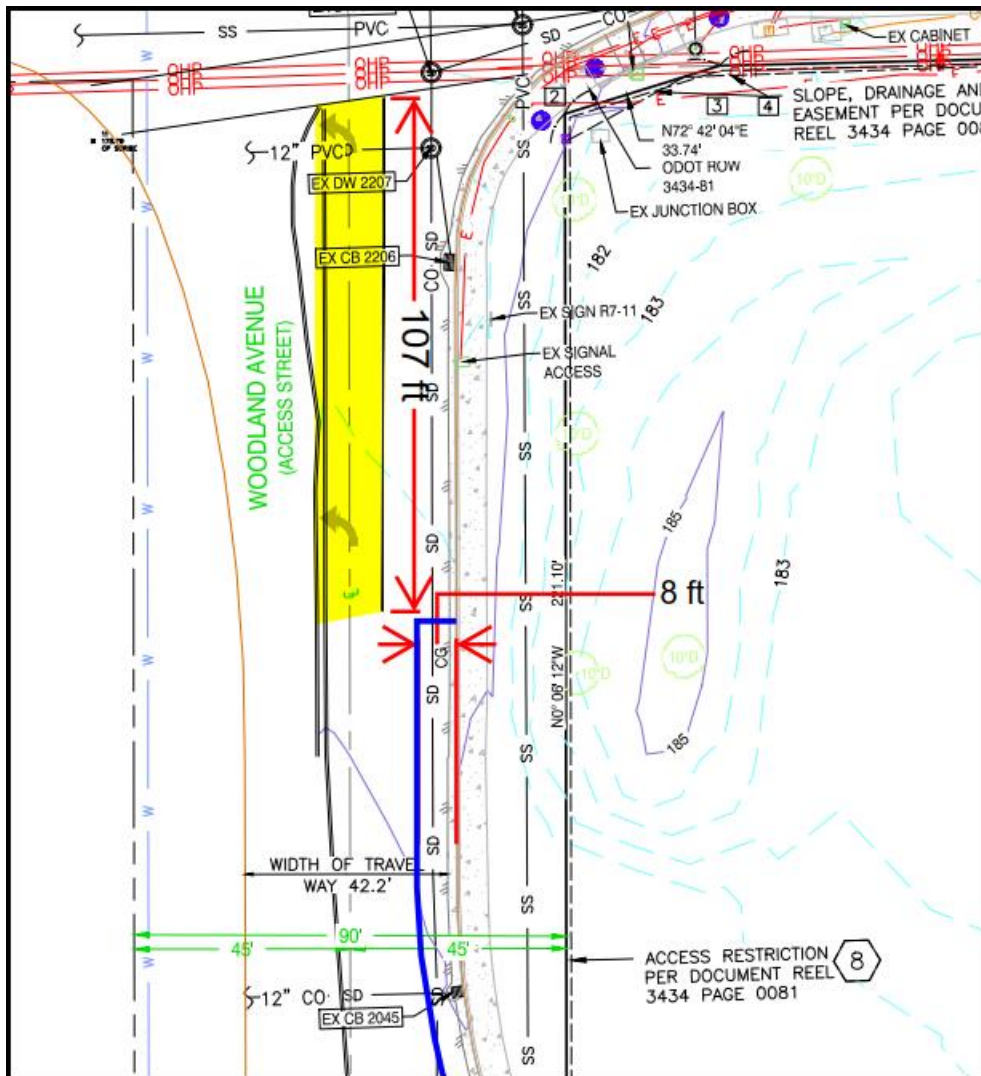


Exhibit Woodland parking lane

At a south, a parking lane would not extend within 20 ft of Hillyer (about in line with the north side of the unmarked “crosswalk” as ORS 801.220 defines) per ORS 811.550(17) and the 801.220 definition. The west property boundary spans approximately the distance between crosswalks and is approximately 248 ft. $248 - (107 + 20) = 121$. The conventional length of an on-street parallel parking space is 22 ft. $121 / 22 = 5.5 \rightarrow 5$ parking spaces. The developer shall provide a parking lane minimum extent $5 \times 22 = 110$ ft total. For each reduction of area that reduces parking spaces to a lower integer when rounded, the developer shall pay a conditioned fee in-lieu. Staff calculates:

- Asphalt at \$15.60 per sq ft
- 176 sq ft per each parking space (8 x 22 ft)
- Adding 50% for public labor cost factor – the greater cost for “prevailing wage” construction by the local governments instead of private contractors (150% based on 4.02.08)

Each parking space omitted from the min 5 along Woodland would cost a fee in-lieu of \$4,118.40.

▲ In order to secure conformance with Figure 3.01E, including a reasonable extent of parking lane regardless of the presence of a left turn lane, staff applies a condition. In order to secure [S.] Woodland Avenue street trees conforming to 3.06.03A.2, staff applies a condition.

c. Hillyer (south)

There appears to exist right-of-way (ROW) of at least 30 feet south of centerline and 60 ft total. The roadway is unstriped, and the site plans illustrate and note existing roadway width between curbs is enough for two 10-ft lanes and two 7-ft parallel parking lanes. There is curb-tight sidewalk. The site plans proposed upgrade to conform by providing a planter 5.5 ft wide (excluding curb width) with 13 street trees and a 6-ft sidewalk. Except for number of street trees, the frontage conforms with Figure 3.01G. 3.06.03A.1 requires a number of trees equal to one tree per every 30 feet of street frontage. The Marion County Tax Map 052W11 does not indicate road frontage. Because scaled measurement of the site plan yields (25.8 inches x 20 ft) = 516 ft, the minimum is $(516 / 30) = 17.2 \rightarrow 17$. With none existing and 13 proposed, 4 remain required, and the proposed planter strip is constrained. Staff conditions accordingly, establishing a fee in-lieu, the concept of which 3.06.03A.4 acknowledges and 4.02.12 regulates. The City Council hasn’t yet adopted a master schedule of fees in-lieu. By condition, staff establishes willingness administratively per 4.02.12 to accept a fee in lieu of the 4 street trees along Hillyer and establishes a specific amount, which is necessary to administer 3.06.03A.4 & 4.02.12, based on past practice regarding street trees.

▲ In order to secure Hillyer Lane street trees conforming to 3.06.03A.2, staff applies a condition.

Unnamed ROW (east)

There exists right-of-way (ROW) along the east frontage that appears to be 34 feet per scaled measurement of the site plans. The ROW is mostly unimproved, except for utilities and a paved path as seen in the Marion County 2023 aerial view below, in which property lines are approximately represented and approximately located relative to the image of existing conditions:

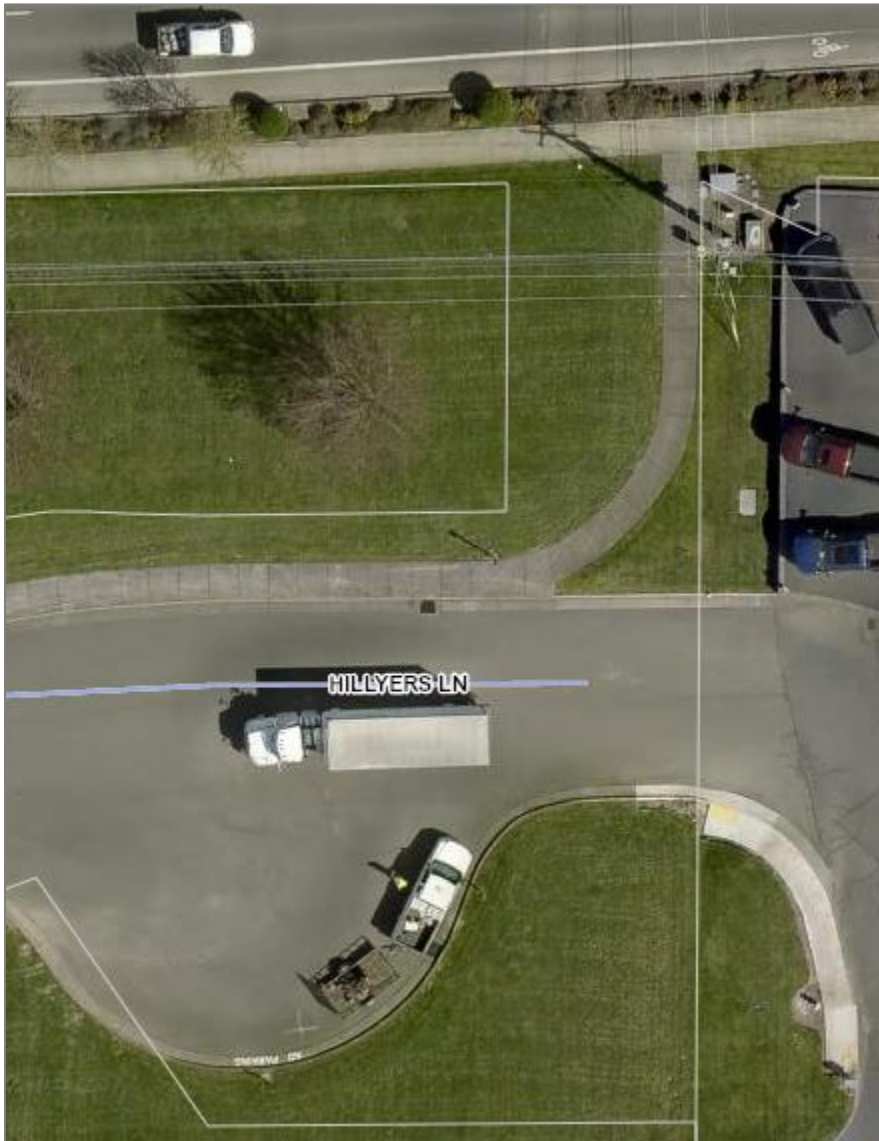


Exhibit Unnamed ROW



Exhibit Unnamed ROW existing sidewalk (July 13, 2023)

Per Community Development Director direction by e-mail (Attachment 105), the “Boundary Street” as 1.02 defines, though as subject to 3.01 as are the other three frontages, is subject to Director ability to determine lesser requirements. The Director allows a variance process to be not necessary in this case.

Per that direction and 3.01.03F & G; given that that the existing condition is already a pedestrian corridor with paved sidewalk and with no ODOT or City expectation of becoming an improved street; that the route is the most direct walking and cycling route to and from the highway and the intersection of Woodland and Hillyer and points south; based on the purpose statements that open 3.01 and 3.01.07 “Off-Street Public Bicycle/Pedestrian Corridors” along with the provision of 3.01.07E; and that the corridor has shallow slope and ample width free of obstructions that can accommodate an ADA-compliant bicycle/pedestrian path; therefore, the lesser requirements are to widen the sidewalk, which connects the OR Hwy 219 and Hillyer sidewalks, into a bicycle/pedestrian path with new pavement and shade trees – and upgrading of any existing pavement to be – compliant with ADA standards, with compliance demonstrated in a way that satisfies ODOT and/or the City Public Works Department Engineering Division.

Instead of altering the existing path, the developer may choose to remove it and pave a new path.

WDO interpretation memo INT 22-0608 “Off-Street Public Bicycle/Pedestrian Facility Specifications” (June 8, 2022) implements 3.01.07E and is the ready-made set of specifications for off-street bicycle/pedestrian paths.

▲ In order to secure minimal upgrade of the unnamed east Boundary Street ROW that exists as a pedestrian corridor, staff applies a condition.

3.01.07 Off-Street Public Bicycle/Pedestrian Corridors

– None are applicable per 3.01.07B or Table 3.01A.

3.01.08 Mill Creek Greenway

The subject property doesn’t contain, overlap, or abut a segment of said greenway.

– Not applicable.

3.01.09 Bus Transit Improvements

B. Applicability: The standards apply along a frontage for which development causes street improvements and either where a bus stop exists that lacks conforming improvements or the City has adopted a long-range transit plan identifying a new bus stop. The standards apply also to off-site bus stop improvements where and as conditioned.

C. ROW: Where ROW, whether existing or widened to a minimum per Section 3.01, cannot accommodate a bus shelter, a developer shall dedicate to the City additional width and extent of area to accommodate a shelter and a pad on which the developer is to install it. The developer shall dedicate any of additional ROW, additional width of streetside PUE, off-street PUE, other type of public easement, or combination that both meets the accommodation requirement and to which the Public Works Director does not in writing object.

D. Improvements: Per the Director.

E. Fees in-lieu: Per Section 4.02.12.

City bus transit runs along OR Hwy 219 westbound to Arney Road and eastbound from Woodland, the eastbound passing along the subject property, per Transportation System Plan (TSP) Figure 7 “Existing Transit Routes and Facilities”, and the latest Woodburn Transit Service/System (WTS) online brochure/map/schedule confirms this.

The Transit Development Plan (TDP; Resolution No. 2213) Figure 63 “Preferred Service Plan Bus Stop Changes” on p. 80 (Attachment 106A) identifies system route changes establish three

routes, of which Route C (delineated in purple) would constitute a Highway 214 express route that would go west as far as the Amazon warehouse at 450 Butteville Road. Below is an excerpt of TDP Fig. 63:

BUS STOP CHANGES

Figure 63 Preferred Service Plan Bus Stop Changes

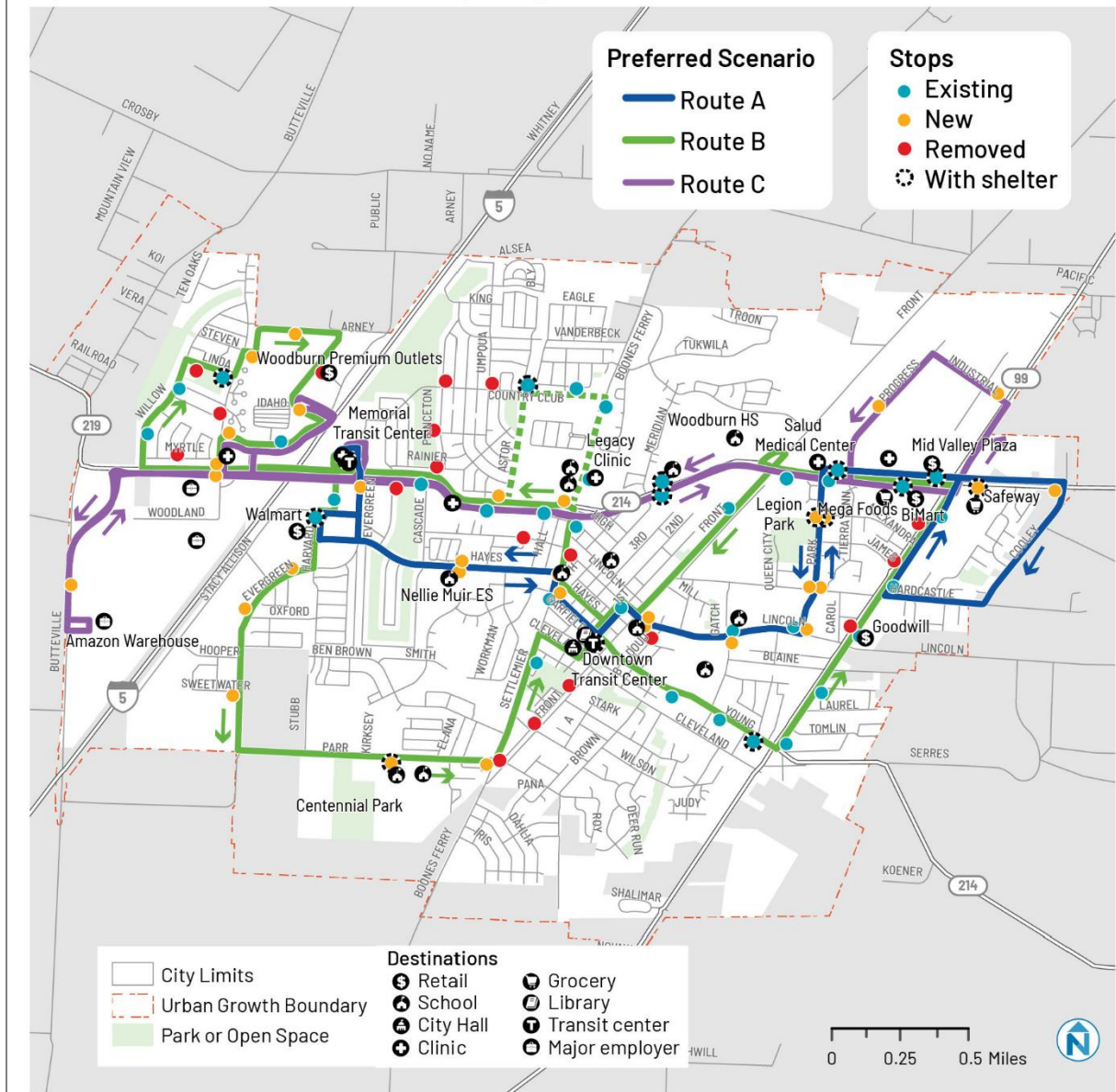


Exhibit TDP 63

The westbound segment would leave the highway to reach the outlet mall on Arney Road and return to the highway via Woodland Avenue with a bus stop at the NW corner (symbolized with an amber dot). The eastbound segment coming from Amazon would have a bus stop at the SW

corner of the highway and Woodland (an amber dot). Both stops would be at the same intersection as the proposed development, which is at the southeast corner.

The City has been collecting and collects from developments fees towards capital improvements, particularly improving existing and new bus stops with shelters, including:

- ANX 2020-01 & PUD 2020-01 Trillium Reserve subdivision
- ANX 22-02 & PUD 22-02 Marion Pointe / Macadam at Tukwila subdivision
- CU 21-02 US Market gas station
- DR 21-07 Amazon warehouse
- DR 22-02 Project Gamos (Specht industrial development, Evergreen Rd)
- PUD 22-01 Mill Creek Meadows subdivision.

TDP Figure 68 “Financial Plan – Capital Costs (FY 2022/23 – FY 2029/30)” on p. 94 (Attachment 106B) identifies that each “enhanced” stop – one with more than a pole sign – costs an estimated \$15,000. Below is an excerpt of TDP Fig. 68 and its Note 6:

CAPITAL PLAN									
Estimated capital costs over the life of the planning horizon are summarized below in Figure 68, which summarizes the estimated costs associated with planned vehicle replacements as well as capital improvements associated with the service improvements. Capital improvements include vehicle expansion, new bus stops, and technology improvements. Details for each of these capital improvement categories are provided below.									
Figure 68 Financial Plan – Capital Costs (FY 2022/23 – FY 2029/30)									
Capital Improvement	Current	Near-Term			Mid-Term			Long-Term	Notes
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	
Paratransit vehicle replacement	\$80,000	\$360,000	\$82,000						1, 2
Fixed route vehicle replacement	\$340,000		\$480,000						1, 2
Fixed route vehicle expansion (Route C)		\$1,108,000							3
Electric vehicle chargers/infrastructure		\$321,000							4
Fixed route vehicle expansion (Routes A and B)					\$1,246,000		\$1,348,000		3
New basic bus stops		\$77,500							5
New enhanced bus stops		\$60,000		\$30,000		\$30,000		\$30,000	6
Annual Total	\$420,000	\$1,926,500	\$562,000	\$30,000	\$1,246,000	\$30,000	\$1,348,000	\$30,000	

6: Assumes \$15,000 per enhanced bus stop. This includes design and construction of a new bus stop pad, new bus stop pole and signage, and new shelter with bench.

The plan estimates each enhanced bus stop at \$15,000.

A fee is in service of Transportation System Plan (TSP) Objectives:

<i>Table 63</i>		
<i>Objective</i>	<i>Page No.</i>	<i>Comments</i>
1A	17	<p>“Develop an expanded intracity bus transit system that provides added service and route coverage to improve the mobility and accessibility of the transportation disadvantaged and to attract traditional auto users to use the system.”</p> <p>Enhanced bus stops at the intersection of OR Hwy 219 & Woodland would attract traditional auto users to use the system among those who work in the vicinity.</p>
4A	19	<p>“Identify new and innovative funding sources for transportation improvements.”</p> <p>Having developments contribute towards adjacent or nearby enhanced bus stops lessens burden on City general revenue.</p>

A fee is in service of Comprehensive Plan policies:

<i>Table H</i>		
<i>Policy</i>	<i>Page No.</i>	<i>Comments</i>
H-1.1	34	<p>“Develop an expanded intracity bus transit system that provides added service and route coverage to improve the mobility and accessibility of the transportation disadvantaged and to attract traditional auto users to use the system.”</p> <p>Enhanced bus stops at the intersection of OR Hwy 219 & Woodland would attract traditional auto users to use the system among those who work in the vicinity.</p>
H-2.3	34	<p>“Encourage multi-model transportation options, including park-and-ride facilities, carpooling, and use of transit services.”</p> <p>Enhanced bus stops at the intersection of OR Hwy 219 & Woodland would encourage use of transit service, particularly by those who work in the vicinity.</p>
H-4.1	35	<p>“Evaluate the feasibility of various funding mechanisms, including new and innovative sources.”</p> <p>Having developments contribute towards adjacent or nearby enhanced bus stops lessens burden on City general revenue.</p>

▲ Staff applies a *D condition* for an enhanced bus stop fee in-lieu.

3.02 Utilities & Easements

3.02.01

A. The Director shall require dedication of specific easements for the construction and maintenance of municipal water, sewerage and storm drainage facilities located on private property.

B. Streetside: A streetside public utility easement (PUE) shall be dedicated along each lot line abutting a public street at minimum width 5 feet. Partial exemption for townhouse corner lot: Where such lot is 18 to less than 20 feet wide, along the longer frontage, streetside PUE minimum width shall be 3 feet; or, where the lot is narrower than 18 feet, the longer side frontage is exempt from streetside PUE.

C. Off-street: The presumptive minimum width of an off-street PUE shall be 16 feet, and the Public Works Director in writing may establish a different width as a standard.

E. As a condition of approval for development, including property line adjustments, partitions, subdivisions, design reviews, Planned Unit Developments (PUDs), Street Adjustments, Zoning Adjustments, or Variances, the Director may require dedication of additional public easements, including off-street public utility easements and other easement types such as those that grant access termed any of bicycle/pedestrian access, cross access, ingress/egress, public access, or shared access, as well as those that identify, memorialize, and reserve future street corridors in place of ROW dedication.

F. Streetside PUE maximum width:

- 1. Purpose: To prevent developers and franchise utilities from proposing wider than minimum streetside PUEs along tracts or small lots after land use final decision; to prevent particularly for a tract or lot abutting both a street and an alley; to encourage developers to communicate with franchise utilities and define streetside PUE widths during land use review and how to what is defined; to avoid overly constraining yards, and to avoid such PUEs precluding front roofed patios, porches, or stoops.**
- 2. Standards: Exempting any lot or tract subject to Figure 3.01B "Major Arterial", the following standards are applicable to a lot or tract with:**
 - a. No alley or shared rear lane: 8 feet streetside.**
 - b. Alley or shared rear lane: Either 8 feet streetside and 5 feet along alley or shared rear lane, or, 5 feet streetside and 8 feet along alley or shared rear lane.**

Nothing in this section precludes a streetside PUE from variable width where necessary such as to expand around public fire hydrants.

The site plan (Sheet C2.0) fails to delineate and note intended conformance (through recordation after land use approval with conditions), whether through conforming PUEs that existing, if any, or through granting of streetside PUEs and any off-street PUEs the Public Works Department Engineering Division might require. The utility plan (Sheet C5.0) delineates what appear to be proposed streetside PUE boundaries, but there is no label or note.

Staff applies a condition accordingly. Public Works requires various off-street PUEs for on-site improvements such as fire suppression water lines and fire hydrants, and likely separate

conditions establish a one or more public easements or other legal instrument to implement topics such as sidewalk overlap of the subject property.

▲ Staff applies a *D condition* for the required streetside PUE.

3.02.03 Street Lighting A. Public Streets

The appended Public Works comments (July 13, 2023; Attachment 102A) from the City Engineer likely comments upon street lighting. Public Works will review street lighting separate from and after land use approval.

3.02.04 Underground Utilities.

- B. Street: All permanent utility service within ROW resulting from development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist as the electric utility documents and the developer submits such documentation.**
 - 1. Developments along Boundary Streets shall remove existing electric power poles and lines and bury or underground lines where the following apply:**
 - a. A frontage with electric power poles and lines is or totals minimum 250 feet; and**
 - b. Burial or undergrounding would either decrease or not increase the number of electric power poles. The developer shall submit documentation from the electric utility. Where the above are not applicable, a developer shall pay a fee in-lieu, excepting residential development that has 4 or fewer dwellings and involves no land division.**
 - 2. Fees in-lieu: Per Section 4.02.12.**
- C. Off-street: All permanent utility service to and within a development shall be underground, except where overhead high-voltage (35,000 volts or more) electric facilities exist.**

Of the frontages along OR Highway 219, [S.] Woodland Avenue, and Hillyer Lane, the highway frontage has electric power poles and lines.

Though Marion County Tax Map 052W11 (Attachment 101) appears to indicate highway frontage of 474.15 ft, the floating label is likely not referring to the north lot line. The site plans, including existing conditions sheet C1.0 indicates that the north lot line segments of 406.87 and 33.74 total 440.61 ft, which rounds to 441 ft, making criterion 1a applicable.

Regarding criterion 1b, the applicant's revised narrative submitted June 9, 2023 addresses 3.02.04B on pp. 14 & 15, stating:

"Preliminary communications with Ken Spencer (Portland General Electric Operations Engineer) indicate that one new pole would be installed and two would be removed. The applicant requests a fee in-lieu in place of undergrounding utilities. The applicant anticipates that said fee will be recommended by staff to Planning commission and established as a condition of approval."

The text constitutes documentation from the electric utility, and because burial or undergrounding would decrease the number of electric power poles, criterion 1b is applicable.

Because both criteria are applicable, the requirement is applicable that the subject development along the highway, a Boundary Street per 1.02 & Figure 3.01A, shall remove the existing electric power poles and lines and bury or underground the lines.

The applicant's narrative quoted above explicitly requests to pay fee in lieu of electric power pole removal and line burial as 3.02.04B.2 & 4.02.12 allow.

As background, 4.02.12 states:

"A. In lieu of public improvements:

1. Permissible if the Director allows, whether wholly in-lieu for one, some, or all of the kinds of required improvements or for some or all of a kind.
2. Fees in lieu of public improvements are due before either building permit application or, when and where any of Partition or Subdivision Final Plat is involved, completion of recordation with the County, specifically no later than before a City official signs a plat or re-plat Mylar per Section 5.01.06C.1. A developer may request in writing to pay later, specifically by issuance of building permit, or if the Director allows, across issuance of two or more structural building permits for the subject development."

The Director confirmed to staff that in this case the City would consider and accept a fee in-lieu.

The fee in-lieu would have been \$568.00 per lineal foot of frontage based on past practice through past land use case files and final decisions: ANX 2020-02 Valentina Estates No. 2, PUD 22-01 Mill Creek Meadows Planned Unit Development, & CU 21-01 US Market gas station.

The number came from a Pacific Gas and Electric (PG&E) of California October 2017 estimated range of \$1.16 to \$5 million per mile to remove electric power poles and bury lines. ("[Despite Being Safer, Underground Power Lines Are Very Expensive](#)" e.Republic LLC *Government Technology* "FutureStructure Infrastructure" series. October 23, 2017. <www.govtech.com/fs/infrastructure/despite-being-safer-underground-power-lines-are-very-expensive.html>. Accessed July 7, 2023. Attachment 107A). Staff went and goes by \$3 million per mile because 60% of the upper limit of \$5 million seemed reasonable for Woodburn. $\$3,000,000 / 5,280 \text{ ft} = \568.18 per ft , rounded down to \$568 per ft.

As mentioned above, the OR Highway 219 frontage is 440.61 ft, which staff rounds down to 441 ft, and $(441 \text{ ft} \times \$568.00) = \$250,488.00$. Staff hastens to add that the applicant e-mailed staff March 14, 2023 pitching a low fee in-lieu and attaching a narrative in support Attachment

107B). Staff reviewed and replied March 23, and on April 4 the applicant confirmed receipt Attachment 107C). The key evidence from that narrative (p. 2) was that:

“PGE’s estimate (via Kenneth Spencer) to underground facilities for this subject site is approximately \$600,000, including work to install one pole and remove two. PGE will also need to install a pad-mounted switch near the intersection of Hwy. 219 and Woodland Ave.”

This means that the stated evidence reveals the fee in the lieu that staff had indicated to the developer (\$568 per ft), is recommending still to the developer as well as now the Planning Commission, and recommends formally to the Commission through a condition of approval, was and is less than one-third the cost of the actual cost estimate stated by the applicant, specifically, a savings to the developer of approximately \$349,512 compared to burial. Lastly, staff past practice of applying a fee of \$568 per ft does not account for high inflation in 2021 and 2022. (\$568.00 per ft in October 2017 dollars would be \$702.59 per ft in June 2023 dollars per the U.S. Bureau of Labor Consumer Price Index [CPI] inflation calculator.)

The fee is not a burden because as the Chick-fil-A website under its “Giving Back” section states (www.chick-fil-a.com/about/giving-back accessed as of July 19, 2023), “Through our annual Chick-fil-A True Inspiration Awards, Operators have the opportunity to nominate local nonprofits to receive a grant ranging from \$50,000 to \$350,000. With Operator help, we’ve been able to award more than \$12 million to 171 organizations across the U.S. and in Canada through this program.”

Second, it would not be a burden because 2019 sales were an estimated \$11.3 billion according to *Forbes Magazine* (www.forbes.com/sites/aliciakelso/2020/06/30/chick-fil-a-named-america-s-favorite-restaurant-chain-for-the-sixth-straight-year/?sh=64a9558b5d7a June 30, 2020 accessed July 19, 2023), which in turn cited a RestaurantBusinessOnline.com entry that lists \$11,320,000,000 generated by 2,470 stores (www.restaurantbusinessonline.com/top-500-chains-2020/chick-fil n.d. accessed July 19, 2023).

Though there is no U.S. Securities and Exchange Commission (SEC) filing, which would indicate profit, and Chick-fil-A is not a publicly traded company, i.e. there is no stock for purchase, the revenues are so large that profit would not be notably smaller.

The conditioned electric power pole removal and line burial fee in-lieu of \$568 per ft would have been 0.0002% of Chick-fil-A sales revenue of \$113,200,000,000 from 2019 alone.

The applicant stated through an e-mail to staff July 19, 2023 in an attachment commenting on draft conditions that, regarding Condition D6:

“A more understandable, reasonable and comparable estimate may be the estimate for ‘most of PG&E’s territory’ (as referenced by the article) which is, in the applicant’s opinion, an already extremely high estimate for OR at \$1,160,000 per mile. At today’s dollars with inflation included (same multiplier used of 1.2329), this would result in a cost of \$270.86 per linear foot (\$219.70 before inflation), totaling \$119,449.26 for the same 441 lf [lineal feet] of frontage.”

The comments included reference to electric fees in-lieu of 3 cities in the Willamette Valley, with highest being Hillsboro at \$215 per ft that would equal \$94,815.

Based on the above, staff and the Director found elements of the applicant’s July 19 argument in response to the draft Condition D6 persuasive enough to lower the draft fee in-lieu amount from \$568 per ft (\$250,488) to \$272.11 per ft to achieve a near-rounded total of \$120,000.51, a reduction of \$130,487.49.

The conditioned electric power pole removal and line burial fee in-lieu of \$271 per ft would be 0.00011% of Chick-fil-A sales revenue of \$113,200,000,000 from 2019 alone.

▲ In conclusion, because the applicant’s narrative quoted above explicitly requests to pay fee in lieu of electric power pole removal and line burial as 3.02.04B.2 & 4.02.12 allow, staff administratively proposes and conditions a fee in-lieu amount.

3.03 Setbacks and Open Space

3.03.02 Street Widening Setbacks

➡ Because as examined either earlier above for 3.01 or below in the Street Adjustments Provisions section, no ROW dedication is required, the Street Widening Setback is not applicable.

3.03.03 Projections into the Setback Abutting a Street

- A. Chimneys, flues, bay windows, steps, eaves, gutters, sills, pilasters, lintels, cornices, planter boxes and other ornamental features may not project more than 24 inches into the setback abutting a street.**
- B. Covered, unenclosed porches shall maintain at least a 5 foot setback from the property line or Street Widening Setback.**
- C. A balcony, outside stairway or other unenclosed, unroofed projection may not project into a minimum front or street setback of the primary building so much that it would encroach into the streetside public utility easement (PUE). (Regarding PUEs, see Section 3.02.01.)**
- D. Arbors, archways, pergolas and trellises shall be exempt from the setback abutting a street.**

...

3.03.04 Projections into the Side Setback

A. Chimneys, flues, bay windows, steps, eaves, gutters, sills, pilasters, lintels, cornices, planter boxes and other ornamental features may not project more than 18 inches into a side setback.

...

C. Uncovered decks, not more than 18 inches above final grade, shall maintain at least a three foot setback from the property line or Street Widening Setback.

...

3.03.05 Projections into the Rear Setback

A. Chimneys, flues, bay windows, steps, eaves, gutters, sills, pilasters, lintels, cornices, planter boxes and other ornamental features may project not more than 24 inches into the rear setback.

B. A balcony, outside stairway or other unenclosed, unroofed projection may not project more than 10 feet into a rear setback. In no case shall such a projection come closer than 5 feet from any lot line or Street Widening Setback.

...

E. No permitted projection into a rear setback shall extend over an alley, unless the projection is minimum 14 feet above alley grade and the Public Works Director in writing authorizes, or, come within six feet of an accessory structure.

F. Accessory structures are not considered projections into a rear setback, but have separate setback requirements listed in this Ordinance (Section 2.06).

Because the CG zoning district minimum setback is zero as examined above for Table 2.03C, and the site plans illustrate no existing or proposed buildings within 5 ft of the existing lot lines, projections are not relevant.

✓ The provisions are met.

3.03.06 Vision Clearance Area; Figures 3.03A & B

The proposal includes the required vision clearance areas (VCA) – or sight triangles – at the driveways and at the southeast corner of OR Hwy 219 & Woodland, which is the subject property northwest corner.

✓ The provisions are met.

3.04 Vehicular Access

3.04.02 Drive-Throughs

A. Drive-Through Lane Dimensions and Configuration

1. Minimum Lane Width: 10 feet

2. Minimum Lane Length: 50 feet, unobstructed by lateral vehicular access. Precluded lateral vehicular access shall include the access/maneuvering area for off-street parking and overlap

onto public street right-of-way. The unobstructed length shall be measured from the drive-up window or stop line, whichever is greater.

- 3. Buffering/screening: A drive through in yard abutting a street shall be buffered or screened to the same standards as Section 3.06.05B and shall include a minimum number of trees equal to 1 per 30 lineal feet of drive-through aisle. Where a streetside PUE per Section 3.02.01 applies such that it overlaps or exceeds a drive-through aisle proposed setback, and, per the Public Works Director this would preclude planting of new trees or construction or installation of screening within that area of yard that the PUE overlays, the drive-through aisle street setback shall increase to a minimum equal to the streetside PUE width plus 3 feet.**

The proposal conforms except regarding A.3. The proposal includes a drive-through in the yard along OR Hwy 219. The landscape plan illustrates it screened (with trees and shrubs) to the same standards as Section 3.06.05B and including 25 drive-through trees, which exceeds the minimum equal to 1 per 30 lineal feet of drive-through aisle, that is, scaled measurement of the landscape plan drive-through four segments totaling $684 \text{ ft} / 30 = 22.8 \rightarrow 23$ drive-through trees.

PUEs

The PUE provision is not met regarding the above requirement that, “Where a streetside PUE per Section 3.02.01 applies such that it overlaps or exceeds a drive-through aisle proposed setback, and, per the Public Works Director this would preclude planting of new trees or construction or installation of screening within that area of yard that the PUE overlays, the drive-through aisle street setback shall increase to a minimum equal to the streetside PUE width plus 3 feet.” Absent written direction from ODOT or the City Public Works Director, and with Planning Division staff knowing that City Public Works defaults to its verbal policy of no-trees-within-streetside-PUEs, the requirement is applicable by default.

OR Hwy 19

Looking at the highway drive-through segment, (1) the trees are proposed within the streetside PUE, and (2) the site perimeter planting area is narrower than the required 10-ft PUE width + 3 ft = 13 ft. The needed revisions are to (1) widen the highway drive-through site perimeter planting area from 11 to 13 ft and (2) shift the row of trees to the edge of the streetside PUE, i.e. 10 ft from the OR Hwy 19 ROW boundary.

Woodland

Looking at the Woodland drive-through segment, the trees are proposed within the streetside PUE. The Woodland drive-through segment site perimeter planting area is the required 5-ft PUE width + 3 ft = 8 ft. The needed revision is to shift the row of trees to the edge of the streetside PUE, i.e. 5 ft from the Woodland ROW boundary.

Staff conditions accordingly.

- ▲ Staff applies a *D condition* for the planting of trees deeper on-site at edge of streetside PUEs and to widen the highway segment drive-through depth of buffer/screening landscaping to the minimum.

3.04.03 Driveway Guidelines and Standards

B. Number of Driveways

- 3. For nonresidential uses, the number of driveways should be minimized based on overall site design, including consideration of:**
 - a. The function classification of abutting streets;**
 - b. The on-site access pattern, including parking and circulation, joint access, turnarounds and building orientation;**
 - c. The access needs of the use in terms of volume, intensity and duration characteristics of trip generation.**
- 5. For all development and uses, the number of driveways shall be further limited through access management per subsections C & D below.**

C. Joint Access

- 1. Lots that access a Major Arterial, Minor Arterial, Service Collector, or Access Street should be accessed via a shared driveway or instead to an alley or shared rear lane.**
- 2. A partition, subdivision, or PUD should be configured so that lots abutting a Major Arterial, Minor Arterial, Service Collector, or Access Street have access to a local street, alley, or shared rear lane. Access to lots with multiple street frontages should be from the street with the lowest functional class.**
- 3. Every joint driveway or access between separate lots shall be per the same means as in Section 3.04.01A.2.**
- 4. Standards: ...**

D. Access management:

- 2. Commercial: Any development within a commercial zoning district that Section 2.03A lists shall grant shared access to adjacent lots and tracts partly or wholly within any of the same districts. An alley or shared rear lane may substitute for meeting this standard if the alley provides equivalent public access. Zoning Adjustment is permissible.**

The applicant's revised narrative submitted June 9, 2023 states on p. 20:

"The applicant requests approval for three (3) driveways accessing from Hillyer Lane, two of which will be limited to right-in/right-out accesses leading to the parking area and building. The third driveway will serve as the entry for the drive-through lanes only. The applicant anticipates the three driveways are necessary to provide safe on-site traffic circulation given the lot's configuration and size. Considerations in support of the three access driveways were provided by Kittelson and Associates, including:

- Desire to provide one-way entry-only access to the drive-through that maximizes drive-through queue storage and is located as far away from Woodland Avenue as possible.

- Desire to have mid-site full movement access that serves as primary restaurant building access and the point for delivery vehicles to enter the site to serve the restaurant via a counterclockwise path through the parking field.
- Desire to provide west access offering: 1) convenient egress from the drivethrough pick-up area with minimal interaction amongst the on-site parking and drive aisles (compared to circulating back through the parking area to reach the mid-site access); and 2) necessary egress for the delivery truck that will serve the building given the site shape and area does not allow the WB-67 design vehicle to complete a loop on-site and back-up maneuvers onto Hillyer Lane are undesirable.

If required, a traffic impact analysis (TIA) can be provided that evaluates queueing and path overlap between the three driveways. A Traffic Impact Analysis (TIA) prepared by Kittelson and Associates on April 6, 2022, addressing trip generation for the development is included with this application as Exhibit G.”

All vehicular access is from Hillyer Lane, a local class street and the lowest functional class of the three abutting streets. 3.04.03Ba is met. The site plan makes use of dead-end Hillyer Lane to start the drive-through east entrance available for longer queuing, meeting 3.04.03Bb & c.

Access Management

Regarding access management through 3.04.03B.5, C.1, & D.2, because the subject property has no adjacent property, the provisions are not applicable.


✓ The requirement is met.

Access Requirements Table 3.04A		
		Commercial or Industrial Use
Paved Width of Driveway (feet) 3, 4, 7, 8	1-way	10 minimum 20 maximum
	2-way	Commercial/Mixed-Use: 20 minimum 24 maximum* *(Add 12 ft maximum if a turn pocket is added)
		Industrial: 22 minimum 36 maximum* *(Add 8' if a turn pocket is added)
Throat Length (feet) ⁵	Major Arterial, Minor Arterial, Service Collector	Commercial: 36 minimum; Industrial: 50 minimum
	Access or Local Street	18 minimum
Corner Clearance (feet) Guidelines ¹ (See Figure 3.04B)	Access or Local Street	30 minimum
	Service Collector	50 minimum
	Minor Arterial	245 minimum
	Major Arterial	300 minimum
Driveway Separation Guidelines (feet) ^{1, 2} (See Figure 3.04B)	Driveway on the same parcel	50 minimum
	Access or Local Street	None
	Service Collector	50 minimum
	Minor Arterial	245 minimum
	Major arterial	300 minimum

Access Requirements Table 3.04A		
Turnarounds ⁹	Access to a Major or Minor Arterial	Required
	Access to any other street	Requirements per the Woodburn Fire District
<ol style="list-style-type: none"> 1. The separation should be maximized. 2. Driveways on abutting lots need not be separated from each other, and may be combined into a single shared driveway. 3. Driveways over 40 feet long and serving one dwelling unit may have a paved surface minimum 8 feet wide. 4. Notwithstanding the widths listed in this table, the minimum clearance around a fire hydrant shall be provided (See Figure 3.04D). 5. Throat length is measured from the closest off-street parking or loading space to the right-of-way. A throat applies only at entrances (See Figure 3.05B). 6. Maximum of 4 individual lots can be served from single shared driveway (See Figure 3.04A) except where and as Section 3.04.03D.3 “Flag Lots” supersedes. 7. It is permissible that the Oregon Fire Code (OFC) as administered by the independent Woodburn Fire District may cause driveway widths to exceed minimums and maximums. It is a developer’s responsibility to comply with the OFC. 8. Width measurement excludes throat side curbing, if any. 9. Refer to OFC Appendix D, Figure D103.1. 		

The middle driveway apron is too wide, at 26 ft instead of 24. Because the applicant’s narrative did not address Table 3.04A, it is unclear why. Staff conditions accordingly – exempting footnote 7 about OFC.

The site plans show that the proposed driveway meets the minimum standards or exceeds them where necessary to meet Oregon Fire Code (OFC) Appendix D.

 Staff applies a condition about maximum driveway width.

3.04.03A. Unused driveways shall be closed.

- None exists.

3.04.03C. Interconnected Parking Facilities.

Because the proposal is a single, integrated site development for one primary use – fast-food restaurant – and not like a commercial strip mall, the provision is not applicable.

- Not applicable.

3.04.04 Improvement Standards

The site plans illustrate pavement that conforms.

- ✓ The requirement is met.

3.04.05 Transportation Impact Analysis

B. A transportation study known as a transportation impact analysis (TIA) is required for any of the following:

- 1. Comprehensive Plan Map Change or Zone Change or rezoning that is quasi-judicial, excepting upon annexation designation of zoning consistent with the Comprehensive Plan.**
- 2. A development would increase vehicle trip generation by 50 peak hour trips or more or 500 average daily trips (ADT) or more.**
- 3. A development would raise the volume-to-capacity (V/C) ratio of an intersection to 0.96 or more during the PM peak hour.**
- 4. Operational or safety concerns documented by the City or an agency with jurisdiction, such as ODOT or the County, and submitted no earlier than a pre-application conference and no later than as written testimony entered into the record before the City makes a land use decision.**
- 5. A development involves or affects streets and intersections documented by ODOT as having a high crash rate, having a high injury rate of persons walking or cycling, having any cyclist and pedestrian deaths, or that partly or wholly pass through school zones that ODOT recognizes.**
- 6. Where ODOT has jurisdiction and ORS or OAR, including OAR 734-051, compels the agency to require.**

The applicant submitted June 9, 2023 among the application materials a revised Exhibit G “Traffic Impact Analysis” dated April 2023. Although the TIA does not address the above TIA thresholds, because the TIA is submitted, the issue of whether or not a TIA would have been required or not is moot.

The applicant’s TIA dated April 6, 2023 and submitted June 9, 2023 states on page 4 that:

“This site is located within the Interchange Management Area Overlay District (IMA) for the OR 214/I-5 interchange; however, is outside of any of the defined areas in Table 2.05A and thus is not subject to the IMA provisions per WDO 2.05.02B “Applicability”.”

As examined earlier above for 2.05, the subject property is within the Interchange Management Area (IMA) Overlay District per Figure 2.05B, but not within one of the lettered subareas per Figure 2.05B. Per both 2.05.052B and Table 2.05A, the IMA provisions are not applicable.

The applicant’s TIA dated April 6, 2023 and submitted June 9, 2023 describes trip generation on pages 17 & 18:

“In May 2022, a trip generation study was conducted at four Chick-fil-A sites in the greater Portland area and compared the results to the rates shown in the 11th Edition of the Trip Generation Manual, as published by the Institute of Transportation Engineers (ITE). The four sites studied were located in Tanasbourne (open March 2016), on Beaverton-Hillsdale Highway (open June 2019), in the Cedar Hills Crossing area (open July 2019), and on TV Highway in Hillsboro (open April 14, 2022). Trip generation rates were calculated based on the data collected at these four sites per the ITE Trip Generation Handbook methodology.

The resultant trip rates (as measured as vehicle trips per 1,000 square feet of building) observed at the four sites during the weekday PM peak hour is provided in Appendix “E”. In reviewing the data, we note the following:

- Although Tanasbourne has been open the longest of the four sites surveyed (Tanasbourne and the existing Clackamas Chick-fil-A opened at the same time), the trip generation rates at this store are higher than the others given its proximity to US 26 and NW 185th Avenue.
- The TV Highway location that was added in 2022 helps to serve Hillsboro/Aloha customers previously served by Tanasbourne. Despite its being open for approximately five weeks at the time of traffic count data collection, this store has the lowest trip rates of the four locations surveyed. Chick-fil-A indicates that it is common for their new stores in an existing market to not experience the same level of grand opening interest as compared to openings in new markets.

Further, in response to Woodburn scoping review comments, we collected 24-hours of traffic counts at the nearby Keizer Station Chick-fil-A on November 11, 2022, which opened for service on August 4, 2022. The Keizer data was consistent with the other Oregon sites in finding that the AM peak hour rate is substantially lower than the PM peak hour rate (thus the AM peak hour was not further analyzed in this study). Of the sites where data was collected, the Tanasbourne site was found to have the highest trip rates measured during the PM peak period.

With these considerations in mind but still to provide a reasonable estimate of potential trip generation, the average rate of the three highest sites measured were used in the TIA (i.e., the rates exclude the data from the TV Highway site and the Cedar Hills Boulevard site). A comparison of the average rates using the three higher versus all five sites as well as to the rates reflected in the Trip Generation Manual is shown below:

- Weekday PM peak hour trips/1,000 square feet based on all five sites = 46.9

- Weekday PM peak hour trips/1,000 square feet based on three sites (excluding TV Highway and Cedar Hills Boulevard) = 55.1
- Weekday PM peak hour trips/1,000 square feet from the Trip Generation Manual = 33.0

Table 5 summarizes the estimated trip generation using the average of the three highest Oregon sites measured in 2022.

Table 5. Estimated Trip Generation

Land Use	Data Source	Size	Daily Trips	Weekday PM Peak Hour Trips		
				Total	In	Out
Chick-fil-A	Oregon Site Data	2,872 SF	1,794	158	79	79
<i>Less Pass-by Trips*</i>			897	-87	-44	-43
Net New Trips			897	71	35	36

*Assumed pass-by trip rates is 50% for daily and 55% for the PM peak hour per ITE Trip Generation Manual, 11th Edition for a fast food restaurant with drive-through.

The trip generation study at the Keizer site included daily data collection and is the basis for the daily trip estimates shown in Table 5 (no other daily trip data has been collected for the other sites)."

The applicant's TIA dated April 6, 2023 and submitted June 9, 2023 concludes in the "Findings and Recommendations" section on pages. 25 & 26 that:

"The traffic impact analysis assessed the impacts of the proposed Chick-fil-A, and has found the following:

- The study intersections operate acceptably today and are continued to satisfy the applicable ODOT mobility targets and City operating requirements with Chick-fil-A open.
- The proposed on-site drive through queuing lanes are anticipated to accommodate the restaurant demands and not extend onto Hillyer Lane during typical conditions.

...

Collaborate with the City and ODOT to address opening period traffic conditions through development (and implementation if needed) of an opening period traffic management plan."

The appended Public Works comments (July 13, 2023; Attachment 102A) from the City Engineer do not identify the applicant's TIA conclusion as an issue.

Because opening period traffic management, which the TIA mentions, is of concern, staff conditions accordingly.

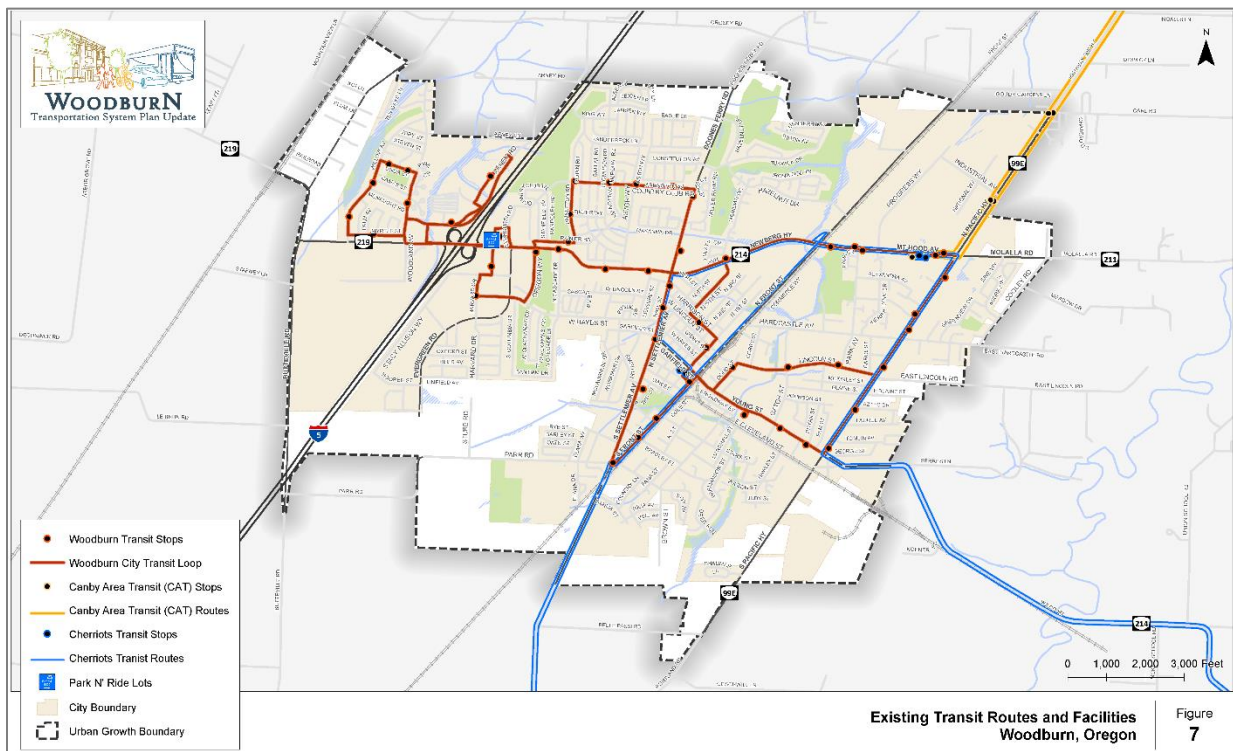
▲ Staff applies one or more *D conditions* for opening period traffic management.

Additional Issues: Walking & Cycling

Under the Variance Provisions section farther below, staff cites Comprehensive Plan policies that – together with the TSP and Transit Development Plan (TDP) projects as described here in the Design Review Provisions section and below in the “Additional Issues: Bus Transit” subsection – advance walking and cycling. Staff conditions accordingly.

Additional Issues: Bus Transit

Presently, the Woodburn Transit System (WTS) bus loops through east, central, and west Woodburn and reaches reach along OR Highway 291 in front of the subject property:



TSP Figure 7 (2019)

Neither Salem-Keizer Cherriots nor Canby Area Transit (CAT) run along the highway.

As staff examined earlier above for 3.01.09, a fee in lieu of an enhanced bus stop is relevant.

Additional Issues: Safety Study Corridor

Both TSP 2019 Figures 4 “Freight Routes” & Figure 5 “Traffic Safety Plan Elements” (Safety Study Corridors) are relevant to OR Hwy 219 along the subject property. Figure indicates the highway as a “Safety Study Corridor”. The TSP provides no definition, and the appended Public Works comments (July 13, 2023; Attachment 102A) from the City Engineer do not identify “Safety Study Corridor” as an issue.

Additional Issues: Intercity Bus Transit

Vehicle trips are within the areas served by the Wilsonville South Metro Area Transit (SMART) transit agency, TriMet that serves the remainder of the Portland metro area and operates the Westside Express Service (WES) commuter rail line that has a terminal in Wilsonville and connects to the Metropolitan Area Express (MAX) light rail Blue and Red Lines at Beaverton Transit Center, and the Salem metro area Cherriots transit agency.

Having express busses to and from connections with SMART bus, TriMet rail, and Cherriots bus connections during morning and afternoon commutes would induce subject project residents to consider seriously riding these express busses, and were there midday service too, even more so. Additionally, Cherriots contracts with and oversees a vanpool service that serves Woodburn and both metro areas, [Valley VanPool](#).

In addition to the TSP, the City “Transit Development Plan” (TDP) guides the provision of transit services and facilities in Woodburn through 2030 and supplements the TSP.

As staff examined earlier above for 3.01.09, a fee in lieu of an enhanced bus stop is relevant.

3.04.06 Bicycle/Pedestrian Access between Sidewalk and Building Entrances

B. Wide walkway: Excluding residential development other than multiple-family dwellings, 1 wide walkway minimum or with each of two frontages for sites of two or more frontages. Where a development includes or abuts a public off-street bicycle/pedestrian facility, a wide walkway shall also connect to the facility. Minimum width 8 feet, ADA-compliant, and not gated. Gating is allowed only if the development driveway throat or throats are gated.

C. Walkway: Minimum 1 per frontage except where a wide walkway supersedes. Minimum width 6 feet and may have stairs.

The proposal is commercial development of the subject property that has three frontages.

The site plans illustrate a wide walkway for each of the Woodland and Hillyer frontages that both connect sidewalks and the main building main entrance. Each is minimum 8 ft and not gated and per the site plans appears able to be constructed as to be ADA-compliant.

For the proposal, staff does not consider the public sidewalk in the adjacent east unnamed ROW as an “off-street” bicycle pedestrian facility, so this provision is not applicable.

Regarding walkways per subsection C, the remaining frontage along OR Highway 219 is shown with a walkway that would conform. However, the applicant stated through an e-mail to staff July 19, 2023 in an attachment commenting on draft conditions that in exchange for the condition to improve the east unnamed Boundary Street ROW with the bicycle/pedestrian path as described therein (probably numbered Condition D3):

“[T]he applicant ... proposes to remove the existing OR Hwy 219 connection within the applicant’s drive-through lane, which further enhances pedestrian safety and encourages safe access to and from the subject property via this boundary path.”

In response, staff acknowledges and accepts the proposal that were the applicant to conform, that the improved path may serve as and be considered as the required walkway for the highway frontage, and the applicant may revise the site plans to remove the proposed highway walkway.

✓ The requirements are met.

3.05 Off-Street Parking and Loading

3.05.02 General Provisions

The site plans illustrate that the proposal meets the general provisions for the most part, except where conditions require correction and revision. Namely, the proposal fails to meet 3.05.02H that, “All parking spaces, except those for residential development other than multiple-family dwellings, shall be constructed with concrete or rubber bumper guards or wheel barriers maximum 4 inches high that prevent vehicles from damaging structures, projecting over walkways so as to leave less than 4.5 feet of unobstructed passage, or projecting over wide walkways, abutting properties, or rights-of-way”. Specifically, the parking aisle along the east of the proposed building is also along the wide walkway, but the stalls lack wheel stops to prevent vehicles from projecting over the wide walkway.

▲ In order to secure wheel stops within the building east perimeter parking stalls to prevent vehicles from projecting over the wide walkway and conform to 3.05.02H, staff applies a *D* condition.

3.05.03 Off-Street Parking

3.05.03 Off-Street Parking

A. Number of Required Off-Street Parking Spaces

1. Off-street vehicle parking spaces shall be provided in amounts not less than those set forth in this Section (Table 3.05A).
2. Off-street vehicle parking spaces shall not exceed two times the amount required in this Section (Table 3.05A).

...

C. A maximum of 20 percent of the required vehicle parking spaces may be satisfied by compact vehicle parking spaces.

D. Off-street vehicle parking spaces and drive aisles shall not be smaller than specified in this Section (Table 3.05C).

F. Garages ...

2. For multi-family dwellings, one-half of the parking spaces required by this Section (Table 3.05A) shall be in a garage or garages, whether conventional or tandem, or, in a carport or carports.

Off-Street Parking Ratio Standards Table 3.05A	
Use ¹	Parking Ratio - spaces per activity unit or square feet of gross floor area
COMMERCIAL / PUBLIC	
11. Limited-service eating place	1/ 250 square feet

Off-Street Parking Ratio Standards Table 3.05A	
Use ¹	Parking Ratio - spaces per activity unit or square feet of gross floor area
<p>1. The Director may authorize parking for any use not specifically listed in this table. The applicant shall submit an analysis that identifies the parking needs, and a description of how the proposed use is similar to other uses permitted in the zone. The Director may require additional information, as needed, to document the parking needs of the proposed use.</p>	

The applicable parking ratio is for “limited-service eating place”, i.e. fast-food restaurant or quick-service restaurant as known within the industry. The math of 2,872 sq ft of proposed building / 250 = 11.4 → 11 stalls minimum parking. The site plan proposes more than this, exceeding the minimum standard.

3.05.03A.2 specifies a cap or maximum for all land uses of twice the minimum, which for the proposal equals 11.4 x 2 = 22.8 → 23 stalls maximum parking; however, the applicant submitted a variance request.

■ *Variance*: the applicant applied for variance VAR 22-09 to vary from the *maximum* off-street parking ratio per Woodburn Development Ordinance (WDO) 3.05.03A.2. Staff addresses the request further below under the Variance Provisions section.

Compact Parking

The proposal has 12 compact parking stalls. Because the total minimum parking before rounding to 11 is 11.4 stalls, total maximum would be 23, and the proposal through the above-mentioned variance that staff analyzes further under the Variance Provisions section, is for 44 stalls, 12 stalls out of 23, were the variance denied, would leave 11 standard stalls, that is, none of the total minimum parking would be compact and so not meet or exceed the 20% maximum.

Garages / Carports

Because the proposal is non-residential, this is not applicable.

Parking Space and Drive Aisle Dimensions Table 3.05B							
Parking Angle	Type of Space	Stall Width (feet)	Curb Length (feet)	Stripe Length (feet)	Stall to Curb (feet)	Drive Aisle Width (feet)	
						1-way	2-way
A		B	C	D	E	F	G
90° (Perpendicular)	Standard	9.0	9.0	18.0	18.0	24.0	24.0 ⁸
	Compact	7.5	7.5	15.0	15.0	22.0	
	Car Accessible Aisle	6.0	6.0	18.0	18.0	24.0	
	Van Accessible Aisle	8.0	8.0	18.0	18.0		
<ol style="list-style-type: none"> 1. A parking space other than compact may occupy up to 1.5 feet of a landscaped area or walkway as measured from face of curb. Compact may occupy up to six inches. At least 4.5 feet clear width of a walkway must be maintained. 2. Space width is measured from the midpoint of the double stripe. 3. Curb or wheel stops shall be utilized to prevent vehicles from encroaching on abutting properties, rights-of-way, or wide walkways. 4. The access aisle must be located on the passenger side of the parking space, except that two adjacent parking spaces may share a common access aisle. 5. Where the angle of parking stalls differ across a drive aisle, the greater drive aisle width shall be provided. 6. In the context of residential development of other than multiple-family dwellings, parking space minimum dimensions shall be 8 feet wide by 18 feet long, including within a carport or garage. See also Section 3.05.03F.1. 7. The Oregon Fire Code (OFC) as administered by the independent Woodburn Fire District may cause drive aisle widths to exceed the minimum and maximums in this table. 8. Zoning Adjustment permissible. 							

Parking stalls meet Table 3.05A minimum dimensions. Regarding footnote 3, wheel stops are missing from the stalls along the wide walkway, the 9 along the east of the building.

✓ The requirements are met.

**Carpool/Vanpool Parking
Table 3.05C**



Development or Use	Description	Stall Minimum Number or Percent
1. Non-residential development within commercial zoning districts	Zero to 19 total minimum required off-street parking spaces	n/a
	20 to 33 total	1 stall
	34 to 65 total	2 stalls
	66 or more total	2 stalls or 3%, whichever is greater
1. Standard applies even if the site is not zoned P/SP. 2. See Section 3.05.03H for carpool/vanpool (C/V) development standards.		

Because the proposal requires minimum 11 parking spaces and so falls within the tier, "Zero to 19 total minimum required off-street parking spaces", no carpool/vanpool (C/V) parking is required.

Note: Were the applicant to propose any or the City to condition any through the variance, such would have to meet the standards for such parking.

➡ None is applicable.

**Off-Street Bicycle Parking
Table 3.05D**



Development or Use	Description	Stall Minimum Number, Percent, or Ratio
2. Non-residential development within commercial zoning districts		Whichever of the two rates is greater: (1) 2 stalls or 15% of total minimum required parking spaces, whichever is greater; or (2) 2 stalls or equal to 0.6/ 1,000 square feet GFA, whichever is greater.

- 3. The Director may authorize off-street bicycle parking for any use that the Development or Use column does not clearly include.
- 4. See Section 3.05.06 for bicycle parking development standards.

3.05.06 Bicycle Parking Standards

...


The site plans through Sheet A1.1 propose 6 stalls through three U-racks.

Based on the “whichever of the two rates is greater”, the rates are flat 2 stalls, $(15\% \times 11) = 1.7 \rightarrow 2$ stalls, and $([2,872 / 1,000] \times 0.6) = 1.7 \rightarrow 2$ stalls. The standard is minimum 2 stalls, which the proposal exceeds.

The proposal indicates U-racks placed such that most of the standards of the bicycle parking itself are met, with the following not met:

- 3.05.06C.4 (signage), based on the location and site plan layout necessitating a sign at the main entrance directing to the bicycle parking proposed at the north of the building;
- 3.05.06C.5 (proximity: max 50 ft of main entrance), based on the site plan; and
- 3.05.06C.6 (covered/sheltered min 50%), based on the site plan and architectural sheet A301b, that is, there is no canopy.

▲ Staff applies a *D* condition to secure conformance with bicycle parking standards.

Electric Vehicle Parking Table 3.05E		
		
Development or Use	Description	Stall Minimum Number or Percent
2. Non-residential development within commercial zoning districts	Zero to 19 total minimum required spaces	n/a
	20 to 39 total	2 stalls
	40 or more total	2 stalls or 5%, whichever is greater
2. The Director may authorize EV parking for any use that the Development or Use column does not clearly include.		
3. See Section 3.05.03I below for EV development standards.		
4. Administrative note: As of January 2022, electrical permitting remains through the County instead of the City by agreement between the City and County.		

3.05.031

1. **Convenient locations:** The distance from a stall, in whole or in part, shall be maximum 50 feet to a building perimeter walkway or, where there is no walkway, a building main or staff-only entrance.
2. **Charging level:** minimum Level 2 (240 volt alternating current [AC] charging), or faster charging.
3. **Striping:** Stripe each stall in lettering 1 ft high min "ELECTRIC VEHICLE CHARGING" or similar and stencil of an EV image or logo.
4. **Signage:** Post at each stall a wall-mounted or pole-mounted sign for "Electric Vehicle Charging" or similar and include an EV image or logo. Each sign 1½ by 1 foot minimum with top of a posted sign between 5½ and 7 feet high max above vehicular grade.
5. **Management/operations:** The landowner or property manager shall keep EV stalls available for EVs and plug-in hybrid vehicles and keep conventional gasoline vehicles from parking in them, and in the context of multiple-family dwelling development:
 - a. Priority users shall be tenants, and guests/visitors would be secondary.
 - b. May charge EV stall users for the costs of charging an EV through a charging station, but shall not (1) charge users for either simply parking an EV or plug-in hybrid vehicle in an EV stall or for leaving such a vehicle parked without actively charging, and (2) shall charge to recoup costs to the landowner or property manager and not generate profit for the landowner or property manager. (This does not preclude the landowner or property manager contracting with a for-profit company to manage EV charging stations).
 - c. Shall not charge any fee that discriminates among particular EV parking stalls based on the perception of some stalls being more convenient or otherwise desirable than others.

It is anticipated but not required that the layout would be that each charging station would serve a pair of stalls.

Because the proposal requires minimum 11 parking spaces and so falls within the tier, "Zero to 19 total minimum required off-street parking spaces", no electric vehicle (EV) parking is required.

Note: Were the applicant to propose any or the City to condition any through the variance, such would have to meet the standards for such parking.

➔ None is applicable.

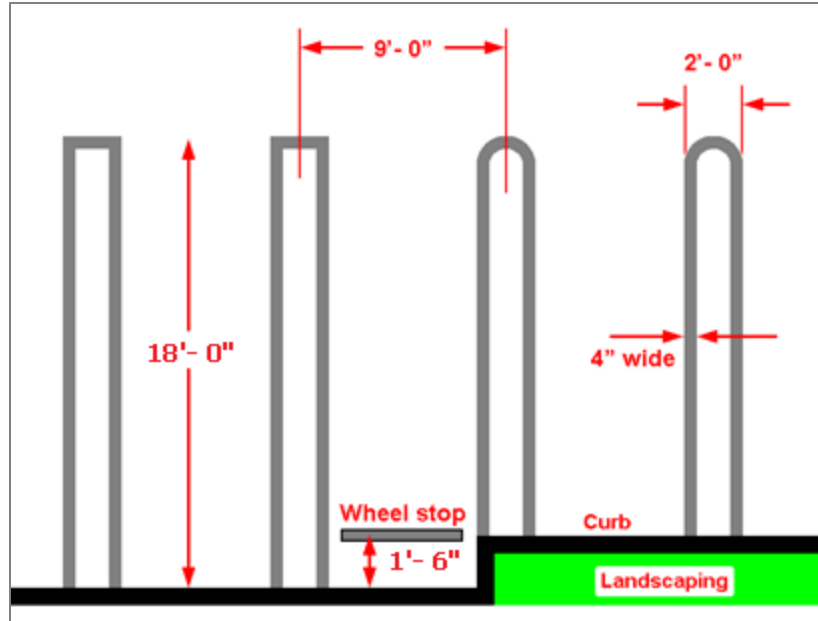


Figure 3.05C - Parking Space Striping

The applicant proposes all stalls, which are all at 90° to the drive aisle with dimensions, and curbing that meet or exceed the minimum. Regarding double-striping, the site plan represents conventional single stripes, and call-out and construction note 17 indicate, "proposed 4" white painted parking stripe", confirming that the developer mistakenly would have single-striped stalls.

▲ To secure double-striping of parking, staff applies a *D* condition.

3.05.04 Off-Street Loading

A. Standard: Loading and unloading for all multiple-family dwelling and non-residential development shall not encroach within the ROW of a street with a functional class designation higher than local.

Such is apparent through the site plan.

✓ The requirement is met.

3.05.05 Shared Parking

⊖ The applicant opted not to exercise this option.

3.06 Landscaping

3.06.02 General Requirements

A. Building plans for all uses subject to landscaping requirements shall be accompanied by landscaping and irrigation plans.

B. All required landscaped areas shall be irrigated unless it is documented that the proposed landscaping does not require irrigation.

C. All shrubs and ground cover shall be of a size upon installation so as to attain 80% of ground coverage within 3 years.

D. Installation of plant materials and irrigation specified in an approved landscaping plan shall occur at the time of development and shall be a condition of final occupancy. Should site conditions make installation impractical, an acceptable performance guarantee may be approved, subject the requirements of this Ordinance (Section 4.02.08).

E. The property owner shall be responsible for maintaining all landscaping, fences, and walls in good condition, so as to present a healthy and orderly appearance. Unhealthy and dead plants shall be removed and replaced, in conformance with the original landscape plan.

F. The required number of plant units shall be met by a combination of plant materials listed in this Ordinance (Table 3.06B).

...

H. Landscaped areas that are not covered by plant materials shall be covered by a layer of bark mulch or decorative rock, a minimum of two inches in depth.

I. A minimum 4 inch high and wide concrete curb shall be provided between landscaped areas and parking and circulation areas.

J. Plant materials shall be appropriate to the climate and environment of Woodburn. Inclusion of plants identified in "Suggested Plant Lists for Required Landscaping", published by the Portland Bureau of Development Services, can be used to meet this standard. A landscape architect, certified arborist or nursery person may also attest to plant appropriateness.

The applicant opts to provide six-inch instead of four-inch curbing.

The landscape plans show on-site conformance generally, including on-site, private irrigation.

✓ The requirements are met.

3.06.03 Landscaping Standards

A. Street Trees ...

Staff examined this earlier above under 3.01 following the excerpted street cross sections for each of the three streets.

B. & Tables 3.06A & B

Planting Requirements Table 3.06A		
Location	Planting Density, Minimum	Area to be Landscaped, Minimum
1. Setbacks abutting a street	1 PU/15 square feet	Entire setback excluding driveways
2. Buffer yards	1 PU/20 square feet	Entire yard excluding off-street parking and loading areas abutting a wall
3. Other yards	1 PU/50 square feet	Entire yard, excluding areas subject to more intensive landscaping requirements and off-street parking and loading areas
4. Off-street parking and loading areas	<ul style="list-style-type: none"> • 1 small tree per 10 parking spaces; or¹ • 1 medium tree per 15 parking spaces; or¹ • 1 large tree per 25 parking spaces¹ and 1 PU/20 square feet excluding required trees ²	<ul style="list-style-type: none"> • RS, R1S, RSN, RM, RMN, P/SP, CO, CG and MUV zones: 20% of the paved surface area for off-street parking, loading and circulation • DDC, NNC, IP, IL, and SWIR zones: 10% of the paved surface area for off-street parking, loading and circulation • Landscaping shall be within or immediately adjacent to paved areas
5. Common areas, except those approved as natural common areas in a PUD	3 PU/50 square feet	Entire common area
<ol style="list-style-type: none"> 1. Trees shall be located within off-street parking facilities, in proportion to the distribution of the parking spaces. 2. Required landscaping within a setback abutting a street or an interior lot line that is within 20 feet of parking, loading and circulation facilities may also be counted in calculating landscaping for off-street parking, loading and circulation areas. 		

The landscape plans appear to show the requirement is met.

✓ The requirement is met.

C. Parking area landscape island standards: Landscape islands or peninsulas shall cap each aisle end to protect parked vehicles from moving vehicles, emphasize vehicular circulation patterns, and shade vehicles and pedestrians. Structured parking is exempted.

1. Each south, southwest, and west island or peninsula cap of a parking aisle shall be minimum 84 square feet within back of curbing, narrowest dimension 6 feet within back of curbing, and contain a tree.
2. Remaining islands and peninsulas shall be minimum 28 square feet within back of curbing and narrowest 2 feet within back of curbing, except where subsection 3 below supersedes.
3. There shall be no more than 10 consecutive parking spaces in a parking aisle without a mid-aisle landscape island or peninsula. For consecutive parking spaces that include one or more accessible/ADA spaces and their aisles, the maximum shall be 9 consecutive parking spaces. Mid-aisle landscape islands or peninsulas shall be to the same standards as subsection 1 above.
4. At drive aisle crossings of walkways and wide walkways that respectively Sections 3.04.06D and 3.05.02N describe, each south, southwest, and west side shall have a landscape island or peninsula to the same standards as subsection 1 above.

Two areas fail to meet C.4:

- Woodland wide walkway crossing of drive-through, east end, south side. There is no landscaped area per C.4.
- Hillyer wide walkway crossing of drive-through, north end, west side. Landscape plan sheet L1.0 illustrates a strip of concrete between parking and the landscaped area such that the landscaped area is narrower than 6 ft and so not meeting C.4.

▲ Staff applies a *D condition* for the required parking area landscaped islands/peninsulas at walkway crossings of drive aisles.

Plant Unit (PU) Value

Table 3.06B ...

The landscape plans illustrate minimum sizes at planting.

✓ The requirement is met.

3.06.05 Screening & Table 3.06D

A. Screening between zones and uses shall comply with Table 3.06D.

Architectural Wall

⊖ Because there are no adjacent lots, the requirement is not applicable.

Architectural Wall: Recycling and Trash Enclosures

Such enclosures are required per Table 3.06D for any outdoor storage of “refuse and recycling collection facilities ...”, and the applicant proposes such exceeding minimum height 6 ft. For the wall design standards, see below under 3.06.06.

3.06.05B.

All parking areas, except those for single-family and duplex dwellings, abutting a street shall provide a 42-inch vertical visual screen from the abutting street grade. Acceptable design techniques to provide the screening include plant materials, berms, architectural walls, and depressed grade for the parking area. All screening shall comply with the clear vision standards of this ordinance (Section 3.03.06).

Because there is parking closer to Hillyer than the building, the provision is applicable. The landscape plan illustrates conformance through landscaping.

✓ The requirement is met.

3.06.06 Architectural Walls

B. Design Standards and Guidelines

Architectural Wall

None is proposed or required as examined earlier above for 3.06.05A.

Architectural Wall: Recycling and Trash Enclosures

The recycling and trash enclosure wall does not clearly conform to:

- 3.06.06B.6 by having, “an earth tone coloration other than grey on at least eighty percent (80%) of the surface”. From both the grayscale and color elevations, it is unclear if the bottom, larger area of color is brownish or grey.
- 3.06.06B.7 by being “architecturally treated with scoring, texture, or pattern on at least eighty percent (80%) of the surface”. The proposal is brick arranged in default stretcher bond across most of the wall. Brick itself is not texture. Default stretcher bond does not count as a pattern. Either use another brick bond, any of header stretcher, English, or Flemish, or in the bottom area that is the majority of wall area use two colors, with one laying out a diamond pattern similar to any of the examples illustrated below:



Stucco would be acceptable as a means of texture.

While revising, revise Sheet A-103 to add color legend information so that it would not be necessary to see Sheet A-301.

▲ Staff applies a condition for conformance with 3.06.06B.6 & 7.

C. Retaining walls should/shall meet the texture and color requirements of architectural walls in or abutting residential districts, where the texture and color requirements apply to the visible face of the retaining wall.

1.02

Abutting: Touching on the edge or on the line, including at a corner. It shall include the terms adjacent, adjoining and contiguous.

Adjacent: Near, close or bordering but not necessarily contiguous with; adjoining but separated by a right-of-way.

⊖ Because the proposal includes no obvious retaining walls, the provisions are not applicable.

3.06.07 Significant Trees on Private Property

The subject property contains 10 sizable trees, mostly in a row in the highway and Woodland Avenue yards.

The site plan Sheet C1.0 of existing conditions contains no more information than demolition note 3 that, “Remove existing tree in preparation for grading operations”, with a note 3 call-out present at each of the 10 trees.

The applicant’s narrative submitted June 9, 2023 on p. 42 states:

“The applicant understands ‘Significant Trees’ to be defined as any existing, healthy tree 24 inches or more in diameter, measured five feet above ground level. The applicant understands there may be trees that meet this definition on the project site. Due to the size and configuration of the project site, all existing trees will need to be removed to accommodate development. If required, a tree removal permit can be provided.”

■ *Variance:* the applicant applied for a variance from another part of the WDO, and staff further addresses Significant Tree removal mitigation under the Variance Provisions section.

3.07 Architectural Design

3.07.06 Standards for Non-Residential Structures in Residential, Commercial and Public/Semi Public Zones

- A. The following design guidelines shall be applicable to all non-residential structures and buildings in the RS, RSN, R1S, RM, RMN, CO, CG, and P/SP zones.**
- B. Architectural Design Guidelines**
 - 1. Mass and Bulk Articulation Guidelines**
 - a. Building facades visible from streets and public parking areas should be articulated, in order to avoid the appearance of box-like structures with unbroken wall surfaces.**
 - b. The appearance of exterior walls should be enhanced by incorporating three-dimensional design features, including the following:**
 - (1) Public doorways or passage ways through the building**
 - (2) Wall offsets or projections**
 - (3) Variation in building materials or textures**
 - (4) Arcades, awnings, canopies or porches**
 - 2. Materials and Texture Guidelines**
 - a. Building exteriors should exhibit finishes and textures that reduce the visual monotony of bulky structures and large structural spaces. Building exteriors should enhance visual interest of wall surfaces and harmonize with the structural design.**
 - b. The appearance of exterior surfaces should be enhanced by incorporating the following:**
 - (1) At least 30% of the wall surface abutting a street should be glass.**
 - (2) All walls visible from a street or public parking area should be surfaced with wood, brick, stone, designer block, or stucco, or with siding that has the appearance of wood lap siding.**
 - (3) The use of plain concrete, plain concrete block, corrugated metal, plywood, T-111 and sheet composite siding as exterior finish materials for walls visible from a street or parking area should be avoided.**

- (4) The color of at least 90 percent of the wall, roof and awning surface visible from a street or public parking area should be an “earth tone” color containing 10 parts, or more of brown or a “tinted” color, containing 10 parts or more white.
- (5) Fluorescent, “day-glo,” or any similar bright color shall not be used on the building exterior.

3. Multi-Planed Roof Guidelines

- a. The roof line at the top of a structure should establish a distinctive top to the building.
- b. The roof line should not be flat or hold the same roof line over extended distances. Rather, the roof line should incorporate variations, such as:
 - (1) Offsets or jogs in the plane of the roof;
 - (2) Changes in the height of the exterior wall for flat roof buildings, including parapet walls with variations in elevation or cornices

4. Roof-Mounted Equipment Guidelines

All roof-mounted equipment, except solar collectors, should be screened from view by:

- a. Locating roof-mounted equipment below the highest vertical element of the building, or
- b. Screening roof-mounted equipment using materials of the same character as the structure’s basic materials

5. Weather Protection Guidelines

All building faces abutting a street or a public parking area should provide weather protection for pedestrians. Features to provide this protection should include:

- a. A continuous walkway at least eight feet wide along the face of the building utilizing a roof overhang, arcade, awnings or canopies
- b. Awnings and canopies that incorporate the following design features:
 - (1) Angled or curved surfaces facing a street or parking area
 - (2) A covering of fabric, or matte finish vinyl
 - (3) A constant color and pattern scheme for all buildings within the same development
 - (4) No internal back lighting

6. Solar Access Protection

Obstruction of existing solar collectors on abutting properties by site development should be minimized.

C. Building Location Guidelines

- 1. Within the prescribed setbacks, building location and orientation should complement abutting uses and development patterns.
- 2. The maximum setback from each street should/shall be 80 feet. Minimum 80 percent

of the width of a street-facing façade should/shall meet the setback maximum.

The site plans and building elevations show largely what the guidelines describe.

■ *Variance*: the applicant applied for a variance from another part of the WDO, and staff further addresses architectural provisions under the Variance Provisions section.



Variance Provisions

5.03.12 Variance

- A. **Purpose:** The purpose of this Type III Variance is to allow use of a property in a way that would otherwise be prohibited by this Ordinance. Uses not allowed in a particular zone are not subject to the variance process. Standards set by statute relating to siting of manufactured homes on individual lots; siding and roof of manufactured homes; and manufactured home and dwelling park improvements are non-variable.
- B. **Criteria:** A variance may be granted to allow a deviation from development standard of this ordinance where the following criteria are met:
1. **Strict adherence to the standards of this ordinance is not possible or imposes an excessive burden on the property owner, and**
 2. **Variance to the standards will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties.**
- C. **Factors to Consider:** A determination of whether the criteria are satisfied involves balancing competing and conflicting interests. The factors that are listed below are not criteria and are not intended to be an exclusive list and are used as a guide in determining whether the criteria are met.
1. **The variance is necessary to prevent unnecessary hardship relating to the land or structure, which would cause the property to be unbuildable by application of this Ordinance. Factors to consider in determining whether hardship exists, include:**
 - a. **Physical circumstances over which the applicant has no control related to the piece of property involved that distinguish it from other land in the zone, including but not limited to, lot size, shape, and topography.**
 - b. **Whether reasonable use similar to other properties can be made of the property without the variance.**
 - c. **Whether the hardship was created by the person requesting the variance.**
 2. **Development consistent with the request will not be materially injurious to adjacent properties. Factors to be considered in determining whether development consistent with the variance materially injurious include, but are not limited to:**
 - a. **Physical impacts such development will have because of the variance, such as visual, noise, traffic and drainage, erosion and landslide hazards.**
 - b. **Incremental impacts occurring as a result of the proposed variance.**
 3. **Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic land forms or parks will not be adversely affected because of the variance.**
 4. **Whether the variance is the minimum deviation necessary to make reasonable economic use of the property;**
 5. **Whether the variance conflicts with the Woodburn Comprehensive Plan.**

6. If and where a variance includes a request to vary from minimum public improvements per Section 3.01, from Section 5.02.04E about Street Adjustment factors, those factors are applicable as Variance additional factors.

5.02.04E Factors: ... shall have conditions that customize improvements and secure accommodations for persons walking and cycling, not only driving, that meet the purposes of Section 3.01. The City may through approval with conditions require wider additional ROW dedication along the part or the whole of an extent of the subject frontage to accommodate either adjusted improvements or improvements that vary from standards.

The applicant applied for variance VAR 22-09 to vary from the *maximum* off-street parking ratio per Woodburn Development Ordinance (WDO) 3.05.03A.2.

As examined above under the Design Review Provisions section for 3.05, the applicable parking ratio is for “limited-service eating place”, i.e. fast-food restaurant or quick-service restaurant as known within the industry. The math of 2,872 sq ft of proposed building / 250 = 11.4 → 11 stalls minimum parking.

3.05.03A.2 specifies a cap or maximum for all land uses of twice the minimum, which for the proposal equals $11.4 \times 2 = 22.8 \rightarrow 23$ stalls maximum parking; however, the applicant submitted a variance request to have a total of 43 stalls, and the site plans illustrate 43 stalls.

The applicant’s revised narrative submitted June 9, 2023p. 49 addresses the two variance criteria from 5.03.12B, but does not address also the factors under 5.03.12C.

Criterion 1

The narrative states that:

“The applicant is requesting a variance from WDO Section 3.05.03A.2 to allow an excess of 19 parking stalls above the maximum 24 parking stalls, resulting in a total of 43 parking stalls proposed. The subject parcels’ size coupled with existing public infrastructure and street frontages abutting three sides of the property limits the amount of developable area and in turn, results in a smaller building footprint. The reduced restaurant size equated to a reduced parking total that the property owner anticipates will not accommodate peak customer demands.”

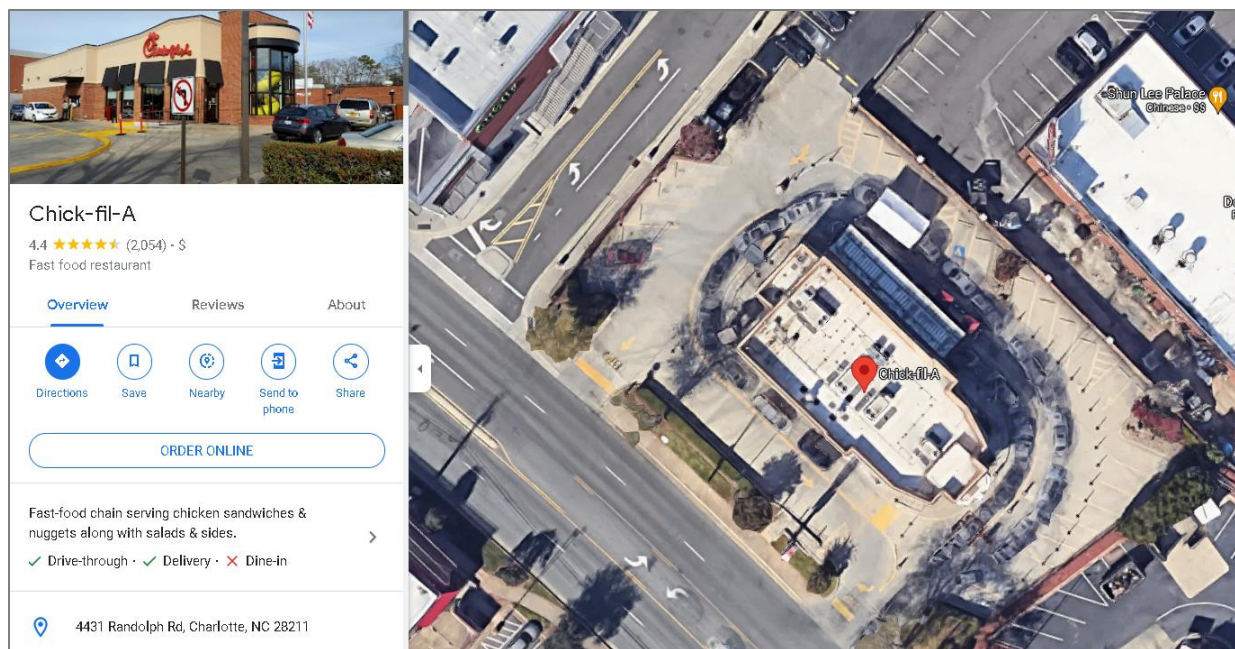
First, there are Chick-fil-A stores that have no parking and are drive-through only. Staff confirmed this July 12, 2023 with Chris Long, Assistant Director, Mobility Operations, City of Bellevue, Washington, where the store at 785 116th Avenue NE, Bellevue, WA 98004 is closed for redevelopment of the existing store to remove off-street parking and reallocate the space to expanded drive-through lanes. This is not an isolated instance. There are others across the nation including:

- 4431 Randolph Rd, Charlotte, NC 28211

- 3905 N. Druid Hills Rd, Decatur, GA 30033 (Atlanta metro)
- 3955 Little York Rd, Houston, TX 77093
- 6750 W. Sunset Blvd, Los Angeles, CA 90028

More about the Charlotte one: Two articles reported that a City of Charlotte, North Carolina zoning board compelled the existing store to reallocate its parking to expanded drive-through lanes. (www.nrn.com/quick-service/one-city-voting-make-local-chick-fil-drive-thru-only-due-long-lines and www.wbtv.com/2023/01/05/board-votes-recommend-plan-making-cotswold-chick-fil-a-drive-thru-only-restaurant/, both accessed July 19, 2023)

Below is a Google Maps excerpted of aerial photography dated 2023 and accessed July 19, 2023:



Incidentally, staff notes that the image shows that Charlotte store has – and will have had, as seen by the traffic cones blocking off access to parking spaces – 27 spaces, fewer than the 43 that the applicant proposes for a Woodburn store.

Second, the double drive-throughs indicate anticipated demand for fast food service that does not necessitate off-street parking.

Third the applicant stated through an e-mail to staff July 19, 2023 in an attachment commenting on draft Condition T-A2c that:

“This proposal is for a Chick-fil-A with no indoor dining (commonly referred to as a DTO - Drive thru only), where customers do not have the option to dine inside the building and whereby a significant majority of the customers are received through the drive-through lane and not parked in the parking

areas. As the variance request for 43 parking stalls is on track for approval, the applicant would like to also note to staff that although some 20 or so parking stalls would be for employees—The remainder would be for the few 3rd party pick up, outside dining customers and mobile orders.”

The draft floor plan indicated no indoor dining area and outdoor dining limited to walk-up serving windows and two tables. The floor plans also indicate restrooms cannot be accessed from the main entrance, but from a separate lobby entrance serving only the restrooms. The proposal is not like conventional fast-food restaurants of years ago with ample indoor seating and tables, and in the present age of online and mobile ordering accelerated by the COVID-19 pandemic restrictions, there will be a stalls designated for order pick-up that though will be used well will be few in number as seen for other fast-food and “fast casual” restaurants. Together, these facts undermine a proposal for off-street parking exceeding the maximum.

Fourth, the number of street frontages of a property has nothing to do with property size.

Fifth, the property size, which is 1.39 acres, is plentifully sized for a fast-food restaurant, a kind of restaurant for which drive-through service is conventional and expected. More to the point, the proposal illustrates 43 stalls, that is, almost four times the minimum, meaning the minimum off-street parking easily fits on the property with the proposed building. To drive home the point, take a hypothetical scenario in which the building square footage were to double (to 5,744 sq ft) and the the minimum parking would also double (to 23 stalls), yet both would continue to fit on the subject property. $43 - 23 = 20$ stalls, which each being 9×18 ft would equal 162 sq ft and 3,240 sq ft total – more than enough to fit the building doubling in footprint from 2,872 sq ft and have 23 parking stalls too.

Sixth, putting aside a maximum off-street parking ratio for the moment, a developer could build structured parking (a commercial parking deck or garage) to fit desired off-street parking above the minimum and within the property.

As a variance condition of approval, an excess parking stormwater management fee helps make up for the standard stormwater fee (Resolution No. 1194) that has not been adjusted for inflation since September 1993. (What was 11¢ per sq ft is now 23¢ per the U.S. Bureau of Labor CPI inflation calculator.)

Regarding, “Strict adherence to the standards of this ordinance is not possible or imposes an excessive burden on the property owner”, strict adherence is possible; however, (1) per the applicant’s assertion that “20 or so” parking stalls would be for employees and in the context of minimum off-street parking being $11.4 \rightarrow 11$ stalls and maximum without variance being $11.4 \times 2 = 23$, and (2) with mitigations premised on the recommended variance conditions of approval, staff can find criterion 1 met.

Criterion 2

Regarding, “Variance to the standards will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties”, staff considers the factors from 5.03.12C:

1. *The variance is necessary to prevent unnecessary hardship relating to the land or structure, which would cause the property to be unbuildable by application of this Ordinance. Factors to consider in determining whether hardship exists, include:*
 - a. *Physical circumstances over which the applicant has no control related to the piece of property involved that distinguish it from other land in the zone, including but not limited to, lot size, shape, and topography.*
 - b. *Whether reasonable use similar to other properties can be made of the property without the variance.*
 - c. *Whether the hardship was created by the person requesting the variance.*

Regarding factor C1a, there are no such physical circumstances, a factor against the variance. As examined for criterion 1, the subject is 1.39 acres, and staff adds that it is mostly flat with mild slope along Oregon Highway 219 and Woodland Avenue.

The elongated triangular lot shape accommodates proposed development, and therefore could accommodate a development with maximum 23 off-street parking stalls instead of the proposed 43.

Regarding factor C1b, yes, reasonable use similar to other properties can be made of the property without the variance.

Regarding factor C1c, there is no hardship, a factor against the variance. The WDO doesn’t define the term “hardship”, though the concept in the context of variance is known in cities across the nation, it being a long-standing concept of land use law. A way to describe hardship is deprivation of all economic use or benefit from a property, the deprivation proved by financial evidence. This is clearly not the case in the application materials. Were the City to deny the variance, the proposal could continue with 23 maximum parking stalls instead of 43. Nothing about variance denial would render the property physically unbuildable.

In short, factors 1a-c are against the variance, but the criterion 1 that they fall under is met as examined above.

2. *Development consistent with the request will not be materially injurious to adjacent properties. Factors to be considered in determining whether development consistent with the variance materially injurious include, but are not limited to:*

a. *Physical impacts such development will have because of the variance, such as visual, noise, traffic and drainage, erosion and landslide hazards.*

b. *Incremental impacts occurring as a result of the proposed variance.*

Regarding factor C2a, granting the variance would result in greater stormwater run-off, though the site plans indicate conceptual conformance with ODOT agency standards and whatever standards the City Public Works Department would wish to apply: a stormwater detention pond presumably designed to what ODOT and the Public Works Department seek: a certain capacity, likely the “25-year storm”, and with controlled release into a public system to prevent flooding. It is the applicant’s choice to increase the burden of detaining stormwater on private property and conveying it properly to a public system.

As far as incremental impacts, greater pavement would exacerbate the urban heat island effect, a concern given more frequent heat waves since summer 2018, this being a factor against the variance.

3. *Existing physical and natural systems, such as but not limited to traffic, drainage, dramatic land forms or parks will not be adversely affected because of the variance.*

Regarding factor C3, the subject property was graded long ago and is surrounded by existing development and no nearby park, meaning there is no wilderness or natural drainage systems left. Because traffic is irrelevant to the variance request, the factor is moot.

4. *Whether the variance is the minimum deviation necessary to make reasonable economic use of the property;*

Regarding factor C4, that the subject property accommodates proposed development, and therefore could accommodate a development with maximum 23 off-street parking stalls instead of the proposed 43, shows that no variance is needed for existing or continued reasonable economic use of the property, a factor against the variance.

5. *Whether the variance conflicts with the Woodburn Comprehensive Plan.*

Regarding factor C5, at least two policies appear applicable:

Policy	Page No.	What Related Conditions Address
F-1.4	25	<p>“Architectural design of commercial areas should be attractive with a spacious feeling and enough landscaping to reduce the visual impact of large expanses of asphalt parking areas.”</p> <p>Specifically, granting a variance to construct off-street parking in excess of the maximum could be seen as creating a large expanse of asphalt area needing reduction of impact. On the other hand, the policy appears premised on and accepts as status quo the existence of large expanses of asphalt parking areas.</p>
M-1.2	49	<p>“The City shall increase its commitment to energy conservation, including alternative energy vehicles, increased recycling, and reduction in out-of-direction travel. The City shall encourage its citizens and visitors to conserve energy. ...”</p> <p>Specifically, granting a variance to construct off-street parking in excess of the maximum could be seen as inducing more energy consumption. On the other hand, it’s unclear that reducing excess parking would motivate employees, the ones most likely to park at a fast-food restaurant with no dine-in service and two picnic tables, to do any of drive less or take transit.</p>

Comprehensive Plan policies are neither for nor against the variance.

6. *If and where a variance includes a request to vary from minimum public improvements per Section 3.01, from Section 5.02.04E about Street Adjustment factors, those factors are applicable as Variance additional factors.*

n/a

5.02.04E Factors: ... shall have conditions that customize improvements and secure accommodations for persons walking and cycling, not only driving, that meet the purposes of Section 3.01. The City may through approval with conditions require wider additional ROW dedication along the part or the whole of an extent of the subject frontage to accommodate either adjusted improvements or improvements that vary from standards.

n/a

Having examined the factors under 5.03.12C and returning to criterion 2 (that is 5.03.12B.2), on the whole, the factors are such that variance to exceed maximum off-street parking of 23 stalls by 20 stalls for 43 total will not unreasonably impact existing or potential uses or development on the subject property or adjacent properties – if approval comes with the recommended variance conditions of approval. Staff finds criterion 2 met.

Staff applies several variance conditions.

A condition about wider landscape strip and sidewalk along Woodland Avenue and wider sidewalk along a short west segment of Hillyer west of the Hillyer wide walkway is because:

- Most cyclists in town feel safer on sidewalks because that's where they're seen.
- The subject property is a "greenfield" site.
- Woodland ROW is ample and the abutting yard is deep, and Hillyer ROW is ample and the westerly abutting yard is deep.
- Staff Believe West Woodburn residents would prefer to walk/jog along the frontage away from the highway.
- The TSP & WDO require upgrading the curb-tight sidewalk frontage anyway.
- A mere six inches more for a full 6 ft gives sufficient room for urban street trees to grow mature canopy and last for reasonable time.

A condition for a bus transit / transit service fee is because:

- The City has a bus system.
- The route passes along the subject property per Transportation System Plan (TSP) Figure 7 "Existing Transit Routes and Facilities" (Attachment 108), and the latest Woodburn Transit Service/System (WTS) online brochure/map/schedule.
- There is no fee equivalent to a "system development charge", which is limited to capital improvement, for operations, about which Transit Development Plan (TDP) Figure 67 "Financial Plan – Operating Costs (2023/24 to 2029/30)" on p. 93 provides guidance.
- It indirectly lessens burden on spending of City general revenue and transportation system development charge (SDC), which besides being limited to capital improvement focuses on automotive improvement. This meets:
 - Transportation System Plan (TSP) Objective 4A, "Identify new and innovative funding sources for transportation improvements." (p. 19); and
 - Comprehensive Plan Policy H-4.1, "Evaluate the feasibility of various funding mechanisms, including new and innovative sources." (p. 35).
- Precedent through past development approvals. The City has been collecting and collects from developments fees towards transit operations, including:
 - DR 2019-05 Allison Way Apartments
 - DR 22-02 Project Gamos (Specht industrial development, Evergreen Rd)
 - ANX 2019-01 Woodburn Eastside Apartments / Woodburn Place Apartments
 - ANX 2020-02 Valentina Estates No. 2 subdivision
 - ANX 22-02 & PUD 22-02 Marion Pointe / Macadam at Tukwila subdivision
 - CU 22-02 Townsend Farms industrial addition
 - CU 22-04 Hardcastle Apartments
 - DR 21-07 Amazon warehouse

- PUD 22-01 Mill Creek Meadows subdivision.
- The City applied a rounded amount of \$166 per stall for all stalls to each of two commercial/industrial examples:
 - CU 22-02 Townsend Farms industrial addition
 - DR 21-07 Amazon warehouse; and

Staff notes that the proposed condition applies only to the excess parking stalls, 20 out of 43, in other words the 20 stalls above the maximum that would have been 23 without a variance.

- A bus transit / transit service fee in-lieu is in keeping with the intent found within the purpose statement that opens WDO 3.01.09 “Bus Transit Improvements” to:

“[P]rovide for apparent, attractive, and dignified regional and City bus transit facilities, to improve service, especially to include and be equitable toward Woodburn residents who cannot or do not own private vehicles or drive, to extend the reach of those walking and cycling, to implement Woodburn Comprehensive Plan policies, to implement the Transportation System Plan (TSP), to implement the Transit Plan Update that supplements the TSP, ... and to have developers improve bus transit stops that have few or no improvements.”

- The variance request to exceed maximum off-street parking is not in keeping with the intent found within the purpose statement that opens WDO 3.05 “Off-Street Parking and Loading” to “promote cycling, carpooling, vanpooling” and “implement Woodburn Comprehensive Plan policies” – unless approved with a condition or conditions including to obtain a bus transit / transit service fee.

The review of variances is Type III, meaning discretionary, and the conditions are reasonable.

Recommended Conditions of Approval

Staff recommends approval of the consolidated applications based on the findings in the staff report and attachments, which are incorporated by this reference, with the following 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 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 WDO 3.01.02E and 4.02.12.
- b. ROW/easements: Recordation of required right-of-way (ROW) and public easements 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 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, that a City staff person requests regardless if the documentation source or copies are another City staff person or department.
- d. Fees: The developer shall pay fees per Attachment 202.

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" (July 13, 2023).

Note A: 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, 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.

Design Review DR 22-26

D1. Street cross sections: To conform with WDO 3.01.01A, B, & D; 3.01.02A, 3.01.03C.1, and 3.01.04:

- a. OR Hwy 219: No change required other than (1) what other separate conditions might require such as regarding electric power pole removal and line burial, and (2) replacing the dead or deformed street tree located second from the west – a dead leaning trunk near an existing electric power pole – with a tree conforming to WDO 3.06.03A.2. Otherwise, per subsection d1 below.



Exhibit D1a: OR Hwy 219 street tree stump

- b. Woodland: Regarding a parking lane, the developer shall:
 - (1) Provide a parking lane minimum extent 110 ft (equal to five 22-ft long spaces); or
 - (2) Provide a parking lane of lesser extent per subsection d3 below, and pay a fee in lieu of omitted spaces.

Otherwise, Per subsection d1 below. This includes variable width ROW dedication if and where accommodating the left turn lane pushes the parking lane past where it would have fit along existing curb as well as resulting curb demolition, additional asphalt pavement, new curb along the widened asphalt within the parking lane, and meander of landscape strip and sidewalk.

- c. Hillyer: Per subsection d1 below.
- d. General:
 - (1) Half-streets shall conform with WDO Figures 3.01B, E, & G respectively except where and as (a) variance conditions supersede or (b) ODOT has jurisdiction and documented application of its permitting process necessitates deviation.
 - (2) Landscape strips shall conform with the WDO 3.01.04B last paragraph.
 - (3) Where ODOT application of its permitting process necessitates deviation, document where and how and submit notice to the Planning Division and Public Works Department (PW) Engineering Division. If there would be two or more deviations, wait until ODOT identifies them before notifying the City to avoid piecemeal notices.

- (4) The developer or developer's civil engineer shall courtesy copy Planning Division and PW Engineering Division staff of (a) application to ODOT for permit to construct the street improvements, prior to City building permit issuance, and (b) a copy of the permit(s) that the agency issues with the construction drawings it issued as approved, prior to City building permit final inspection.

D2. 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. OR Hwy 219: Plant for 15 trees or pay a fee in lieu of max 2 trees per Attachment 202.
- b. Woodland: Plant for 8 trees or pay a fee in lieu of max 3 trees per Attachment 202.
- c. Hillyer: Plant for 17 trees or pay a fee in lieu of max 5 trees per Attachment 202.

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 202.

D3. East unnamed Boundary Street ROW: To conform with WDO 3.01.01B & D, 3.01.02A, and 3.01.03F, the developer shall:

- a. Alter the existing path – or remove it and pave a new path – to be a paved bicycle/pedestrian path min 8 ft wide and to the specifications of [WDO interpretation](#) memo INT 22-0608 “Off-Street Public Bicycle/Pedestrian Facility Specifications”, Parts A & B.1-4, which include trees, and assuming Class C.
- b. Implement ADA compliance, to which WDO 3.01.03G refers, through and with ODOT, and including the City PW Engineering Division if and where relevant.
- c. Include curb ramp at Hillyer Lane, if one would not already exist by the time of development thanks to another party, as a counterpart to the existing curb ramp at the SE corner of Hillyer ROW.
- d. Conformance with this condition allows the improved path to serve as and be considered as the required walkway for the OR Hwy 219 frontage per WDO 3.04.06C and the other two frontages having wide walkways, and the applicant to revise the site plans to remove the proposed highway walkway.
- e. See Condition D6.

The condition is due the same as WDO 3.01.02E.

D4. Bus shelter / enhanced bus stop: To conform with WDO 3.01.09B, the developer shall pay a an enhanced bus stop fee per Attachment 202.

D5. PUEs, streetside: To conform with WDO Figure 3.01B and Sections 3.02.01B & F.2 regarding streetside public utility easements (PUEs), the developer shall delineate and label dimension at a width or widths per the WDO sections either:

- a. Prior to granting of streetside PUEs and prior to building permit application, revising the site and composite utility plans; or
- b. 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.

D6. Electric power poles:

- a. To conform with WDO 3.02.04B, the developer remove the electric power poles and bury the lines, or, pay fee in lieu per Attachment 202. Improvement is due the same as WDO 3.01.02E, and fee in-lieu payment is due per Attachment 202.
- b. Regarding the electric power pole within the east unnamed Boundary Street ROW, because of Condition D3, because the pole is not considered one of the OR Hwy 219 frontage poles, and because the pole lines go not only east-west but also spur north across the highway to another pole, this condition makes explicit that neither its removal nor fee in-lieu is required *per se*. Its removal would be applicable only if the developer would conform with condition subsection D6a above through removal of the highway poles and burial of the lines and if materially necessary because of Portland General Electric (PGE) application of agency standards.

D7. Drive-through landscaping and streetside PUE: To conform with WDO 3.04.02A.3, anticipating that ODOT and/or the City PW would preclude planting of new trees within streetside PUEs, with both WDO Figure 3.01B and 3.02.01B establishing a different minimum width along each of the highway and Woodland, and with WDO 3.02.01F.2 establishing max width, the developer shall revise the site, composite utility, and landscape plan sheets prior to building permit issuance and along the drive-through segment that is parallel with:

- a. OR Hwy 219: (1) Widen the highway drive-through site perimeter planting area from 11 to 13 ft, and (2) shift the row of trees to be planted o.c. along the edge of the streetside PUE, i.e. 10 ft from the highway ROW boundary.
- b. Woodland: Shift the row of trees to be planted o.c. along the edge of the streetside PUE, i.e. 5 ft from the Woodland ROW boundary.

D8. Driveway max width: To conform with WDO Table 3.04A maximum regarding paved width of two-way driveways in a commercial context, the developer shall revise the site and composite utility 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 – either to illustrate and dimension the approach, apron, curb cut, or ramp of the middle of the three driveways (Driveway 2) at 24 ft max width or to document if and how Table 3.04A footnote 7 about Woodburn Fire District OFC administration is applicable. For the latter, documentation shall include at least either (a) a letter or equivalent from the District or (b) revision of the fire access plan, which Exhibit D8 excerpts, to narrow the driveway to that necessary to accommodate the illustrated fire apparatus outside turning radius and to dimension the narrowed driveway apron. If through building permit review, then this is due prior to issuance, or if through civil engineering plan review, then due prior to ODOT or PW issuance of an approved civil plan set.

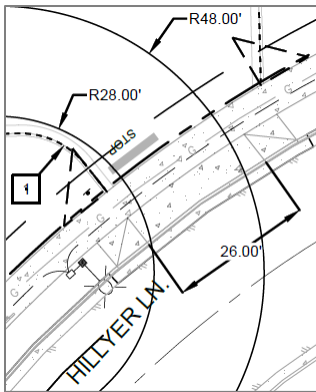


Exhibit D8 Sheet C5.1 Fire access plan excerpt

D9. Wheel stops: To conform with WDO 3.05.02H and Table 3.05B footnote 3, the developer shall revise the site plans prior to building permit issuance and install wheel stops in the parking stalls along the building east perimeter wide walkway.

D10. Bicycle parking: To conform with WDO 3.05.06C.4-6, the developer shall revise the site plans per WDO 3.05.06C.8c prior to building permit issuance and install signage per C.4, relocate bicycle parking to be within max 50 ft of the main entrance per C.5, and cover or shelter min 50% per C.6.

D11. 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.

D12. Landscaping notes: To conform with WDO 3.06.02J, the developer shall revise landscape plan Sheet L1.0 general note 2 to correct jurisdictional references prior to building permit issuance.

D13. Walkway landscaped islands: To conform with WDO 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 wide walkways:


- a. Woodland wide walkway crossing of drive-through, east end, south side.
- b. Hillyer wide walkway crossing of drive-through, north end, west side.

D14. Trash enclosure Architectural Wall: To conform with WDO 3.06.06B.6 & 7, the developer shall revise architectural sheets prior to building permit issuance, including to revise Sheet A-103 to add color and material legend information so that it would not be necessary to turn to Sheet A-301. Specifically:

- a. 3.06.06B.6 regarding having, “an earth tone coloration other than grey on at least eighty percent (80%) of the surface”: For both the grayscale and color elevations, either clarify that the bottom, larger area of color is not grey or revise to other than grey.
- b. 3.06.06B.7 regarding the wall being, “architecturally treated with scoring, texture, or pattern on at least eighty percent (80%) of the surface”: Brick itself is not texture, and default stretcher bond does not count as a pattern. Either use another brick bond, any of header stretcher, English, or Flemish, or in the bottom area that is the majority of wall area use two colors, with one laying out a diamond pattern similar to any of the examples that the exhibit below illustrates. Stucco would be acceptable as a means of texture.



Exhibit D14



Design Review 22-26: Transportation

T-A1: Traffic management: Prior to requesting building permit final inspection, the developer or the manager of the Chick-fil-A shall meet or discuss with (a) ODOT, (b) City police, (c) and if and as needed the Public Works Department (PW), (d) a representative of Hillyer's Mid-City Ford car dealership (3000 Hillyer Ln), and (e) a representative of WinCo Foods warehouse and distribution center (400 [S.] Woodland Ave), a plan for min the first 12 day that the Chick-fil-A is open to customers to minimize traffic queue extending into public ROW, especially Woodland and OR Hwy 219, to avoid blocking traffic to and from other properties along Hillyer, and engage police or other appropriate personnel to manage traffic. Prior to passing final inspection, the developer shall submit to the attention of the Planning Division and the PW Engineering Division a written statement confirming that the communication(s) occurred and on what date(s).

T-A2: Traffic management: During min the first 12 days that the Chick-fil-A is open to customers:

- a. Hours of operation: Temporary hours of operation shall be (1) on Sundays and Saturdays, as early as 6:30 a.m. and as late as 11:30 p.m., and (2) on weekdays, as early as 9:30 a.m. and as late as 4:30 p.m. Within a permanent monument or pole sign, any electronic changing image, if and where WDO 3.10 allows such and is installed and operational by the first day, shall display the temporary hours of operation per WDO 3.10.12A at regular intervals totaling min half the time the sign is on for the day.
- b. Delivery vehicles: Delivery vehicles shall arrive when Chick-fil-A is closed to customers and depart from the parking area prior to opening hours.
- c. Employee parking off-site: All employees who drive and would arrive or depart within a half-hour of the start of hours of operation or during hours of operation, including the general manager and any visiting managers and staff from company offices, shall park off-site. Though there is always the ODOT Woodburn Memorial Transit Center / Woodburn park and ride at the northwest corner of OR Highway 214 & Evergreen Road, employees may park in any private parking lot for which Chick-fil-A or franchisee can obtain landowner permission. Chick-fil-A or franchisee may arrange for a shuttle. Employees with valid state of Oregon disabled person parking permits are exempted and so may park on site any time. Also exempt is any employee carpools or vanpools, which may park on site in the carpool/vanpool (C/V) stalls that Condition V5a requires.

- d. Traffic management: If publicly apparent traffic congestion or dangerous queuing or maneuvering in public ROW arises, either the developer or the manager of the Chick-fil-A, continuing through at least days 13-19 that the Chick-fil-A is open to and serving customers, shall cooperate with ODOT and, if and where involved, City Police and/or PW, to identify and implement measures to mitigate opening period traffic and, if asked, provide a status update to City Administration.
- e. Traffic pattern change: If ODOT were to permit, Hillyer on-street parking lanes may cease to operate as on-street parking to allow for the full curb-to-curb width of travel way to be used such that there are two eastbound lanes, one for entering Chick-fil-A and one for access to other properties along Hillyer, and two westbound lanes, one for exiting Chick-fil-A and one for access from other properties along Hillyer.

Any of ODOT or City Police or PW may administer this condition as they see fit.

T-A3: Traffic management: During min the first 19 days that the Chick-fil-A is open to customers:

- a. Mark min 3 stalls within any of the east or south parking aisle closest to the building for convenient parking and pick-up by customers who ordered online and by third-party food delivery workers.
- b. Signage, whether temporary traffic control signage within ROW and/or on-site temporary or permanent signage, shall direct motorists not to idle (gasoline) engines.

T-A4: Director traffic management discretion: If the threat of opening period traffic as the above conditions anticipate either fails to materialize within 3 days or materializes for fewer than 12 days, then Chick-fil-A or the franchisee may request in writing that regarding above Conditions T-A2 & T-A3 that the Public Works Director do any of the following, with this condition authorizing the Public Works Director to approve such administratively and in writing:

- a. Lessen the degree or severity of a condition or subsection;
- b. Waive one or more condition subsections; or
- c. Waive one or both conditions.

A request shall be courtesy copied to the Community Development Director.



Variance 22-15

The Variance request is approved per the following conditions:

V1. Variance: This condition documents that the variance request was to vary from WDO 3.05.03A.2, that off-street vehicle parking spaces shall not exceed two times the amount required in WDO Table 3.05A use 11 for “limited-service eating place”, such that instead of max parking of 23 stalls total based on min parking for a building of 2,872 sq ft of 11.4 stalls (prior to rounding), there may be max 43 parking stalls total.

V2. Streetscape: The developer shall revise site plans to indicate and construct in the field

- a. Landscape strip: Min width 6.5 inc. curb width along Woodland.
- b. Sidewalk: Sidewalks min width 8 ft along (1) Woodland and (2) the west segment of Hillyer between Woodland sidewalk and the Hillyer wide walkway.

V3. The developer shall pay a bus transit / transit service fee per Attachment 202.

V4. Walkways: The OR Hwy 219 walkway and Woodland wide walkway crossings of the drive-through shall be patterned, stamped, or treated to be visually and tactilely distinct from adjacent concrete, that is, seen and felt by motorists. The developer shall revise site plans prior to building permit issuance.

V5. C/V & EV: The developer shall revise site plans to indicate the below and install in the field, specifically within any of the east or south parking aisle closest to the building:

- a. Min 2 carpool/vanpool stalls that meet the standards of WDO 3.05.03H; and
- b. Min 2 electric vehicle stalls that meet the standards of WDO 3.05.03I.

V6. Landscaping: The developer shall revise landscape plans prior to building permit issuance and plant or act as follows:

- a. 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.

b. Evergreen: Min 2 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; and
Hemlock, Western	Yew, Pacific

(2) Distribution: Among the min, 1 near the site SW corner and 1 near the east corner.

c. Hillyer yard trees: That as proposed, there remain proposed and be planted min 18 trees within the first 35 ft of yard abutting Hillyer.

d. Retaining walls: If and where there are retaining walls, WDO 3.06.06C shall be applicable as a standard.

e. Screening: Evergreen hedge or shrubbery shall be screen at-grade electrical and mechanical equipment, including a transformer, along min two sides, min 1 shrub per 2 ft of screened side and of min medium size category at maturity per WDO Table 3.06B.

f. Significant Tree removals: The developer shall upon building permit application submit documentation as to whether each of the 10 existing on-site trees is significant per WDO 1.02 or not and for all trees shall be a removal fee per Attachment 202.

V7. Architecture: The developer shall revise architectural plans prior to building permit issuance and act as follows:

a. Fenestration/glass/glazing/windows: Transparency required, except along a kitchen, and as follows:

(1) WDO 3.07.06B.2b(1) shall be applicable as a standard to each of min 2 facades of the developer's choice among all 4.

(2) Of the remaining 2 facades, each min 15% window area.

b. Awnings/canopies: That as proposed, there shall remain proposed and be installed door canopies or fixed awnings that shelter from precipitation, are 8 ft narrowest dimension, min 9 ft height clearance, and per the following remaining min dimensions:

(1) East façade main entrance / south facade: 955 sq ft min area total (similar to as proposed).

(2) Restrooms foyer door: 64 sq ft min area.

(3) Employee north door: 40 sq ft min area.

Min dimension is applicable to any of dimension parallel with or perpendicular to the building. If and where there are posts, min dimension is measured between main wall plane and inside edges of posts.

c. Roof-top screening: WDO 3.07.06B.4 regarding screening of roof-mounted equipment shall be applicable as a standard.

V8. Signage:

- a. In addition to WDO 3.10.06A, permanent signage, inc. supports and sign faces, shall not encroach within any public easement.
- b. Electronic changing image: In addition to WDO 3.10.12, based on the hours in Ordinance No. 2338, Section 5A Light Trespass, any sign electronic changing image, if and where WDO 3.10 allows such, shall be off every evening or night during the hours of 9:00 p.m. to 7:00 a.m. Pacific time.

V9. Lighting: Exterior neon and any newer lighting technology that mimics neon are prohibited as accent of buildings, open-air shelters, or free-standing or retaining walls.

V10. Trash receptacle: There shall be min one combination of a trash receptacle and min one recycling receptacle along one of the highway walkway, Woodland wide walkway, or Hillyer wide walkway, set min 1 ft from walkway edge and within 5-30 ft of ROW, for intended use by customers and remaining privately maintained and serviced. The developer shall revise site plans prior to building permit issuance.

V11. Employee/worker count: Following the developer's variance narrative and application materials parking demand analysis (Exhibit H) having stated that the Chick-fil-A will have 18 to 20 employees per shift, the developer shall submit the attention of the Planning Division:

- a. Prior to building permit issuance, a written statement of the number, starting and ending times, and duration of shifts on each typical weekday and weekend day, the average, median, and most commonly recurring number (mode) of employees per shift.
- b. Prior to passing final inspection, a written statement of the number, starting and ending times, and duration of shifts as scheduled for the first 12 days that the store is open to customers and the number of employees per shift.

Applicant Identity

<i>Applicant</i>	Steve Schwartz, Principal Development Lead, Chick-fil-A, Inc., Irvine, CA
<i>Applicant's Representative</i>	Andrew Hunt, Project Manager, 4G Development & Consulting, Inc., San Diego, CA
<i>Landowner(s)</i>	300 Woodland Avenue LLC, Springfield, OR (Travis Miller and Robin Merrell, members; Hutchinson Cox LLC, Eugene, OR, registered agent)

Notes to the Applicant

The following are not planning / land use / zoning conditions of approval, but are notes for the applicant to be aware of and follow:

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/>. 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.
 - 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

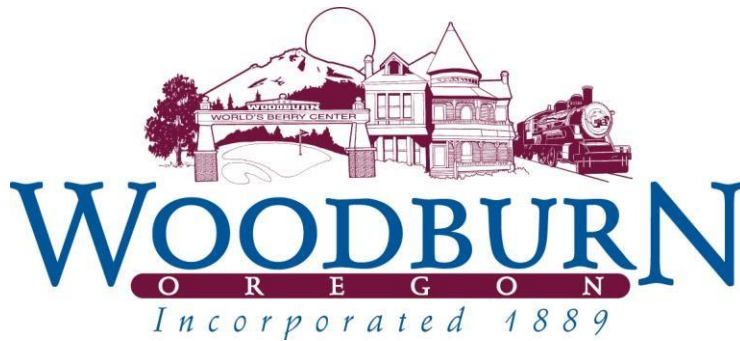
stamped “approved” by the City, and comply with the City’s Standard Specifications and Standard drawings.

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.



**DR 22-26 Chick-Fill-A
300 Woodland Avenue
July 13, 2023**

PUBLIC WORKS 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. All work within the Oregon Department of Transportation (ODOT) right-of-way requires the applicant to obtain approval and permits from ODOT.
2. The Applicant shall obtain approval from the Oregon Department of Transportation (ODOT) for the storm drainage analysis that will impact ODOT's system. Provide a final storm drainage analysis for detention and conveyance system. The storm drainage hydraulic analysis shall comply with both ODOT and City's requirements as necessary.
3. The applicant shall obtain approval from the Oregon Department of Transportation (ODOT) for all required improvements along Highway 219, included but not limited to street improvements, Highway signage, and additional improvements as required by ODOT's review/approval of the applicants' traffic study.
4. The Applicant shall obtain the required 1200C Erosion Control Permit from the Department of Environmental Quality prior to City issuance of permit(s), if applicable.
5. Provide and record required right-of-way and public utility easements dedications prior to building permit issuance if required.
6. Applicant to construct private storm sewer systems, including detention facilities in accordance with approved plans and drainage reports (onsite and offsite reports). All required on-site and off-site detention area(s) for the runoff from this site will need to be provided in accordance with the hydraulic analysis. The property owner shall maintain all on-site detention areas in perpetuity.
7. The applicant is responsible for public and franchise utility relocations if necessary for the construction of approved public improvements. Contractor/Developer shall notify and coordinate with City and Franchise Utilities for relocation of power poles, vaults, valves, etc.
8. Applicant to provide street lighting in accordance with street lighting plan approved by the City and ODOT conforming to Portland General Electric installation and plan under option B.
9. All City-maintained facilities located on private property shall require a minimum of 16-foot-wide utility easement conveyed to the City by the property owner. This is the applicant's responsibility to provide, not the City's. Utilities of unusual depth, size or location may require a larger width.
10. All sanitary sewer and storm drainage laterals serving the proposed developments are private up to the main public line. Sewer laterals connection to the main shall be done using insert tee method.

Attachment 102A

11. Fire hydrants locations and fire protection requirements shall be as per the Woodburn Fire Districts and City of Woodburn requirements.
12. All driveway connections and street intersections shall meet requirements for sight distances and ADA pedestrian crossing as per national, state and City guidelines.
13. A final review of the Civil Plans will be done during the building permit application, plans to be prepared by a registered professional engineer in Oregon.
14. The owner/applicant shall be required to enter into an improvement agreement if required.
15. Applicant to provide a performance bond for City right-of-way improvements, for 120% of the construction cost prior to permits being issued for the Civil Plans approval.
16. Applicant to pay all public improvements (right-of-way) fees for all public improvements that are to be maintained by the city as per Ordinance #1795.
17. Developer/owner to provide to the city a one-year maintenance bond for 10% of the construction cost for all city-maintained facilities constructed prior to final building permit inspection.
18. The Developer's Engineer of record shall certify that all the improvements within the city's rights-of-way have been constructed in accordance with the approved plans and City of Woodburn standards and specifications, and other Agencies requiring approvals and permits. All required inspections and testing reports shall be verified and certified by the Engineer of record. At project completion, the Developer shall provide the City with a copy of the daily construction inspections reports.
19. All public improvements shall be deemed complete prior to building permit issuance.
20. All system development charges shall be paid prior to the time the building permits are issued. The development is in the Interchange Management Area Overlay District which is subject to transportation IDC (Interchange Development Charge) and SDC fees.

CHICK-FIL-A WOODBURN AT HIGHWAY 219 & WOODLAND

300 S WOODLAND AVENUE
WOODBURN, OREGON 97071, MARION COUNTY
LAND USE DOCUMENTS



Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998



309 SW 6TH AVENUE, #700
PORTLAND, OREGON 97204
971-280-8641



CHICK-FIL-A
219 AND WOODLAND
WOODBURN, OREGON

FSR# 05192

NO.	DATE	DESCRIPTION

Attachment 103
Sheet 1 of 13

CIVIL PROJECT #	14866.01
PRINTED FOR	LAND USE
DATE	06/05/2023
DRAWN BY	JLG

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COVER SHEET

SHEET NUMBER

C0.0

SHEET INDEX

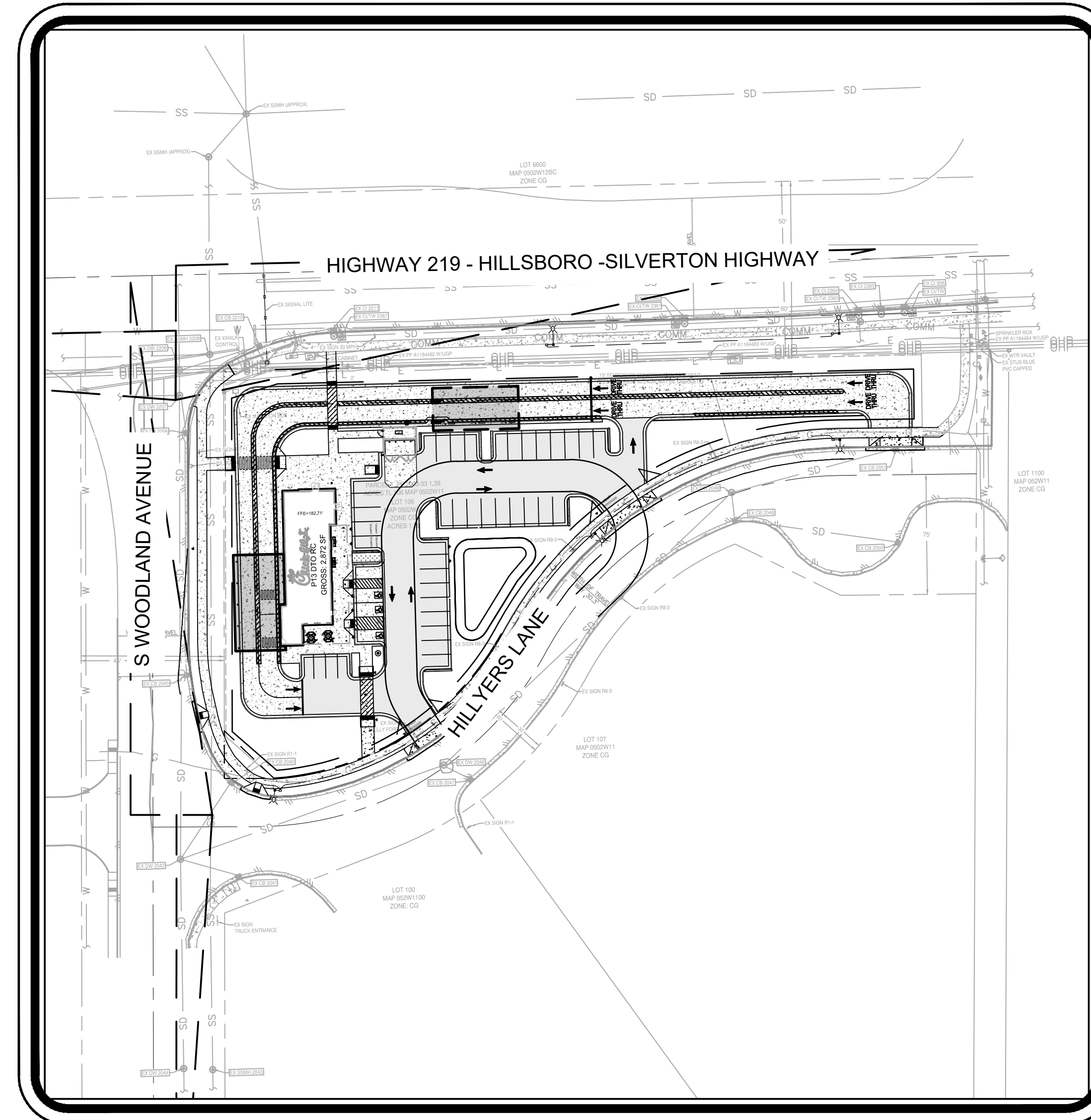
SHEET NO.	SHEET TITLE
C0.0	COVER SHEET
C1.0	EXISTING CONDITIONS
C2.0	SITE PLAN
C3.0	GRADING PLAN
C4.0	STORM PLAN
C5.0	UTILITY PLAN
C5.1	FIRE SERVICE PLAN
L1.0	PLANTING PLAN
L1.1	PLANTING LEGEND & NOTES
IL-1.0	ILLUMINATION LEGEND
IL-2.0	ILLUMINATION PLAN

SITE STATISTICS

PRE-DEVELOPMENT:		
SITE IMPERVIOUS AREA:	0.0 AC	(00.00%)
SITE PERVIOUS AREA:	1.39 AC	(100.0%)
POST-DEVELOPMENT:		
SITE IMPERVIOUS AREA:	0.95 AC	(68.4%)
SITE PERVIOUS AREA:	0.44 AC	(31.6%)

SITE PARKING STATISTICS

PROPOSED BUILDING AREA:	2,872 SF
TOTAL STALLS PROVIDED:	43
STANDARD STALLS	32
COMPACT STALLS	4
ELECTRICAL VEHICLE STALLS	2
VAN/CARPOOL STALLS	2
ADA STALLS	1
ADA VAN ACCESSIBLE STALLS	2
BIKE STALLS	6
STAPLE STYLE BIKE RACKS	3



SITE MAP

SCALE: 1" = 60'



VICINITY MAP

SCALE: NTS

PROJECT DESCRIPTION

THE PROJECT SITE CONSISTS OF A 1.39 ACRES PARCEL DEVELOPMENT THAT WILL INCLUDE A 2,872 SF BUILDING FOOTPRINT WITH A CONCRETE-PAVED DRIVE-THRU, ASPHALT-PAVED PARKING AND DRIVING AREAS, TRASH ENCLOSURE, UTILITIES FOR STORM WATER (AND TREATMENT FACILITY), WATER, SANITARY SEWER, GAS, POWER.

BASIS OF BEARING

THIS SURVEY UTILIZES A LOW DISTORTION PROJECTION (LDP) WHICH IS RELATIVE TO THE OREGON COORDINATE REFERENCE SYSTEM (OCRS) OF 1983 (2011), WITH RESPECT TO THE LOCAL LATITUDE AND GROUND ELEVATION. THE LDP COORDINATES DEFINE TRUE GROUND DISTANCES.

BEARINGS BASED ON OREGON COORDINATE REFERENCE SYSTEM SALEM ZONE, NORTH AMERICAN DATUM OF NAD83/2011 (EPOCH 2010.0000) UNITS IN INTERNATIONAL FEET.

SITE LOCATION

THE SITE HAS A DESIGNATED STREET ADDRESS OF 300 S WOODLAND AVENUE AND IS LOCATED IN THE SW QUARTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN IN THE CITY OF WOODBURN, MARION COUNTY, OREGON.

TAXLOT ACCOUNT 335289
TAXLOT NUMBER 052W110000106

DATUM

ELEVATIONS ARE BASED OFF A BENCHMARK 9432, BEING A 2 1/2" MARION COUNTY BRASS CAP MARKED T5S R2W S01 9432 1994, SET IN THE TOP OF CURB. ELEVATION = 184.79'.

OREGON UTILITY
NOTIFICATION CENTER
1-800-332-2344



ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503) 232-1987.)

EXISTING SURVEY MONUMENTS ARE TO BE PROTECTED DURING CONSTRUCTION OR REPLACED IN ACCORDANCE WITH OREGON REVISED STATUTES 209.140-209.155

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF WOODBURN DESIGN STANDARDS AND STANDARD CONSTRUCTION SPECIFICATIONS.

PROJECT TEAM

DEVELOPER

CHICK-FIL-A
ATTN: STEVE SCHWARTZ
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NRIVERA@WAREMALCOMB.COM

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GEOTECHNICAL ENGINEER

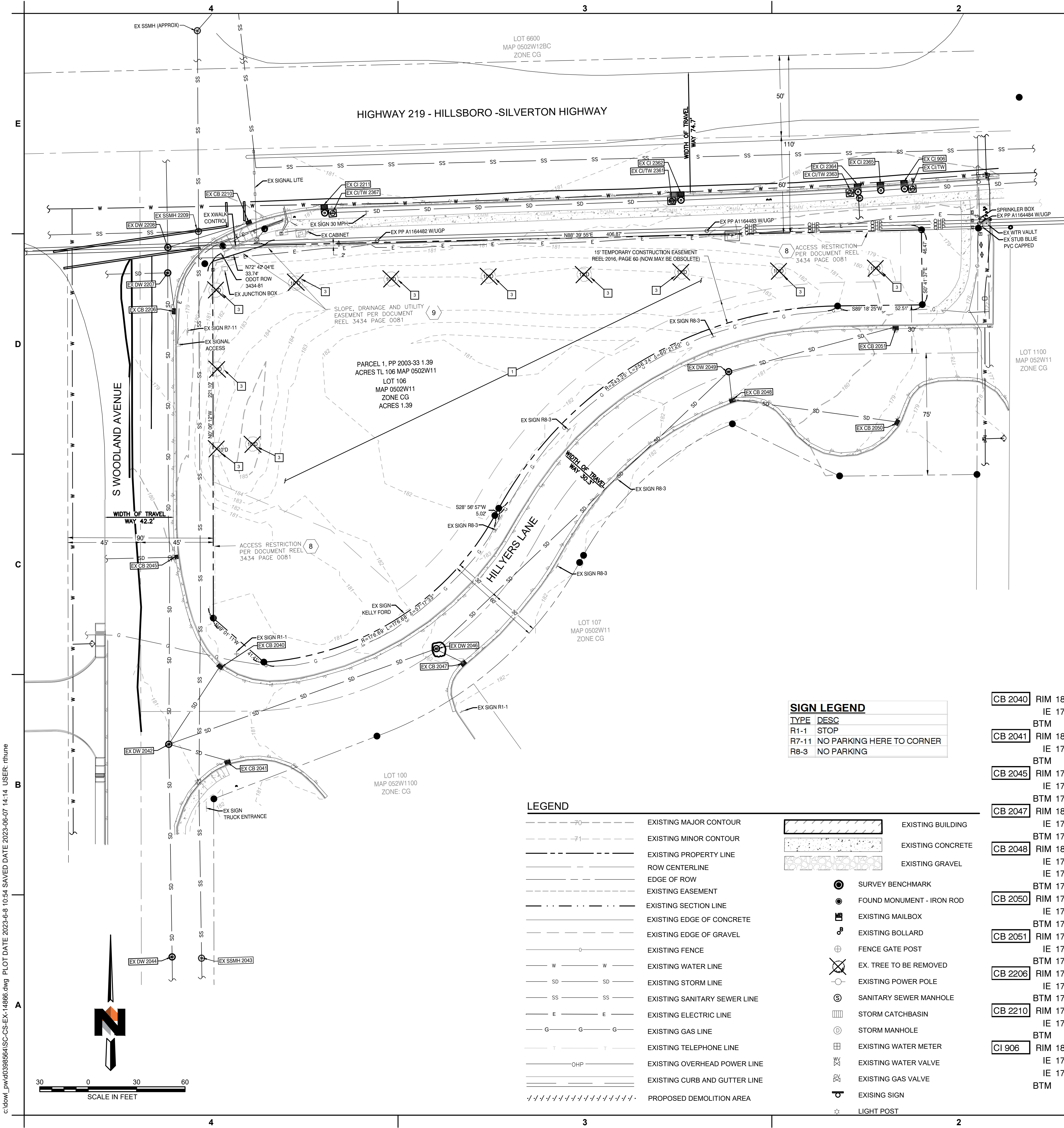
TERRACON CONSULTANTS
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KRISTOPHER.HAUCK@TERRACON.COM

SURVEY

S&F LAND SERVICES
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LANDSCAPE ARCHITECT

DOWL
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309 SW 6TH AVENUE, SUITE 700
PORTLAND, OREGON 97204
PHONE: (971) 280-8656
WIAZZETTI@DOWL.COM



GENERAL NOTES:

1. THE LOCATION OF EXISTING UNDERGROUND UTILITY FACILITIES SHOWN HEREON ARE BASED ON LOCATE MARKS REQUESTED FOR THIS SURVEY PER ONE CALL PUBLIC LOCATE TICKET 21307327. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE DELINEATION OF SUCH UNDERGROUND UTILITIES BY THE RESPECTIVE UTILITY OWNERS, NOR FOR THE EXISTENCE OF BURIED OBJECTS WHICH ARE NOT SHOWN ON THE PLAN. ALL UTILITY LOCATIONS SHOULD BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
2. FIELD WORK WAS COMPLETED ON NOVEMBER 10, 2021. STORM DRAINAGE AND SANITARY SEWER PIPE SIZES WERE OBSERVED FROM THE SURFACE WHERE VISIBLE. SIZES MAY VARY. REFER TO CITY OF SALEM PROVIDED PLANS OR CONTRACTOR TO VERIFY.
3. EASEMENTS SHOWN HEREON WERE PROVIDED BY FIRST AMERICAN TITLE INSURANCE CO. COMMITMENT NCS-1090997-SD DATED SEPTEMBER 24, 2021
4. THIS DOES NOT REPRESENT A BOUNDARY SURVEY UNDER ORS 209.250. PRELIMINARY SURVEY INVESTIGATION MAY HAVE DETERMINED THE LOCATION OF RECORD BOUNDARY LINES AS THEY FIT UPON FOUND AND SHOWN MONUMENTS.

[X] DEMOLITION NOTES

1. CONTRACTOR TO CLEAR AND GRUB AREA OF ALL DEBRIS, VEGETATION, AND ANY OTHER DELETERIOUS MATERIAL IN PREPARATION FOR GRADING OPERATIONS.
2. PROTECT IN PLACE EXISTING STORMWATER MANHOLE. CONTRACTOR TO ADD GRADE RING IF NECESSARY.
3. REMOVE EXISTING TREE IN PREPARATION FOR GRADING OPERATIONS.

SIGN LEGEND

TYPE	DESC
R1-1	STOP
R7-11	NO PARKING HERE TO CORNER
R8-3	NO PARKING

LEGEND

	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	EXISTING PROPERTY LINE
	ROW CENTERLINE
	EDGE OF ROW
	EXISTING EASEMENT
	EXISTING SECTION LINE
	EXISTING EDGE OF CONCRETE
	EXISTING EDGE OF GRAVEL
	EXISTING FENCE
	EXISTING WATER LINE
	EXISTING STORM LINE
	EXISTING SANITARY SEWER LINE
	EXISTING ELECTRIC LINE
	EXISTING GAS LINE
	EXISTING TELEPHONE LINE
	EXISTING OVERHEAD POWER LINE
	EXISTING CURB AND GUTTER LINE
	PROPOSED DEMOLITION AREA

	EXISTING BUILDING
	EXISTING CONCRETE
	EXISTING GRAVEL
	SURVEY BENCHMARK
	FOUND MONUMENT - IRON ROD
	EXISTING MAILBOX
	EXISTING BOLLARD
	FENCE GATE POST
	EX. TREE TO BE REMOVED
	EXISTING POWER POLE
	SANITARY SEWER MANHOLE
	STORM CATCHBASIN
	STORM MANHOLE
	EXISTING WATER METER
	EXISTING WATER VALVE
	EXISTING GAS VALVE
	EXISTING SIGN
	LIGHT POST

CB 2040	RIM 180.53 IE 178.20 12" PVC (SW) BTM 180.41
CB 2041	RIM 180.74 IE 178.01 12" PVC (NW) BTM 178.52
CB 2045	RIM 179.91 IE 177.11 12" CONC (W) BTM 176.51
CB 2047	RIM 181.82 IE 176.52 12" PVC (NW) BTM 176.52
CB 2048	RIM 180.89 IE 175.89 8" PVC (E) IE 175.84 12" PVC (N) BTM 175.79
CB 2050	RIM 178.56 IE 176.36 8" PVC (W) BTM 176.31
CB 2051	RIM 179.26 IE 176.11 12" PVC (W) BTM 176.16
CB 2206	RIM 178.22 IE 176.32 12" PVC (N) BTM 176.32
CB 2210	RIM 179.67 IE 175.67 12" METAL (W) BTM 176.16
CI 906	RIM 180.09 IE 176.44 12" PVC (W) IE 175.14 12" PVC (E) BTM 176.16

C1 2211	RIM 180.41 IE 176.16 12" PVC (E) BTM 180.41
C1 2362	RIM 180.24 IE 175.89 12" PVC (W) IE 175.89 12" PVC (E) BTM 175.06
CI 2364	RIM 180.16 IE 175.16 12" PVC (E) IE 175.06 12" PVC (S) BTM 175.06
CI 2365	RIM 180.17 IE 175.22 12" PVC (W) IE 175.22 12" PVC (E) BTM 180.11
DW 2042	RIM 181.11 IE 173.81 14" CONC (N) IE 173.81 12" PVC (E) IE 173.81 12" PVC (NE)
DW 2044	RIM 181.64 14" CONC (N) IE 173.39 14" CONC (S) BTM 176.16
DW 2046	RIM 182.19 IE 176.49 12" PVC (NE) IE 175.84 12" PVC (SE) IE 174.54 12" PVC (SW) BTM 181.45
DW 2049	RIM 181.45 IE 175.85 12" PVC (E) IE 175.80 12" PVC (S) IE 175.80 12" PVC (SW)

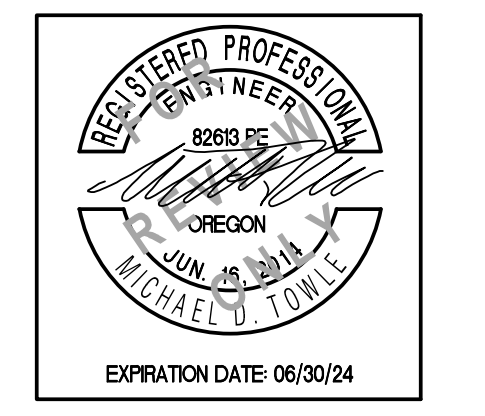
DW 2207	RIM 178.65 IE 174.45 12" PVC (W) IE 174.45 12" PVC (SE) IE 174.35 14" CONC (N) IE 174.25 14" CONC (S) BTM 178.96
DW 2208	RIM 178.96 12" METAL (E) IE 174.71 14" CONC (N) IE 174.66 14" CONC (S) BTM 178.96
DW 2366	RIM 180.23 IE 175.08 12" PVC (W) IE 175.03 12" PVC (N) IE 174.88 12" PVC (E) BTM 180.91
CI/TW 2361	RIM 180.91
CI/TW 2363	RIM 180.14
CI/TW 2367	RIM 181.16
CI/TW	(APPROXIMATE)
SSMH 2043	RIM 182.28 CL 158.38 14" PVC (N) CL 158.38 14" PVC (S) BTM 179.27
SSMH 2209	RIM 179.27 IE 158.72 15" PVC (N) IE 158.72 10" UNK (W) IE 158.67 15" PVC (S)



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Atlanta, Georgia
30349-2998



309 SW 6TH AVENUE, #700
PORTLAND, OREGON 97204
971-280-8641



CHICK-FIL-A
219 AND WOODLAND
WOODBURN, OREGON

FSR# 05192

REVISION SCHEDULE

NO.	DATE	DESCRIPTION

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SHEET EXISTING CONDITIONS & DEMO
SHEET NUMBER

C1.0

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Atlanta, Georgia
30349-2998



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PORTLAND, OREGON 97204
971-280-8641



LOT 1100
MAP 052W11
ZONE CG

CHICK-FIL-A 219 AND WOODLAND WOODBURN, OREGON

FSR# 05192

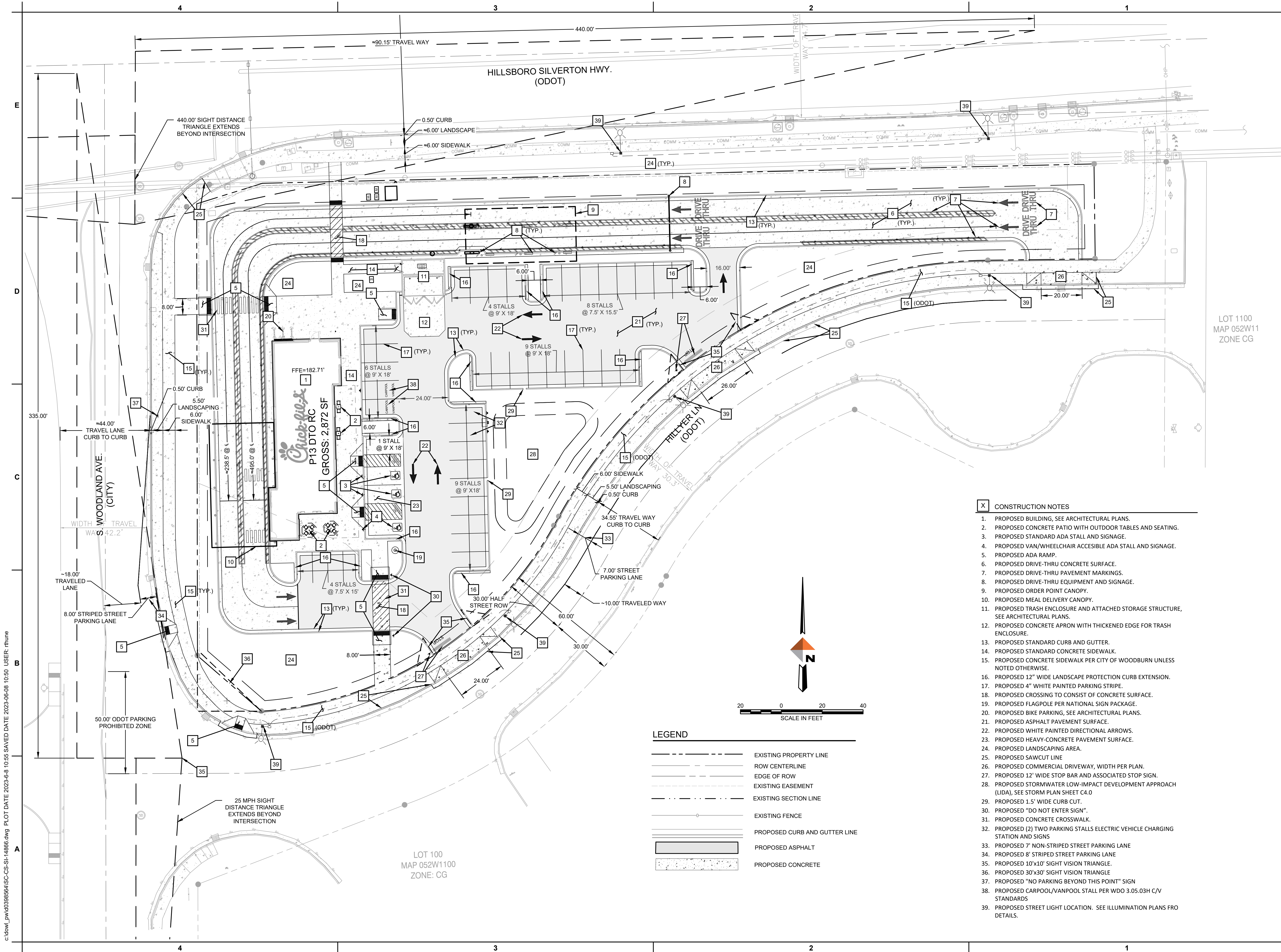
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SHEET

SITE PLAN

SHEET NUMBER

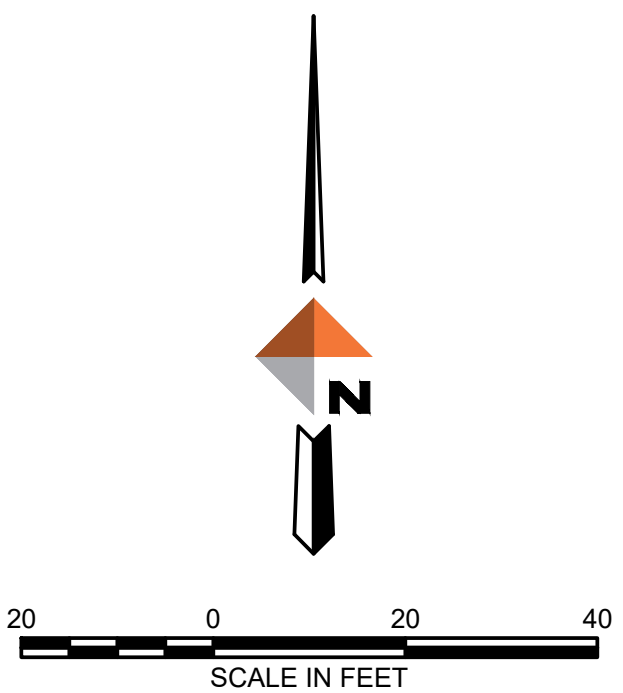
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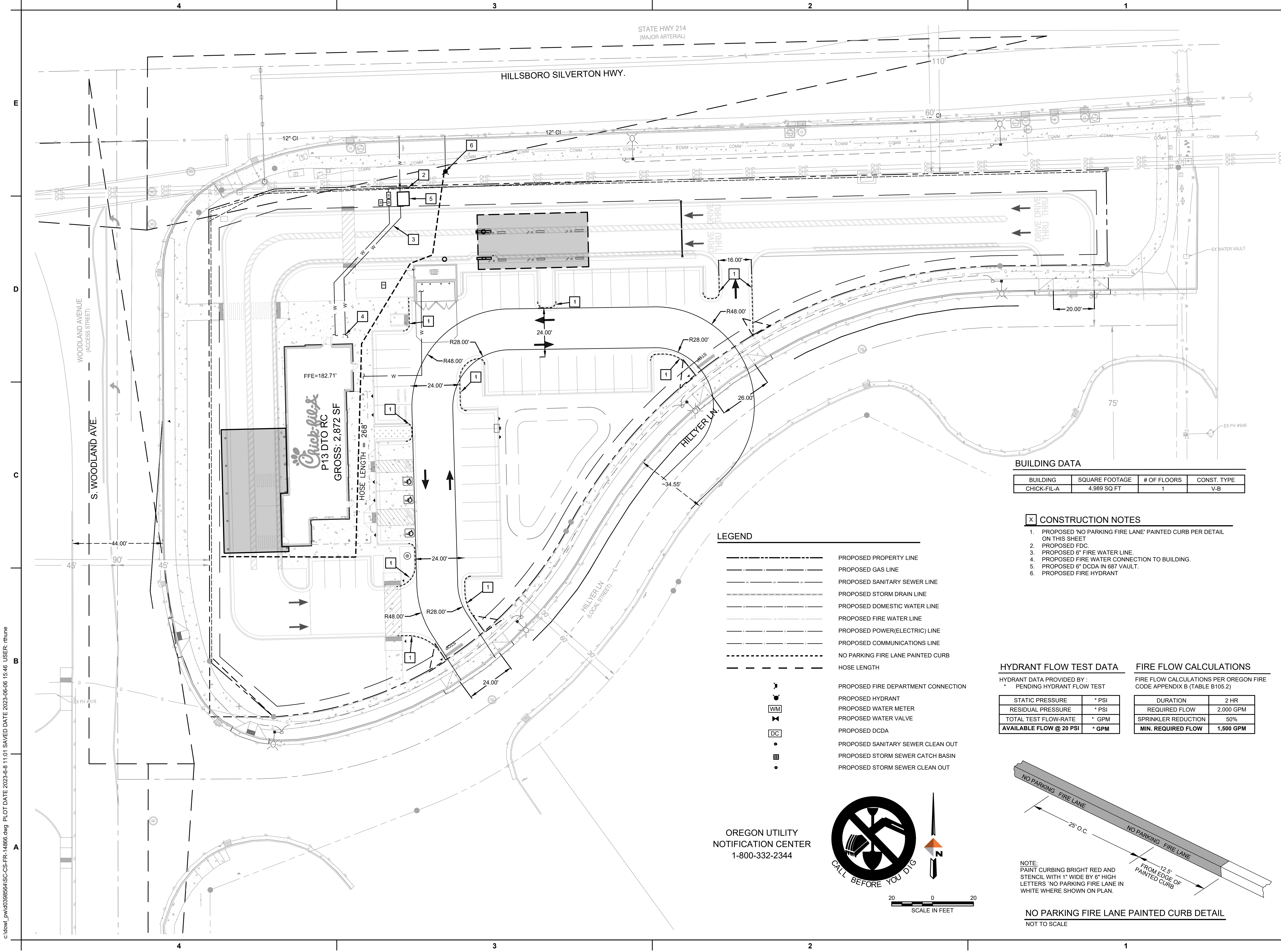
- X CONSTRUCTION NOTES**
- PROPOSED BUILDING, SEE ARCHITECTURAL PLANS.
 - PROPOSED CONCRETE PATIO WITH OUTDOOR TABLES AND SEATING.
 - PROPOSED STANDARD ADA STALL AND SIGNAGE.
 - PROPOSED VAN/WHEELCHAIR ACCESSIBLE ADA STALL AND SIGNAGE.
 - PROPOSED ADA RAMP.
 - PROPOSED DRIVE-THRU CONCRETE SURFACE.
 - PROPOSED DRIVE-THRU PAVEMENT MARKINGS.
 - PROPOSED DRIVE-THRU EQUIPMENT AND SIGNAGE.
 - PROPOSED ORDER POINT CANOPY.
 - PROPOSED MEAL DELIVERY CANOPY.
 - PROPOSED TRASH ENCLOSURE AND ATTACHED STORAGE STRUCTURE, SEE ARCHITECTURAL PLANS.
 - PROPOSED CONCRETE APRON WITH THICKENED EDGE FOR TRASH ENCLOSURE.
 - PROPOSED STANDARD CURB AND GUTTER.
 - PROPOSED STANDARD CONCRETE SIDEWALK.
 - PROPOSED CONCRETE SIDEWALK PER CITY OF WOODBURN UNLESS NOTED OTHERWISE.
 - PROPOSED 12" WIDE LANDSCAPE PROTECTION CURB EXTENSION.
 - PROPOSED 4" WHITE PAINTED PARKING STRIPE.
 - PROPOSED CROSSING TO CONSIST OF CONCRETE SURFACE.
 - PROPOSED FLAGPOLE PER NATIONAL SIGN PACKAGE.
 - PROPOSED BIKE PARKING, SEE ARCHITECTURAL PLANS.
 - PROPOSED ASPHALT PAVEMENT SURFACE.
 - PROPOSED WHITE PAINTED DIRECTIONAL ARROWS.
 - PROPOSED HEAVY-CONCRETE PAVEMENT SURFACE.
 - PROPOSED LANDSCAPING AREA.
 - PROPOSED SAWCUT LINE.
 - PROPOSED COMMERCIAL DRIVEWAY, WIDTH PER PLAN.
 - PROPOSED 12" WIDE STOP BAR AND ASSOCIATED STOP SIGN.
 - PROPOSED STORMWATER LOW-IMPACT DEVELOPMENT APPROACH (LIDA), SEE STORM PLAN SHEET C4.0
 - PROPOSED 1.5' WIDE CURB CUT.
 - PROPOSED "DO NOT ENTER SIGN".
 - PROPOSED CONCRETE CROSSWALK.
 - PROPOSED (2) TWO PARKING STALLS ELECTRIC VEHICLE CHARGING STATION AND SIGNS
 - PROPOSED 7' NON-STRIPED STREET PARKING LANE
 - PROPOSED 8' STRIPED STREET PARKING LANE
 - PROPOSED 10'x10' SIGHT VISION TRIANGLE.
 - PROPOSED 30'x30' SIGHT VISION TRIANGLE
 - PROPOSED "NO PARKING BEYOND THIS POINT" SIGN
 - PROPOSED CARPOOL/VANPOOL STALL PER WDO 3.05.03H C/V STANDARDS
 - PROPOSED STREET LIGHT LOCATION. SEE ILLUMINATION PLANS FRO DETAILS.

LEGEND

	EXISTING PROPERTY LINE
	ROW CENTERLINE
	EDGE OF ROW
	EXISTING EASEMENT
	EXISTING SECTION LINE
	EXISTING FENCE
	PROPOSED CURB AND GUTTER LINE
	PROPOSED ASPHALT
	PROPOSED CONCRETE



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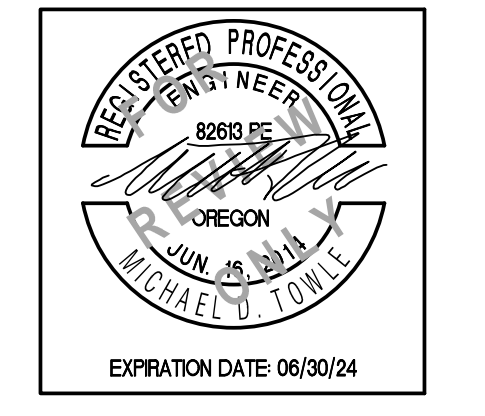


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CHICK-FIL-A 219 AND WOODLAND WOODBURN, OREGON

FSR# 05192

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SHEET

FIRE ACCESS PLAN
SHEET NUMBER

C5.1

BUILDING DATA

BUILDING	SQUARE FOOTAGE	# OF FLOORS	CONST. TYPE
CHICK-FIL-A	4,989 SQ FT	1	V-B

CONSTRUCTION NOTES

- PROPOSED 'NO PARKING FIRE LANE' PAINTED CURB PER DETAIL ON THIS SHEET
- PROPOSED FDC
- PROPOSED 6" FIRE WATER LINE
- PROPOSED FIRE WATER CONNECTION TO BUILDING
- PROPOSED 6" DCDA IN 687 VAULT
- PROPOSED FIRE HYDRANT

LEGEND

- PROPOSED PROPERTY LINE
- PROPOSED GAS LINE
- PROPOSED SANITARY SEWER LINE
- PROPOSED STORM DRAIN LINE
- PROPOSED DOMESTIC WATER LINE
- PROPOSED FIRE WATER LINE
- PROPOSED POWER(ELECTRIC) LINE
- PROPOSED COMMUNICATIONS LINE
- - - NO PARKING FIRE LANE PAINTED CURB
- HOSE LENGTH
- PROPOSED FIRE DEPARTMENT CONNECTION
- PROPOSED HYDRANT
- PROPOSED WATER METER
- PROPOSED WATER VALVE
- PROPOSED DCDA
- PROPOSED SANITARY SEWER CLEAN OUT
- PROPOSED STORM SEWER CATCH BASIN
- PROPOSED STORM SEWER CLEAN OUT

HYDRANT FLOW TEST DATA

HYDRANT DATA PROVIDED BY:
* PENDING HYDRANT FLOW TEST

STATIC PRESSURE	* PSI
RESIDUAL PRESSURE	* PSI
TOTAL TEST FLOW-RATE	* GPM
AVAILABLE FLOW @ 20 PSI	* GPM

FIRE FLOW CALCULATIONS

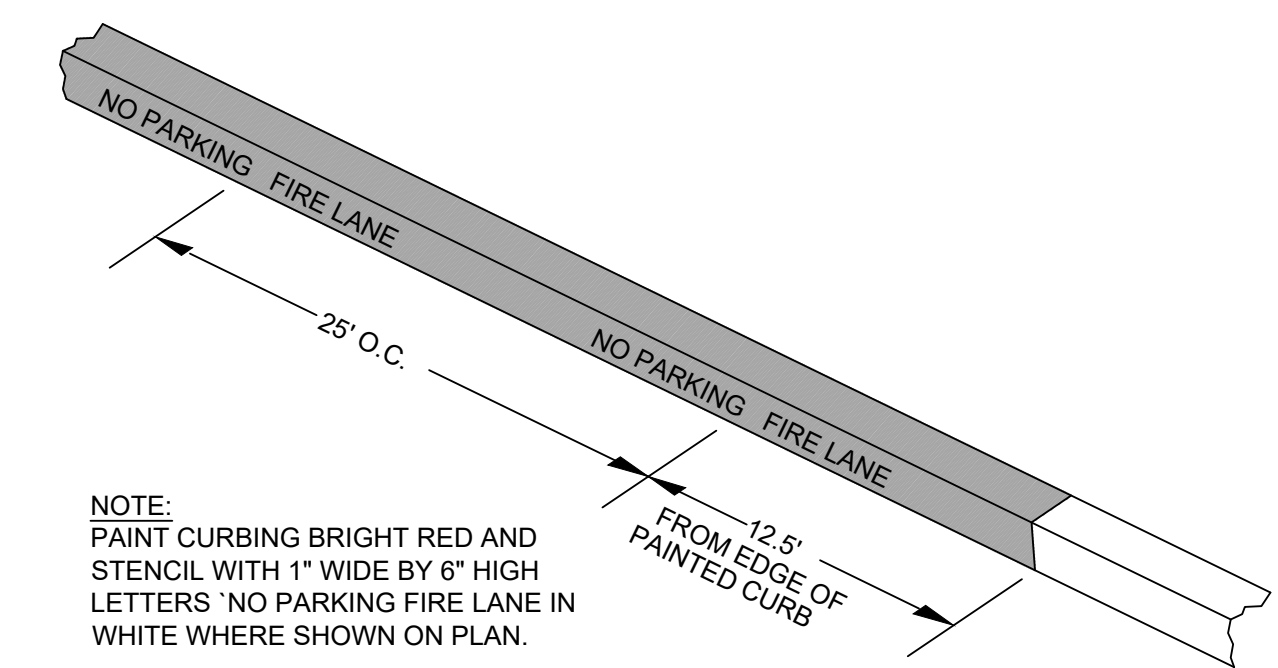
FIRE FLOW CALCULATIONS PER OREGON FIRE CODE APPENDIX B (TABLE B105.2)

DURATION	2 HR
REQUIRED FLOW	2,000 GPM
SPRINKLER REDUCTION	50%
MIN. REQUIRED FLOW	1,500 GPM

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SCALE IN FEET

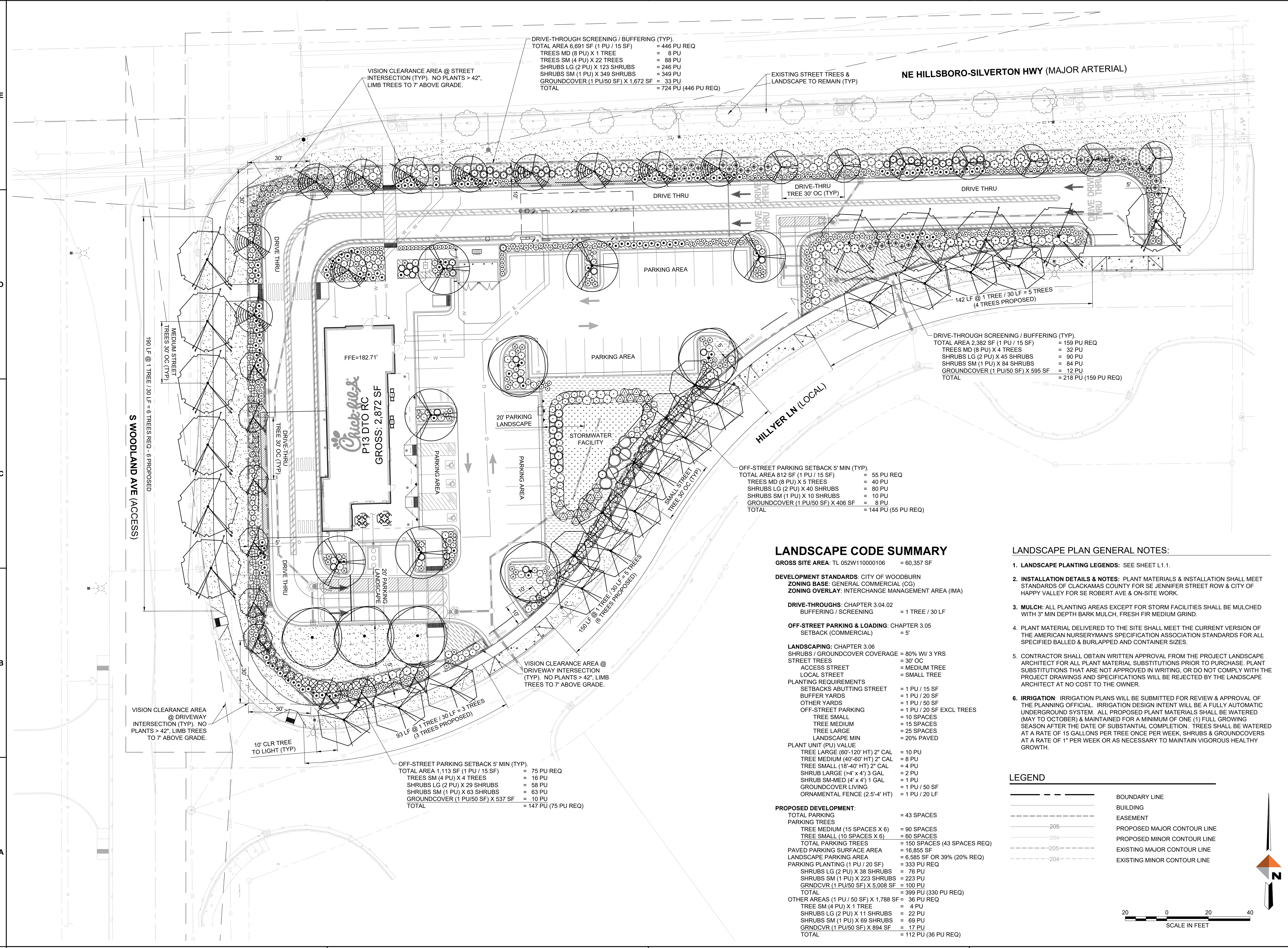


NOTE:
PAINT CURBING BRIGHT RED AND STENCIL WITH 1" WIDE BY 6" HIGH LETTERS 'NO PARKING FIRE LANE' IN WHITE WHERE SHOWN ON PLAN.

NO PARKING FIRE LANE PAINTED CURB DETAIL
NOT TO SCALE

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C:\dow\l_pw\0405748\SC-LA-PLANTING-14886.dwg PLOT DATE 2023-06-07 15:11 USER: wibzzerll



DRIVE-THROUGH SCREENING / BUFFERING (TYP.)
 TOTAL AREA 6,691 SF (1 PU / 15 SF) = 446 PU REQ
 TREES MD (8 PU) X 1 TREE = 8 PU
 TREES SM (4 PU) X 22 TREES = 88 PU
 SHRUBS LG (2 PU) X 123 SHRUBS = 246 PU
 SHRUBS SM (1 PU) X 349 SHRUBS = 349 PU
 GROUND COVER (1 PU/50 SF) X 1,672 SF = 33 PU
 TOTAL = 724 PU (446 PU REQ)

NE HILLSBORO-SILVERTON HWY (MAJOR ARTERIAL)

DRIVE-THROUGH SCREENING / BUFFERING (TYP.)
 TOTAL AREA 2,382 SF (1 PU / 15 SF) = 159 PU REQ
 TREES MD (8 PU) X 4 TREES = 32 PU
 SHRUBS LG (2 PU) X 45 SHRUBS = 90 PU
 SHRUBS SM (1 PU) X 84 SHRUBS = 84 PU
 GROUND COVER (1 PU/50 SF) X 595 SF = 12 PU
 TOTAL = 218 PU (159 PU REQ)

OFF-STREET PARKING SETBACK 5' MIN (TYP.)
 TOTAL AREA 812 SF (1 PU / 15 SF) = 55 PU REQ
 TREES MD (8 PU) X 5 TREES = 40 PU
 SHRUBS LG (2 PU) X 40 SHRUBS = 80 PU
 SHRUBS SM (1 PU) X 10 SHRUBS = 10 PU
 GROUND COVER (1 PU/50 SF) X 406 SF = 8 PU
 TOTAL = 144 PU (55 PU REQ)

OFF-STREET PARKING SETBACK 5' MIN (TYP.)
 TOTAL AREA 1,113 SF (1 PU / 15 SF) = 75 PU REQ
 TREES SM (4 PU) X 4 TREES = 16 PU
 SHRUBS LG (2 PU) X 29 SHRUBS = 58 PU
 SHRUBS SM (1 PU) X 63 SHRUBS = 63 PU
 GROUND COVER (1 PU/50 SF) X 537 SF = 10 PU
 TOTAL = 147 PU (75 PU REQ)

LANDSCAPE CODE SUMMARY

GROSS SITE AREA: TL 052W11000106 = 60,357 SF
 DEVELOPMENT STANDARDS: CITY OF WOODBURN
 ZONING BASE: GENERAL COMMERCIAL (CG)
 ZONING OVERLAY: INTERCHANGE MANAGEMENT AREA (IMA)
 DRIVE-THROUGHS: CHAPTER 3.04.02
 BUFFERING / SCREENING = 1 TREE / 30 LF
 OFF-STREET PARKING & LOADING: CHAPTER 3.05
 SETBACK (COMMERCIAL) = 5'
 LANDSCAPING: CHAPTER 3.06
 SHRUBS / GROUND COVER COVERAGE = 80% W/ 3 YRS
 STREET TREES = 30' OC
 ACCESS STREET = MEDIUM TREE
 LOCAL STREET = SMALL TREE
 PLANTING REQUIREMENTS
 SETBACKS ABUTTING STREET = 1 PU / 15 SF
 BUFFER YARDS = 1 PU / 20 SF
 OTHER YARDS = 1 PU / 50 SF
 OFF-STREET PARKING = 1 PU / 20 SF EXCL TREES
 TREE SMALL = 10 SPACES
 TREE MEDIUM = 15 SPACES
 TREE LARGE = 25 SPACES
 LANDSCAPE MIN = 20% PAVED
 PLANT UNIT (PU) VALUE
 TREE LARGE (60'-120' HT) 2" CAL = 10 PU
 TREE MEDIUM (40'-60' HT) 2" CAL = 8 PU
 TREE SMALL (18'-40' HT) 2" CAL = 4 PU
 SHRUB LARGE (>4' x 4') 3 GAL = 2 PU
 SHRUB SM-MED (4' x 4') 1 GAL = 1 PU / 50 SF
 GROUND COVER LIVING = 1 PU / 50 SF
 ORNAMENTAL FENCE (2.5'-4' HT) = 1 PU / 20 LF

PROPOSED DEVELOPMENT:
 TOTAL PARKING = 43 SPACES
 PARKING TREES
 TREE MEDIUM (15 SPACES X 6) = 90 SPACES
 TREE SMALL (10 SPACES X 6) = 60 SPACES
 TOTAL PARKING TREES = 150 SPACES (43 SPACES REQ)
 PAVED PARKING SURFACE AREA = 16,855 SF
 LANDSCAPE PARKING AREA = 6,585 SF OR 39% (20% REQ)
 PARKING PLANTING (1 PU / 20 SF) = 333 PU REQ
 SHRUBS LG (2 PU) X 38 SHRUBS = 76 PU
 SHRUBS SM (1 PU) X 223 SHRUBS = 223 PU
 GRND CVR (1 PU/50 SF) X 5,008 SF = 100 PU
 TOTAL = 399 PU (330 PU REQ)
 OTHER AREAS (1 PU / 50 SF) X 1,788 SF = 36 PU REQ
 TREE SM (4 PU) X 1 TREE = 4 PU
 SHRUBS LG (2 PU) X 11 SHRUBS = 22 PU
 SHRUBS SM (1 PU) X 69 SHRUBS = 69 PU
 GRND CVR (1 PU/50 SF) X 894 SF = 17 PU
 TOTAL = 112 PU (36 PU REQ)

LANDSCAPE PLAN GENERAL NOTES:

- LANDSCAPE PLANTING LEGENDS: SEE SHEET L1.1.
- INSTALLATION DETAILS & NOTES: PLANT MATERIALS & INSTALLATION SHALL MEET STANDARDS OF CLACKAMAS COUNTY FOR SE JENNIFER STREET ROW & CITY OF HAPPY VALLEY FOR SE ROBERT AVE & ON-SITE WORK.
- MULCH: ALL PLANTING AREAS EXCEPT FOR STORM FACILITIES SHALL BE MULCHED WITH 3" MIN DEPTH BARK MULCH, FRESH FIR MEDIUM GRIND.
- PLANT MATERIAL DELIVERED TO THE SITE SHALL MEET THE CURRENT VERSION OF THE AMERICAN NURSERYMAN'S SPECIFICATION ASSOCIATION STANDARDS FOR ALL SPECIFIED BALLED & BURLAPPED AND CONTAINER SIZES.
- CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FROM THE PROJECT LANDSCAPE ARCHITECT FOR ALL PLANT MATERIAL SUBSTITUTIONS PRIOR TO PURCHASE. PLANT SUBSTITUTIONS THAT ARE NOT APPROVED IN WRITING, OR DO NOT COMPLY WITH THE PROJECT DRAWINGS AND SPECIFICATIONS WILL BE REJECTED BY THE LANDSCAPE ARCHITECT AT NO COST TO THE OWNER.
- IRRIGATION: IRRIGATION PLANS WILL BE SUBMITTED FOR REVIEW & APPROVAL OF THE PLANNING OFFICIAL. IRRIGATION DESIGN INTENT WILL BE A FULLY AUTOMATIC UNDERGROUND SYSTEM. ALL PROPOSED PLANT MATERIALS SHALL BE WATERED (MAY TO OCTOBER) & MAINTAINED FOR A MINIMUM OF ONE (1) FULL GROWING SEASON AFTER THE DATE OF SUBSTANTIAL COMPLETION. TREES SHALL BE WATERED AT A RATE OF 15 GALLONS PER TREE ONCE PER WEEK, SHRUBS & GROUND COVERS AT A RATE OF 1" PER WEEK OR AS NECESSARY TO MAINTAIN VIGOROUS HEALTHY GROWTH.

LEGEND

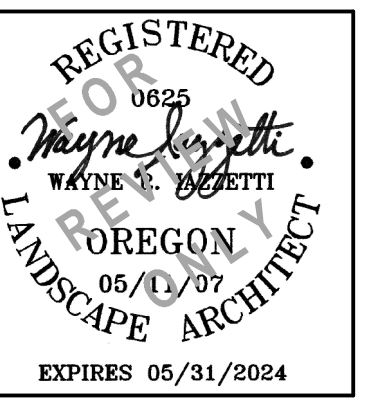
---	BOUNDARY LINE
---	BUILDING
---	EASEMENT
-205	PROPOSED MAJOR CONTOUR LINE
-204	PROPOSED MINOR CONTOUR LINE
-205	EXISTING MAJOR CONTOUR LINE
-204	EXISTING MINOR CONTOUR LINE



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**CHICK-FIL-A
 219 AND WOODLAND
 WOODBURN, OREGON**

FSR# 05192

REVISION SCHEDULE

NO.	DATE	DESCRIPTION

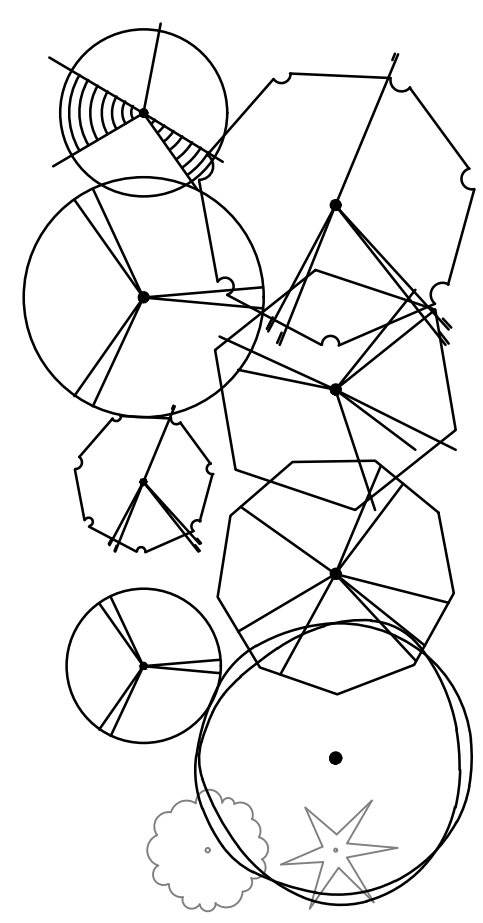
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 SHEET

PLANTING PLAN
 SHEET NUMBER

L1.0

PLANT & MATERIALS LEGEND



TREES ITEM	SIZE	QTY.	MATURE SIZE (H X W) / COMMENTS
ACER GRISEUM PAPERBARK MAPLE	2" CAL / B&B AS SHOWN	11	25' H X 20' W / SMALL / 4 PU 5' BRANCHING HT / DROUGHT TOLERANT
ACER RUBRUM 'FRANKSRED' RED SUNSET MAPLE	2" CAL / B&B AS SHOWN	11	45' H X 35' W / MEDIUM / 8 PU 5' BRANCHING HT / FLOOD TOLERANT
ACER TRUN. X PLAT. 'KEITHSFORM' NORWEGIAN SUNSET MAPLE	2" CAL / B&B AS SHOWN	6	35' H X 25' W / SMALL / UPRIGHT / 4 PU 5' MIN BRANCHING HT / HEAT RESISTANT
CARPINUS BETULUS 'FASTIGIATA' PYRAMIDAL EUROPEAN HORNBEAM	2" CAL / B&B AS SHOWN	13	35' H X 25' W / SMALL / 4 PU 5' BRANCHING HT / DROUGHT TOLERANT
GINKGO BILOBA 'PRINCETON SENTRY' PRINCETON SENTRY GINKGO	2" CAL / B&B AS SHOWN	9	40' H X 15' W / SEEDLESS MALE / SMALL / 4 PU 5' BRANCHING HT / DROUGHT TOLERANT
NYSSA SYLVATICA 'NSUHH' GREEN GABLE TUPELO	2" CAL / B&B AS SHOWN	5	40' H X 25' W / MEDIUM / 8 PU CENTRAL LEADER / DROUGHT TOLERANT
PARROTIA PERSICA 'INGE' RUBY VASE PERSIAN IRONWOOD	2" CAL / B&B AS SHOWN	7	28' H X 16' W / SMALL / 4 PU POWER LINES / DROUGHT TOLERANT
ZELKOVA SERRATA 'GREEN VASE' GREEN VASE ZELKOVA	2" CAL / B&B AS SHOWN	6	45' H X 30' W / MEDIUM / 8 PU 5' BRANCHING HT / DROUGHT TOLERANT
EXISTING TREE TO REMAIN			CONTRACTOR TO PROTECT IN PLACE

SHRUBS & ACCENTS ITEM	SIZE	QTY.	MATURE SIZE (H X W) / COMMENTS
ABELIA 'EDWARD GOUCHER' EDWARD GOUCHER ABELIA	5 GAL CONT 4'-0" OC	68	5' H X 6' W / EVERGREEN / 2 PU DROUGHT TOLERANT
ARBUTUS UNEDO 'COMPACTA' COMPACT STRAWBERRY TREE	5 GAL CONT 4'-0" OC	45	5' H X 5' W / EVERGREEN / 2 PU DROUGHT TOLERANT
ARCTOSTAPHYLOS COLUMBIANA MANZANITA	5 GAL CONT 4'-0" OC	20	6' H X 6' W / HIGH SCREEN / 2 PU NATIVE EVERGREEN / DROUGHT TOLERANT
CALAMAGROSTIS X A. 'KARL FOERSTER' KARL FOERSTER REED GRASS	3 GAL CONT 2'-0" OC	184	5' H X 24" W / VERTICAL GRASS / 1 PU DROUGHT TOLERANT
CHAMAECYPARIS OBTUSA 'GRACILIS' SLENDER HINOKI FASLSE CYPRESS	7 GAL CONT 3'-6" OC	4	6' H X 5' W / EVERGREEN / 2 PU FULL SUN / LAYERED BRANCHES
CISTUS X PULVERULENTUS 'SUNSET' MAGENTA ROCK ROSE	2 GAL CONT 3'-0" OC	26	2' H X 4' W / EVERGREEN / 1 PU FULL SUN / DROUGHT TOLERANT
LIGUSTRUM JAPONICUM 'TEXANUM' WAXLEAF PRIVET	5 GAL CONT 4'-0" OC	41	5' H X 6' W / GLOSSY EVERGREEN / 2 PU PT - FULL SUN / DROUGHT TOLERANT
MISCANTHUS 'PURPURASCENS' AUTUMN FLAME GRASS	3 GAL CONT 2'-6" OC	129	5' H X 3' W / UPRIGHT / 1 PU DROUGHT TOLERANT / ORANGE FALL COLOR
MISCANTHUS SINENSIS 'LITTLE MISS' LITTLE MISS MAIDEN GRASS	2 GAL CONT 3'-0" OC	155	3' H X 3' W / COMPACT HABIT / 1 PU 2-TONE FOLIAGE / DROUGHT TOLERANT
MYRICA CALIFORNICA PACIFIC WAX MYRTLE	5 GAL CONT 4'-0" OC	33	6' H X 6' W / HIGH SCREEN / 2 PU NATIVE EVERGREEN / DROUGHT TOLERANT
NANDINA DOMESTICA 'MOYER'S RED' MOYER'S RED HEAVENLY BAMBOO	5 GAL CONT 3'-0" OC	29	4' H X 3' W / EVERGREEN / 1 PU FULL SUN / DROUGHT TOLERANT
PENNISETUM A. 'HAMELN' HAMELN FOUNTAIN GRASS	2 GAL CONT 30" OC	113	30" H X 30" W / 1 PU DROUGHT TOLERANT
ROSA 'RADRAZZ' KNOCK OUT ROSE	3 GAL CONT 3'-0" OC	24	3' H X 3' W / 1 PU PEST FREE / DROUGHT TOLERANT
RUDBECKIA FULGIDA 'EARLY BIRD GOLD' EARLY BIRD GOLD BLACK EYED SUSAN	2 GAL 18" OC	21	2' H X 2' W / PERENNIAL / 1 PU YELLOW FLOWERS SPRING TO FALL
NARCISSUS 'TETE-A-TETE' 'TETE-A-TETE' DAFFODIL	16 CM + 4 PER AREA	100 BULBS	8" H X 6" W / BULB YELLOW FLOWERS - SPRING
ROSMARINUS OFFICINALIS 'ARP' ARP ROSEMARY	3 GAL CONT 3'-0" OC	32	3' H X 3' W / EVERGREEN / 1 PU DROUGHT TOLERANT
SPIRAEA JAPONICA 'NEON FLASH' NEON FLASH JAPANESE SPIREA	2 GAL CONT 3'-0" OC	15	3' H X 3' W / SMALL / 1 PU BRIGHT RED FLOWERS / DROUGHT TOLERANT
VIBURNUM DAVIDII DAVID'S VIBURNUM	3 GAL CONT 3'-0" OC	45	3' H X 3' W / EVERGREEN / 1 PU
VIBURNUM TINUS 'SPRING BOUQUET' SPRING BOUQUET VIBURNUM	5 GAL CONT 4'-0" OC	30	6' H X 5' W / HIGH SCREEN SHRUB / 2 PU EVERGREEN / DROUGHT TOLERANT

GROUNDCOVERS & MISC ITEM	SIZE	QTY.	MATURE SIZE (H X W)
ARCTOSTAPHYLOS UVA-URSI 'MASS.' MASS KINNIKINICK	1 GAL CONT 2'-0" OC	5,778 SF 1,675 PLANTS	9" H X 3' W / EVERGREEN / 1 PU/50 SF NATIVE / DROUGHT TOLERANT
LAWN TURF 'JB SIGNATURE' JB INSTANT LAWN, SILVERTON, OR	FILL AREA	13,420 SF	THREE-WAY PERENNIAL RYEGRASS 1 PU/50 SF
MAHONIA REPENS CREEPING MAHONIA	1 GAL CONT 2'-0" OC	2,055 SF 596 PLANTS	18" H X 3' W / EVERGREEN / 1 PU/50 SF PNW NATIVE / DROUGHT TOLERANT
RUBUS CALY. 'EMERALD CARPET' EMERALD CARPET CREEPING BERRY	1 GAL CONT 2'-0" OC	5,675 SF 1,646 PLANTS	9" H X 3' W / EVERGREEN / 1 PU/50 SF DROUGHT TOLERANT
HEMEROCALLIS 'HAPPY RETURNS' HAPPY RETURNS DAYLILY	1 GAL CONT 18" OC	344 SF 176 PLANTS	18" H X 18" W / DROUGHT TOLERANT FIRE RESISTANT / 1 PU/50 SF
NARCISSUS 'DUTCH MASTER' DUTCH MASTER TRUMPET DAFFODIL	16 CM + 9" OC	750 BULBS	20" H X 6" W / BULB YELLOW FLOWERS / DROUGHT TOLERANT
COLCHICUM GIGANTEUM 'THE GIANT' GIANT AUTUMN CROCUS	20 CM + 9" OC	750 BULBS	8" H X 6" W / BULB PURPLE FLOWERS - FALL
VIOLA X WITTROCKIANA 'CROWN GOLDEN' CROWN GOLDEN PANSY	4" CONT 9" OC	750 PLANTS	8" X 10" / WINTER ANNUAL CLEAR GOLDEN FLOWERS

STORMWATER FACILITY PLANT MATERIALS:

NOTE: QUANTITIES SHOWN ARE FOR ON-SITE STORMWATER FACILITIES ONLY

SHRUBS & ACCENTS ITEM	SIZE	QTY.	MATURE SIZE (H X W) / COMMENTS
CORNUS SERICEA RED-TWIG DOGWOOD	2 GAL. CONT. @ 4'-0" O.C.	12	6' H X 4' W / ZONE A/B NATIVE
MAHONIA AQUIFOLIUM OREGON GRAPE	2 GAL. CONT. 3'-0" OC	27	4' H X 3' W / ZONE B NATIVE
RIBES SANGUINEUM RED-FLOWERING CURRRANT	2 GAL. CONT. @ 4'-0" O.C.	10	8' H X 4' W / ZONE B NATIVE
SALIX STICHENSIS SITKA WILLOW	2 GAL. CONT. @ 6'-0" O.C.	5	20' H X 6' W / ZONE A NATIVE
SPIRAEA DOUGLASII DOUGLAS SPIREA	2 GAL. CONT. @ 4'-0" O.C.	18	7' H X 4' W / ZONE A/B NATIVE
		72 TOTAL	

GROUNDCOVERS ITEM	SIZE	QTY.	POTENTIAL HEIGHT / PLANTING ZONE
ARCTOSTAPHYLOS UVA-URSI KINNIKINICK	1 GAL. CONT. 70 / 100 SF	1,023 SF 716 PLANTS	6" H X 12" W / ZONE B / EVERGREEN NATIVE
RUSH / SEDGE MIX 50% JUNCUS PATENS 50% CAREX OBUPTA	80 / 100 SF 1 GAL CONT / 24" HT 1 GAL CONT / 24" HT	1,202 SF 481 481	NATIVE 36" H / ZONE A / EVERGREEN 48" H / ZONE A / EVERGREEN

STORMWATER FACILITIES (PDX STORMWATER MANAGEMENT MANUAL):
 GROWING MEDIUM = SEE CIVIL SHEETS
 STORMWATER FACILITY = BASIN
 ZONE A TOTAL = 1,202 SF
 ZONE A HERBACEOUS (80 / 100 SF) = 962 PLANTS (962 PLANTS REQ)
 ZONE B TOTAL = 1,023 SF
 ZONE B SHRUBS (7 / 100 SF) = 72 SHRUBS (72 SHRUBS REQ)
 ZONE B GROUNDCOVER (70 / 100 SF) = 716 PLANTS (716 PLANTS REQ)

STORMWATER FACILITY NOTES:

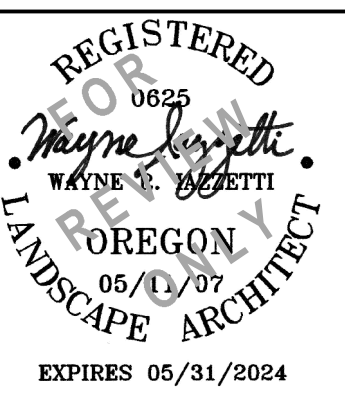
- STORMWATER FACILITY CONSTRUCTION TO BE INSPECTED BY CONSTRUCTION INSPECTOR.
- CONTRACTOR SHALL CONTACT CITY CONSTRUCTION 48-HOURS PRIOR TO STARTING CONSTRUCTION ON THE STORMWATER FACILITY. ANY WORK ON THE FACILITY WITHOUT INSPECTIONS WILL BE REJECTED.
- CONTRACTOR SHALL PROVIDE CITY CONSTRUCTION WITH TESTING DATA AS PER CITY OF PORTLAND STANDARD CONSTRUCTION SPECIFICATIONS SECTION 01040.13 - SOIL TESTING 14 DAYS PRIOR TO CONSTRUCTION.
- SEE CITY OF PORTLAND STANDARD CONSTRUCTION SPECIFICATIONS SECTION 01040.14(D) - STORMWATER FACILITY TOPSOIL.
- INSTALL TOPSOIL IN A MANNER THAT ENSURES ADEQUATE INFILTRATION. PLACE IN TWO EQUAL LIFTS. (IF NO DRAIN ROCK IS SPECIFIED, ADD THE FOLLOWING NOTE: ROTO-TILL THE FIRST LIFT INTO NATIVE SOIL.) LIFTS SHOULD NOT BE COMPACTED, BUT RATHER PLACED IN A MANNER TO REDUCE EXCESSIVE EROSION OR SETTLEMENT. LIFTS MAY BE LIGHTLY WATERED TO ENCOURAGE NATURAL COMPACTION OR, IF NECESSARY ROLLED WITH A WATER-FILLED LANDSCAPE ROLLER. SLIGHTLY OVERFILL THE FACILITY ABOVE PROPOSED FINISHED GRADE TO ACCOMMODATE NATURAL SETTLEMENT.
- AFTER THE STORMWATER FACILITY CONSTRUCTION STARTS, THE CITY INSPECTOR IS REQUIRED TO CHECK ON THE PROGRESS OF THE JOB AS NECESSARY UNTIL THE FACILITY HAS BEEN PLANTED. CONSTRUCTION DELAY WILL RESULT IN ADDITIONAL FEES.
- FOLLOWING SWALE CONSTRUCTION, PLANTING SHALL OCCUR BETWEEN SEPTEMBER 1 AND NOVEMBER 1, OR BETWEEN FEBRUARY 1 AND APRIL 15. IF CONSTRUCTION IS COMPLETED DURING THESE TIME PERIODS, PLANTING SHALL OCCUR IMMEDIATELY. IF CONSTRUCTION IS COMPLETED OUTSIDE OF THESE TIME PERIODS, TOPSOIL SHALL BE COVERED ENTIRELY WITH NORTH AMERICAN GREEN C125BN EROSION CONTROL FABRIC, SECURED WITH 12" WOODEN ECOSTAKE (18" ON-CENTER). PLANTS SHALL BE INSTALLED THROUGH HOLES CUT IN THE EROSION CONTROL FABRIC, AND FABRIC SHALL BE RESTAKED SECURELY FOR STABILITY AND SOIL COVERAGE FOLLOWING PLANTING.
- CONTRACTOR TO PLACE EROSION CONTROL FABRIC OVER STORMWATER FACILITY AND SURROUNDING AREA TO PREVENT EROSION DURING WET WEATHER CONDITIONS. FABRIC SHALL BE 100% BIODEGRADABLE COIR FABRIC (NORTH AMERICAN C125BN OR APPROVED EQUAL).
- PLANTS SHALL BE INSPECTED AND APPROVED BY CITY REVEGETATION PROGRAM PRIOR TO PLANTING. CONTACT THE CITY PUBLIC WORKS INSPECTOR.
- PERMITTEE AND/OR CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH PUBLIC WORKS O&M FORM. SURVIVAL OF ALL PLANT MATERIAL DURING MAINTENANCE WARRANTY PERIOD OF 2 CALENDAR YEARS.



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309 SW 6TH AVENUE, #700
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971-280-8641



CHICK-FIL-A
219 AND WOODLAND
WOODBURN, OREGON

FSR# 05192

REVISION SCHEDULE	
NO.	DESCRIPTION

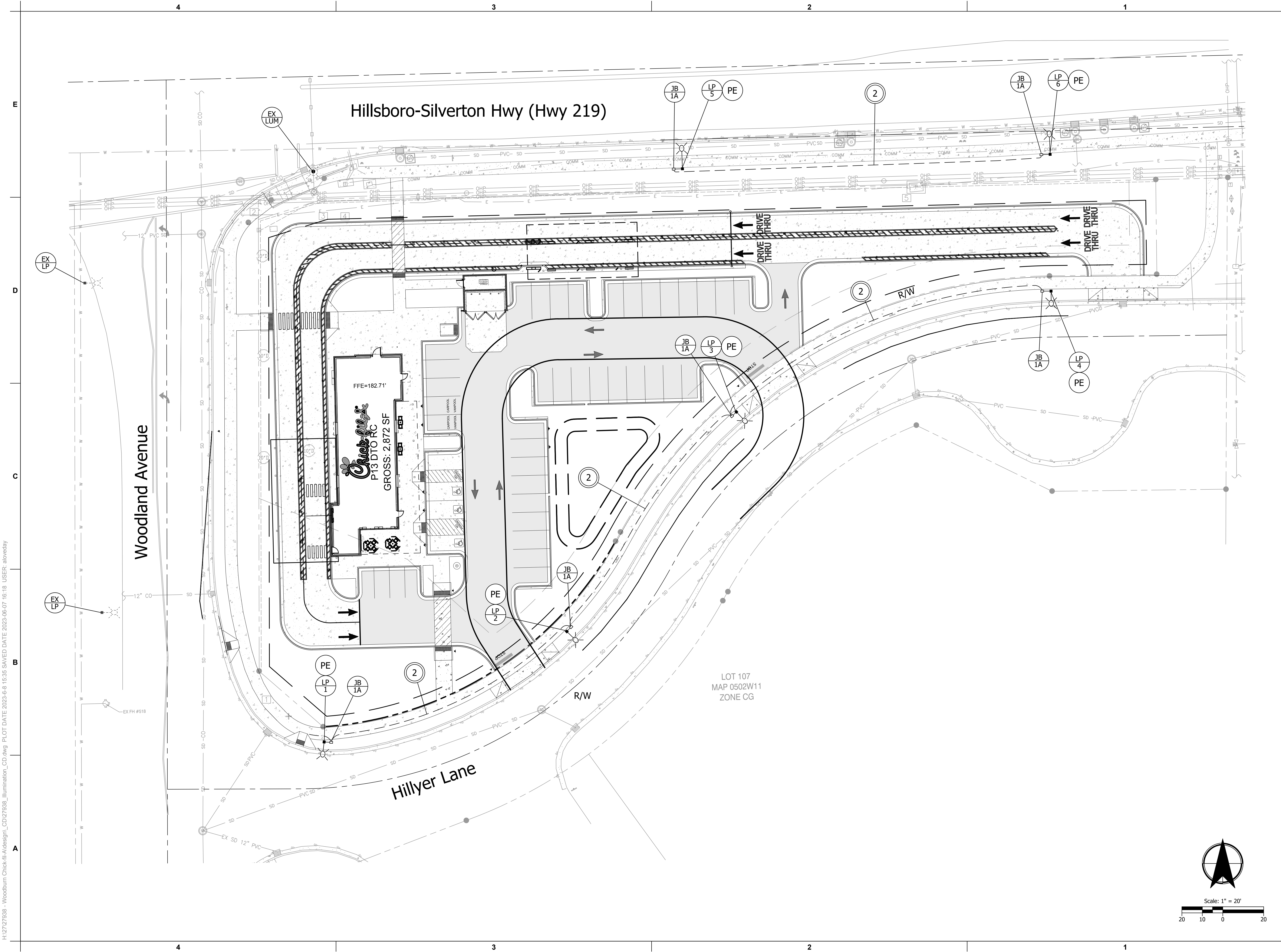
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DATE	06/05/2023
DRAWN BY	WRI

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PLANTING LEGENDS & NOTES

SHEET NUMBER

L1.1



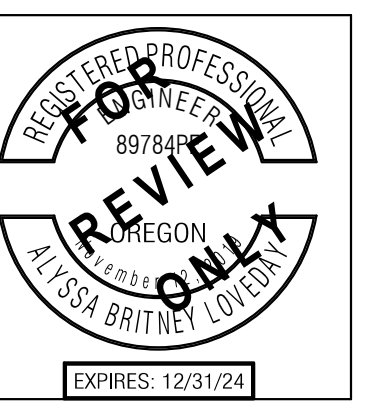
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Atlanta, Georgia
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KITTELSON & ASSOCIATES
851 SW 6TH AVENUE, SUITE 600
PORTLAND, OR 97204
P 503.228.5230



CHICK-FIL-A 219 AND WOODLAND WOODBURN, OREGON

FSR# 05192

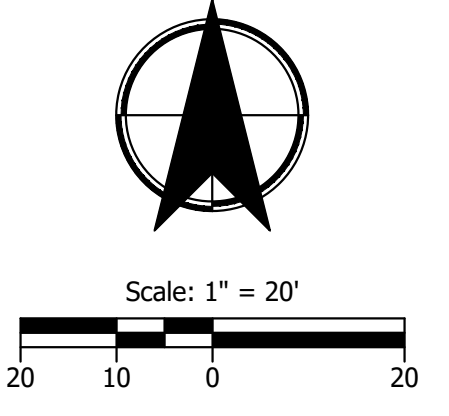
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NO.	DESCRIPTION

CIVIL'S PROJECT #	14866.01
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SHEET
ILLUMINATION PLAN

SHEET NUMBER



GOVERNMENTAL AGENCIES

BUILDING DEPARTMENT
 City of Woodburn
 Community Development Department
 270 Montgomery Street
 Woodburn, OR 97071
 Phone: (503) 982-5250
 Contact Name: TBD
 Contact Email: TBD

BUILDING DATA
BUILDING CODE:
 2019 Oregon Structural Specialty
 Code (OSSC)
PLUMBING CODE:
 2021 State of Oregon Plumbing
 Specialty Code (OPSC)

FIRE DEPARTMENT
 Woodburn Fire District
 1776 Newberg Hwy
 Woodburn, OR, 97071
 Phone: (503) 982-2360
 Contact Name: Korin Petersen
 Contact Email:
 Korin.petersen@woodburnfire.com

MECHANICAL CODE:
 2019 Oregon Mechanical Specialty
 Code (OMSC)

ELECTRICAL CODE:
 2021 State of Oregon Electrical
 Specialty Code (OESC)

HEALTH DEPARTMENT
 Marion County Health Department
 302 West Hayes Street
 Woodburn, OR 97071
 Phone: (503) 981-5851
 Fax: (225) 625-2359

FIRE CODE:
 2019 Oregon Fire Code (OFC)

ACCESSIBILITY CODE:
 2017 ANSI Standard A117.1
 with (yyyy) State Amendments

ENERGY CODE:
 2021 Oregon Energy Efficiency
 Specialty Code (OEESC)



05192
P14 DTO RC
Hwy 219 & Woodland Ave

300 S WOODLAND AVE
WOODBURN, OR 97071



SHEET INDEX

SHEET NUMBER	COVER SHEET	SHEET NAME	ISSUED FOR BID	ISSUED FOR PERMIT	ISSUED FOR CONSTRUCTION
G-000	COVER SHEET				
A-100	SITE PLAN				
A-103	REFUSE ENCLOSURE				
A-201	FLOOR PLAN				
A-230	ROOF PLAN				
A-301	EXTERIOR ELEVATIONS COLOR				
A-302	EXTERIOR ELEVATIONS B&W				
A-303	LINE OF SIGHT STUDY				



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 Leading Design for Commercial Real Estate

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 DENVER, CO 80209
 P 303.561.3333

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WOODBURN, OR 97071

FSR#05192

BUILDING TYPE / SIZE: P14 DTO RC
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PROJECT STATUS

REVISION SCHEDULE		
NO.	DATE	DESCRIPTION

CONSULTANT PROJECT #		SEA22-0026-00
DATE	MM/DD/YY	
DRAWN BY	Author	

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SHEET
COVER SHEET

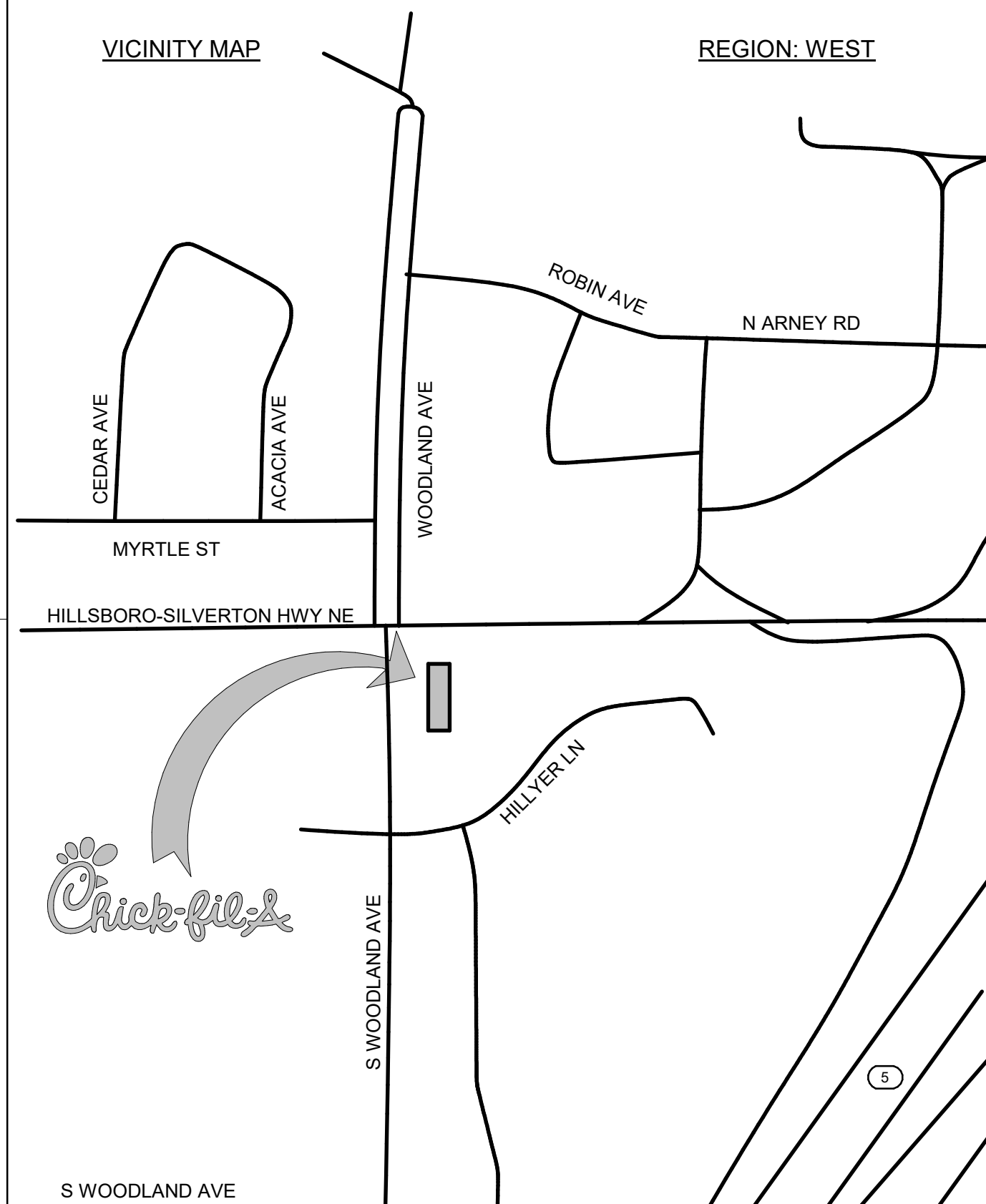
SHEET NUMBER

G-000

Entitlement Package

VICINITY MAP

REGION: WEST



DESIGNNOTES APPLIED IN CURRENT PROJECT

DESIGNNOTE #	REV #	DESCRIPTION
2022-014	0	SRI A - BUILDING LIGHTING
2022-015	0	EXPANDED DIGITAL COCKPIT
2022-016	0	DRIVE - THRU COCKPIT CLEARANCE
2022-017	0	SRI EXTERIOR PAINT
2022-018	0	PROJECT DESIGN WORKFLOW
2022-019	0	ACT CEILING RISER ROOM
2022-020	0	ADD CHEROKEE BRICK AS PREFERRED SUPPLIER & BRICK REGIONAL STRATEGY MAP
2022-021	0	UPDATES TO SOIL-PRETREATMENT PROGRAM AND CONTACT INFO
2022-022	0	DRIVE-THRU DUMP SINK AND HAND SINK

ITEMS OF IMPORTANCE

INCLUDED IN PROJECT	ITEM NUMBER	ITEMS OF IMPORTANCE	ITEM DESCRIPTION
Yes	1	ITEMS OF IMPORTANCE	

*NOTE: REVISION SCHEDULE ABOVE MAY NOT LIST REVISIONS TO ALL DISCIPLINES. REFER TO REVISED DRAWINGS FOR CHANGES TO SHEETS NOT LISTED HERE.

ARCHITECT
WARE MALCOMB
 Street Address
 City, State, Zip Code
 Phone:
 Fax:
 Contact Name:
 Contact Email:

STRUCTURAL
CTS
 1215 W Rio Salado Pky #200
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 Phone: 480.774.1700
 Contact Name: Richard Dahlmann
 Contact Email:
 rdahlmann@ctsaz.com

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 14901 Quorum Drive
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 Phone: 972.387.3500
 Contact Name: Ryan Pilarcik
 Contact Email:
 ryan.pilarcik@rtmec.com

CIVIL
DOWL
 Phone: 917.280.8654
 Contact Name: Jenn Glueck
 Contact Email: jglueck@dowl.com



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Hwy 219 & Woodland

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REVISION SCHEDULE

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CONSULTANT PROJECT # SEA22-0026-00

DATE 04/11/2023

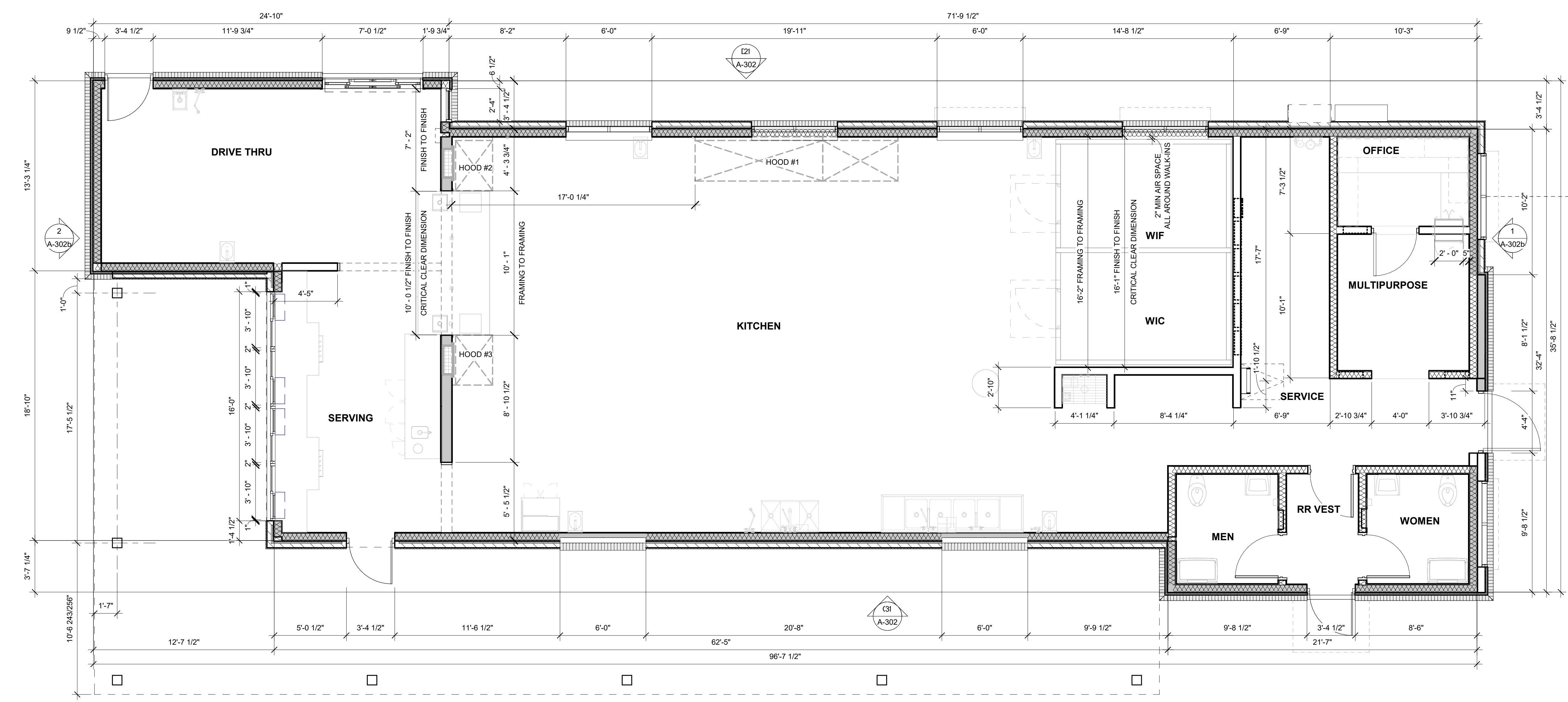
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SHEET
FLOOR PLAN

SHEET NUMBER

A-201



1 FLOOR PLAN
1/4" = 1'-0"

Autodesk Docs//OR_051922_Hwy 219 & Woodland Avenue FSU_2022.3_BTS/05192_Hwy 219 & Woodland Avenue FSU_ARC.rvt
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REVISION SCHEDULE

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CONSULTANT PROJECT # SEA22-0026-00

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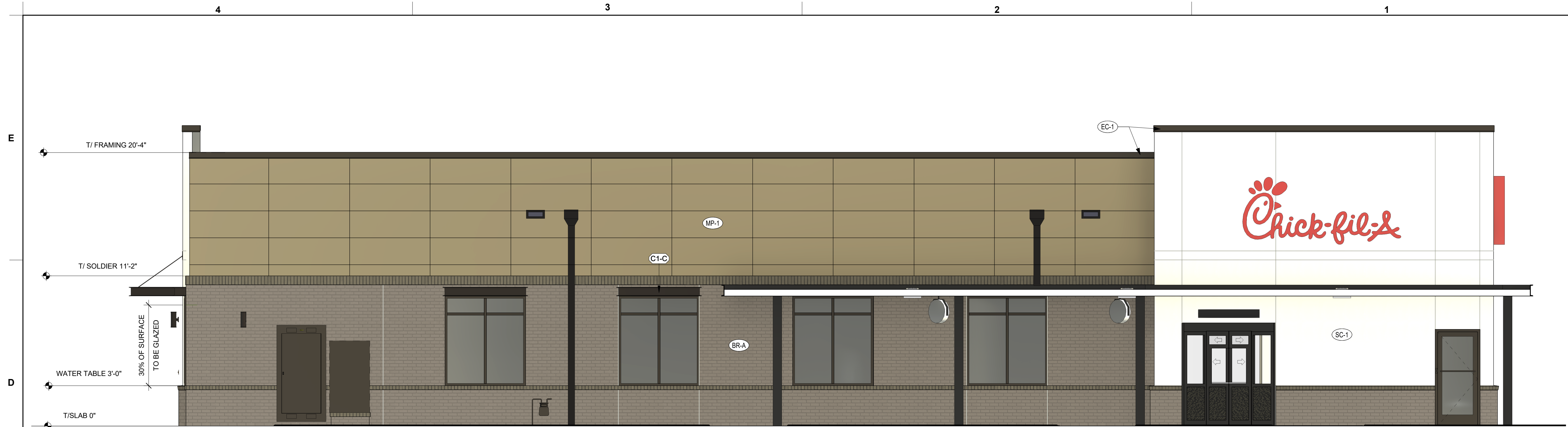
SHEET

EXTERIOR ELEVATIONS

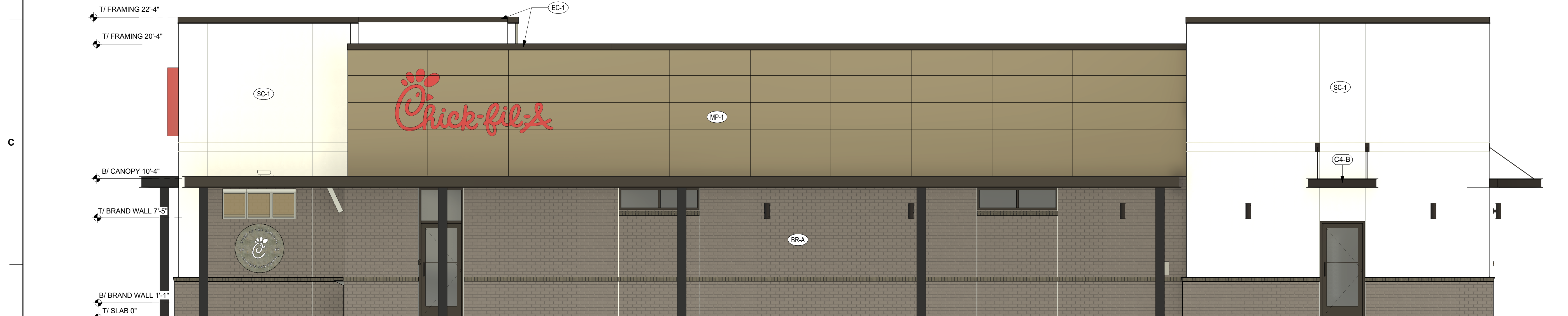
COLOR

SHEET NUMBER

A-301



D1 EXTERIOR ELEVATION
1/4" = 1'-0"



C1 EXTERIOR ELEVATION
1/4" = 1'-0"

FINISH SCHEDULE - EXTERIOR

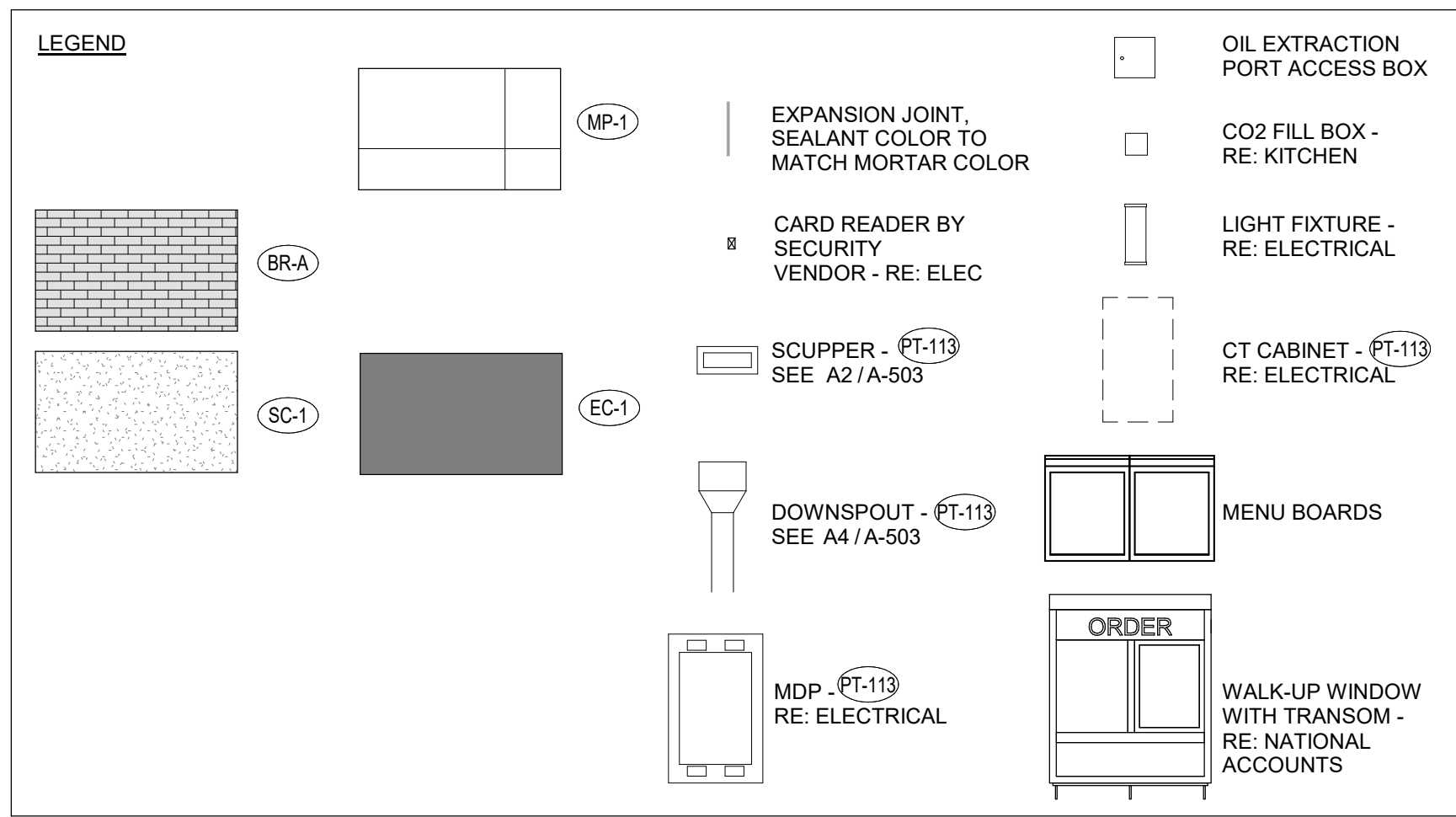
MARK	DESCRIPTION	MANUFACTURER	MODEL NAME	MODEL NUMBER	COLOR	NOTE
BR-A	BRICK VENEER (PRIMARY)		MODULAR			SEE APPROVED BRICK ALTERNATES
CP-1	CANOPY METAL FASCIA		DURA COAT	DC19ST-2703	DARK BRONZE	OIL RUBBED BRONZE METALLIC TEXTURE PVD
CP-2	CANOPY METAL DECK				WHITE	SMOOTH WHITE, HIGH GLOSS
EC-1	PARAPET WALL COPING	DUROLAST / EXCEPTIONAL METALS			MIDNIGHT BRONZE	
MP-1	METAL PANEL	EN-V	HORIZONTAL PANEL STACKED, WITH CORNER WRAP	SW 6172	HARDWARE	LT726-70CL 70% 3-COAT NON IN-HOUSE BLENDABLE
PT-100	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC #B66-350	SW 2807	ROOKWOOD	REFUSE ENCLOSURE. FINISH: SEMI-GLOSS ON DOOR FRAMES, SATIN ON WALLS
PT-113	EXTERIOR PAINT	SHERWIN WILLIAMS	SHER-CRYL HIGH PERFORMANCE ACRYLIC #B66-350		DARK BRONZE	FINISH: SEMI-GLOSS
SC-1	STUCCO	STO	POWERWALL		WEST HIGHLAND WHITE	FINISH: SAND MEDIUM
ST-1	STOREFRONT	YKK	YES 45		DARK BRONZE (MATTIE)	

GENERAL NOTES
1. ALL SIGNAGE PROVIDED BY OTHERS
2. REF FLOOR PLAN AND WINDOW LEGEND FOR STOREFRONT INFORMATION

CANOPY NOTES:
BUILDING MOUNTED CANOPIES - 8" THICK CANOPY - KYNAR FINISH OF STRUCTURE, FASCIA, & DECKING TO MATCH (CP-1)
COLUMN MOUNTED CANOPIES - 10" THICK CANOPY - FINISH OF STRUCTURE TO BE (CP-1) - FINISH OF DECKING TO BE (CP-2)

ATTACHED CANOPY SCHEDULE

Mark	Description	Count	Overall Width	Overall Depth	Tie Back Mounting (Offset From Top)	Integral Lighting
C1-C	Exterior Canopy	4	6'-4"	1'-0"	0"	No
C4-B	Exterior Canopy	2	5'-4"	4'-0"	2'-4"	Yes
Grand total		6				



APPROVED BRICK ALTERNATES
(SEE NATIONAL ACCOUNTS LIST FOR CONTACT INFORMATION)

FINISH	MANUFACTURER	MODEL	MORTAR	PLANT LOCATION	PREFERRED REGION(S)
BR-A (PRIMARY BRICK)					
BR-27	ACME BRICK	SLATE GRAY	ARGOS, SAN TAN	ELGIN, TX	ALL

Autodesk Docs://OR_05192_Hwy 219 & Woodland Avenue FSU_2022.3_BTS/05192_Hwy 219 & Woodland Avenue FSU_ARC.rvt
4/13/2023 9:53:37 AM
10-DTO-05192-A-301-EXTERIOR ELEVATIONS COLOR



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PROJECT STATUS

REVISION SCHEDULE		
NO.	DATE	DESCRIPTION

CONSULTANT PROJECT # SEA22-0026-00

DATE 04/11/2023

DRAWN BY Designer

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SHEET

EXTERIOR ELEVATIONS

COLOR

SHEET NUMBER

A-301b



1 EXTERIOR ELEVATION
 1/4" = 1'-0"



2 EXTERIOR ELEVATION
 1/4" = 1'-0"

Autodesk Docs://OR_05192_Hwy 219 & Woodland Avenue FSU_2022.3_BTS/05192_Hwy 219 & Woodland Avenue FSU_ARC.rvt
 4/13/2023 9:53:52 AM
 DTO-05192-A-301b-EXTERIOR ELEVATIONS COLOR



Chick-fil-A

Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998

SITE
ADAPT
LOGO
AND
ADDRESS

PROTOTYPICAL SET

NOT FOR
REGULATORY
APPROVAL,
BIDDING, OR
CONSTRUCTION

CHICK-FIL-A
Hwy 219 & Woodland
300 S WOODLAND AVE
WOODBURN, OR 97071

#05192

BUILDING TYPE / SIZE: P14 DTO RC
RELEASE: 22.08

PRINTED FOR

PROJECT STATUS

REVISION SCHEDULE

NO. DATE DESCRIPTION

CONSULTANT PROJECT # SEA22-0026-00

DATE 04/11/2023

DRAWN BY Designer

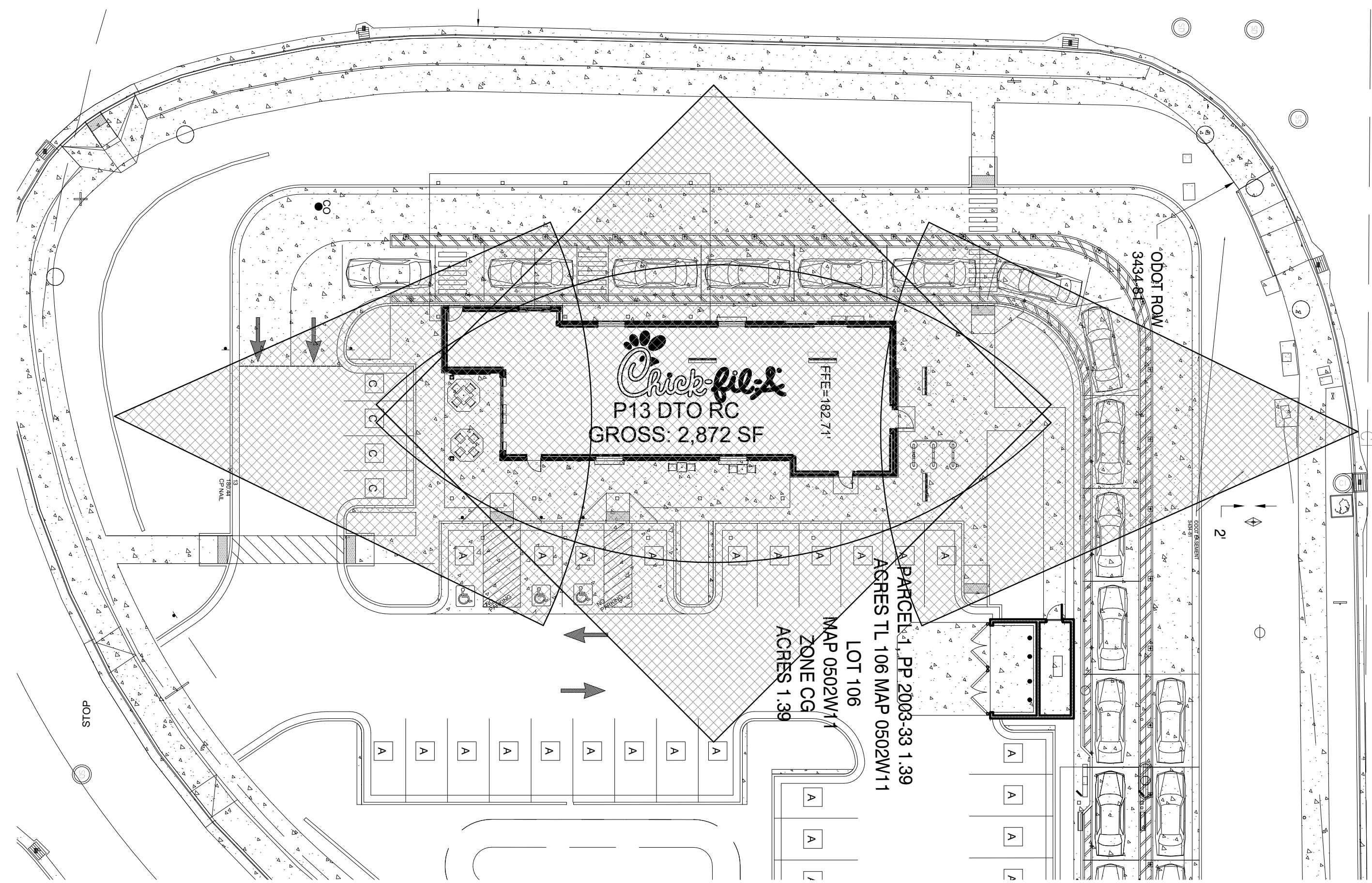
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SHEET

LINE OF SIGHT STUDY

SHEET NUMBER

A-303



1 SITE LEGEND
1" = 20'-0"



PERSPECTIVE VIEW 1
N.T.S.



PERSPECTIVE VIEW 2
N.T.S.



PERSPECTIVE VIEW 3
N.T.S.



PERSPECTIVE VIEW 4
N.T.S.

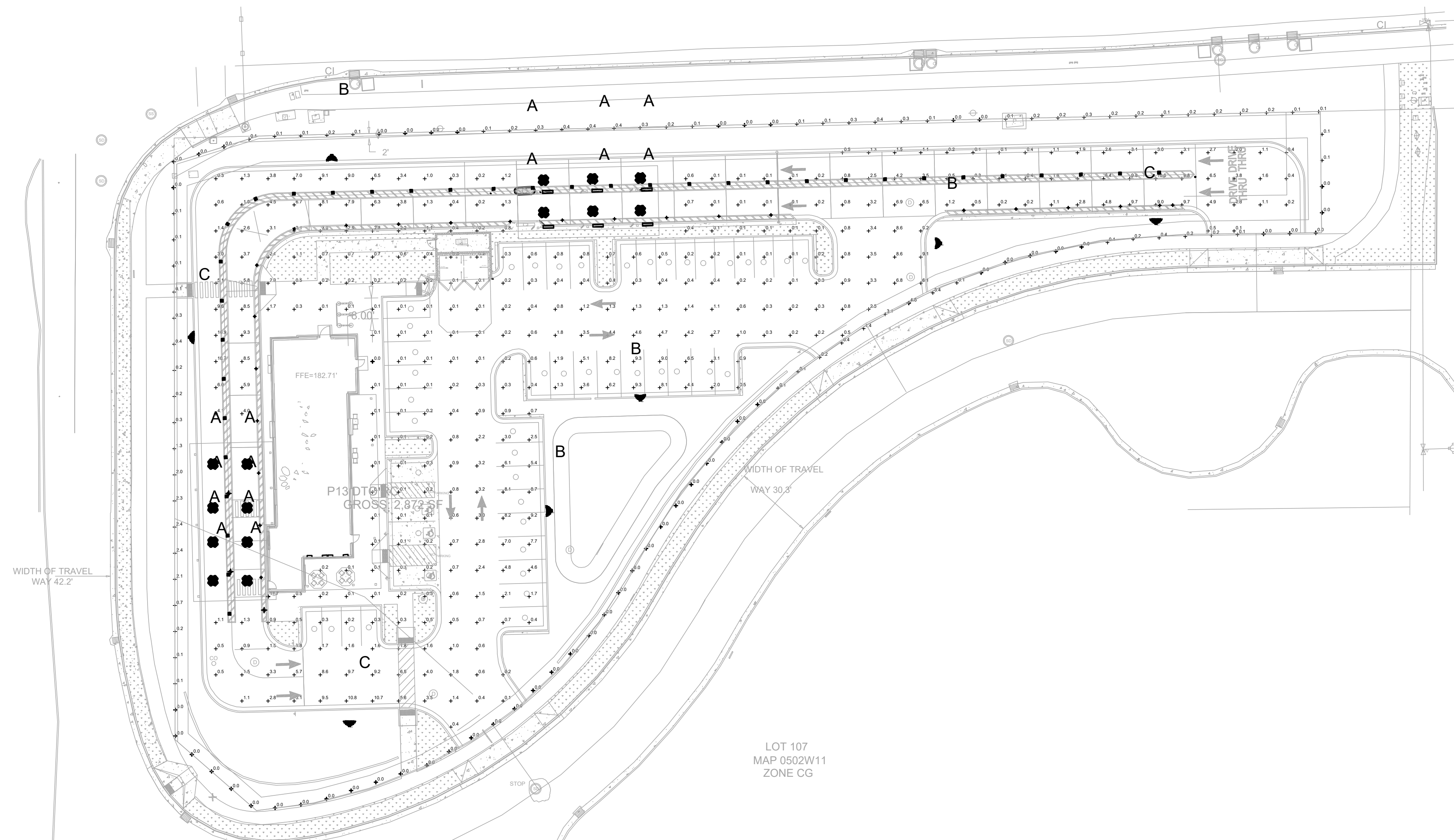
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4/13/2023 9:54:48 AM
DTO-05192-A-303-LINE OF SIGHT STUDY

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	A	10	Lithonia Lighting	DSXSC LED 30C 1000 30K T5E MVOLT	DSX SURFACE CANOPY FIXTURE WITH 3 LIGHT ENGINES, 1000mA DRIVER, 3000K LEDs, T5E OPTIC.	LED	1	DSXSC_LED_30C_1000_ 30K_T5E_MV.OLT.ies	10725	1	107
	B	4	LSI LIGHTING	MRM-LED-18L-SIL-FT-30-70CRI	MIRADA MEDIUM (MRM)OUTDOOR LED AREA LIGHT, 18L LUMEN PACKAGE, TYPE "FT" LIGHT DISTRIBUTION, 70CRI, 3000K LEDs MOUNTED AT 14.5' W/ 6" EXTERNAL HOUSE SIDE SHIELD #EHS-MRM-BLK-60	LED	1	MRM-LED-18L-SIL-FT-30-70CRI.ies	ABS.	1	135
	C	3	LSI LIGHTING	MRM-LED-18L-SIL-3-30-70CRI	MIRADA MEDIUM (MRM)OUTDOOR LED AREA LIGHT, 18L LUMEN PACKAGE, TYPE "3" LIGHT DISTRIBUTION, 70CRI, 3000K LEDs MOUNTED AT 14.5' W/ 6" EXTERNAL HOUSE SIDE SHIELD #EHS-MRM-BLK-60	LED	1	MRM-LED-18L-SIL-3-30-70CRI.ies	ABS.	1	135

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Parking Lot	+	2.3 fc	17.7 fc	0.1 fc	177.0:1	23.0:1
Property Line	+	0.3 fc	4.6 fc	0.0 fc	N/A	N/A

PHOTOMETRIC DISCLAIMER

THIS PLAN REPRESENTS A SOFTWARE SIMULATED PHOTOMETRIC STUDY OF THE EXTERIOR SITE LIGHTING. IT WAS CREATED UNDER THE ENGINEER'S SUPERVISION; HOWEVER THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE SOFTWARE OR LIGHT FIXTURE DATA. SOFTWARE USED WAS TO GENERATE THIS DOCUMENT ALONG WITH THE IES DATA FILES PROVIDED BY THE LIGHT FIXTURE MANUFACTURER. THIS PLAN INDICATES THE SIMULATED LIGHT INTENSITY CALCULATED IN FOOT CANDLES AT GRADE LEVEL. THE SIMULATION DOES NOT TAKE INTO EFFECT A CHANGE IN GRADE ELEVATION OR THE ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS AND OTHER VARIABLE FIELD CONDITIONS. THE LIGHT LEVELS ARE CALCULATED ON A HORIZONTAL PLANE 0 FT AFG.



PRINTED BY: JONATHAN HOFFMAN Feb 10, 2023 - 2:53pm
 DRAWING: 220222.WMA.202 CHICK-FIL-A 05192 - WOODLAND AVE WOODBURN OR\03 DESIGN DRAWINGS\22.WMA.202 - E-1.0.DWG
 XREFS: L:\ASAC\DWG DL SIGNATURE.DWG

**Attachment 103
Sheet 13 of 13**

This conceptual design is based upon a preliminary review of entitlement requirements and on unverified and possibly incomplete site and/or building information, and is intended merely to assist in exploring how the project might be developed.

1" = 20'

0 10 20 40 100 NORTH



Chick-fil-A
5200 Buffington Rd.
Atlanta Georgia,
30349-2998

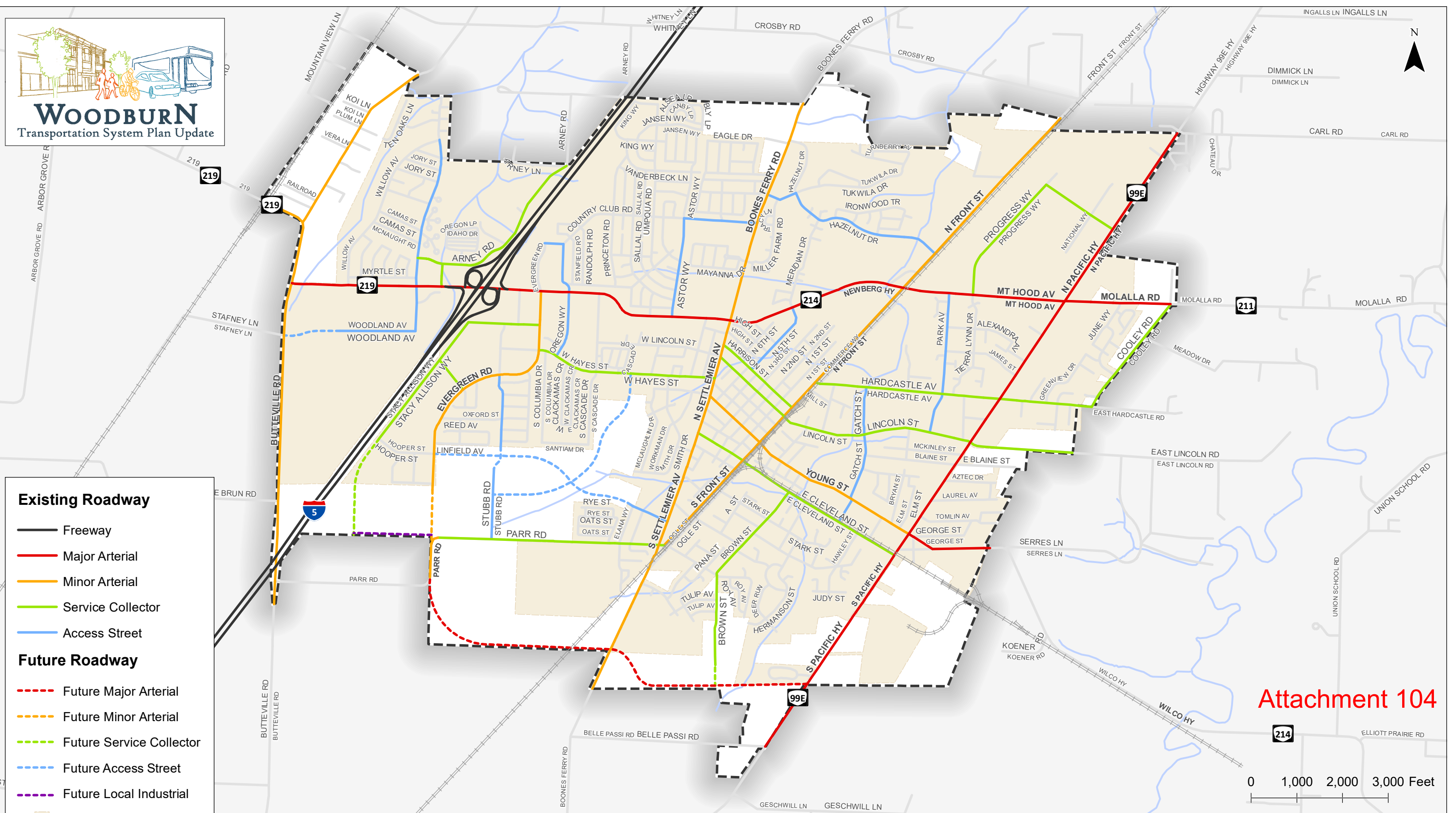
E-1.0

Photometric Site Plan
HWY 219 & WOODHAVEN
WOODBURN, OREGON

WARE MALCOMB

12.16.2022

SHEET
E-1.0



Existing Roadway

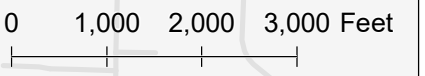
- Freeway
- Major Arterial
- Minor Arterial
- Service Collector
- Access Street

Future Roadway

- - - Future Major Arterial
- - - Future Minor Arterial
- - - Future Service Collector
- - - Future Access Street
- - - Future Local Industrial

- City Boundary
- Urban Growth Boundary

Attachment 104



**Functional Roadway Classification
Woodburn, Oregon** Figure
2

Note: Future roadway alignments are approximate and subject to further refinement.

Coordinate System: NAD 1983 HARN StatePlane Oregon North FIPS 3601 Feet Intl
Data Source: City of Woodburn, Oregon Department of Transportation

H:\1212\1071 - Woodburn TSP Update\GIS\TSP02 Functional Roadway Classification.mxd - mmccormick - 5:25 PM 9/18/2019

Colin Cortes

From: Chris Kerr
Sent: Tuesday, May 30, 2023 10:48 AM
To: Andrew Hunt
Cc: steve.schwartz@cfacorp.com; Mariah Mitchell; Colin Cortes; Dan Handel
Subject: RE: Woodburn app status DR 22-26 Chick-fil-A 300 S. Woodland Ave [east bike/ped path]

Good morning: I can follow-up on this since Colin is out of the office.

You are correct that no variance is necessary and the boundary street improvements are not required. The request to improve the walkway and review for ADA compliance will be included as part of the recommended conditions of approval.

Per the WDO, it is technically boundary street. However, the WDO allows for the Director to determine lessor requirements based on site conditions. We are comfortable that the unusual nature this ODOT ROW does not justify the need for a variance.

Thanks

Chris Kerr

Community Development Director
Ph. (503) 980-2445

[City Website](#)



270 Montgomery St | Woodburn, OR 97071

From: Andrew Hunt <ahunt@4Gdev.com>
Sent: Tuesday, May 30, 2023 10:07 AM
To: Dan Handel <Dan.Handel@ci.woodburn.or.us>
Cc: steve.schwartz@cfacorp.com; Mariah Mitchell <mmitchell@dowl.com>; Chris Kerr <Chris.Kerr@ci.woodburn.or.us>; Colin Cortes <Colin.Cortes@ci.woodburn.or.us>
Subject: RE: Woodburn app status DR 22-26 Chick-fil-A 300 S. Woodland Ave [east bike/ped path]

**** This email is from an EXTERNAL sender. Exercise caution when opening attachments or click links from unknown senders or unexpected email. ****

Good morning Dan,

We're preparing our completeness package response for resubmittal and haven't heard back from the city on the pedestrian path noted below. After calling the city, it appears that Colin is out of office and will be for some time.

After some review, it sounds as though the city/city-director (unsure who that is, sorry) has determined that the east-boundary path is potentially **not a boundary street** and the request to widen/improve the path would be a suggested condition of approval, not a requirement. I believe this aligns with a prior conversation that our land use planner (Mariah Mitchell) confirmed with you directly back in November of 2022.

Attachment 105

BUS STOP CHANGES

Figure 63 Preferred Service Plan Bus Stop Changes

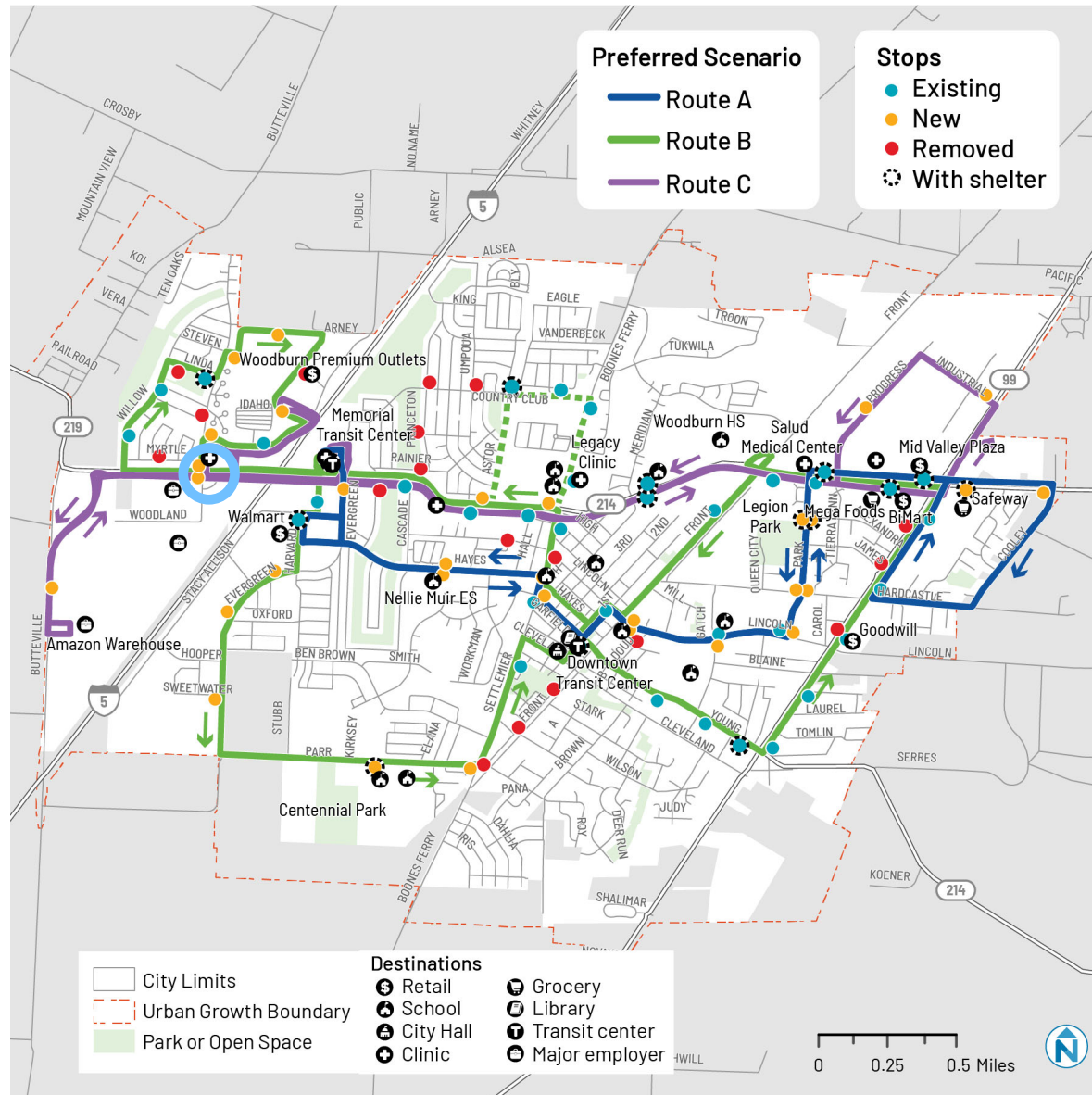


Figure 63 shows all existing, new, and removed bus stops that correspond to the Preferred Service Plan. New stops are required in areas where service is added and stops where service is eliminated would need to be removed. The following is a summary of where stops are added or removed.

- 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 106A

CAPITAL PLAN

Estimated capital costs over the life of the planning horizon are summarized below in Figure 68, which summarizes the estimated costs associated with planned vehicle replacements as well as capital improvements associated with the service improvements. Capital improvements include vehicle expansion, new bus stops, and technology improvements. Details for each of these capital improvement categories are provided below.

Figure 68 Financial Plan – Capital Costs (FY 2022/23 – FY 2029/30)

Capital Improvement	Current	Near-Term			Mid-Term			Long-Term	Notes
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	
Paratransit vehicle replacement	\$80,000	\$360,000	\$82,000						1, 2
Fixed route vehicle replacement	\$340,000		\$480,000						1, 2
Fixed route vehicle expansion (Route C)		\$1,108,000							3
Electric vehicle chargers/infrastructure		\$321,000							4
Fixed route vehicle expansion (Routes A and B)					\$1,246,000		\$1,348,000		3
New basic bus stops		\$77,500							5
New enhanced bus stops		\$60,000		\$30,000		\$30,000		\$30,000	6
Annual Total	\$420,000	\$1,926,500	\$562,000	\$30,000	\$1,246,000	\$30,000	\$1,348,000	\$30,000	

Notes:

- 1: Estimated vehicle replacement costs based on figures from City of Woodburn. 2022/23 vehicle replacements already procured.
- 2: Includes one modified minivan and two Cutaway vans.
- 3: Estimated cost based on quote received by City of Woodburn. Future year estimates include a 20% contingency and an annual 4% cost increase.
- 4: Assumes new Level 3 chargers that can charge 3 vehicles (\$130,000) and infrastructure upgrades (\$191,000). Costs are based on vendor quotes and estimated infrastructure upgrade costs from PGE.
- 5: Assumes \$2,500 per basic bus stop. This includes the bus stop pole, signage, and new level concrete pad.
- 6: Assumes \$15,000 per enhanced bus stop. This includes design and construction of a new bus stop pad, new bus stop pole and signage, and new shelter with bench.



FUTURESTRUCTURE INFRASTRUCTURE

Despite Being Safer, Underground Power Lines Are Very Expensive

With conversation swirling about the role power lines played recent California wildfires, some say burying the lines would simply be too costly.

October 23, 2017 • David R. Baker, San Francisco Chronicle

(TNS) -- Underground power lines don't sway in the wind. Tree branches blown sideways by a gale can't hit them. They don't sit on wooden poles that can fall down.

They would, in other words, seem to be an ideal way to prevent wildfires in a place like California, which has a history of big blazes sparked by overhead power lines tangling with trees. Investigators are now trying to determine whether that combination triggered the wildfires that tore through the Wine Country this month.

Unfortunately, underground power lines are also very expensive.

And if Pacific Gas and Electric Co., whose overhead lines are facing scrutiny as a possible cause of the North Bay fires, were to bury more of its system, that cost would be borne by the company's customers. It would not come out of PG&E's profits. Placing more lines underground could even raise those profits, since under California regulations, utilities make a guaranteed rate of return on the value of all the equipment they own.

"We think it's so expensive that it's really not feasible," said Mark Toney, executive director of The Utility Reform Network watchdog group.

A new underground distribution line across most of PG&E's territory costs about \$1.16 million per mile, according to data filed with state regulators during the utility's most recent general rate case. That's more than twice the price of a new overhead line, which

costs about \$448,800 per mile. Most of the difference comes from the expense of digging a trench for the cable.

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Prices rise within cities, where the work is more complex. A [2015 San Francisco report](#) found that recent costs for moving power lines underground in Oakland had averaged \$2.8 million per mile, while similar work in San Jose had cost \$4.6 million per mile.

And burying high-voltage transmission lines — the kind usually strung from immense steel towers across long distances — can cost as much as \$5 million per mile, according to PG&E.

The utility operates more than 134,000 miles of overhead power lines of one voltage or another across Northern and Central California. So while placing power lines underground in areas filled with flammable vegetation may sound sensible, it is far from

cheap: It would cost well over \$100 billion to do across PG&E's entire territory.

“Do we want to tear up the whole Oakland hills — a high fire hazard area — to do undergrounding?” asked Michael Picker, president of the California Public Utilities Commission. “There's never going to be a perfect solution. A lot depends on how much people are willing to spend to approach the next level of safety.”

San Francisco has particularly painful experience with the costs of burying lines.

For 10 years starting in 1996, the city worked with PG&E to place underground 45.8 miles of overhead lines, with the utility estimating a cost of \$1 million per mile. Instead, the final price came in at **\$3.8 million per mile**.

California regulations use a formula for allocating some money each year from utility customers' bills to undergrounding projects in cities that want to bury their power lines. San Francisco's 10-year project ran so far over budget that it used up all the money that would be available to the city through 2032, according to a city report. That brought undergrounding within the city to a halt.

Price is not the only pitfall.

Repair crews have no trouble spotting a knocked-over power pole or downed line. But when an underground line fails, operators first have to figure out where the problem occurred, without being able to see it — though sensors attached to the power lines can help narrow things down. Then they have to dig.

“You may know it's within a certain distance, but you don't know exactly where it is,” said Andrew Phillips, director of transmission studies at the Electric Power Research Institute, a think tank serving the utilities industry. “And fixing it is very expensive, and that means the outage time is a lot longer.”

There's also the issue of cutting trenches through environmentally sensitive areas. And in more urban settings, workers who don't know the location of an underground line may dig into it, a problem that plagues natural gas pipelines as well. The power research institute's office in Charlotte, N.C., recently lost power for an afternoon after someone accidentally hit an underground power cable in the neighborhood, Phillips said.

“Some guy with a backhoe was working on the traffic light, and he dug into the line — and everyone had to go home,” he said.

Most undergrounding takes place in towns and cities, for aesthetic reasons.

Urban streetscapes already contain a maze of infrastructure below the surface — water and sewer pipes, fiber-optic cable — so undergrounding can often be combined with other jobs to minimize the disruption.

PG&E undergrounds about 30 miles of electric lines each year. Other utilities have been more aggressive. San Diego Gas and Electric Co., a far smaller utility, says that 60 percent of its lines are now underground. That even includes small stretches of rural lines running through areas considered particularly prone to wildfires. The city of San Diego also placed a high priority on moving lines underground and set up its own funding system to support the work.

At the current pace, moving all of California’s utility lines underground would take 1,000 years, according to the California Public Utilities Commission.

PG&E has replaced hundreds of toppled or damaged power poles in the North Bay since the Oct. 8 windstorm and the wildfires that followed. It remains unclear whether PG&E’s equipment may have helped start the fires or whether the fires damaged the equipment.

Either way, PG&E does not consider undergrounding a panacea.

“We serve urban areas, and we also serve really rural areas, so where’s the tipping point where undergrounding makes sense?” said PG&E spokesman Keith Stephens. “We want to provide safe and reliable service that’s also affordable. So it’s a balance of those three things.”

Moving

power lines underground can help prevent fires

at a price

Miles of overhead power lines in PG&E territory: 134,000

Cost of underground lines, per mile: \$1.16 million to \$5 million

Miles of power lines PG&E undergrounds per year: 30

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Mr. Cortes,

Thank you for conducting and sending along an incompleteness letter dated 01-20-2023 for a newly proposed Chick-fil-A restaurant with drive-through facilities located at 300 S. Woodland Ave (Tax Lot 052W110000106).

One of the conditions mentioned in the incompleteness letter was a request to align with a new undergrounding effort proposed by the City of Woodburn, OR. Per a separate call with you and your team, after receipt of this letter, we now understand that there is not an official in-lieu fee table or adopted fee schedule in relation to undergrounding efforts. As such, options were presented to Chick-fil-A to either proceed with the physical undergrounding (with the utility purveyor's help) efforts during Chick-fil-A's development process or to resolve an "in-lieu of" fee for potential future undergrounding that the city may or may not decide to do at a later undetermined date and time.

After extensively reviewing comparable surrounding cities, we have found the following costs as they relate to undergrounding electrical facilities for applicants.

- The City of Gresham, OR charges their in-lieu underground fees at 1% of total project valuation (up to \$5,000,00). With a conservative project cost estimation of \$3,000,000, this would equate to an undergrounding fee of approx. \$30,000. See details on page 69 on 75 for the Gresham Fee Schedule, see also GCDC Appendix 5.510.
- The City of Beaverton, OR charges that similarly sized telephone, cable TV and electrical wires requiring undergrounding are approximately \$125 per frontage linear foot and this would equate to \$60,000 given that Chick-fil-A frontage is 470 linear feet, if the entire frontage is used to calculate fees. This estimation was provided by assuming that Type II wires (See table 60.65.25.3 of the B.D.O.– Sub-feeder with at least 3 poles) are being undergrounded, in conjunction with telephone and Cable TV wires, for the entire frontage. Please see "IN-LIEU FEE SCHEDULE" for more details, where Electrical (\$83/l.f.), Telephone (\$26/l.f.) and Cable Television (\$16/l.f.) are included.

Attachment 107B



- The City of Woodburn, OR does not, to our knowledge, have a defined resolution or adopted fee schedule including these specific underground fees. In such a case, the city has provided an unofficial ballpark cost of approximately \$267,000 which is a product of \$568 per frontage foot for undergrounding, where our project includes 470 linear frontage feet.
- PGE's estimate (via Kenneth Spencer) to underground facilities for this subject site is approximately \$600,000, including work to install one pole and remove two. PGE will also need to install a pad-mounted switch near the intersection of Hwy. 219 and Woodland Ave.

Furthermore, we understand that staff reports for the recent McDonald's redevelopment located along Hwy 214 at 2910 Newberg Hwy, Woodburn, OR 97071 and Dutch Bro's (Case DR2013-01) also located along Hwy 214 at 2720 Newberg Hwy, Woodburn, OR 97071 did not appear to include any such language pertaining to undergrounding electrical power lines. And consequently these overhead power lines have not been underground to-date. These overhead power lines along these two recently developed property frontages do also appear to meet the same requirements that Chick-fil-A's power lines meet, which are 1) that the poles are not high-voltage lines (35k volts or more) and 2) that undergrounding would not result in more poles installed. In this case, undergrounding would also be required.

Understanding that development is always changing with newer and more modern standards, Chick-fil-A can understand a city's desire to underground current overhead power poles. With that said, this desire to improve city infrastructure, particularly significant off-site infrastructure that would arguably more-so benefit the city and future nearby establishments as a whole, should not necessarily be a requirement for an applicant to bear any significant portion-of or full fiscal responsibility for these efforts.

It is important to note that a significant portion of the applicant's site may not be feasibly developed for most commercial applicants given the shape and location. This is one of the major reasons for the unique drive-thru layout that Chick-fil-A is proposing and consequently, three driveway openings are shown and necessitated. While a possible 65% may be used for a majority of tenants, there is again still a considerable portion of the site that would not be feasible for most developments in the applicant's



opinion. We acknowledge that comparable Oregon cities provide in-lieu fees at a drastically lower amount when compared to the city of Woodburn's ballpark, anticipated related costs. Considering that approximately 65% of our parcel is practically developable for most applicants or users, this would reduce the applicant's applicable linear frontage feet to approximately 300 l.f. [See Exhibit A].

Therefore, with all things considered, the applicant (Chick-fil-A) for this undeveloped site would be willing to work with the city to resolve this discussion according to the following proposal, with the understanding and intent that the applicant is excited to take this unique property and collaboratively find creative solutions to open this store and ultimately make a positive difference in this community for years to come. Chick-fil-A proposes an in lieu-fee number similar to adopted and comparable Oregon cities such as Gresham and Beaverton (of which the average is \$96 per frontage foot) and yet propose \$100 per frontage foot as a reasonable price, applied to the applicable 300 l.f. of frontage.

Chick-fil-A proposes an undergrounding in-lieu fee of \$30,000 to completely resolve W.D.O. Section 3.02.04B.1 and B.2 as they apply to application case DR 22-26, as brought up in the Incompleteness Letter item Part I, Section B.1. received on 01-20-2023.

Please feel free to reach out to the applicant or their consultants with any questions or to schedule further calls or correspondence. Thank you for your consideration.

Kind Regards,

Andrew Hunt – Sr. Project Manager

4G Development and Consulting, Inc.
P.O. Box 270571, San Diego, CA 92198
P: (760) 214-8362, E: ahunt@4Gdev.com



CC: Dago Garcia Dago.Garcia@ci.woodburn.or.us
Angela Bischoff Angela.Bischoff@ci.woodburn.or.us
Curtis Stultz Curtis.Stultz@ci.woodburn.or.us
Cassandra Martinez Cassandra.Martinez@ci.woodburn.or.us
Chris Kerr Chris.Kerr@ci.woodburn.or.us
Steve Schwartz steve.schwartz@cfacorp.com
Andrew Hunt ahunt@4Gdev.com

From: [Andrew Hunt](#)
To: [Colin Cortes](#)
Cc: steve.schwartz@cfacorp.com; [Curtis Stultz](#); [Dago Garcia](#); [Chris Kerr](#)
Subject: RE: Woodburn app status DR 22-26 Chick-fil-A 300 S. Woodland Ave [electric undergrounding]
Date: Tuesday, April 4, 2023 3:50:33 PM
Attachments: [image001.png](#)

**** This email is from an EXTERNAL sender. Exercise caution when opening attachments or click links from unknown senders or unexpected email. ****

Good afternoon Colin,
Your response has been received. Thank you.

Our client will review.

Kind Regards,

Andrew Hunt – Sr. Project Manager
4G DEVELOPMENT AND CONSULTING, INC.
P.O. Box 270571, San Diego, CA 92198
P (760) 214-8362

From: Colin Cortes <Colin.Cortes@ci.woodburn.or.us>
Sent: Thursday, March 23, 2023 5:11 PM
To: Andrew Hunt <ahunt@4Gdev.com>
Cc: steve.schwartz@cfacorp.com; Andrew Mousaw <aMousaw@4Gdev.com>; Curtis Stultz <Curtis.Stultz@ci.woodburn.or.us>; Dago Garcia <Dago.Garcia@ci.woodburn.or.us>; Chris Kerr <Chris.Kerr@ci.woodburn.or.us>
Subject: RE: Woodburn app status DR 22-26 Chick-fil-A 300 S. Woodland Ave [electric undergrounding]

Andrew:

Staff read the sent description (re-attached) about the 300 S. Woodland Avenue electric power pole and overhead line situation and comments that:

1. It's established that Woodburn Development Ordinance (WDO) 3.02.04B.1 applies to the proposed development. Fee in lieu of conformance is permissible per B.2, which refers to 4.02.12. Per 4.02.12A.1, the City could simply allow the requirement to stand and decline to accept fee in-lieu. What's under discussion is the amount that the City would condition in advance were the developer after land use approval to request fee in-lieu. In short, discussing what the fee in-lieu amount might be isn't a guarantee that the City would accept fee in-lieu.
2. Going by [Marion County Tax Map 052W11](#), the frontage is 474 feet (ft; rounded to whole feet) instead of 470 ft.
3. Responding to presenting Beaverton and Gresham as fee in-lieu points of comparison, staff adds:
 - o Hillsboro: Per [Resolution No. 2801](#) (March 7, 2023) last page, the fee in-lieu for the project would be \$215 per ft, equaling \$101,910, higher than Beaverton and Gresham.
 - o Wilsonville: Undergrounding is simply required. There's no fee in-lieu.Staff could add other cities. The additional two are enough to show fuller context.
4. P. 2 describes the Portland General Electric (PGE) estimate via Ken Spencer of \$600,000 to remove and bury (\$1,265.82 per ft). It seems to staff an argument that not only should the

Attachment 107C

draft fee in-lieu not lower, but could increase. This information alone should make acceptable the customary fee in-lieu amount of \$568 per ft (\$269,232).

5. Regarding Dutch Bros. and McDonald's, they pre-date 3.02.04B (Ordinance No. 2602 adopted May 9, 2022).
6. Staff is skeptical of the site described as being infeasible for "most commercial applicants" and is puzzled by, "While a possible 65% may be used for a majority of tenants ...". In any case, the descriptions don't relate to 3.02.04B.
7. Staff wouldn't accept a fee in-lieu of \$30,000 (\$63.29 per ft).
8. The applicant can submit the arguments, as is or revised, through a re-submittal package addressing the incompleteness letter and as part of text addressing WDO 3.02.04B.
9. I stress that staff is on a path to recommend approval (with conditions) instead of denial, and it remains to the Planning Commission to decide upon the staff recommendation, including a conditioned fee in-lieu. The likely outcome is that staff would condition the customary fee in-lieu amount of \$568 per ft or higher based on the aforementioned \$600,000 piece of information, and it would up to the applicant to rebut that through any of written testimony submitted between staff report publication and hearing date, written testimony submitted at the hearing, and speaking at the hearing.

Colin Cortes, AICP, CNU-A

Senior Planner

Ph. (503) 980-2485

[City website](#) | [Community Development Dept.](#)



270 Montgomery St, Woodburn, OR 97071-4730

View:

- [City projects webpage](#)
- [Woodburn Development Ordinance \(WDO\)](#)
- [Zoning map](#)

From: Andrew Hunt <ahunt@4Gdev.com>

Sent: Tuesday, March 14, 2023 3:48 PM

To: Colin Cortes <Colin.Cortes@ci.woodburn.or.us>

Cc: steve.schwartz@cfacorp.com; Chris Kerr <Chris.Kerr@ci.woodburn.or.us>; Cassandra Martinez <Cassandra.Martinez@ci.woodburn.or.us>; Curtis Stultz <Curtis.Stultz@ci.woodburn.or.us>; Dago Garcia <Dago.Garcia@ci.woodburn.or.us>; Angela Bischoff <Angela.Bischoff@ci.woodburn.or.us>; Andrew Hunt <ahunt@4Gdev.com>; Andrew Mousaw <aMousaw@4Gdev.com>

Subject: RE: Woodburn app status DR 22-26 Chick-fil-A 300 S. Woodland Ave

**** This email is from an EXTERNAL sender. Exercise caution when opening attachments or click links from unknown senders or unexpected email. ****

Hi Colin, City Staff,

Thank you for the application status update below and thank you for taking the time to meet with

our team virtually on 02/06/2023 to discuss some of the incompleteness items.

One last item in specific that we would like to resolve prior to our “incompleteness” resubmittal would be the **undergrounding expectation** as highlighted in W.D.O. Section 3.02.04B.1 and B.2.

At your earliest opportunity, please review our attached PDF response to resolve the undergrounding requirement set out by these above-mentioned WDO sections. We look forward to your response.

Thank you.

Kind Regards,

Andrew Hunt – Sr. Project Manager
4G DEVELOPMENT AND CONSULTING, INC.
P.O. Box 270571, San Diego, CA 92198
P (760) 214-8362

From: Colin Cortes <Colin.Cortes@ci.woodburn.or.us>
Sent: Friday, January 20, 2023 4:58 PM
To: steve.schwartz@cfacorp.com
Cc: Andrew Hunt <ahunt@4Gdev.com>; Chris Kerr <Chris.Kerr@ci.woodburn.or.us>; Cassandra Martinez <Cassandra.Martinez@ci.woodburn.or.us>; Curtis Stultz <Curtis.Stultz@ci.woodburn.or.us>; Dago Garcia <Dago.Garcia@ci.woodburn.or.us>; Angela Bischoff <Angela.Bischoff@ci.woodburn.or.us>
Subject: Woodburn app status DR 22-26 Chick-fil-A 300 S. Woodland Ave

Dear Mr. Schwartz:

An application status update (incompleteness letter) for DR 22-26 & VAR 22-15 “Chick-fil-A” [store #05192] at 300 S. Woodland Avenue (Tax Lot 052W110000106) in Woodburn, Oregon is attached.

Colin Cortes, AICP, CNU-A

Senior Planner

Ph. (503) 980-2485

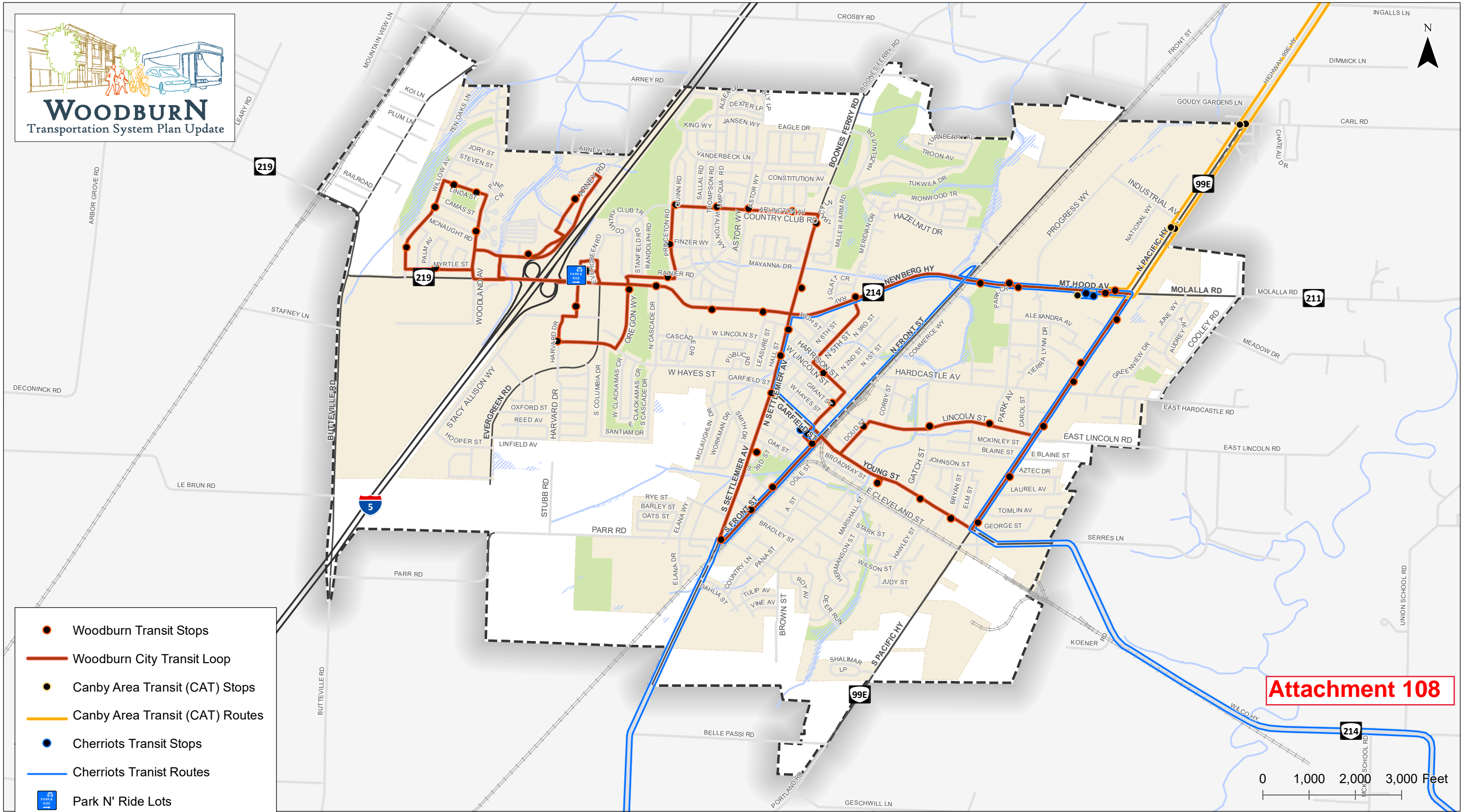
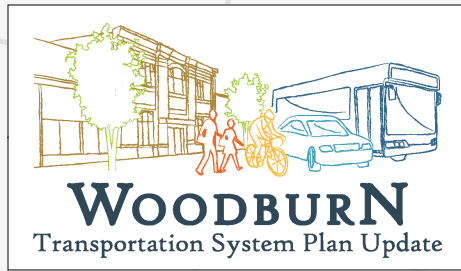
[City website](#) | [Community Development Dept.](#)



270 Montgomery St, Woodburn, OR 97071-4730

View:

- [City projects webpage](#)
- [Woodburn Development Ordinance \(WDO\)](#)
- [Zoning map](#)



- Woodburn Transit Stops
- Woodburn City Transit Loop
- Canby Area Transit (CAT) Stops
- Canby Area Transit (CAT) Routes
- Cherriots Transit Stops
- Cherriots Transit Routes
- P Park N' Ride Lots
- City Boundary
- Urban Growth Boundary

Attachment 108

0 1,000 2,000 3,000 Feet

**Existing Transit Routes and Facilities
Woodburn, Oregon**

**Figure
7**

H:\12121071 - Woodburn TSP Update\GIS\TSP07 Existing Transit Facilities.mxd - rmmccormick - 5:47 PM 9/16/2019

Coordinate System: NAD 1983 HARN StatePlane Oregon North FIPS 3601 Feet Intl
Data Source: City of Woodburn, Oregon Department of Transportation

DR 22-26 Chick-fil-A:

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.
- “C of O” refers to building certificate of occupancy.
- “CAE” refers to cross 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. A staff expectation is that CEP follows land use review and approval, that is, a final decision, and precedes building permit application.
- “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 219.
- “Hillyer” refers to Hillyer Lane. (Note that though the County assessor might label it “Hillyers”, it is “Hillyer” and signed as such in the field.)
- “inc.” means including.
- “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 219” refers to Oregon Highway 219 / Hillsboro-Silverton Highway / Newberg Highway.

- “ORS” refers to Oregon Revised Statutes.
- “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. PW is the project manager for receiving, reviewing, accepting, obtaining City Council approval for, and recording public easement materials that a developer submits.

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.”

- “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.
- “Woodland” refers to [S.] Woodland Avenue. (The “S.” is in brackets because most maps indicate Woodland as North and South, but ODOT or the City hadn’t signed the street as such in the field.)
- “w/i” means within.
- “w/o” means without.
- “VCA” refers to vision clearance area as WDO 1.02 and 3.03.06 establish or as a specific condition establishes. “Sight triangle” is a synonym.

DR 22-26 Chick-fil-A:

Attachment 202: 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

<i>Table 202B. Fee Table</i>					
<i>Condition Reference</i>	<i>Fee Type</i>	<i>Amount</i>	<i>Context</i>	<i>Timing</i>	<i>Staff Tracking:</i>
D1b(2)	Woodland parking lane fee in-lieu	\$4,118.40 per parking space assessed at min 5 spaces	See condition.	By building permit issuance	
D2	Street tree fee in-lieu for street trees omitted through building permit review or civil engineering plan (CEP) review, or, inspection missing tree fee	Along OR Hwy 219: \$500 per tree; Other frontages: \$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	
D4	Bus shelter / enhanced bus stop	\$15,000	Transit Development Plan (TDP) Figures 63 & 68; WDO 3.01.09B	By building permit issuance	
D6	Electric power pole removal and line burial	\$271.11 per lineal ft of frontage assessed at min 441 ft	WDO 3.02.04B & 4.02.12A	By building permit issuance	
V3	Bus transit / transit service fee	\$166 per parking stall assessed for all stalls	See condition.	By building permit issuance	
V6f	Tree removal	Significant Tree: See context note; Insignificant tree: 50% of Significant Tree, per tree.	Per the Planning Division fee schedule , row "Significant Tree mitigation fee", per tree.	By building permit issuance	

Condition Reference	Fee Type	Amount	Context	Timing	Staff Tracking:
G6d through this 200 series 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 .	Upon CEP application to PW, or to ODOT as applicable; in any case no later than building permit issuance	
	Inspections by Planning Division	Public (street) improvements: zero; zero 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	
	Any of (1) Bond / bonding / performance guarantee or (2) public improvements deferral through PW per WDO 3.01.02E: Specifically any that would allow or allows the developer to delay construction of street improvements beyond either final plat, as applicable, or building permit issuance, with the exception of street trees.	\$4,474	Serves as bond or deferral application review request min fee and isn’t a bond amount itself. Fee not applicable to warranty bonds or ordinary construction bonds if they do not authorize delay of construction of street improvements beyond building permit issuance. (See WDO 3.01.02E.)	If CEP context, then payment (through Planning Division) upon CEP application to PW; if developer applies for building permit review and there has been no CEP application to PW, then building permit issuance	

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