

**DEVELOPMENT REVIEW BOARD MEETING**

**MONDAY, SEPTEMBER 9, 2024**

**6:30 PM**

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Public Hearing:

2. **Resolution No. 436 OrePac Site**

**Improvements.** The applicant is requesting approval of a Zone Map Amendment, Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review, Lot Line Adjustment, Right-of-Way Vacation, and Type C Tree Plan for site improvements at the OrePac properties located at 30160 & 30170 SW OrePac Avenue, 30445 SW Boones Ferry Road, and 9655 SW 5th Street.

Case Files:

DB24-0001 OrePac Site Improvements

-Zone Map Amendment (ZONE24-0001)

-Stage 1 Preliminary Plan (STG124-0001)

-Stage 2 Final Plan (STG224-0001)

-Site Design Review (SDR24-0001)

-Lot Line Adjustment (ARC224-0002)

-Right-of-Way Vacation (STVC24-0001)

-Type C Tree Removal Plan (TPLN24-0001)

**DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 436**

**A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF A ZONE MAP AMENDMENT FROM FUTURE DEVELOPMENT AGRICULTURAL-HOLDING (FDA-H) TO PLANNED DEVELOPMENT INDUSTRIAL (PDI) OF APPROXIMATELY 8.66 ACRES AND VACATION OF APPROXIMATELY 0.35 ACRE OF RIGHT-OF-WAY, AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE 1 PRELIMINARY PLAN, STAGE 2 FINAL PLAN, SITE DESIGN REVIEW, LOT LINE ADJUSTMENT, AND TYPE C TREE REMOVAL PLAN FOR SITE IMPROVEMENTS AT THE OREPAC PROPERTIES LOCATED AT 30160 AND 30170 SW OREPAC AVENUE, 30445 SW BOONES FERRY ROAD, AND 9655 SW 5<sup>TH</sup> STREET.**

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted by Darin Coder for Inland Pacific Properties LLC – Owner/Applicant, in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the subject site is located at 30160 and 30170 SW OrePac Avenue, 30445 SW Boones Ferry Road, and 9655 SW 5th Street on Tax Lots 600, 680, 690, 700, 701, 780, and 791, Section 23B, and Tax Lots 101, 200, and 300, Section 23BD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, and

WHEREAS, the Planning Staff has prepared the staff report on the above-captioned subject dated August 29, 2024, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on September 9, 2024, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby incorporate as part of this resolution, as if fully set forth herein, the staff report, as adopted with any amendments and attached hereto, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations for:

DB24-0001 OrePac Site Improvements: Zone Map Amendment (ZONE24-0001), Stage 1 Preliminary Plan (STG124-0001), Stage 2 Final Plan (STG224-0001), Site Design Review (SDR24-0001), Lot Line Adjustment (ARC224-0002), Right-of-Way Vacation (STVC24-0001), and Type C Tree Removal Plan (TPLN24-0001).

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 9<sup>th</sup> day of September, 2024, and filed with the Planning Administrative Assistant on

\_\_\_\_\_. This resolution is final on the 15<sup>th</sup> calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the Council in accordance with *WC Sec 4.022(.03)*.

\_\_\_\_\_  
Jean Svadlenka, Chair - Panel A  
Wilsonville Development Review Board

Attest:

\_\_\_\_\_  
Shelley White, Planning Administrative Assistant



Exhibit A1  
Staff Report  
Wilsonville Planning Division  
OrePac Site Improvements  
Development Review Board Panel 'A'  
Quasi-Judicial Public Hearing

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<b>Hearing Date:</b>	September 9, 2024
<b>Date of Report:</b>	August 29, 2024
<b>Application No.:</b>	DB24-0001 OrePac Site Improvements
<b>Request/Summary:</b>	The requests before the Development Review Board include a Zone Map Amendment, Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review, Lot Line Adjustment, Right-of-Way Vacation, and Type C Tree Plan.
<b>Location:</b>	30160 and 30170 SW OrePac Avenue, 30445 SW Boones Ferry Road, and 9655 SW 5th Street. The property is specifically known as Tax Lots 600, 680, 690, 700, 701, 780, and 791, Section 23B, and Tax Lots 101, 200, and 300, Section 23BD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon
<b>Owner/Applicant:</b>	Inland Pacific Properties LLC (Contact: Darin Coder)
<b>Authorized Representative:</b>	Mackenzie (Contact: Sid Hariharan Godt)
<b>Comprehensive Plan Designation:</b>	Industrial
<b>Zone Map Classification:</b>	<b>Current/Proposed:</b> Tax Lots 101, 200, 300: FDA-H (Future Development Agricultural – Holding)/PDI (Planned Development Industrial) Tax Lots 600, 680, 690: FDA-H/FDA-H (No Change) Tax Lots 700, 701, 780, 791: PDI/PDI (No Change)
<b>Staff Reviewers:</b>	Cindy Luxhoj AICP, Associate Planner Amy Pepper, PE, Development Engineering Manager Kerry Rappold, Natural Resources Program Manager

**Staff Recommendation:** Recommend approval to the City Council of the Zone Map Amendment and Right-of-Way Vacation, and approve with conditions the requested Stage 1 Preliminary Plan, Stage 2 Final Plan, Site Design Review, Lot Line Adjustment, and Type C Tree Plan.

**Applicable Review Criteria:**

<b><u>Development Code:</u></b>	
Section 4.001	Definitions
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.032 (.01) D.	Authority of the Planning Commission
Subsection 4.033	Authority of City Council
Section 4.034	Application Requirements
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Subsection 4.111 (.03)	Zoning – Zone Boundary Lines
Section 4.117	Standards Applying to Industrial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.135	Planned Development Industrial (PDI) Zone
Sections 4.139.00 through 4.139.11	Significant Resource Overlay Zone (SROZ) Ordinance
Section 4.140	Planned Development Regulations
Section 4.154	On-site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.179	Mixed Solid Waste and Recycling
Section 4.197	Zone Changes and Amendments
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.200 through 4.290	Land Divisions
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440	Site Design Review
Sections 4.600 through 4.640.20	Tree Preservation and Protection
<b><u>Other Planning Documents:</u></b>	
Wilsonville Comprehensive Plan and Transportation Systems Plan	
Previous Land Use Approvals	
<b><u>Oregon Revised Statutes: ORS 271.080 through ORS 271.230</u></b>	

## Vicinity Map:



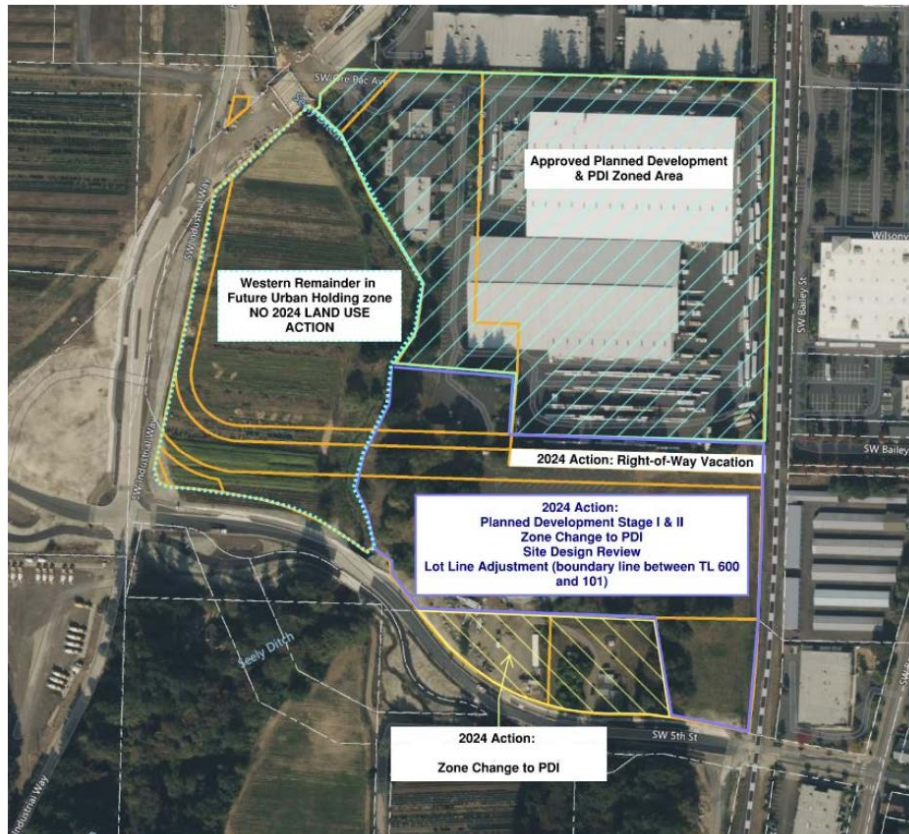
## Background:

The OrePac property, owned by Inland Pacific Properties LLC, is located at 30160 and 30170 SW OrePac Avenue, 30445 SW Boones Ferry Road, and 9655 SW 5th Street. The property includes approximately 27.42 acres in Tax Lots 600, 680, 690, 700, 701, 780, and 791 in Section 23B, and Tax Lots 101, 200, and 300 in Section 23BD. Per the applicant's narrative description, Tax Lots 680, 690, and 791, are not deed lots but a function of past Urban Renewal actions through which the Clackamas County Assessor created the lots for special property tax assessment purposes related to urban renewal districts.

The applicant has operated as a building products wholesale distributor at the subject site for about 40 years with the most recent expansion of the site occurring in 2005 with addition of a second building. Between 2016 and 2017, a parking area was constructed south of the approved OrePac building and storage area without required land use approvals.

The current application includes several actions to bring the subject property into compliance with Code standards, as well as to prepare the southern part of the property, which is either vacant or in rural residential/agricultural use, for future development as follows:

- Gain appropriate land use approval for the new parking area that was previously constructed without required land use review. This includes adding curb and gutter, parking lot landscaping, stormwater facilities, and striped walkways for employees to safely navigate the parking area, as well as demonstrating that previously installed pole-mounted lighting complies with the City’s outdoor lighting standards.
- Construct a new asphalt driveway, with associated stormwater facilities, along the east side of the subject property for truck circulation between the existing building and storage area on the north to an access point on SW 5<sup>th</sup> Street at the southern extent of the site.
- Adjust the lot line between Tax Lots 101 and 600 to realign the deed ownership boundary with the limits of a proposed Zone Map amendment area (see below).
- Through a Zone Map amendment, rezone the southern part of the property, including adjusted Tax Lot 101 and existing Tax Lots 200 and 300, from FDA-H to PDI consistent with the Comprehensive Plan designation of Industrial and existing zoning on the northern part of the subject property.
- Request vacation of a portion of right-of-way, referred to as “Tract A”, in the central portion of the subject site that was intended for western extension of SW Bailey Street but that is no longer needed for this road connection from Wilsonville’s Old Town area to SW Kinsman Road.
- Partially grade an existing stockpile in the south-central part of the site to accommodate a future potential building. However, any future building would be the subject of a future land use application.



## **Summary:**

### Zone Map Amendment

A Zone Map amendment is requested to change the zoning of a portion of the site, adjusted Tax Lots 101, 200, and 300, from Future Development Agricultural – Holding (FDA-H) to Planned Development Industrial (PDI) consistent with the Comprehensive Plan designation of Industrial. See Request A.

### Stage 1 Preliminary Plan

The Stage 1 Preliminary Plan proposes site improvements to bring a new parking area constructed without permits between 2016 and 2017 into compliance with Code standards, as well as to construct other site improvements including a new driveway, landscaping, stormwater facilities, and parking area lighting. See Request B.

### Stage 2 Final Plan

The Stage 2 Final Plan reviews the function and design of the new parking area and other proposed site improvements for consistency with the Stage 1 Preliminary Plan. See Request C.

### Site Design Review

Site Design Review evaluates the design, location, and context of the parking area and other site improvements for consistency with the Stage 2 Final Plan and Code standards. See Request D.

### Lot Line Adjustment

The applicant proposes a lot line adjustment to move the shared lot line between Tax Lots 101 and 600 to realign the deed ownership boundary with the limits of the proposed Zone Map amendment. See Request E.

### Right-of-Way Vacation

This request is to vacate a portion of public right-of-way in the central portion of the subject site that is no longer needed for a road connection from Wilsonville's Old Town area to SW Kinsman Road. See Request F.

### Type C Tree Removal Plan

The Type C Tree Removal Plan reviews inventoried trees on the site, which trees are proposed for removal or retention, and proposed tree replacement/mitigation. See Request G.

## **Public Comments and Responses:**

No public comments were received during the comment period for the project.

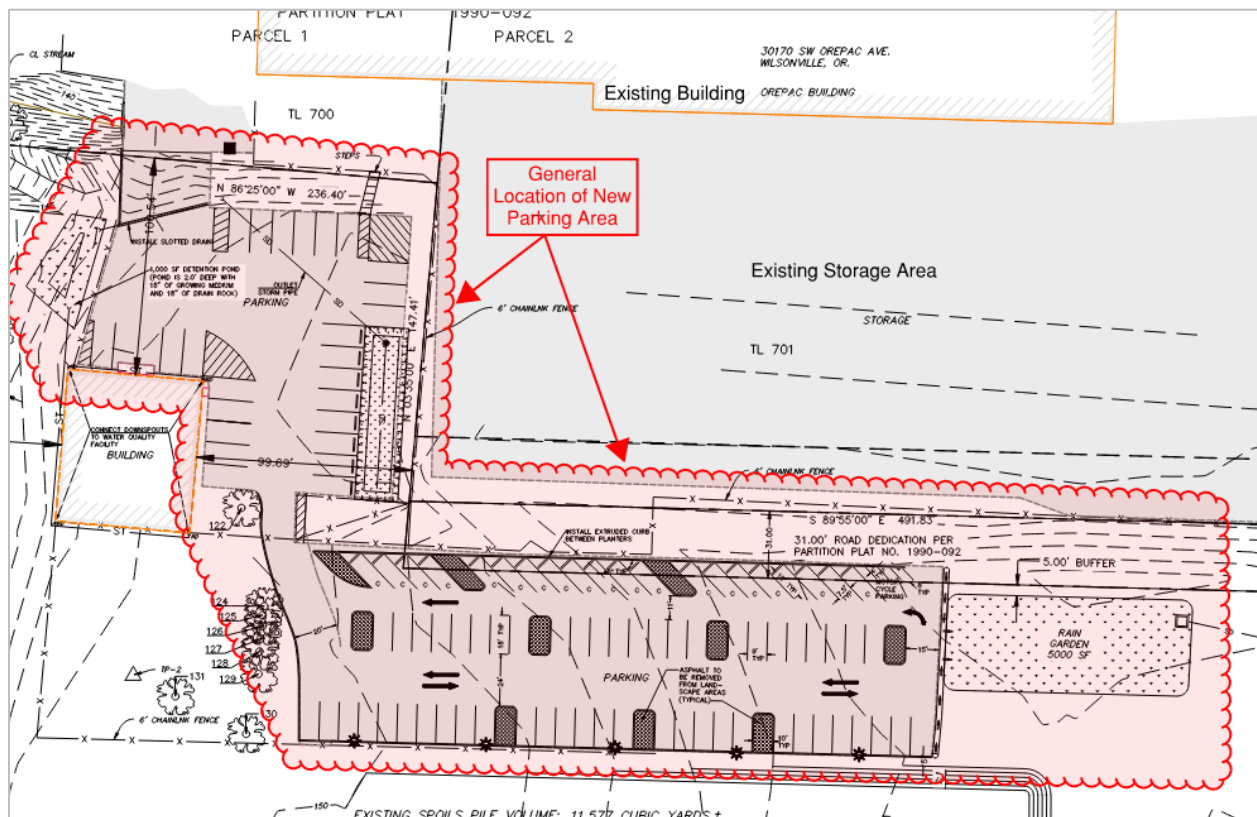


## Discussion Points – Verifying Compliance with Standards:

This section provides a discussion of key clear and objective development standards that apply to the proposed applications. The Development Review Board will verify compliance of the proposed applications with these standards. The ability of the proposed applications to meet these standards may be impacted by the Development Review Board’s consideration of discretionary review items as noted in the next section of this report.

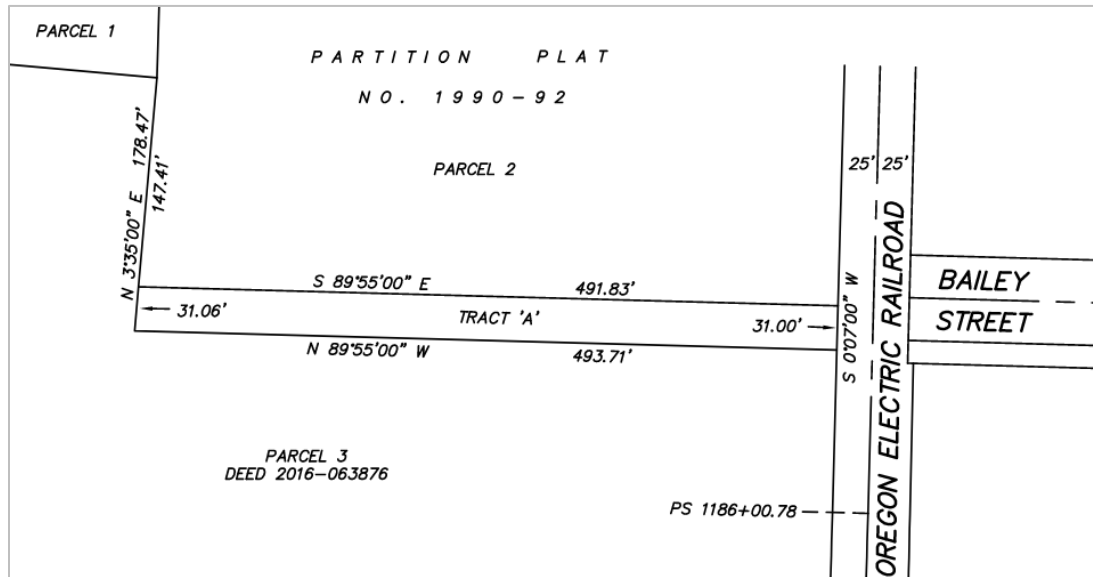
### Parking Area Compliance

As discussed earlier in this staff report, a parking area was constructed between 2016 and 2017 south of the previously approved OrePac building, storage area, and associated improvements on the subject property without required land use approvals. The current application seeks to gain the appropriate land use approvals for this previously constructed parking area, which is located in the southwest corner of the developed part of the site and contains 98 passenger vehicle and four (4) motorcycle parking spaces. As shown in the illustration below, the parking area design includes required stormwater facilities adjacent to the paved area, required landscaping, and pedestrian and vehicular circulation complying with applicable Code standards, and lighting along the south boundary for security purposes.



## Right-of-Way Vacation

The applicant is requesting vacation of a portion of public right-of-way south of the existing development and roughly central to the subject site, referred to as "Tract A", as shown in the illustration below.



As described in the applicant's response narrative, City Urban Renewal Agency (URA) Resolution No. 262 (2016) identified Tract A as a possible alignment for a road connection from SW Bailey Street west to SW Kinsman Road. URA Resolution No. 262 was subsequently amended by URA Resolution No. 280 (10th Amendment to the Year 2000 Plan), which clarified the location of the new east-west connector based on the City Council decision that it be an extension of SW 5<sup>th</sup> Street and not of SW Bailey Street. As a result, the existing dedicated public right-of-way (which was dedicated by Partition Plat No. 1990-92) is now redundant. Therefore, the applicant is requesting the right-of-way vacation, which will enable it to integrate Tract A into future development plans.

### Discussion Points – Discretionary Review:

This section provides a discussion of discretionary review requests that are included as part of the proposed applications. The Development Review Board may approve or deny items in this section based upon a review of evidence submitted by the applicant. There are no discretionary review requests included as part of the proposed application.

## Conclusion and Conditions of Approval:

Staff reviewed the Applicant's analysis of compliance with the applicable criteria. The Staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, Staff recommends that the Development Review Board recommend approval to City Council or approve, as relevant, the proposed application (DB24-0001) with the following conditions:

### Planning Division Conditions:

#### Request A: Zone Map Amendment (ZONE24-0001)

This action recommends to the City Council adoption of the Zone Map Amendment for the subject properties. Requests STG124-0001, STG224-0001, SDR24-0001, ARC224-0002, and TPLN24-0001 are contingent on City Council action on the Zone Map Amendment request.

No conditions for this request.

#### Request B: Stage 1 Preliminary Plan (STG124-0001)

Approval of the Stage 1 Preliminary Plan is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0001).

**PDB 1. General:** The approved Stage 1 Preliminary Plan applies only to that portion of the subject property contained in Tax Lot 101 as modified by lot line adjustment (see Request E). Any future development, other than the site improvements proposed in the current application, on adjusted Tax Lot 101, or on Tax Lots 200 and 300, which only have a Zone Map amendment and are not part of the current Stage 1/Stage 2 review, are subject additional planned development review prior to development.

#### Request C: Stage 2 Final Plan (STG224-0001)

Approval of the Stage 2 Final Plan is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0001).

**PDC 1. General:** The approved Stage 2 Final Plan shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes in an approved preliminary or final development plan may be approved by the Planning Director through the Class 1 Administrative Review Process if such changes are consistent with the purposes and general character of the development plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements. See Finding C13.

**PDC 2. Ongoing:** The applicant shall maintain all trees listed for planting in the parking area and expected to overhang the parking areas to provide a 7-foot vertical clearance. See Finding C36.

#### Request D: Site Design Review (SDR24-0001)

Approval of Site Design Review is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0001).

<p><b>PDD 1.</b> <u>General:</u> Construction, site development, and landscaping shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Finding D13.</p>
<p><b>PDD 2.</b> <u>Prior to New Parking Area Use:</u> All landscaping required and approved by the Board shall be installed unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six (6)-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding D29.</p>
<p><b>PDD 3.</b> <u>Ongoing:</u> The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville's Development Code. See Finding D30.</p>
<p><b>PDD 4.</b> <u>Ongoing:</u> All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered as allowed by Wilsonville's Development Code. See Findings D31 and D32.</p>
<p><b>PDD 5.</b> <u>Prior to New Parking Area Use:</u> The following requirements for planting of shrubs and ground cover shall be met:</p> <ul style="list-style-type: none"> <li>• Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.</li> <li>• Native topsoil shall be preserved and reused to the extent feasible.</li> <li>• Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.</li> <li>• All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.</li> <li>• Shrubs shall reach their designed size for screening within three (3) years of planting.</li> <li>• Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum.</li> </ul>

	<ul style="list-style-type: none"> <li>• No bare root planting shall be permitted.</li> <li>• Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting.</li> <li>• Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.</li> <li>• Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns.</li> </ul> <p>See Finding D33.</p>
<b>PDD 6.</b>	<b><u>Prior to New Parking Area Use:</u></b> Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding D36.
<b>PDD 7.</b>	<b><u>Concurrent with Building Permit Submittal:</u></b> The applicant shall provide a more detailed photometric plan to demonstrate compliance with the Performance method of the Outdoor Lighting Code. See Finding D42.
<b>PDD 8.</b>	<b><u>Prior to New Parking Area Use:</u></b> The applicant shall install an automatic dimming device or system for the lighting on the south boundary of the new parking area that complies the lighting curfew standards. See Finding D43.

Request E: Lot Line Adjustment (ARC224-0002)

Approval of the Lot Line Adjustment is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0001).	
<b>PDE 1.</b>	<b><u>General:</u></b> This approval is for the lot line adjustment as described in the request above and is on file with the City of Wilsonville’s Planning Division as Case File DB24-0001. Minor revisions to the approval may be approved by the Planning Division through the Class I Administrative Review Process. See Finding E1.
<b>PDE 2.</b>	<b><u>General:</u></b> Approval of the lot line adjustment is effective for two (2) years. Time extension may be granted per Section 4.023 of the City’s Development Code. If the lot line adjustment is not recorded with the Clackamas County Surveyor’s office prior to its expiration, this approval shall be void. See Finding E3.
<b>PDE 3.</b>	<b><u>General:</u></b> The lot line adjustment recorded with the Clackamas County Surveyor shall be in substantial compliance with the approved lot line adjustment submitted to the Planning Division as part of this application. See Finding E3.
<b>PDE 4.</b>	<b><u>General:</u></b> The applicant/owner shall provide a copy of the lot line adjustment recorded with the Clackamas County Surveyor’s Office to the City’s Engineering Division. See Findings E3 and E4.

Request F: Right-Of-Way Vacation (STVC24-0001)

This action recommends to City Council approval of a Right-of-Way Vacation for the subject properties.	
No conditions for this request.	

Request G: Type C Tree Plan (TPLN24-0001)

<p>Approval of the Type C Tree Plan is contingent on City Council approval of the Zone Map Amendment request (ZONE24-0001).</p>
<p><b>PDG 1. <u>General:</u></b> This approval for removal applies only to the seven (7) trees identified in the applicant’s submitted materials. All other trees on the property shall be maintained unless removal is approved through separate application. See Finding G6.</p>
<p><b>PDG 2. <u>Prior to Grading Permit Issuance:</u></b> The Applicant shall submit an application for a Type ‘C’ Tree Removal Permit on the Planning Division’s Development Permit Application form, together with the applicable fee. In addition to the application form and fee, the applicant shall provide the City’s Planning Division an accounting of trees to be removed within the project site, corresponding to the approval of the Development Review Board. The applicant shall not remove any trees from the project site until the tree removal permit, including the final tree removal plan, have been approved by the Planning Division staff. See Finding G7.</p>
<p><b>PDG 3. <u>Prior to New Parking Area Use/Ongoing:</u></b> The permit grantee or the grantee’s successors-in-interest shall cause the replacement trees to be staked, fertilized and mulched, and shall guarantee the trees for two (2) years after the planting date. A “guaranteed” tree that dies or becomes diseased during the two (2) years after planting shall be replaced. See Finding G10 and G11.</p>
<p><b>PDG 4. <u>Prior to Commencing Site Grading:</u></b> Prior to site grading or other site work that could damage trees, the applicant/owner shall install 6-foot-tall chain-link fencing around the drip line of preserved trees. Removal of the fencing around the identified trees shall only occur if it is determined the trees are not feasible to retain. The fencing shall comply with Wilsonville Public Works Standards Detail Drawing RD-1230. Protective fencing shall not be moved or access granted within the protected zone without arborist supervision and notice of the City of the purpose of proposed movement of fencing or access. See Finding G13.</p>

*The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City’s Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.*

**Engineering Division Conditions:**

<b>PF 1.</b>	<b><u>Ongoing:</u></b> Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
<b>PF 2.</b>	<b><u>Prior to the Issuance of the Public Works Permit:</u></b> Applicant shall apply for City of Wilsonville 1200CN Erosion Control permit. The erosion control permit shall be issued and erosion control measures shall be installed, inspected and approved prior to any onsite work occurring.
<b>PF 3.</b>	<b><u>Prior to the Issuance of Public Works Permit:</u></b> A final stormwater report shall be submitted for review and approval. The stormwater report shall include information and calculations to demonstrate how the proposed development meets the treatment and flow control requirements. A copy of all necessary BPA approvals for facilities located within the BPA easement shall be submitted with the Public Works Permit application. <b><u>Prior to Issuance of Certificate of Occupancy:</u></b> Storm facilities shall be constructed, inspected and approved by the City. The applicant shall record a Stormwater Access Easement for the storm facility.
<b>PF 4.</b>	<b><u>Prior to Any Paving:</u></b> Stormwater facilities must be constructed and vegetated facilities planted. <b><u>Prior Issuance of Final Permit Approvals:</u></b> The applicant must execute and record with Clackamas County Stormwater Maintenance and Access Easement Agreements with the City.
<b>PF 5.</b>	<b><u>Prior to Final Approval of Right-of-way Vacation:</u></b> For any private utilities currently located within the proposed vacated right-of-way, and anticipated to remain in this location, applicant shall provide private utility easements on City approved forms. Private easements shall be of sufficient width as needed by the private utility and as approved by the City.

**Natural Resources Division Conditions:**

<b>NR1.</b>	Natural Resource Division Requirements and Advisories listed in Exhibit C2 apply to the proposed development.
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## Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB24-0001. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

### Planning Staff Materials

- A1. Staff report and findings (this document)
- A2. Staff's Presentation Slides for Public Hearing (*to be presented at Public Hearing*)

### Materials from Applicant

#### **B1. Applicant's Narrative and Materials – Available Under Separate Cover**

- Signed Application Form (Exhibit A)
- Land Use Narrative
- Exhibit B: Aerial Map
- Exhibit C: Zoning Map
- Exhibit D: Survey
- Exhibit E: Plan Set (see Exhibit B2, below)*
- Exhibit F: Preliminary Stormwater Report
- Exhibit G: Lighting Plan
- Exhibit H: Lighting Fixture Data Sheets
- Exhibit I: Pre-Application Notes
- Exhibit J: URA Resolution 262
- Exhibit K: URA Resolution 280
- Exhibit L: Title Report
- Exhibit M: Arborist Information
- Exhibit N: Property Line Adjustment
- Exhibit O: Zone Map Amendment Exhibit
- Exhibit P: Right-of-Way Vacation

#### **B2. Applicant's Drawings and Plans – Available Under Separate Cover**

- B3. Applicant's Response to Incomplete Notice, Dated June 20, 2024
- B4. Applicant's Supplemental Information and Clarifications Provided via Email

### Development Review Team Correspondence

- C1. Public Works Plan Submittal and Other Engineering Requirements
- C2. Natural Resources Conditions



## Procedural Statements and Background Information:

1. The statutory 120-day time limit applies to this application. The applicant first submitted the application on January 23, 2024. Staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete on February 22, 2024. The applicant submitted additional materials on June 20 and July 12, 2024. Staff conducted a completeness review within the statutorily allowed 30-day review period and deemed the application complete on July 19, 2024. The City must render a final decision for the request, including any appeals, by November 16, 2024.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	PDI	Industrial
East:	PDC and PDI	Commercial and Industrial
South:	FDA-H	Agricultural and Rural Residential
West:	FDA-H and R	Agricultural and Rural Residential

3. Previous Planning Approvals:

87PC32 – Stage 2 Office Expansion

87DR29 – Building and Landscape Review – Addition

88AR09 – Minor Revision to Landscape Plan

90PC30 – Stage 2 for Major Land Partition

94PC22 – Stage 2 Storage Shed

00DB34 – Stage 2 Final Plan and Site Design Review for Office Building Expansion

DB05-0030 et seq – Stage 2 Final Plan, Site Design Review, Type C Tree Plan for Warehouse Building Expansion

TR05-0033 – Type C Tree Removal

4. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

## Findings:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

### General Information

#### Application Procedures-In General Section 4.008

The processing of the application is in accordance with the applicable general procedures of this Section.

#### Initiating Application Section 4.009

The application has the signature of Darin Coder, an authorized signer for the property owner, Inland Pacific Properties LLC.

#### Pre-Application Conference Subsection 4.010 (.02)

The City held a pre-application conference on August 3, 2023 (PRE23-0011) in accordance with this subsection.

#### Lien Payment before Approval Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

#### General Submission Requirements Subsection 4.035 (.04) A.

The applicant has provided all the applicable general submission requirements.

#### Zoning-Generally Section 4.110

This proposed development is in conformity with the applicable zoning district and City review uses the general development regulations listed in Sections 4.150 through 4.199.

## Request A: Zone Map Amendment (ZONE24-0001)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Comprehensive Plan

#### Areas of Special Concern-Area G-Summary and Special Considerations

**A1.** The subject property is located in Area of Special Concern G (Area G) in the Comprehensive Plan. This area includes a concrete plant (Wilsonville Concrete), building products distribution and an office building (OrePac), rural residential/agricultural use, and Coffee Lake Creek (Seely Ditch). The summary about Area G notes that extension of SW Kinsman Road, south to SW Industrial Way, and extension of SW Bailey and/or SW 5<sup>th</sup> Streets, west at least to SW Industrial Way/SW Kinsman Road, would improve access to and from Old Town. It further notes that the extension would also provide a signalized intersection for the industrial truck traffic generated to the south. As discussed elsewhere in this staff report, Tract A on the subject property was identified as a possible alignment for the SW Bailey Street extension. However, the location was subsequently changed to be an extension of SW 5<sup>th</sup> Street rather than SW Bailey Street. As a result, the existing dedicated public right-of-way is now redundant and the applicant is requesting its vacation (see Request F).

#### Areas of Special Concern-Area G-Master Plan for Compatibility and Continuity Design Objective 1

**A2.** The applicant proposes a Zone Map amendment, lot line adjustment, right-of-way vacation and other site improvements to bring the subject site into compliance with Code standards, as well as to accommodate future potential expansion of OrePac's operations. These actions are consistent with master planning (Stage I) of large areas required by this Design Objective to accommodate new compatible residential, industrial, and office development, and provide for continuity of design and coordination of uses.

#### Areas of Special Concern-Area G-Coordinate Access and Circulation Design Objective 2

**A3.** The SW 5<sup>th</sup> Street to SW Kinsman Road project, completed in 2023 and bordering the subject site on the south, achieves the intent of Design Objective 2 to provide coordinated access and circulation that accommodates industrial development and helps minimize congestion on SW Wilsonville Road. The applicant's proposed new driveway access for the property to SW 5<sup>th</sup> Street consistent is consistent with this Design Objective.

#### Areas of Special Concern-Area G-Identify Appropriate Street Alignments Design Objective 3

**A4.** The applicant's request to vacate a portion of SW Bailey Street right-of-way within the subject property that is no longer needed, so that the property may be used for future industrial development as part of OrePac operations, is consistent with this Design

Objective's intent to identify appropriate street alignments that provide needed access and circulation while serving adjacent properties and Old Town.

Areas of Special Concern-Area G-Provide Buffer for Residential Developments  
Design Objective 4

A5. This Design Objective, which requires buffering along the western perimeter of Area G for adjacent residential developments, does not apply to the current application.

Areas of Special Concern-Area G-Maintain and Enhance Natural Features  
Design Objective 5

A6. The applicant does not propose any site improvements that would affect the aesthetic or environmental quality of Coffee Lake Creek (Seely Ditch), which runs through the property, consistent with this Design Objective.

Areas of Special Concern-Area G-Limit Incompatible Uses  
Design Objective 6

A7. The applicant's current operations and proposed site improvements are consistent with Design Objective 6, which requires careful limitation of incompatible uses in Area G while minimizing noise and air quality impacts on adjacent residential neighborhoods.

Areas of Special Concern-Area G-Identify Appropriate Street Alignments  
Design Objective 7

A8. The site improvements proposed in the current application will not affect the viability of or result in minimization of the disruptive and incompatible nature of the railroad, which abuts the eastern side of the subject property.

**Development Code**

Zoning Consistent with Comprehensive Plan  
Section 4.029

A9. Concurrently with the Stage 1 Preliminary Plan, the applicant is applying for a Zone Map amendment to change the zoning of Tax Lots 101 (adjusted), 200, and 300, from Future Development Agricultural – Holding (FDA-H) to Planned Development Industrial (PDI), consistent with the Comprehensive Plan designation of Industrial.

Base Zones  
Subsection 4.110 (.01)

A10. The requested zoning designation of PDI is among the base zones identified in this subsection.

## Standards for Planned Development Industrial Zone

### Purpose of PDI

Subsection 4.135 (.01)

**A11.** The zoning will allow a variety of industrial operations and associated uses, such as those proposed by the applicant, consistent with the purpose stated in this subsection.

### Uses Typically Permitted

Subsection 4.135 (.03)

**A12.** The proposed zoning will allow uses such as those proposed by the applicant including manufacturing and associated office use, warehousing, storage, and distribution, consistent with the list established in this subsection.

### Zone Change Procedures

Subsection 4.197 (.02) B. and C. 1.

**A13.** The request for a Zone Map amendment has been submitted as set forth in the applicable Code sections including Section 4.008, Section 4.140, and Subsections 4.197 (.02) B. and C.

### Conformance with Comprehensive Plan Map, etc.

Subsection 4.197 (.02) C. 2.

**A14.** The proposed Zone Map amendment is consistent with the Comprehensive Plan Map designation of Industrial with consideration given to Design Objectives for Area of Special Concern G in the Comprehensive Plan (see Findings A1 through A8).

### Public Facility Concurrency

Subsection 4.197 (.02) C. 4. and C. 8.

**A15.** Based on existing nearby utilities and utility master plans, and the Transportation System Plan, necessary facilities are or can be made available for development of the subject property consistent with the proposed zoning. A preliminary review of the application materials appears to confirm the site can be adequately served by streets and utilities. Details of required street and utility connections and improvements will be established with review of subsequent Stage 2 Final Plans.

### Impact on Significant Resource Overlay Zone (SROZ) Areas

Subsection 4.197 (.02) C. 5.

**A16.** Coffee Lake Creek (Seely Ditch), identified as SROZ and its associated Impact Area, runs north-south along the western boundary of the portion of the property that is subject to the Zone Map amendment. No other identified natural or geologic hazards are located within the area to be rezoned. An Abbreviated SROZ Map Verification or Significant Resource Impact Report (SRIR) were not required as part of the current application, however, the City's Natural Resources Manager reviewed the application and prepared advisory findings, conditions and requirements (contained in Exhibit C2 of this staff report). Briefly, the Natural Resources Manager found that the proposed stormwater facility within the

SROZ qualifies as exempt development and that, due to the current condition of the site, the placement and operation of the stormwater facility will provide water quality and habitat benefit through the planting of vegetation and the installation of soil media.

#### Development within 2 Years

Subsection 4.197 (.02) C. 6.

**A17.** The applicant proposes full development in a single phase to commence within two (2) years of initial approval of the zone change. In the scenario where the applicant or their successors do not start development within two (2) years, thus allowing related land use approvals to expire, the zone change shall remain in effect.

#### Development Standards and Conditions of Approval

Subsection 4.197 (.02) C. 7.

**A18.** As can be found in the findings for the accompanying request for a Stage I Preliminary Plan (Request B), the applicable development standards will be met either as proposed or as a condition of approval.

### **Request B: Stage 1 Preliminary Plan (STG124-0001)**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

#### **Planned Development Regulations**

##### Planned Development Purpose & Lot Qualifications

Subsections 4.140 (.01) and (.02)

**B1.** The property is of sufficient size to be developed in a manner consistent with the purposes and objectives of Section 4.140. The subject property is greater than 2 acres and is designated for industrial development in the Comprehensive Plan. The proposed site improvements will be developed as part of a planned development in accordance with this subsection.

##### Ownership Requirements

Subsection 4.140 (.03)

**B2.** All the land subject to change under the proposal is under a single ownership.

##### Professional Design Team

Subsection 4.140 (.04)

**B3.** As can be found in the applicant's submitted materials, appropriate professionals have been involved in the planning and permitting process including an Oregon licensed/registered landscape architect, a certified land use planner, and professional engineer. Sid Hariharan Godt with Mackenzie submitted the application on behalf of the owner/applicant, Inland Pacific Properties LLC.

Planned Development Permit Process  
Subsection 4.140 (.05)

- B4.** The subject property is greater than 2 acres and designated for industrial development in the Comprehensive Plan. Part of the property (Tax Lots 700, 701, 780, 791) is already zoned PDI and a majority of the property will be zoned PDI following approval of the Zone Map amendment for Tax Lots 101, 200, 300. No change in zoning is proposed for the portion of the property west of Coffee Lake Creek (Seely Ditch) that is zoned FDA-H (Tax Lots 600, 680, 690). The property has been and will continue to be developed as a planned development in accordance with this subsection.

Comprehensive Plan Consistency  
Subsection 4.140 (.06)

- B5.** The proposed project, as found elsewhere in this report, complies with the PDI zoning designation, which implements the Comprehensive Plan designation of Industrial for this property.

Application Requirements  
Subsection 4.140 (.07)

- B6.** Review of the proposed revised Stage 1 Preliminary Plan has been scheduled for a public hearing before the Development Review Board, in accordance with this subsection, and the applicant has met all the applicable submission requirements as follows:
- The property affected by the revised Stage 1 Preliminary Plan is under the sole ownership of Inland Pacific Properties LLC and the application has been signed by Darin Coder, authorized to sign on behalf of the owner/applicant.
  - The application for a Stage 1 Preliminary Plan has been submitted on a form prescribed by the City.
  - The professional design team and coordinator have been identified. See Finding B3.
  - The applicant has stated the various uses involved in the Stage 1 Preliminary Plan and their locations.
  - The boundary affected by the Stage 1 Preliminary Plan has been clearly identified and legally described.
  - Sufficient topographic information has been submitted.
  - Information on the land area to be devoted to various uses has been provided.
  - Any necessary performance bonds will be required.

**Planned Development Industrial (PDI) Zone**

Purpose of PDI Zone  
Subsection 4.135 (.01)

- B7.** The uses proposed in the portion of the Stage 1 Preliminary Plan area within the PDI zone are limited to industrial uses, supporting the purpose stated in this subsection.

Uses Typically Permitted  
Subsection 4.135 (.03)

- B8.** The existing development includes manufacturing and associated office use, warehousing, storage, and distribution, and the proposed site improvements are characteristic ancillary uses, such as parking, landscaping, and stormwater facilities, consistent with the list established in this subsection, are typically permitted and are, therefore, allowed uses.

Prohibited Uses  
Subsection 4.135 (.04)

- B9.** No prohibited uses are proposed by the applicant. Performance standards will be required to be met as part of the Stage 2 Final Plan review.

Block and Access Standards  
Subsections 4.135 (.04) and 4.131 (.03)

- B10.** The drawings submitted by the applicant show development on the subject property providing adequate pedestrian and vehicle connectivity, and no changes to blocks or access spacing are proposed.

**PDI Performance Standards**

Industrial Performance Standards  
Subsections 4.135 (.06) A. through N.

- B11.** The Stage 1 Preliminary Plan enables conformance with the Industrial performance standards. Final compliance will be reviewed with the Stage 2 Final Plans. See Finding C23.

**Other Standards for PDI Zone**

Lot Size  
Subsections 4.135 (.07) A.

- B12.** Nothing in the Stage 1 Preliminary Plan would prevent lot size requirements from being met.

Setbacks  
Subsections 4.135 (.07) C. through E.

- B13.** Nothing in the Stage 1 Preliminary Plan would prevent setback requirements from being met.



## Request C: Stage 2 Final Plan (STG224-0001)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### Planned Development Regulations-Generally

Planned Development Purpose & Lot Qualifications  
Subsection 4.140 (.01) and (.02)

- C1.** The proposed Stage 2 Final Plan for development of the subject property is consistent with the Planned Development Regulations purpose statement.

Ownership Requirements  
Subsection 4.140 (.03)

- C2.** The subject parcels are under the ownership of Inland Pacific Properties LLC, for whom an authorized signer, Darin Coder, signed the application.

Professional Design Team  
Subsection 4.140 (.04)

- C3.** As can be found in the applicant's submitted materials, appropriate professionals have been involved in the planning and permitting process including an Oregon licensed/registered landscape architect, a certified land use planner, and professional engineer. Sid Hariharan Godt with Mackenzie submitted the application on behalf of the owner/applicant, Inland Pacific Properties LLC.

### Stage 2 Final Plan Submission Requirements and Process

Stage 2 Submission Within 2 Years of Stage 1  
Subsection 4.140 (.09) A.

- C4.** The applicant is requesting both Stage 1 and Stage 2 approval, together with Site Design Review, as part of this application. The Stage 2 Final Plan provides sufficient information regarding conformance with both the Stage 1 Preliminary Plan and Site Design Review.

Development Review Board Role  
Subsection 4.140 (.09) B.

- C5.** The Development Review Board review considers all applicable permit criteria set forth in the Development Code and staff recommends the Development Review Board approve the application with conditions of approval.

Stage 1 Conformance, Submission Requirements  
Subsection 4.140 (.09) C.

- C6.** The Stage 2 Final Plans conforms to the proposed Stage 1 Preliminary Plan. The applicant's submitted drawings and other documents show all the additional information required by this subsection.

## Stage 2 Final Plan Detail

Subsection 4.140 (.09) D.

- C7.** The applicant's submitted materials provide sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan, landscape plans, and elevation drawings.

## Submission of Legal Documents

Subsection 4.140 (.09) E.

- C8.** The Development Review Board does not require any additional legal documentation for dedication or reservation of public facilities.

## Expiration of Approval

Subsection 4.140 (.09) I. and Section 4.023

- C9.** The Stage 2 Final Plan approval, along with other associated applications, will expire two (2) years after approval, absent the granting of an extension in accordance with these subsections.

## Consistency with Plans

Subsection 4.140 (.09) J. 1.

- C10.** The site's PDI zoning is consistent with the Industrial designation in the Comprehensive Plan. The Transportation Systems Plan calls for no additional frontage or road improvements.

## Traffic Concurrency

Subsection 4.140 (.09) J. 2.

- C11.** As no new building area is proposed as part of the current application, and the new parking area and driveway access support the existing industrial use and do not generate any new vehicle trips, a Traffic Impact Study was not required.

## Facilities and Services Concurrency

Subsection 4.140 (.09) J. 3.

- C12.** Facilities and services, including utilities in SW OrePac Avenue, SW Kinsman Road, and SW 5<sup>th</sup> Street adjacent to the development, are available and sufficient to serve the existing development and proposed site improvements.

## Adherence to Approved Plans

Subsection 4.140 (.10) A.

- C13.** A Condition of Approval ensures adherence to approved plans except for minor revisions by the Planning Director.

## **Standards Applying in All Planned Development Zones**

### Underground Utilities Subsection 4.118 (.02)

**C14.** The applicant's plans show all utilities underground.

### Waivers Subsection 4.118 (.03)

**C15.** The applicant does not request any waivers.

### Other Requirements or Restrictions Subsection 4.118 (.03) E.

**C16.** Staff does not recommend any additional requirements or restrictions pursuant to this subsection.

### Impact on Development Cost Subsection 4.118 (.04)

**C17.** Implementation of standards and imposing conditions beyond minimum standards and requirements do not unnecessarily increase the cost of development. No parties have raised such concerns.

### Requiring Tract Dedications or Easements for Recreation Facilities, Open Space, Public Utilities Subsection 4.118 (.05)

**C18.** Staff does not recommend any additional tract dedication for recreational facilities, open space, or easements for orderly extension of public utilities consistent with this subsection.

### Habitat Friendly Development Practices Subsection 4.118 (.09)

**C19.** The applicant will implement habitat-friendly development practices to the extent practicable. Grading will be limited to that needed for the proposed improvements, no significant native vegetation would be retained by an alternative site design, the City's stormwater standards will be met, thus limiting adverse hydrological impacts on water resources, and no impacts on wildlife corridors or fish passages have been identified.

## **Planned Development Industrial (PDI) Zone**

### Purpose of PDI Zone Subsection 4.135 (.01)

**C20.** The existing development contains a variety of industrial operations and associated uses consistent with the purpose of the PDI zone.

Typically Permitted Uses  
Subsection 4.135 (.03)

**C21.** The uses proposed in the Stage 2 Final Plan are consistent with the Stage 1 Preliminary Plan including manufacturing and associated office use, warehousing, storage, and distribution. The proposed site improvements are characteristic ancillary uses, such as parking, landscaping, and stormwater facilities, consistent with the list established in this subsection, are typically permitted and, therefore, allowed uses.

Block and Access Standards  
Subsections 4.131.05 (.07) and 4.131 (.03)

**C22.** The proposal requests no changes to blocks or access spacing.

**Industrial Performance Standards**

Industrial Performance Standards  
Subsection 4.135 (.05)

**C23.** The proposed project meets the performance standards of this subsection as follows:

- Pursuant to Standard A (enclosure of uses and activities), all non-parking activities and uses are or will be completely enclosed as previously approved.
- Pursuant to Standard B (vibrations), there is no indication that the proposed site improvements will produce vibrations detectable off site without instruments.
- Pursuant to Standard C (emissions), there is no indication the proposed site improvements will produce odorous gas or other odorous matter.
- Pursuant to Standard D (open storage), no changes to outdoor storage of mixed solid waste and recycling are proposed in the current application.
- Pursuant to Standard E (night operations and residential areas), there is no indication that the proposed site improvements will result in night operations and there are no openings in existing, previously permitted buildings within 100 feet of a residential district.
- Pursuant to Standard F (heat and glare), the applicant proposes no exterior operations creating heat and glare.
- Pursuant to Standard G (dangerous substances), there are no prohibited dangerous substances expected on the subject site.
- Pursuant to Standard H (liquid and solid wastes), staff have no evidence that existing operations or proposed site improvements would violate standards defined for liquid and solid waste.
- Pursuant to Standard I (noise), staff has no evidence that the proposed site improvements would result in noise that would violate the City's Noise Ordinance; noises produced in violation of the Noise Ordinance would be subject to the enforcement procedures established in WC Chapter 6 for such violations.
- Pursuant to Standard J (electrical disturbances), staff have no evidence that the proposed use would have any prohibited electrical disturbances.
- Pursuant to Standard K (discharge of air pollutants), there is no evidence that the

proposed site improvements would produce any prohibited discharge.

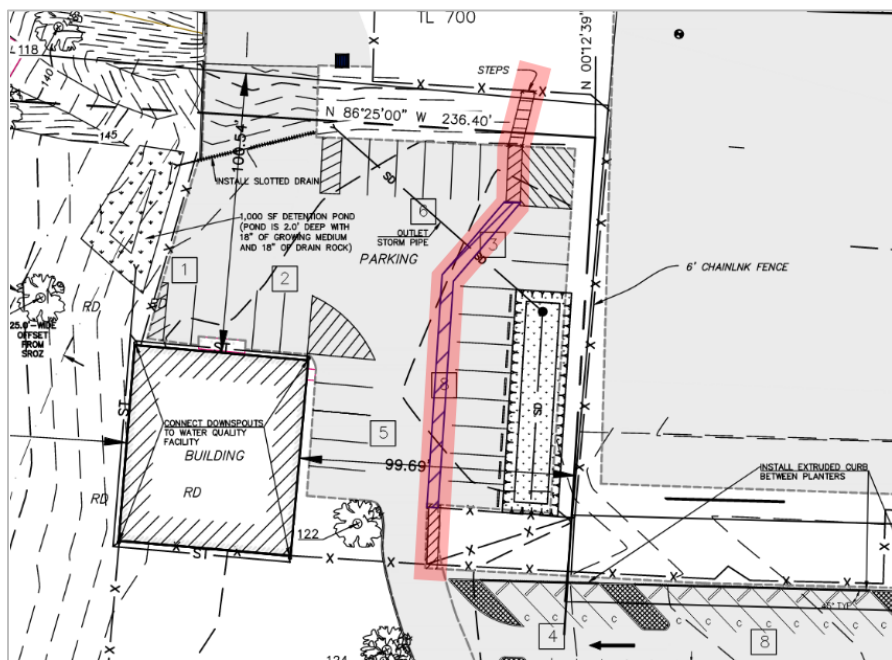
- Pursuant to Standard L (open burning), the applicant proposes no open burning.
- Pursuant to Standard M (outdoor storage), existing, previously approved outdoor storage on the site is screened consistent with City standards and no changes are expected to result from the proposed site improvements.
- Pursuant to Standard N (unused area landscaping), no unused areas will be bare.

## On-site Pedestrian Access and Circulation

### Continuous Pathway System

Subsection 4.154 (.01) B. 1.

**C24.** As shown on the applicant's plans in Exhibit B2, no changes are proposed to the existing pedestrian pathway system (sidewalks) in the previously developed parts of the subject property. A striped pedestrian walkway is proposed in the new parking area, from the northwest corner of the south portion, north through the north portion, to provide access to a person door at the southwest corner of the building (Exhibit B4 and illustration below). Gates will be provided where fencing crosses the proposed walkway.



Per the applicant's narrative, based on discussion with City staff, a pedestrian connection to SW 5<sup>th</sup> Street, along the proposed new driveway, is not required or proposed given that the new driveway will be used for truck-trailer traffic and not passenger vehicle/pedestrian movement.

Safe, Direct, Convenient Pathways  
Subsection 4.154 (.01) B. 2.

C25. No changes are proposed to existing pathways in the previously development part of the site that provide direct access to buildings from parking areas and connect to all primary (and secondary) building entrances. As discussed above, the proposed striped walkway between the north and south parts of the new parking area will provide a safe, direct and convenient pathway for employees from their vehicle to nearby building entrances.

Vehicle/Pathway Separation-Vertical or Horizontal  
Subsection 4.154 (.01) B. 3.

C26. The proposed design of the striped pedestrian pathway in the new parking area provides a visually separate pathway and fencing/gates as well as steps and curb to provide vertical separation.

Crosswalks Clearly Marked  
Subsection 4.154 (.01) B. 4.

C27. As shown on the applicant’s plans (Exhibits B2 and B4), areas where the pedestrian path crosses a parking area will be marked with contrasting paint.

Pathways Width and Surface-5 Foot Wide, Durable Surface  
Subsection 4.154 (.01) B. 5.

C28. Per the applicant’s narrative response, the striped pathway will be hard surfaced with the same material as the parking area (asphalt) and will measure a minimum of five (5) feet in width. Pathways will be marked with appropriate signage, which will be detailed at time of construction permitting.

**Parking and Loading**

Parking Design Standards  
Section 4.155 (.02) and (.03)

C29. The applicable parking designs standards are met as follows:

Standard	Met	Explanation
Subsection 4.155 (.02) General Standards		
B. All spaces accessible and usable for Parking	<input checked="" type="checkbox"/>	The applicant proposes standard parking spaces that are at least 9’ by 18’; compact spaces that are at least 7.5’ by 15’; 11’ wide drive aisles for one-way circulation and 24’ wide drive aisles for two-day circulation, meeting the Development Code standards.
I. Sturdy bumper guards of at least 6 inches to prevent parked vehicles	<input checked="" type="checkbox"/>	The applicant’s plans show bumper guards of at least 6 inches in width where required to

crossing property line or interfering with screening or sidewalks.		prevent parked vehicles from interfering with fencing, screening, or sidewalks.
J. Surfaced with asphalt, concrete or other approved material.	<input checked="" type="checkbox"/>	Surfaced with asphalt.
Drainage meeting City standards	<input checked="" type="checkbox"/>	Drainage is professionally designed and being reviewed to meet City standards
K. Lighting won't shine into adjoining structures or into the eyes of passers-by.	<input checked="" type="checkbox"/>	Lighting is proposed to be fully shielded and meet the City's Outdoor Lighting Standard.
N. No more than 40% of parking compact spaces.	<input checked="" type="checkbox"/>	20 of the 98 parking spaces in the new parking area are compact, well below the maximum of 40%.
O. Where vehicles overhang curb, planting areas at least 7 feet in depth.	<input checked="" type="checkbox"/>	The narrowest planting area adjacent to parking spaces exceeds the 7-foot depth requirement.
<b>Subsection 4.155 (.03) General Standards</b>		
A. Access and maneuvering areas adequate.	<input checked="" type="checkbox"/>	The drive aisle providing access to the north part of the new parking area is over 40' wide, and between the north and south parts is 15' wide. The drive aisle in the north part of the parking area is 30' wide; the one-way drive aisle in the south parking area is 11' wide; and the two way drive aisle is 24' wide, providing adequate travel lanes.
A.1. Loading and delivery areas and circulation separate from customer/employee parking and pedestrian areas.	<input checked="" type="checkbox"/>	The proposal does not include any loading or delivery areas, nor does the City require any.
Circulation patterns clearly marked.	<input checked="" type="checkbox"/>	The proposed design is typical industrial parking lot design and intuitive to a driver familiar with typical parking lots.
A.2. To the greatest extent possible, vehicle and pedestrian traffic separated.	<input checked="" type="checkbox"/>	The plans clearly delineate separate vehicle and pedestrian traffic areas and separate them with striping.
C. Safe and Convenient Access, meet ADA and ODOT Standards.	<input checked="" type="checkbox"/>	The existing and new parking areas and access enable the meeting of ADA and ODOT standards.
For parking areas with more than 10 spaces, 1 ADA space for every 50 spaces.	<input checked="" type="checkbox"/>	The existing development includes 131 parking spaces and 98 spaces are provided in the new parking area, for a total of 229 spaces, requiring five (5) ADA spaces. Seven (7) ADA spaces are provided in the existing parking

		area near the front of the building, meeting the requirement.
D. Where possible, parking areas connect to adjacent sites.	☒	The new parking area connects via internal drive aisles to existing parking to the north with access to SW OrePac Avenue. The new parking area is not proposed to connect with the new driveway connection to SW 5 <sup>th</sup> Street, which is intended only for truck traffic. The parking areas do not connect to any adjacent properties.
Efficient on-site parking and circulation	☒	The careful and professional design of the parking provides for safety and efficiency and is a typical design with standard parking space and drive aisle size and orientation.

**Minimum and Maximum Number of Parking Spaces**

Subsections 4.155 (.03) G., Table 5

**C30.** As of January 1, 2023, the subject property is in an area of the City that is exempt from vehicle parking minimums pursuant to OAR 660-012-0430 and OAR 660-012-0440. Therefore, the development is not required meet the parking minimums reflected in Table 5 of Section 4.155 of the Development Code. Based on evaluation of the site plan and clarifying information provided by the applicant (Exhibit B4) about the mix of uses in the previously approved development, which includes Manufacturing, there is no maximum limit to the number of spaces allowed. The applicant proposes 229 spaces, including the 98 parking spaces in the new parking area, which meets the off-street parking requirements of the above subsections. The calculation of parking spaces is as follows:

Use and Parking Standard	Square Feet	Minimum Off-street Spaces Required	Maximum Off-street Spaces Allowed	Proposed Off-street Spaces	Minimum Bicycle Parking Spaces	Proposed Bicycle Parking Spaces
<b>Office or flex space (except medical and dental)</b>	36,652 sf	Not Applicable	4.1 per 1,000 = 151	See Total Below	Not Applicable	Not Applicable
<b>Manufacturing</b>	94,468 sf	No Applicable	No Limit	See Total Below	Not Applicable	Not Applicable
<b>Warehouse</b>	94,469 sf	Not Applicable	.5 per 1,000 = 48	See Total Below	Not Applicable	Not Applicable
<b>Total</b>	<b>225,589 sf</b>	<b>--</b>	<b>No Limit</b>	<b>229</b>	<b>--</b>	<b>--</b>



## Parking Area Landscaping

### Minimizing Visual Dominance of Parking

Subsection 4.155 (.03) B.

**C31.** The new parking area is not visible from the public right-of-way or adjacent properties, and existing landscaping on the north and east sides, as well as vegetation in the SROZ and distance/separation, effectively screen parking from adjacent properties and the public right-of-way. In addition, the applicant proposes landscaping in islands throughout the southern portion of the new parking area to help to minimize the visual dominance of the paved parking area.

### 10% Parking Area Landscape Requirement

Subsection 4.155 (.03) B. 1.

**C32.** According to the applicant's narrative, as shown on the landscape plans, and based on additional clarifying information provided by the applicant (Exhibits B2 and B4), the new parking area occupies roughly 42,745 square feet of the 307,500-square-foot site area. Landscaping in parking area islands covers approximately 1,500 square feet, in stormwater facilities immediately adjacent to the north part of the new parking area covers 2,987 square feet, and existing landscaping on the north, east and west sides of the parking area covers 10,059 square feet, for a total of roughly 14,546 square feet, or 34.0%, of the new parking area, which is well in excess of 10% requirement.

### Landscape Screening of Parking

Subsection 4.155 (.03) B. 1.

**C33.** The proposed design screens the new parking area from adjacent properties and adjacent rights-of-way by physical distance, by location of buildings on the site in relation to the parking area, and proposed landscaping and vegetation. The design does not warrant additional screening meeting a specific City screening standard.

### Tree Planting Area Dimensions

Subsection 4.155 (.03) B. 2.

**C34.** The proposed tree planting islands meet or exceed the minimum eight (8) by 8-foot dimensional requirement and are spaced every 8 parking spaces or an equivalent aggregated amount, meeting the standard of this section.

### Parking Area Tree Requirement

Subsection 4.155 (.03) B. 2. and 2. a.

**C35.** A total of 98 spaces are proposed in the new parking area, requiring 13 landscape trees. The landscape plan shows 10 new trees planted in proposed landscape islands in the southern portion of the new parking area, which is three (3) fewer than the requirement. However, more than 40 existing mature trees in a variety of deciduous and coniferous species on the north and east sides of the new parking area (as shown in Sheet C3 in the

Arborist Report in Exhibit B2) provide additional tree cover that more than makes up for the deficit.

Parking Area Landscape Plan  
Subsection 4.155 (.03) B. 2. a.

**C36.** The applicant’s landscape plan includes the proposed parking area.

Parking Area Tree Clearance  
Subsection 4.155 (.03) B. 2. b.

**C37.** A condition of approval will ensure the applicant maintains all trees listed for planting in the parking area and expected to overhang the parking areas to provide a 7-foot vertical clearance.

**Other Parking Standards**

Required Bicycle Parking and Standards  
Section 4.155 (.04) A. 1. and B.

**C38.** As no changes are proposed to existing buildings on the site and no new buildings are proposed, bicycle parking standards do not apply.

Minimum Off-Street Loading Requirements  
Section 4.155 (.05)

**C39.** As no changes are proposed to existing buildings on the site and no new buildings are proposed, off-street loading requirements do not apply.

Carpool and Vanpool Parking Requirements  
Section 4.155 (.06)

**C40.** The existing and new parking areas combined include 229 vehicle parking spaces, with 98 spaces in the new parking area. The new parking area is not considered “new industrial development” requiring designated carpool/vanpool spaces of at least five (5) percent (%) of the total spaces. However, the applicant proposes to provide 12 signed carpool/vanpool spaces in the existing parking area near to the office area in the north part of the site..

**Other Development Standards**

Access, Ingress, and Egress  
Section 4.167

**C41.** Site access is via an existing private access drive that connects to SW OrePac Avenue. No changes are proposed to this previously-approved access in the current application. An additional, truck-only drive aisle along the eastern boundary of the property south to a driveway/access point on SW 5<sup>th</sup> Street is proposed. Both access points are at defined points as approved by the City.

## Natural Features and Other Resources

### Section 4.171

**C42.** Coffee Lake Creek (Seely Ditch), identified as SROZ and its associated Impact Area, runs north-south along the western boundary of the portion of the property that comprises the development area for the proposed site improvements. No impacts on the SROZ are anticipated from the actions proposed in the current application (see Request A, Finding A16). No other identified natural or geologic hazards are located within the improvement area. Of the 103 inventoried trees near the proposed development activity, seven (7) are proposed for removal. The applicant's narrative recognizes that the site contains natural features worthy of preservation, and minimizes disturbance and strives to protect these features to the extent practicable.

## Access Drives and Travel Lanes

### Subsection 4.177 (.08)

**C43.** The design of the access drives provides clear travel lanes, free from obstructions. The design shows all drive aisles as asphalt.

## Outdoor Lighting

### Sections 4.199.20 through 4.199.60

**C44.** The outdoor lighting standards apply to the proposal. See Request D, Findings D40 through D43.

## Underground Installation of Utilities

### Sections 4.300-4.320

**C45.** All utilities on site are existing and underground, no new utilities are proposed. Electrical connection for the pole-mounted lighting along the south side of the new parking area is or will be installed underground.

## Public Safety and Crime Prevention

### Design for Public Safety, Surveillance and Access

#### Subsections 4.175 (.01) and (.03)

**C46.** No changes are proposed to previously approved site features related to public safety, surveillance and access.

### Addressing and Directional Signing

#### Subsection 4.175 (.02)

**C47.** No changes are proposed to previously-approved addressing, which meets public safety standards.

Lighting to Discourage Crime  
Subsection 4.175 (.04)

C48. The design of lighting previously installed along the south boundary of the new parking area is in accordance with the City's outdoor lighting standards and, in combination with previously approved lighting throughout the developed part of the site, provides sufficient lighting to discourage crime.

**Landscaping Standards**

Landscaping Standards Purpose  
Subsection 4.176 (.01)

C49. In complying with the various landscape standards in Section 4.176 the applicant has demonstrated the Stage 2 Final Plan is in compliance with the landscape purpose statement.

Landscape Code Compliance  
Subsection 4.176 (.02) B.

C50. The applicant requests no waivers or variances to landscape standards. All landscaping and screening must comply with the standards of this section.

Intent and Required Materials  
Subsections 4.176 (.02) C. through I.

C51. The applicant's planting plan implements the landscaping standards and integrates general and low screen landscaping in the new parking areas, consistent with professional landscaping and design best practices.

Landscape Area and Locations  
Subsection 4.176 (.03)

C52. The previously approved development has a total site area of 307,500 square feet, of which 220,681 square feet, or 71.7%, is landscaped, exceeding the 15% landscaping requirement. Of the 42,745 square feet of new parking area, 34% or 14,546 square feet is landscaped either with existing mature trees and vegetation on the north and east sides of the new parking area or will be landscaped in parking islands and adjacent stormwater facilities. Proposed new plantings include trees, shrubs, and ground cover consistent with the standards.

Buffering and Screening  
Subsection 4.176 (.04)

C53. The northern part of the subject property is zoned PDI, with the southern part zoned FDA-H. The portion of the property located east of Coffee Lake Creek (Seely Ditch) is proposed to be rezoned to PDI in the current application (see Request A), with the area west of the creek remaining FDA-H. The property borders PDI zoning to the north, PDI and PDC zoning to the east, FDA-H zoning to the south, and FDA-H and R zoning to the west. The

proposed site improvements are not visible from adjacent properties due to distance and proposed and existing landscaping.

#### Landscape Plan Requirements Subsection 4.176 (.09)

**C54.** The applicant's submitted landscape plans are drawn to scale and show the type, installation size, number and placement of materials. Plans include a plant material list identifying plants by both their scientific and common names. A note on the landscape plan indicates the irrigation method.

### **Request D: Site Design Review (SDR24-0001)**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

#### **Site Design Review**

##### Excessive Uniformity, Inappropriateness Design Subsection 4.400 (.01) and Subsection 4.421 (.03)

**D1.** Staff summarizes the compliance with this subsection as follows:

- **Excessive Uniformity:** The previously approved development is unique to the particular development context and does not create excessive uniformity.
- **Inappropriate or Poor Design of the Exterior Appearance of Structures:** This standard does not apply as no new buildings or structures are proposed on the site.
- **Inappropriate or Poor Design of Signs:** This standard does not apply as no new signs are proposed on the site.
- **Lack of Proper Attention to Site Development:** The applicant employed the skills of the appropriate professional services to design the site, demonstrating appropriate attention to site development.
- **Lack of Proper Attention to Landscaping:** The applicant proposes landscaping exceeding the area requirements professionally designed by a landscape architect, incorporating a variety of plant materials, demonstrating appropriate attention to landscaping.

#### **Objectives of Site Design Review**

##### Proper Functioning of the Site and High Quality Visual Environment Subsection 4.400 (.02) A. and Subsection 4.421 (.03)

**D2.** The proposed layout for the new parking area is professionally designed, allows for landscaping requirements to be met, and creates a visual environment that is compatible with other surrounding uses.

Encourage Originality, Flexibility, and Innovation  
Subsection 4.400 (.02) B. and Subsection 4.421 (.03)

- D3.** Landscaping is designed to screen the new parking area and provide a pleasing environment for users of the site by screening parked vehicles from view.

Discourage Inharmonious Development  
Subsection 4.400 (.02) C. and Subsection 4.421 (.03)

- D4.** Professional design of the proposed landscaping supports a quality visual environment and thus prevents monotonous, drab, unsightly, and dreary development.

Proper Relationships with Site and Surroundings  
Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- D5.** The applicant prepared a professional site-specific design that carefully considers the relationship of the new parking area, landscaping, and other site improvements with other development on and adjacent to the site.

Regard to Natural Aesthetics and Attention to Exterior Appearances  
Subsection 4.400 (.02) D. and Subsection 4.421 (.03)

- D6.** The site contains mature trees within the SROZ corridor along the western side of the area of site improvements. The new parking area and other proposed site improvements preserve this predominant natural feature of the site as well as other mature trees in landscape areas on the perimeter of the new parking area. New tree species added in the parking area will add to the variety and natural aesthetics of the site, which helps soften the industrial appearance of the existing development and proposed site improvements.

Protect and Enhance City's Appeal  
Subsection 4.400 (.02) E. and Subsection 4.421 (.03)

- D7.** Adding curb and gutter, as well as well-designed landscaping and pedestrian circulation in the new parking area will enhance this industrial area. This will protect and enhance the City's appeal by bringing the site into compliance with applicable standards.

Stabilize Property Values/Prevent Blight  
Subsection 4.400 (.02) F. and Subsection 4.421 (.03)

- D8.** Bringing the new parking area into compliance with applicable standards with landscaping and stormwater facilities will enhance the site and surrounding industrial area, helping to prevent future blight.

Adequate Public Facilities  
Subsection 4.400 (.02) G. and Subsection 4.421 (.03)

- D9.** The proposal does not impact the availability or orderly, efficient and economic provision of public services and facilities, which are available and adequate for the subject property.

## Pleasing Environments and Behavior

Subsection 4.400 (.02) H. and Subsection 4.421 (.03)

**D10.** The new parking area is clearly delineated and screened with existing and new landscaping, which, when combined with the location of the parking on the south side of the building and distance from adjacent properties, provides visual separation of parked vehicles within the area from public view, providing a more pleasing environment for users of the site.

## Civic Pride and Community Spirit

Subsection 4.400 (.02) I. and Subsection 4.421 (.03)

**D11.** The proposed site improvements will foster civic pride by bringing the new parking area into compliance with applicable standards through addition of attractive landscaping and stormwater facilities, while screening vehicles from view.

## Favorable Environment for Residents

Subsection 4.400 (.02) J. and Subsection 4.421 (.03)

**D12.** The proposed site improvements, by bringing the new parking area into compliance with standards and adding an alternative driveway and access point for truck traffic on the site, will sustain a favorable environment for residents who may drive on surrounding roads or work in the area or are OrePac employees or customers.

## Jurisdiction and Power of the DRB for Site Design Review

### Development Must Follow DRB Approved Plans

Section 4.420

**D13.** A Condition of Approval will ensure construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. The City will not issue any building permits for portions of the improvements requiring DRB review prior to DRB approval. No variances are requested from site development requirements.

## Design Standards

### Preservation of Landscaping

Subsection 4.421 (.01) A.

**D14.** The site contains mature trees within the SROZ corridor along the western side of the area of site improvements. The new parking area and other proposed site improvements preserve this predominant natural feature of the site as well as other mature trees in landscape areas on the perimeter of the new parking area. Throughout the subject property existing previously approved landscaping will be preserved and protected during construction of site improvements. Surface water drainage is discussed under Standard D, below.

Harmony of Proposed Buildings to Environment  
Subsection 4.421 (.01) B.

**D15.** The existing building on the property was previously approved and no new buildings or structures are proposed as part of the current application.

Special Attention to Drives, Parking, and Circulation- Access Points and Interior Circulation  
Subsection 4.421 (.01) C.

**D16.** Primary access to the subject property is via SW OrePac Avenue, a defined point previously approved by the City. One new access point on SW 5<sup>th</sup> Street at the southern boundary of the subject property, for truck circulation, is proposed in the current application. This access also is at a defined point previously approved by the City. Interior circulation in parking areas within the site, both existing and in the new parking area, as well as the proposed modification to truck circulation with the proposed drive aisle and access to SW 5<sup>th</sup> Street, function properly and demonstrate special attention to design.

Special Attention to Drives, Parking, and Circulation- Pedestrian and Vehicle Separation  
Subsection 4.421 (.01) C.

**D17.** The design separates pedestrian and vehicle circulation except at necessary cross walks.

Special Attention to Drives, Parking, and Circulation- Safe and Convenient Parking Areas  
Subsection 4.421 (.01) C.

**D18.** The applicant has worked with a professional design team to ensure the new parking area is safe and convenient. The parking area is conveniently located for access to the building. The parking space size and drive aisles demonstrate typical design allowing adequate area for safe maneuvering.

Special Attention to Drives, Parking, and Circulation- Parking Detracting from Design  
Subsection 4.421 (.01) C.

**D19.** The proposed development adequately separates vehicular and pedestrian traffic. Drive aisles and crosswalks are clearly indicated. The proposed parking areas are convenient and designed to be screened from off-site view with landscaping or separation from adjacent properties.

Special Attention to Surface Water Drainage  
Subsection 4.421 (.01) D.

**D20.** The proposed design of site improvements include stormwater facilities consistent with City standards. These features are dispersed throughout the new parking area in three (3) locations and along the east side of the new driveway and will help improve water quality throughout the property. The proposed improvements will not adversely affect neighboring properties through the storm drainage system.



## Harmonious Above Ground Utility Installations

Subsection 4.421 (.01) E.

**D21.** No above ground utility installations are proposed. Power to lighting along the south side of the new parking area will be provided via underground conduit from the existing building to the north.

## Advertising Features Do Not Detract

Subsection 4.421 (.01) F.

**D22.** No signs are proposed as part of the current application; therefore, this standard does not apply.

## Screening and Buffering of Special Features

Subsection 4.421 (.01) G.

**D23.** The new parking area will be appropriately screened as discussed elsewhere in this staff report and the applicant does not propose any special features requiring additional screening or buffering.

## Design Standards Apply to All Buildings, Structures, Signs, and Features

Subsection 4.421 (.02)

**D24.** Design standards have been applied to all existing previously approved buildings, structures, and other site features, as well as to the new parking area and other proposed site improvements.

## Conditions of Approval to Ensure Proper and Efficient Function

Subsection 4.421 (.05)

**D25.** Staff does not recommend any conditions of approval in addition to those already included in this staff report to ensure the proper and efficient functioning of the new parking area or other proposed site improvements.

## Color or Materials Requirements

Subsection 4.421 (.06)

**D26.** No new buildings or structures are proposed in the current application; therefore, this standard does not apply.

## Site Design Review Submission Requirements

### Submission Requirements

Section 4.440

**D27.** The applicant has submitted materials in addition to requirements of Section 4.035, as applicable.

## **Time Limit on Site Design Review Approvals**

Void after 2 Years

Section 4.442

**D28.** The current applications will expire two (2) years after approval, unless a building permit has been issued and substantial development has taken place or an extension is approved in accordance with this section. The applicant intends to construct the proposed site improvements in one implementation phase promptly after land use approval, and well within the allotted time period.

## **Installation of Landscaping**

Landscape Installation or Bonding

Subsection 4.450 (.01)

**D29.** A condition of approval will assure installation or appropriate security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director, is filed with the City.

Approved Landscape Plan Binding

Subsection 4.450 (.02)

**D30.** Action by the City approving a proposed landscape plan is binding on the applicant. A condition of approval will ensure that substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan will not be made without official action of the Planning Director or Development Review Board and provide ongoing assurance the criterion is met.

Landscape Maintenance and Watering

Subsection 4.450 (.03)

**D31.** A condition of approval will ensure landscaping is continually maintained in accordance with this subsection.

Limitation to Modifications of Landscaping

Subsection 4.450 (.04)

**D32.** A condition of approval provides ongoing assurance of conformance with this criterion by preventing modification or removal without the appropriate City review.

## **Landscaping Standards**

Shrubs and Groundcover Materials Requirements

Subsection 4.176 (.06) A.

**D33.** A condition of approval requires meeting the detailed requirements of this subsection. Of particular note, the applicant's landscape plan, shows at least 2-gallon containers for shrubs and 1-gallon containers for groundcover.

## Plant Materials Requirements-Trees

Subsection 4.176 (.06) B.

**D34.** Landscape trees in the applicant's landscape plan plant schedule (Exhibit B2) are proposed to be two (2)-inch caliper (deciduous) and balled and burlapped (B&B), consistent with the requirement of this subsection. A condition of approval will require all trees to be a minimum of 2-inch caliper, balled and burlapped (B&B), well-branched, and typical of their type as described in Current American Association of Nurserymen (AAN) Standards.

## Plant Species Requirements

Subsection 4.176 (.06) E.

**D35.** The applicant's landscape plan provides sufficient information showing the proposed landscape design meets the standards of this subsection related to use of native vegetation and prohibited plant materials.

## Landscape Installation and Maintenance Standards

Subsection 4.176 (.07)

**D36.** Conditions of approval ensure that installation and maintenance standards are or will be met including that plant materials be installed to current industry standards and properly staked to ensure survival, and that plants that die are required to be replaced in kind, within one (1) growing season, unless appropriate substitute species are approved by the City. Notes on the applicant's landscape plan (Exhibit B2) provide for an irrigation system.

## Landscape Plan Requirements

Subsection 4.176 (.09)

**D37.** The applicant's landscape plans show all existing and proposed landscape areas, and include type, both scientific and common names, installation size, number and placement of materials. The plans indicate that landscaping consists of native and drought-tolerant plant materials that fall within low water usage Category C, requiring less than one (1) inch of water per week.

## Completion of Landscaping

Subsection 4.176 (.10)

**D38.** The applicant has not requested to defer installation of plant materials.

## Outdoor Lighting

### Applicability of Outdoor Lighting Standards

Sections 4.199.20 and 4.199.60

**D39.** The current application includes previous installation of five (5) pole-mounted lights along the southern boundary of the southern part of the new parking area. The outdoor lighting standards thus apply. No lighting is proposed in or near the SROZ, which is located along the western side of the area of proposed site improvements.

Outdoor Lighting Zones  
Section 4.199.30

**D40.** The subject property is within LZ2.

Optional Lighting Compliance Methods  
Subsection 4.199.40 (.01) A.

**D41.** The applicant has the option of the performance or prescriptive method. The applicant has selected to comply with the performance method.

Maximum Light Level, Shielding, and Mounting Height  
Subsection 4.199.40 (.01) C. and Tables 8 and 9

**D42.** A photometric plan and lighting fixture details are included in the applicant's submitted materials (see Exhibit B1). As described by the applicant in their compliance findings, the photometric plan demonstrates the proposed lighting in the area of the southern parking area. Property lines are located well east, north, and south of the proposed southern parking area, to which there will be no spillover beyond the property lines. The proposed lighting fixtures are fully shielded and do not generate upwards lighting. The pole height will be under 40' (maximum allowed within the LZ2) as evidenced by the details provided (Exhibit B1). The applicant proposes to provide further details about lighting and a more detailed photometric plan at time of Building permit submittal. A condition of approval addresses compliance with the standards of this section.

Lighting Curfew  
Subsection 4.199.40 (.01) D.

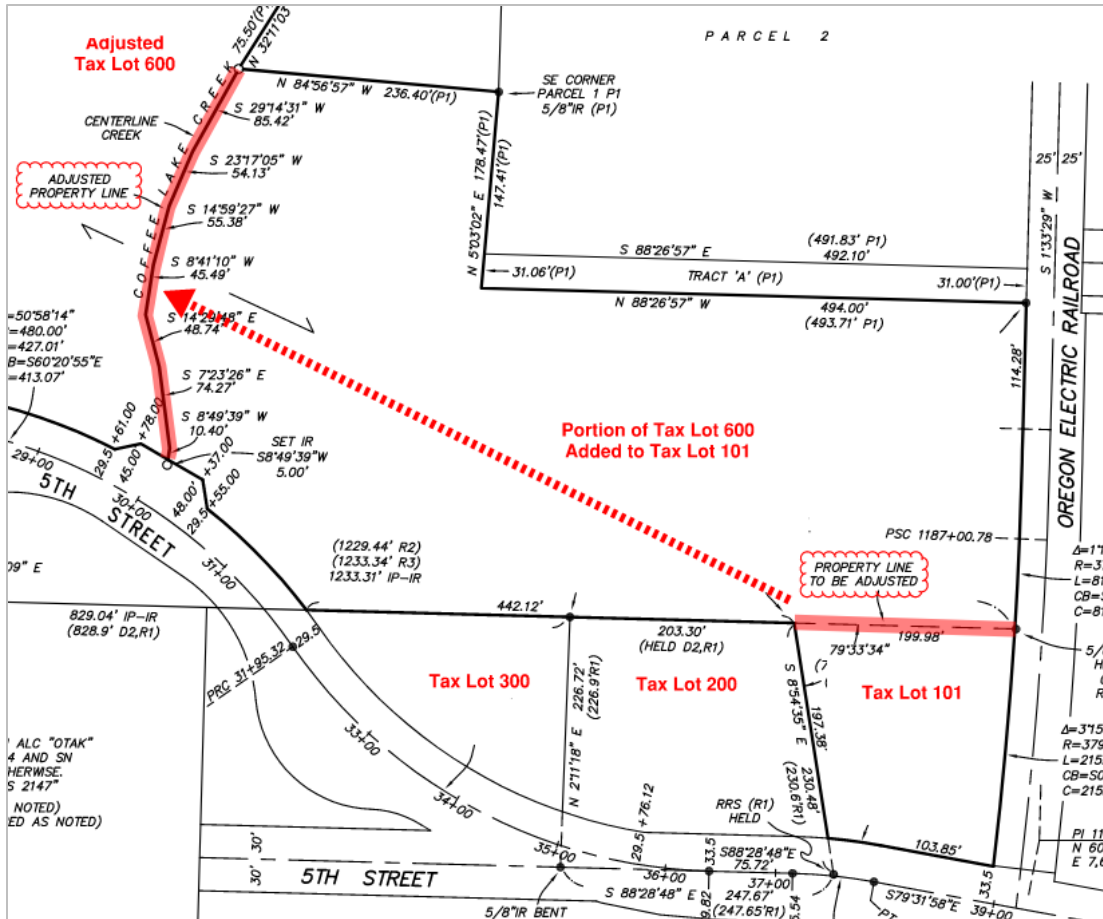
**D43.** Per the applicant's compliance narrative, "it is feasible for the applicant to install an automatic device or system" meeting the lighting curfew standards. A condition of approval will ensure compliance with the standards of this section.

**Request E: Lot Line Adjustment (ARC224-0002)**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Jurisdiction and Powers of Planning Director and Community Development Director –  
Lot Line Adjustments  
Subsection 4.030 (.01) B. 6. a.

**E1.** As shown in the illustration below, the proposed lot line adjustment will adjust the shared lot line of Tax Lots 101 and 600 to realign the ownership boundary with the limits of the proposed Zone Map amendment area, which includes the entirety of the adjusted Tax Lot 101 as well as Tax Lots 200 and 300 (see Exhibit B1).



Tax Lot 101 currently contains 35,853 square feet (0.8231 acre) and Tax Lot 600 currently contains 572,706 square feet (13.1475 acres). Approximately 271,322 square feet (6.2287 acres) are proposed to be transferred from Tax Lot 600 to Tax Lot 101. As a result, Tax Lot 101 will increase to 307,175 square feet (7.0518 acres) and Tax Lot 600 will decrease to 301,384 square feet (6.9188 acres) in area. Because Tax Lot 101 will increase by more than fifty percent (50%), from 0.8231 acre to 7.0518 acres or roughly 857%, the lot line adjustment is subject to Class II Administrative Review and the provisions of Section 4.233 for lot line adjustments.

**Authorization of Land Divisions**  
 Subsection 4.202 (.08)

**E2.** The proposed lot line adjustment is subject to the standards and procedures established in Section 4.233, and the boundaries between adjoining lots or parcels are not being altered without compliance with the standards.

**Application Procedures for Land Divisions**  
 Section 4.210

**E3.** The applicant’s submitted materials satisfy the requirements of this Code section. Staff notes that a traffic study is not required for a lot line adjustment. Approval of the lot line

adjustment is effective for two (2) years in which time the applicant must take action to record the adjustment with Clackamas County. Time extension may be granted per Section 4.023. If the lot line adjustment is not recorded with the Clackamas County Surveyor's office prior to its expiration, this approval is void.

## Lot Line Adjustments

Section 4.233

**E4.** The application is being reviewed through the Administrative Review procedure outlined in Section 4.035; however, because the lot line adjustment request is a component of a larger DRB application package, it is being reviewed by the DRB concurrent with the other applications. The subject application conforms to the requirements and standards for the PDI Zone. Tax Lot 101 is vacant with no existing structures. Tax Lot 600 is mostly vacant with one existing structure, a small building at the southwest corner of the new parking area that is occasionally used by OrePac for office/meeting room space. Although the proposed lot line adjustment increases the area of Tax Lot 101 by roughly 857%, which substantially exceeds the 50% increase in area necessitating Class II Administrative Review, placement of the new lot line separating the parcels is the most reasonable under the circumstances for the following reasons:

- The proposed lot line adjustment will realign the ownership boundary between Tax Lots 101 and 600 with the limits of the proposed Zone Map amendment area, which includes the entirety of the adjusted Tax Lot 101 as well as Tax Lots 200 and 300, thus enabling the entirety of development on the OrePac properties to be zoned PDI consistent with the Comprehensive Plan designation of Industrial.
- The proposed lot line adjustment will allow the adjusted Tax Lot 600, located west of Coffee Lake Creek (Seely Ditch), to remain in the FDA-H zone until such time as future development is proposed.
- The proposed lot line adjustment will not reduce the minimum dimensional (lot depth, width, area, setbacks) standards required for properties in the PDI zone for adjusted Tax Lot 101 or the FDA-H zone for Tax Lot 600.

## **Request F: Right-of-Way Vacation (STVC24-0001)**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

### **Planning and Land Development Ordinance**

#### Authority to Review Street Vacations

Subsections 4.031 (.01) L., 4.032 (.01) D., Subsection 4.033 (.01) H.

**F1.** The applicant is requesting vacation of a portion of public right-of-way in the central part of the subject site, referred to as "Tract A", which is no longer needed for a road connection from the Old Town area of Wilsonville to SW Kinsman Road. The proposed right-of-way vacation is subject to initial review by the Development Review Board, which will make a

recommendation to the City Council. The City Council has final decision-making authority on the requested vacation.

Street Vacation Reviewed In Accordance with ORS 271.  
Subsection 4.034 (.07)

**F2.** As shown in Findings 4-7 below, the City’s review of the street vacation request is in accordance with ORS 271.

### **Previous City Approvals**

Urban Renewal Agency Resolution Nos. 262 (2016) and 280 (2018)

**F3.** As described in the applicant’s response narrative, City Urban Renewal Agency (URA) Resolution No. 262 (2016) identified Tract A as a possible alignment for a road connection from SW Bailey Street west to SW Kinsman Road. URA Resolution No. 262 was subsequently amended by URA Resolution No. 280 (10th Amendment to the Year 2000 Plan), which clarified the location of the new east-west connector based on the City Council decision that it be an extension of SW 5<sup>th</sup> Street and not of SW Bailey Street. As a result, the existing dedicated public right-of-way (which was dedicated by Partition Plat No. 1990-92) is now redundant. Therefore, the applicant is requesting that the right-of-way vacation, which will enable it to integrate Tract A into future development plans.

### **Oregon Revised Statutes**

Petition for Street Vacation/Proposed Use of Vacated Ground/Public Hearings  
ORS 271.080 (1), ORS 271.090, ORS 271.100, ORS 271.110, ORS 271.120

**F4.** The applicant’s materials (Exhibit B2) contain a signed petition with attached map and list that identifies the area of the proposed right-of-way vacation, abutting property owners and real property affected by the requested vacation. Per the applicant’s response narrative, it understands the governing body will hear the petition and objections, if any, to determine whether requirements for the proposed right-of-way vacation have been satisfied. Petitioners are receiving notice of the public hearings for the requested right-of-way vacation along with all other required notices for the public hearings. A portion of the new parking area is located in the subject area, and part of the new driveway, at its northern extent, is proposed to be located in it.

Consent of All Adjoining Properties and 2/3 of Affected Properties  
ORS 271.080 (2)

**F5.** The petition has been signed by all owners of the abutting property, who are also the owners of at least two-thirds (2/3) of real property affected thereby. The total size of real property affected thereby is 548,581 square feet. The sum of the area of real property affected thereby that is also within the abutting tax lots is 395,075 square feet, or 72% of the total real property affected thereby. Given that the petition has been signed by all owners of abutting property, consent of property owners for 72% (i.e. greater than two-thirds) of the area of the real property affected has been provided on the attached petitions (Exhibit B2).

Title to Vacated Area  
ORS 271.140

**F6.** The title to the vacated area will be attached to the bordering properties consistent with state statute. Per the applicant's Code response, the applicant understands that, as the right-of-way was dedicated to the City of Wilsonville as part of Partition Plat No. 1990-92, the right-of-way area referred to as Tract A will be returned to Parcel 2 of Partition Plat No. 1990-92.

Vacation Records to be Filed  
ORS 271.150

**F7.** The ordinance approving the right-of-way vacation will be duly recorded in the records of Clackamas County, the cost of which will be borne by the petitioners.

**Request G: Type C Tree Removal Plan (TPLN24-0001)**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

**Type C Tree Removal-General**

Tree Related Site Access  
Subsection 4.600.50 (.03) A.

**G1.** The applicant understands that the submittal of the Type C Tree Removal applicant provides authority to the City to access to the property to verify information regarding trees.

Review Authority  
Subsection 4.610.00 (.03) B.

**G2.** The requested removal is connected to plan review by the Development Review Board of proposed site improvements on the subject property. The tree removal is thus being reviewed by the Development Review Board.

Conditions of Approval  
Subsection 4.610.00 (.06) A.

**G3.** No additional conditions are recommended pursuant to this subsection.

Completion of Operation  
Subsection 4.610.00 (.06) B.

**G4.** It is understood the tree removal will be completed prior to construction of the proposed site improvements, which is a reasonable time frame for tree removal.



Security for Permit Compliance  
Subsection 4.610.00 (.06) C.

- G5. No bond is anticipated to be required to ensure compliance with the tree removal plan as a bond is required for overall landscaping.

Tree Removal Standards  
Subsection 4.610.10 (.01)

- G6. The standards of this subsection are met as follows:
- Standard for the Significant Resource Overlay Zone (SROZ): No trees are proposed for removal within the SROZ or its Impact Area on the subject property.
  - Preservation and Conservation: The arborist report inventories 103 trees in the part of the subject property where site improvements are proposed. Of these trees, seven (7) are proposed for removal on the eastern site of the site for construction of the new driveway access and vegetation stormwater facilities. These trees include four (4) sweet cherry (*Prunus avium*) ranging from 9" to 16" d.b.h., and three (3) Douglas fir (*Pseudotsuga menziesii*) ranging from 30" to 36" d.b.h. The applicant proposes to preserve all other inventoried trees on the subject property and to plant 10 new trees in parking islands in the new parking area to mitigate for the seven (7) trees proposed for removal, exceeding the 1:1 mitigation requirement. A condition of approval will ensure that protective fencing is placed around the drip line of preserved trees prior to site grading or other site work that could damage the trees.
  - Development Alternatives: The proposed tree removal has been minimized to the extent practicable, but is necessary because, due to site constraints, there are no feasible or reasonable alternative design options that could increase the preservation of on-site trees while meeting user requirements
  - Land Clearing: Land clearing and grading will be limited to areas necessary for construction of the proposed site improvements.
  - Compliance with Statutes and Ordinances: The necessary tree replacement and protection is planned according to the requirements of the tree preservation and protection ordinance.
  - Limitation: Tree removal is limited to where it is necessary for construction (as discussed in Development Alternatives above).
  - Additional Standards: A tree survey has been provided, and no utilities are proposed to be located where they would cause adverse environmental consequences.

Review Process  
Subsection 4.610.40 (.01)

- G7. The tree removal plan is being reviewed concurrently with the Stage 2 Final Plan.

Tree Maintenance and Protection Plan  
Section 4.610.40 (.02)

**G8.** The applicant has provided information on tree maintenance and protection in the arborist report in Exhibit B1. The tree protection fencing shown indicates fencing around preserved trees, however some fencing is shown within the dripline of preserved trees. A condition of approval ensures the fencing will be installed at the dripline of preserved trees as required by this section.

**Replacement and Mitigation**

Tree Replacement Requirement  
Subsection 4.620.00 (.01)

**G9.** The applicant proposes removing seven (7) trees and replanting 10 trees as mitigation on the project site, exceeding a one-to-one ratio and the requirements of this subsection.

Basis for Determining Replacement and Replacement  
Subsection 4.620.00 (.02) and (.03)

**G10.** Replacement trees will meet the minimum caliper and other replacement requirements.

Replacement Tree Stock Requirements  
Subsection 4.620.00 (.04)

**G11.** The planting notes on the applicant's landscape plans (Exhibit B2) indicate the appropriate quality.

Replacement Trees Locations  
Subsection 4.620.00 (.05) A.

**G12.** The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

**Protection of Preserved Trees**

Tree Protection During Construction  
Section 4.620.10

**G13.** A condition of approval ensures the applicable requirements of this section will be met.

June 20, 2024

City of Wilsonville Community Development  
Attention: Cindy Luxhoj, AICP  
29799 SW Town Center Loop East  
Wilsonville, OR 97070

Re: **DB24-0001 OrePac Site Improvements**

*30170 SW OrePac Avenue. Tax Lot 780, Section 23, Tax Lots 600, 680, 690, 700, 701, and 791, Section 23B, and Tax Lots 101, 200, and 300, Section 23BD, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.*

*Project Number 2220061.00*

Dear Cindy:

In response to your plan review checklist dated February 22, 2024, we have addressed the items below, with our responses following your comments.

1. *Legal description and exhibit for Zone Map amendment.*

**Response:** A legal description and sketch for the area subject to the Zone Map amendment is included as Exhibit O.

2. *Legal description and exhibit for lot line adjustment.*

**Response:** A legal description and sketch for the lot line adjustment is included as Exhibit N.

3. *Legal description, exhibit, and petition for right-of-way vacation (as required by ORS 271.080 et seq, as applicable).*

**Response:** A legal description and sketch for the right-of-way vacation is included as Exhibit P. The petition for right-of-way vacation is underway and will be provided when complete. Per conversations with staff, the applicant understands that a public hearing will not be scheduled until the completed petition forms are provided to City staff. If needed, the applicant is willing to provide the City additional time to process the application (waiver to 120-day timeline).

4. *Tabulation of land area devoted to various uses. Narrative (page 12) states that a tabulation is shown on Sheet C1 of Exhibit E of the applicant's materials; however, such a table is not included on the indicated plan sheet.*

**Response:** The plan sheets in Exhibit E provide tabulation of land area developed for various uses.

5. *Tree inventory, arborist report, Tree Protection and Removal Plan, and sufficient information demonstrating how existing trees will be impacted by construction of proposed site improvements, such as new stormwater facilities and driveway connecting to SW 5th Street.*

**Response:** The applicant has included a preliminary arborist site plan as Exhibit M. The arborist is preparing the final inventory, report, and tree protection plan and the applicant will provide these documents once finalized.

6. *Sufficient information demonstrating how the parking lot landscaping requirements will be met.*

**Response:** The applicant has provided a tabulation of parking lot landscaping requirements, and proposed parking lot area plantings on Sheet L1.01 of Exhibit E.



City of Wilsonville  
Exhibit B3 DB24-0001



7. *Sufficient information demonstrating the project is or will be adequately served by water. Specifically, how the new stormwater facilities will be irrigated.*

**Response:** The stormwater facilities will be irrigated by a design-build irrigation system, as noted on Sheet L0.01 of Exhibit E.

8. *Sufficient information demonstrating the project is or will be adequately served by storm sewer. Use of proprietary devices is prohibited. Storm facilities must be located five (5) feet from property lines. Utility poles are not allowed in storm facilities.*

**Response:** As shown in Exhibit E and explained in Exhibit F, no proprietary devices are proposed, and the storm facilities are located 5' from property lines. No power utility poles are located within the proposed storm facilities.

9. *Sufficient information on storm drainage and system design including demonstration that LID is used to the maximum extent feasible. Use of proprietary devices is prohibited. Revise the plans to show how LID can be used to manage the new impervious area in the northernmost parking lot area.*

**Response:** The prior stormwater design has been revised by removing the infiltration chamber system, and installing a vegetated stormwater facility to the west of the northernmost parking area as explained in Exhibit F. With this revised proposal, no proprietary devices are proposed.

10. *Sufficient information on easements and dedications. All utilities including storm facilities crossing future property lines shall be shown in an easement. It is unclear from the new plans what the new property lines will be. The existing building, in the southwest corner, appears to have been constructed over a property line; this issue should be resolved with the platting in the current application.*

**Response:** As shown in Exhibit E and explained in Exhibit F, no proprietary devices are proposed. An easement for the any storm facility crossing property lines will be provided, as described in the revised narrative. A diagram of the new property lines is shown on Sheet C1 of Exhibit E.

11. *Sufficient information on impact to the Significant Resource Overlay Zone (SROZ) and buffer zone, SROZ map verification, and required SROZ impact mitigation. Show the SROZ and buffer zone on the plans to verify that there are no impacts to the SROZ and buffer zone.*

**Response:** The boundaries of the SROZ is shown on the drawings included in Exhibit E. As shown on the plan sheets in Exhibit E, a vegetated stormwater facility is proposed within the SROZ impact area.

Please contact me if you have any questions.

Sincerely,



Sid Hariharan Godt, Mackenzie

Enclosure(s): Attachment A – Revised Narrative and supporting exhibits

City of Wilsonville Community Development  
DB24-0001 OrePac Site Improvements  
Project Number 2220061.00  
June 20, 2024  
Page 3

c: Darin Coder – Inland Pacific Properties LLC  
David Adams – Walen Construction  
Tom Sisul – Sisul Engineering  
Adam Solomonson – Mackenzie

**From:** [Sid Hariharan Godt](#)  
**To:** [Cindy Luxhoj](#)  
**Subject:** RE: OrePac Clarification Items  
**Date:** Thursday, August 29, 2024 12:35:54 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)



Hi Cindy,

Sorry – I’ve been slow to respond. Filled to the brim this week.

I’ve filled in the blanks in your below email in blue. I’ve reached out to the surveyor for updated graphic and will provide when available (don’t think it will come today).

-Sid

**Sid Hariharan Godt** Land Use Planning  
D 971-346-3700 C 503-708-6339 Associate  
[Professional Licenses & Certifications](#)

---

**From:** Cindy Luxhoj <[luxhoj@ci.wilsonville.or.us](mailto:luxhoj@ci.wilsonville.or.us)>  
**Sent:** Thursday, August 29, 2024 12:01 PM  
**To:** Sid Hariharan Godt <[SHariharanGodt@mcknze.com](mailto:SHariharanGodt@mcknze.com)>  
**Subject:** RE: OrePac Clarification Items  
**Importance:** High

Hi Sid – Just left you a voicemail. I have one more clarifying question – hopefully the last for now. See below – I need the highlighted numbers to fill in the blanks in Finding F6:

Consent of All Adjoining Properties and 2/3 of Affected Properties  
ORS 271.080 (2)

F6. The petition has been signed by all owners of the abutting property, who are also the owners of at least two-thirds (2/3) of real property affected thereby. The total size of real property affected thereby is **548,581** SF. The sum of the area of real property affected thereby that is also within the abutting tax lots is **395,075** SF, or **72%** of the total real property affected thereby. Given that the petition has been signed by all owners of abutting property, consent of property owners for **72%** (i.e. greater than two-thirds) of the area of the real property affected has been provided on the attached petitions (Exhibit B2).

Thanks,

**Cindy Luxhoj AICP**  
Associate Planner  
City of Wilsonville

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**From:** Cindy Luxhoj <[luxhoj@ci.wilsonville.or.us](mailto:luxhoj@ci.wilsonville.or.us)>  
**Sent:** Thursday, August 29, 2024 9:15 AM



**From:** [Sid Hariharan Godt](#)  
**To:** [Cindy Luxhoj](#)  
**Subject:** RE: OrePac Clarification Items  
**Date:** Wednesday, August 28, 2024 3:05:53 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---



Cindy,

Responses below in [blue](#).

Thanks,  
Sid

**Sid Hariharan Godt** Land Use Planning  
D 971-346-3700 C 503-708-6339 Associate  
[Professional Licenses & Certifications](#)

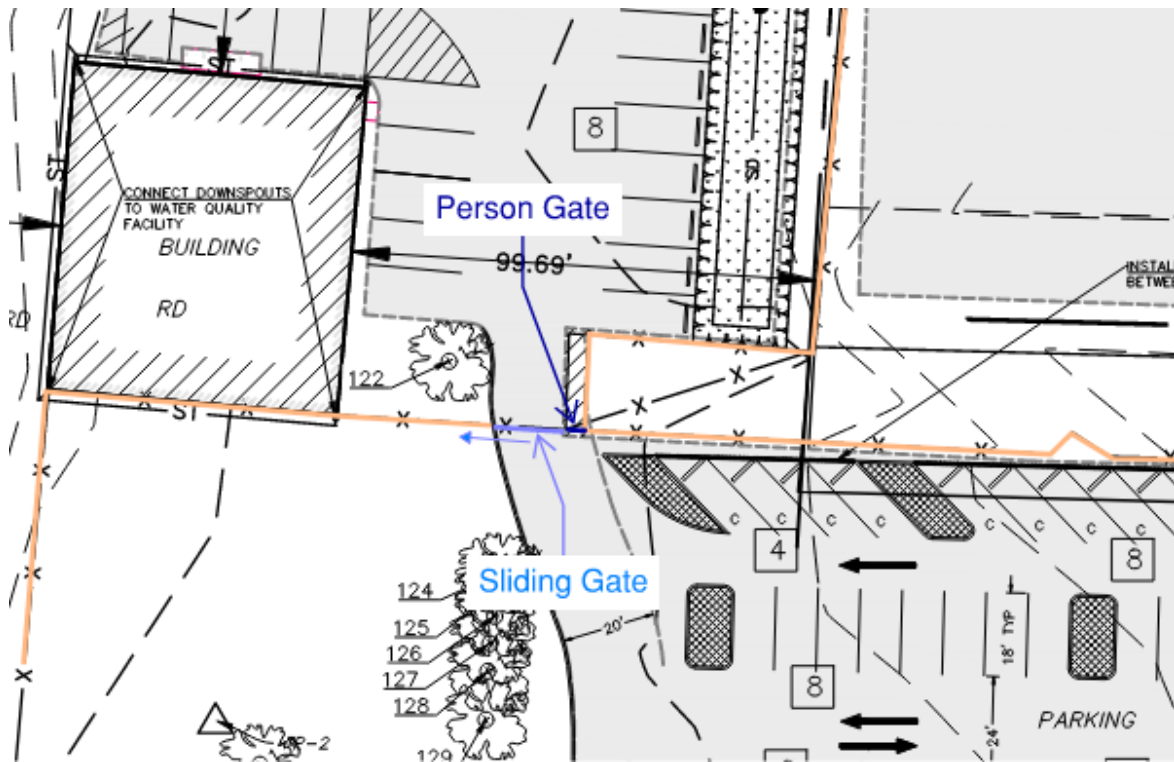
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**From:** Cindy Luxhoj <[luxhoj@ci.wilsonville.or.us](mailto:luxhoj@ci.wilsonville.or.us)>  
**Sent:** Wednesday, August 28, 2024 9:51 AM  
**To:** Sid Hariharan Godt <[SHariharanGodt@mcknze.com](mailto:SHariharanGodt@mcknze.com)>  
**Subject:** RE: OrePac Clarification Items  
**Importance:** High

Thanks, Sid

I'm curious when you'll be sending over information responding to the other questions we discussed yesterday?

- Square footage of various uses in building for parking calculation: Office, Manufacturing, Warehouse, Total of all uses; whether and in what use the small building at SW corner is included in calculations. [The manufacturing/warehouse use is intertwined in the large warehouse-style building. Split approximately 50/50. The ~4,500 SF building is office use, but is rarely used.](#)
- Clarification about fencing in area between north and south parts of new parking area and interaction with striped walkway and gates.  
[I've included a screenshot below of the fence/gate design. The plans will be updated accordingly. I'm hoping that this will be sufficient detail for this application and will be updated during permitting.](#)



Also I left you a voicemail after we talked about the ROW vacation. Per Amy Pepper, the applicant needs to obtain letters from private utilities stating that they don't need an easement in Tract A; utilities include:

- Ziplly
- Comcast
- NW Natural
- PGE

It would be ideal to have these letters for the DRB packet or at the public hearing. If that's not possible, then the letters will absolutely be needed to include in the City Council packet.

The staff report publishes tomorrow, so please make every effort to provide this information later today or tomorrow morning at latest.

Thanks!

**Cindy Luxhoj AICP**  
Associate Planner  
City of Wilsonville

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**From:** Sid Hariharan Godt <[SHariharanGodt@mcknze.com](mailto:SHariharanGodt@mcknze.com)>  
**Sent:** Tuesday, August 27, 2024 4:47 PM  
**To:** Cindy Luxhoj <[luxhoj@ci.wilsonville.or.us](mailto:luxhoj@ci.wilsonville.or.us)>  
**Subject:** RE: OrePac Clarification Items



Cindy,

Thanks for the chat this morning. I've attached a diagram regarding the landscape area percentages.

-Sid

**Sid Hariharan Godt** Land Use Planning  
D 971-346-3700 C 503-708-6339 Associate  
[Professional Licenses & Certifications](#)

---

**From:** Sid Hariharan Godt <[SHariharanGodt@mcknze.com](mailto:SHariharanGodt@mcknze.com)>  
**Sent:** Tuesday, August 27, 2024 7:27 AM  
**To:** Cindy Luxhoj <[luxhoj@ci.wilsonville.or.us](mailto:luxhoj@ci.wilsonville.or.us)>  
**Subject:** RE: OrePac Clarification Items

Hi Cindy,

I'll plan to give you a call this morning, but also wanted to provide answer to your questions via email prior. [Responses below, in blue.](#)

Thanks,  
Sid

**Sid Hariharan Godt** Land Use Planning  
D 971-346-3700 C 503-708-6339 Associate  
[Professional Licenses & Certifications](#)

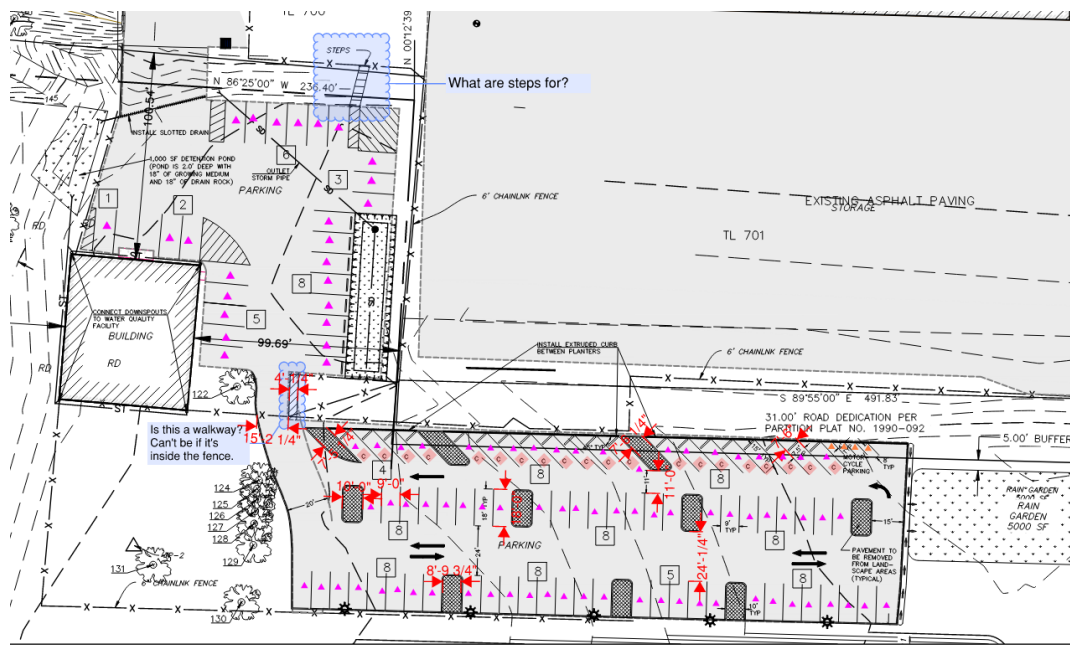
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**From:** Cindy Luxhoj <[luxhoj@ci.wilsonville.or.us](mailto:luxhoj@ci.wilsonville.or.us)>  
**Sent:** Monday, August 26, 2024 11:12 AM  
**To:** Sid Hariharan Godt <[SHariharanGodt@mcknze.com](mailto:SHariharanGodt@mcknze.com)>  
**Subject:** RE: OrePac Clarification Items  
**Importance:** High

Hi Sid,

Thanks for the information in your email. It's helpful, but I still have questions – see below. Please call me this afternoon at 4:30 to discuss.

- On-site pedestrian access and circulation – Section 4.154 (.01) B.: The information you provided is helpful, but where are building entrances located in relation to the walkways? Building entrances aren't shown on the plans so it's impossible to determine how pedestrian circulation will function in relation to building access. Also, the steps appear to end at a fence. Is there a gate in the fence? Please also see note about striping along drive aisle between the new northern and southern parking areas. [In response to the "what are these steps for" comment in the graphic below, these steps provide employee access from the parking area to building access. There is a man door in the fence for this purpose. I've included a screengrab below. A building entrance is located where the stairs, pictured below, exit to the north. The striped area between the southern parking area and northern parking area is walkway, and a man door will be provided to provide access.](#)



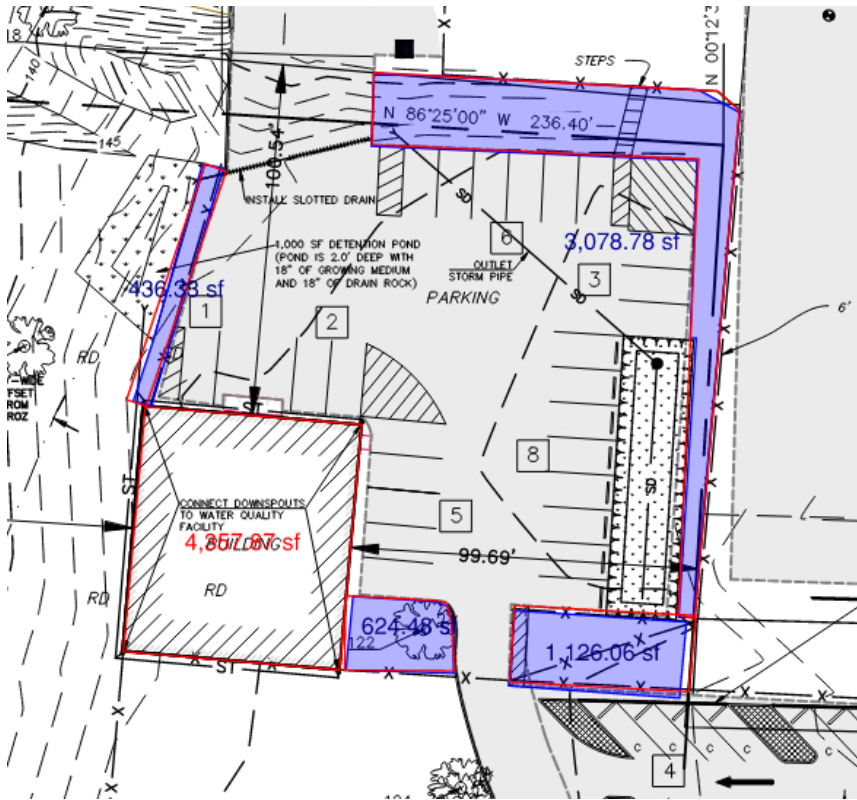
- General Parking Regulations – Section 4.155 (.02) J. and K.: Will the entirety of the new parking areas be surrounded by a 6-inch curb? It's unclear from the plans and, if not, how will stormwater be appropriately directed to the stormwater facilities rather than sheet flowing to surrounding areas? **The parking area will be surrounded by curb and gutter. The parking lot slopes west to east (as shown on the Grading Plan) which will direct the water to the rain garden.**
- Minimum and maximum parking calculations – Section 4.155 (.03) and Table 5: It's correct that there are no parking minimums; however, the parking maximums still apply. The plans (Sheet C2) provide square footage for two uses: Office (32,152 sf) and Warehouse (188,937 sf). It's unclear whether this includes the square footage of the small square building in the southwest

corner of the site – Is this building used by OrePac and, if so, for what purpose? Is the square footage of this building included in the total building square footage and, if so, for what use?

- Using the allowance from Table 5 for the Office and Warehouse uses, not including the small building above, results in the calculation in the table below. A total of 229 spaces are proposed (per Sheet C2), which is two over the allowed maximum. However, if some of the building area is considered manufacturing, which doesn't have a maximum, then there is no maximum for the site. On page 36 of the applicant's narrative it states "the Manufacturing use does not have a maximum parking ratio, per Table 5" – What part of the building is considered "Manufacturing"? I have a question out to OrePac on the manufacturing SF and will provide this number as soon as available. It does not appear that the building in the SW corner was considered in the SF calcs, for purposes of the parking min/max. With the addition of the building (Office use), the total office space is approximately 36,652, which provides for a maximum off-street parking space count of 150 ((36,152/1,000)\*4.1). This revised SF figure would raise the maximum to 245. I can revise the applicant's narrative to reflect this change, if that would be beneficial.

Use and Parking Standard	Square Feet	Minimum Off-street Spaces Required	Maximum Off-street Spaces Allowed	Proposed Off-street Spaces	Minimum Bicycle Parking Spaces	Proposed Bicycle Parking Spaces
Office or flex space (except medical and dental)	32,152 sf	Not Applicable	4.1 per 1,000 = 132	--	Not Applicable	Not Applicable
Warehouse	188,937 sf	Not Applicable	.5 per 1,000 = 95			
<b>Total</b>	<b>221,089 sf</b>	--	<b>227</b>	<b>229</b>	--	--

- Four motorcycle spaces are shown, not three, at the NE corner of the new southern parking area. This is consistent with the narrative (pg 37), but not with the calculation table on Sheet C2. Please clarify. [Four \(4\) motorcycle parking spaces are proposed. The plan Sheet C2 incorrectly shows three \(3\) in the parking table.](#)
- Parking Lot Landscaping – Section 4.155 (.03) B.: Why are there no landscape islands or landscaping proposed (Sheet L1.10) in the new northern parking area? Are existing trees along the north and east sides being considered parking lot landscaping? [That is correct, the areas in blue boxed in the image below are considered as landscape islands and are provided at an aggregate from the northern parking lot area. The impervious area of the L-shaped parking area is ~15,850 SF, and approximately ~5,200 SF of parking area landscaping is provided, satisfying the 10% requirement. These areas have mature trees which will provide shade to the parking area. Additionally, the new storm facility in the northern parking area is a vegetated facility that can provide similar landscaping qualities.](#)



I might have other questions as I continue drafting the staff report and, if so, will email those to you later today.

Looking forward to discussing with you this afternoon.

Thanks,

**Cindy Luxhoj AICP**  
 Associate Planner  
 City of Wilsonville

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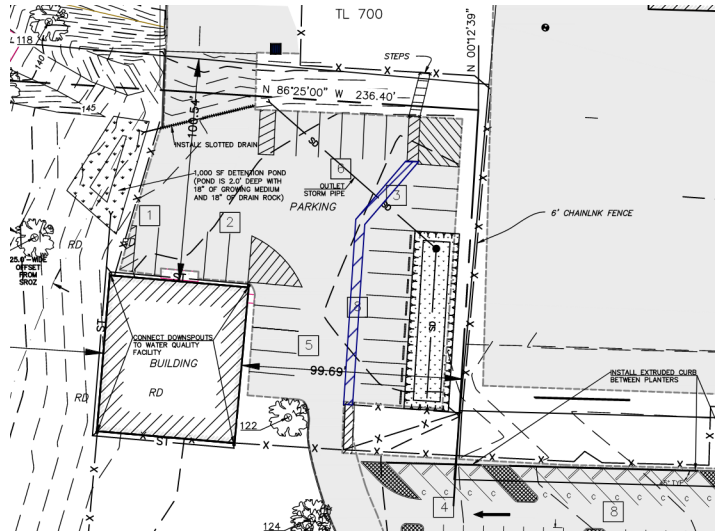
**From:** Sid Hariharan Godt <[SHariharanGodt@mcknze.com](mailto:SHariharanGodt@mcknze.com)>  
**Sent:** Monday, August 26, 2024 10:15 AM  
**To:** Cindy Luxhoj <[luxhoj@ci.wilsonville.or.us](mailto:luxhoj@ci.wilsonville.or.us)>  
**Subject:** OrePac Clarification Items

Hi Cindy,

Thanks for your messages. Sorry I have not been able to answer – I’m quite tied up today. I’ve provided some answers, to what I believe are your questions, below. I could give you a call around 4:30 today, or tomorrow between 8-9 if that would be helpful.

1. Connectivity
  - a. As part of the permitting documents, we anticipate providing a marked path through the parking lot, to tie into the existing

steps as roughly shown in the below graphic:



2. Parking

- a. Parking count is based on existing mix of warehouse and manufacturing. Manufacturing does not have a maximum parking ratio, therefore the site does not have a maximum allowable parking ratio.

Thanks,  
Sid

**Sid Hariharan Godt**  
D 971-346-3700 C 503-708-6339

Land Use Planning  
Associate  
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Exhibit C1  
Public Works Plan Submittal Requirements  
and Other Engineering Requirements

---

1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards - 2017.
2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

<b>Coverage</b> ( <i>Aggregate, accept where noted</i> )	<b>Limit</b>
<b><u>Commercial General Liability:</u></b>	
▪ General Aggregate (per project)	\$3,000,000
▪ General Aggregate (per occurrence)	\$2,000,000
▪ Fire Damage (any one fire)	\$50,000
▪ Medical Expense (any one person)	\$10,000
<b><u>Business Automobile Liability Insurance:</u></b>	
▪ Each Occurrence	\$1,000,000
▪ Aggregate	\$2,000,000
<b><u>Workers Compensation Insurance</u></b>	\$500,000

3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.
4. All public utility/improvement plans submitted for review shall be based upon a 22" x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
5. Plans submitted for review shall meet the following general criteria:
  - a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
  - b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department.
  - c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.



- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
  - e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
  - f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
  - g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
  - h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
  - i. Erosion Control Plan that conforms to City of Wilsonville City Code Section 8.317.
  - j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
  - k. All engineering plans shall be printed to PDF, combined to a single file, stamped and digitally signed by a Professional Engineer registered in the State of Oregon.
  - l. All plans submitted for review shall be in sets of a digitally signed PDF and three printed sets.
6. Submit plans in the following general format and order for all public works construction to be maintained by the City:
- a. Cover sheet
  - b. City of Wilsonville construction note sheet
  - c. Land Use Conditions of Approval sheet
  - d. General construction note sheet
  - e. Existing conditions plan.
  - f. Erosion control and tree protection plan.
  - g. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
  - h. Grading plan, with 1-foot contours.
  - i. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
  - j. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
  - k. Street plans.
  - l. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference.
  - m. Stormwater LID facilities (Low Impact Development): provide plan and profile views of all LID facilities.
  - n. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.



- o. Where depth of water mains are designed deeper than the 3-foot minimum (to clear other pipe lines or obstructions), the design engineer shall add the required depth information to the plan sheets.
  - p. Detailed plan for water quality facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.
  - q. Composite franchise utility plan.
  - r. City of Wilsonville detail drawings.
  - s. Illumination plan.
  - t. Striping and signage plan.
  - u. Landscape plan.
7. Design engineer shall coordinate with the City in numbering the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to City's numbering system.
  8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with City Code Section 8.317 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
  9. Applicant shall work with City Engineering before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
  10. The applicant shall be in conformance with all stormwater and flow control requirements for the proposed development per the Public Works Standards.
  11. A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City.
  12. The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.
  13. Storm water quality facilities shall have approved landscape planted and approved by the City of Wilsonville prior to paving.

14. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
15. All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
16. Streetlights shall be in compliance with City dark sky, LED, and PGE Option C requirements.
17. Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
18. No surcharging of sanitary or storm water manholes is allowed.
19. The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
20. A City approved energy dissipation device shall be installed at all proposed storm system outfalls. Storm outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
21. The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
22. All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
23. Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.
24. The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.

25. The applicant shall provide adequate sight distance at all project street intersections, alley intersections and commercial driveways by properly designing intersection alignments, establishing set-backs, driveway placement and/or vegetation control. Coordinate and align proposed streets, alleys and commercial driveways with existing streets, alleys and commercial driveways located on the opposite side of the proposed project site existing roadways. Specific designs shall be approved by a Professional Engineer registered in the State of Oregon. As part of project acceptance by the City the Applicant shall have the sight distance at all project intersections, alley intersections and commercial driveways verified and approved by a Professional Engineer registered in the State of Oregon, with the approval(s) submitted to the City (on City approved forms).
26. Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
27. Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and Allied Waste Management (United Disposal) for access and use of their vehicles.
28. The applicant shall provide the City with a Stormwater Maintenance and Access Easement Agreement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Applicant shall provide City with a map exhibit showing the location of all stormwater facilities which will be maintained by the Applicant or designee. Stormwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
29. The applicant shall "loop" proposed waterlines by connecting to the existing City waterlines where applicable.
30. Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
31. For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).
32. MRecord Drawings:

At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey

shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings in an electronic copy in AutoCAD, current version, and a digitally signed PDF.

Exhibit C2  
Natural Resources Findings & Requirements

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Significant Resource Overlay Zone

1. All landscaping, including herbicides used to eradicate invasive plant species and existing vegetation, in the SROZ shall be reviewed and approved by the Natural Resources Manager. Native plants are required for landscaping in the SROZ.
2. Prior to any site grading or ground disturbance, the applicant is required to delineate the boundary of the SROZ. Six-foot (6') tall cyclone fences with metal posts pounded into the ground at 6'-8' centers shall be used to protect the significant natural resource area where development encroaches into the 25-foot Impact Area.
3. The applicant shall minimize the impact of the proposed development in the SROZ.



## OrePac Site Improvements – SROZ Review

### **Findings of Fact:**

1. The property (Site ID Number 4.06) includes Coffee Lake Creek and its associated riparian area. Within the property, the stream is steep sided and channelized (also known as Seely Ditch).
2. The Significant Resource Overlay Zone ordinance prescribes regulations for development within the SROZ and its associated 25-foot Impact Area. Setbacks from significant natural resources implement the requirements of Metro Title 3 Water Quality Resource Areas, Metro Title 13 Nature in Neighborhoods, and Statewide Planning Goal 5. All significant natural resources have an Impact Area. Development or other alteration activities may be permitted within the SROZ and its associated Impact Area through the review of a Significant Resource Impact Report (SRIR). The primary purpose of the Impact Area is to ensure that development does not encroach into the SROZ.
3. Pursuant to the city’s SROZ ordinance, development is only allowed within the Area of Limited Conflicting Use (ALCU). The ALCU is located between the riparian corridor boundary, riparian impact area or the Metro Title 3 Water Quality Resource Area boundary, whichever is furthest from the wetland or stream, and the outside edge of the SROZ, or an isolated significant wildlife habitat (upland forest) resource site.

### **Description of Request:**

The applicant is requesting approval of proposed development that is located within the Significant Resource Overlay Zone and its associated Impact Area.

### **Summary of Issues/Background:**

The applicant has proposed a stormwater facility within the SROZ, which qualifies as exempt development. Pursuant to Section 4.139.00 and Section 4.139.06(.03), no development is allowed within the SROZ unless it is located within an ALCU or qualifies as an exempt use or activity.

### **Section 4.139.04 Use and Activities Exempt from These Regulations**

**Proposed exempt development in the SROZ and its associated Impact Area comply with the following exemptions:**

- (.13) Enhancement of the riparian corridor or wetlands for water quality or quantity benefits, fish, or wildlife habitat as approved by the City and appropriate regulatory agencies.**

1. Due to the current condition of the site, the placement and operation of the stormwater facility will provide water quality and habitat benefit through the planting of stormwater facility vegetation and the installation of soil media.