

BEFORE THE STAYTON PLANNING DEPARTMENT

In the matter of) Site Plan Review
The application of) File # 7-03/24
Stayton Washington. LLC, Applicant)

ORDER OF CONDITIONAL APPROVAL

I. NATURE OF APPLICATION

Application for minor modification to an industrial site. The property is the Santiam Industrial Center (previously called NORPAC), located at 930 W Washington St and is zoned Light Industrial (LI). The proposal is to create an additional dockage and parking with required landscaping, and lighting.

II. FINDINGS OF FACT

A. GENERAL FINDINGS

1. The owner and applicant are Stayton Washington, LLC.
2. The property can be described on Marion County Assessors Map as Tax Lot 091W10CB02400.
3. The property is addressed as 930 W Washington St and has frontage on W Washington Street and N Evergreen Avenue. The property contains approximately 50.91 acres (without the completed partition LU #4-05/23.)
4. The property is zoned Light Industrial (IL).
5. The neighboring properties (without the completed partition) are a variety of zones and land uses. The properties in the north are a mix of Commercial General (CG), High Density Residential (HD), Low Density Residential (LD), and Public/Semi Public (P) zones. In the east, the properties are a mix of HD, Medium Density Residential (MD), and LD zones. In the south, the properties are a mix of MD, and LD zones. To the west, the properties are a mix of LD, and Light Industrial (IL) zones. The land use of the surrounding properties are developed with single- and multi-family dwellings, Stayton High School, a mobile home park, commercial development, and vacant undeveloped property.
6. The property received Conditional Use Approval from the Stayton Planning Commission on 8/11/2023 (Land Use File 04-05/23) for a 3-parcel partition of the property.
7. The applicant signed a request to extend the 120-day review period by an additional 120 days, moving the new deadline to November 23, 2024.

B. EXISTING CONDITIONS

The property is developed with manufacturing and warehousing facilities totaling 525,434 square feet of buildings with associated parking, outdoor storage and loading sites, and off-street parking. The facility has been largely unused for manufacturing purposes for several years, with the site primarily serving as a vacant, underdeveloped industrial property. The current configuration reflects its historical use, with parking on the building side of Washington Street and a large parking area on the north side that previously served plant employees.

C. PROPOSAL

The proposal is to create additional parking with required landscaping, and lighting, add canopy covers for loading docks (7,497 square feet), and construction of trailer/yard spaces. It will reconfigure and increase parking on the south side of W Washington Street.

D. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, Marion County Public Works, WAVE Broadband, Stayton Cooperative Telephone Company, Pacific Power, Northwest Natural Gas, Santiam Water Control District, Stayton Fire District, Stayton Police Department, Salem Development Services, and Santiam Hospital.

Responses were received from Stayton Public Works, the city's consultant City Engineer, and the city's transportation consultant, whose comments are reflected in the findings below. Northwest Natural Gas stated that they reviewed the proposal and have no comments.

E. ANALYSIS

Site plan review applications are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Title 17, Section 17.12.220 and applicable provisions of the Development and Improvement Standards of Title 17 Chapter 20. The applicable sections of Chapter 20 are 17.20.060 – Off-Street Parking and Loading, 17.20.070 – Open Storage Areas and Outdoor Storage Yards, 17.20.080 – Special Street and Riparian Areas, 17.20.090 – Landscaping Requirements, 17.20.170 – Outdoor Lighting, and 17.20.230 – Industrial Design Standards.

F. APPROVAL CRITERIA

Pursuant to SMC 17.12.220.5 the following criteria must be demonstrated as being satisfied by the application:

- a. *The existence of, or ability to obtain, adequate utility systems (including water, sewer, surface water drainage, power, and communications), and connections, including easements, to properly serve development in accordance with City's Master Plans and Standard Specifications.*

Analysis: The applicant states that existing utilities provide water, sewer, stormwater drainage, power, gas, and communications. No upgrades to these utilities are being proposed. The City Engineer provided information about the existence and ability to obtain adequate utility systems.

Overall, the City Engineer stated that with the number of existing utilities within and around the existing parcel, there is some concern that the existing public utilities may not all be located within deeded easements. As such, some research into these various existing utilities and coordination with Public Works will be needed as part of the future development. The applicant shall provide any necessary easements for public utilities.

Any existing water services proposed to be reused shall be located and inspected prior to reuse by the applicant and reviewed and accepted by Stayton Public Works Department. If the existing water service is found to be unacceptable for reuse, then a new water service shall be provided. Any existing sewer services proposed to be reused shall be located, televised, and inspected prior to reuse by the applicant and reviewed and accepted by Stayton Public Works Department. If the existing sewer service is found to be unacceptable for reuse, then a new sewer service shall be provided. It does not appear that there are any water or wastewater master planned improvements

identified on the water or wastewater master plans needed along the frontage of the proposed development site.

Regarding fire protection, additional information on existing fire water service systems will need to be provided to the city for review at the Site Development Permit application stage. The developer shall provide the necessary fire access, protection devices, and system modifications and meet all other fire protection requirements of the Fire Code Official and provide written documentation that the Fire Code Official has reviewed and approved all required fire access, protection devices, and system modifications, unless otherwise deferred in writing by the Fire Code Official.

According to Public Works Design Standards (PWDS), stormwater shall be surface infiltrated onsite to the maximum extent feasible. Modifications to the existing storm drainage system may be required to accommodate any widened asphalt, curb and gutter, curb returns, and curb ramps. Any new required storm drainage system shall be designed in accordance with the PWDS and design calculations shall be submitted for review. A stormwater analysis, drainage report and supporting documentation will be required in accordance with PWDS 603.01. In accordance with PWDS 602.01.N, stormwater quality and quantity provisions shall be included as part of the design considerations. The stormwater drainage plan will be reviewed as part of the Site Development Permit application by the Stayton Public Works Department.

Based on a review of the preliminary stormwater report, revisions to the proposed stormwater facility design will be necessary in order to comply with PWDS that may affect the overall stormwater facility size, location, and other stormwater facility design parameters. This may also impact the parking lot configuration. If the parking lot needs to be reconfigured and substantially changed, a modified site plan will need to be reviewed and re-evaluated with a newly rendered decision that may be made by the City Planner as the decision-making authority.

All franchise utility improvements, including but not limited to, telephone, electrical power, gas and cable TV shall meet the current standards of the appropriate agency as well as Public Works Standards. All franchise utilities shall be located with the 10' PUE and utility plans shall be submitted to the City for review and approval.

Finding: Existing water, sewer, stormwater drainage, power, gas, and communications utilities are available to the parcel. It is unclear if there are needed utility easements, whether fire water service systems are adequate and whether stormwater drainage and retention is adequate. The applicant can comply if they meet the conditions below.

CONDITIONS:

- Prior to obtaining a Site Development Permit, provide additional information regarding utilities to discern if public utility easements are necessary and if they are, provide utility easements to the city. The Stayton Public Works Department oversees the review and approval of Site Development Permits in accordance with the procedures outlined in the 2021 Public Works Design Standards.
- Provide a revised site plan showing fire water service systems that meet all fire protection requirements with written approval by the Fire Code Official.
- Prior to obtaining a Site Development Permit, submit an updated preliminary stormwater report that will comply with PWDS. The Stayton Public Works Department oversees the

review and approval of Site Development Permits in accordance with the procedures outlined in the 2021 Public Works Design Standards.

- b. *Provisions for safe and efficient internal traffic circulation, including both pedestrian and motor vehicle traffic, and for safe access to the property from those public streets and roads which serve the property in accordance with the City's Transportation System Plan and Standard Specifications.*

Analysis: New parking lots and trailer yard spaces are being proposed for the site development. The previous development was a canning facility with a main entry point for employees. As proposed, there will be 10 tenant spaces, each with their own entrance. The application does not show new entrance locations and their respective on-site pedestrian circulation, which is likely to change from the previous use. In addition, there are no sidewalks along the property frontage.

The applicant proposes removing two driveways, updating three, and creating one new driveway. The number of accesses have been reduced to fit in more alignment with the maximum allowance of two driveways with up to 2,500 daily trips. The spacing of the driveways have been adjusted to create more consistency. The city's traffic engineering consultants reviewed the revised Transportation Analysis Letter (TAL) dated September 26, 2024, and agree with the closure of two access points and relocation of two access points for a total of four access points that make good progress towards meeting the access spacing standards in light of the constraints of the site. The city's consultant recommends moving the B-2 access approximately 25 feet east to align with a driveway across the street.

The revised Transportation Assessment Letter (TAL) proposed that the new site use will be and Industrial Park (ITE Code 130). With closure of the north parking lot across W Washington Street, all site trips will now use driveways on the main site. Even though the site will generate fewer trips, the volume at the driveways serving the main site will increase slightly since cars that previously would have parked in the north parking area will now access the main parking area. Assuming a proportionate share of the prior trip generation accessed the main and north parking areas, approximately 100 peak hour trips would have used the main site driveways. With an estimated 179 peak hour trips resulting from the project, there would be a net increase of 79 trips using these main site driveways. According to SMC17.26.020.1.f. non-conforming access features shall be brought into conformance with applicable standards when there is a Change of Use. See criteria d. regarding Change of Use permits.

Finding: As discussed in the analysis above, staff finds that, as proposed, the proposal meets the criteria.

- c. *Provision of all necessary improvements to local streets and roads, including the dedication of additional right-of-way to the City and/or the actual improvement of traffic facilities to accommodate the additional traffic load generated by the proposed development of the site in accordance with Chapter 17.26, the City's Transportation System Plan, and Public Works Design Standards. Improvements required as a condition of approval shall be roughly proportional to the impact of the development on transportation facilities. Approval findings shall indicate how the required improvements are directly related to and are roughly proportional to the impact of development.*

Analysis: As stated in criterion b. (above) traffic volumes would likely increase to the parking lot on the south side of Washington Street now that the north parking lot will be a separate parcel.

The removal of 366 parking spots from the north lot and adding an additional 150 parking spots to the south of Washington Street will increase traffic flows to the south of W Washington Street. In addition, pedestrian traffic would increase with the revitalization of unused buildings.

The City Engineer provided information about the necessary right-of-ways, and street improvements on the roads that front the property. Per the City Engineer, W Washington Street is a Minor Arterial with an existing 60' right-of-way and no additional right-of-way will be needed. A standard 10' public utility easement is generally required. The frontage on W Washington is partially developed with existing curbs and asphalt pavements. There is not a sidewalk along the frontage nor is there a 6' bike lane, and the existing asphalt is most likely past its design life.

Under general standards, if the existing half-street is found to be substandard along the frontage, the existing pavement needs to be removed and replaced according to the PWDS and if the existing pavement base is determined to be structurally sound, an overlay of the pavement may be approved per PWDS.

The site has existing private fencing/gates, parking lot curbs, and other private site features within the existing public right-of-way which will need to be removed and/or re-located outside of the existing public right-of-way. There is an existing approved partition that has not been completed and the Conditions of Approval for the partitioning will need to be met to the satisfaction of the City Planner and Public Works Director.

Under general standards, unless approved otherwise by the Public Works Director at the time of development, 6' wide property line sidewalks are required to be installed across the frontage and sidewalk/curb ramps will need to be provided at the intersection with Gardner Avenue in accordance with the PWDS. According to SMC 12.04.030 with exemptions, no person shall construct a parking lot improvement unless the street and sidewalk are fully improved to City standards. The exemptions are listed in SMC 12.04.040.2. which states that where a street or sidewalk improvement is constructed as a Conditional of Approval for a land use permit such as a Site Plan Review, the requirement is satisfied.

The Transportation System Plan does identify that a 6' bike lane is a needed improvement along the frontage of W Washington Street.

N Evergreen Avenue is a Local Street which requires a 60' right-of-way. N Evergreen will be impacted by the revitalized use of the south part of W Washington Street. An additional 10' right-of-way along the frontage would be needed to meet the minimum half-width right-of-way requirement unless otherwise approved by the Public Works Director. A standard 10' public utility easement is required. The pavement width, curbs, and sidewalks are substandard, therefore pavement core test results are generally required showing that the existing half-street pavement section within N. Evergreen Avenue complies with the PWDS requirements. If the existing half-street asphalt pavement section is found to be substandard along the frontage, the existing half-street pavement section would need to be removed and replaced per PWDS. If the existing pavement base is determined to be structurally sound, an overlay of the pavement may be approved per PWDS.

Finding: As discussed above, the proposal does not meet several criterion for street improvements including frontage improvements along W Washington Street, frontage improvements along N Evergreen Avenue, sidewalk improvements along the site frontage along

W Washington Street, bike lanes along W Washington Street and 10 foot public utility easements. Because much of the building and parking, and traffic impacts are existing, however, it would not be roughly proportional to require the developer to bring the site into full compliance, and therefore staff can not make this a requirement or Condition of Approval.

While it is challenging to provide a clear and clean proportionality analysis due to the complex nature of the site and its re-use, staff has determined that it is proportional to require some improvements. The analysis follows: There is a net increase of 79 peak hour trips according to the revised Transportation Analysis Letter (TAL). If we considered that the SDC charge is \$3,224 per trip, this would equate to an impact value of \$254,696. It should be noted that the applicant will most likely not be required to pay SDC because the charge is tied to building square footage, but this value is used in this analysis to try to quantify the trips to the site that were not previously there as they were across the street. The estimated cost of all the required improvements far exceeds the value of the trip impact, therefore staff prioritized the needed improvements and funding. The city received an estimate of \$145,454 for the costs associated with modifying driveway accesses (refer to criteria b.), which will be credited toward the proportionality of their impact. Additionally, the city has estimated to build a six-foot wide sidewalk along the frontage with ADA ramps would cost \$264,960. The addition of the sidewalks would not only benefit the city, but the development as well.

CONDITION:

- Prior to issuance of a Site Development Permit the applicant shall dedicate 10 feet on right-of-way along the frontage of N Evergreen Avenue. The Stayton Public Works Department oversees the review and approval of Site Development Permits in accordance with the procedures outlined in the 2021 Public Works Design Standards.
- Prior to issuance of a Site Development Permit the applicant shall provide 10' Public Utility Easement along the frontage of W Washington Street and N Evergreen Avenue. The Stayton Public Works Department oversees the review and approval of Site Development Permits in accordance with the procedures outlined in the 2021 Public Works Design Standards.
- Prior to obtaining a Site Development Permit and issuance of building permits for future tenant improvements, a fee-in-lieu of \$110,000 will be provided and keep by the city in a restricted account to be spent on improvements including sidewalks and street trees along the properties frontage on W Washington Street. The Stayton Public Works Department oversees the review and approval of Site Development Permits in accordance with the procedures outlined in the 2021 Public Works Design Standards.

d. Provision has been made for parking and loading facilities as required by Section 17.20.060.

Analysis: The historic use of the property is food manufacturing which is an industrial use. The building's total square footage is 545,476. Under current zoning, this use would require 546 parking spaces. The current amount of parking space on the parcel (after partitioning) is 150 spaces, which is an existing non-conforming development.

While it is unclear exactly what the new tenant mix will be, the applicant's TIA indicates the possible uses as General Light Industrial, Manufacturing, or Warehousing. General Light Industrial is an unlisted use in the 17.20.060.7.b Commercial and Industrial Parking Requirements, yet a future specific use will likely fall into the table of listed uses. Manufacturing

would require 546 parking spaces and Warehousing, depending on the size of the tenant, would require either 546, 273, or 164 parking spaces for the whole facility. If a Warehousing tenant leases less than 50,000 square feet, the parking calculation would equal 1 parking spot per 1,000 square feet leased. If a Warehousing tenant leases between 50,000 to 99,000 square feet, the parking calculation would equal 0.5 parking spot per 1,000 square feet. If a Warehousing tenant leases equal to or more than 100,000 square feet, the parking calculation would equal 0.3 parking spot per 1,000 square feet.

The applicant proposes a net increase of 87 parking spaces for a total of 268 spaces which does not meet the parking requirement for the anticipated make up of tenants.

As the vacant property is leased for other uses, a Change of Use permit is required. See Stayton Land Use and Development Code 17.16.040.4. A Change of Use from food manufacture to warehousing for a 40,000 square foot portion of the building was approved on November 9, 2023. This use requires 40 parking spaces.

The required number of handicap parking spaces is seven. The site plan includes a total of seven handicap parking spaces: six new ones and one existing spot located along the parking area fronting W Washington Street.

The required number of loading bays is 9. There are over 60 loading bays shown on C1.10 and A1.10.

There are currently no bicycle parking spaces on the property, which is a non-conforming condition. General Light Industrial - Industrial Park use - would require 55 bicycle parking spaces, Manufacturing would require 55, and Warehousing would require 82. To create conformity would require, depending on the use of either warehousing or manufacturing, 55 to 82 bike parking spaces. As new tenants lease the industrial space, they will be required to obtain a Change of Use permit, and at that time will be required to provide the required parking spaces.

There is perimeter landscaping around the newly proposed parking spots. See comments regarding lighting standards in section I.

There are three types of parking area trees proposed in the site plan. Two of the three are not on the approved street tree list: Ulmus ACCOLADE™, and Acer Rubrum 'Armstrong' Maple. The Green Vase Zelkova is on the approved list. As the decision-making authority, approval is given to use these two varieties in the proposed site plan since they are similar in height and canopy to the trees listed on the approved list.

Pedestrian walkways are not identified on the proposed site plans connecting the new parking areas to their respective entrance way to the building. The code requires that pedestrian walkways be attractive and include landscaping and trees, however staff can verify this is met prior to Change of Use approval as new tenants lease their spaces.

Finding: As discussed above, the applicant does not fully comply with the parking and loading code provisions. The applicant can comply if they meet the conditions below.

CONDITION:

- Prior to a Change of Use approval for each tenant space, the parking space requirements will be verified and must be met and include bicycle parking and shows pedestrian connections from respective parking area to entrance.

- e. *Open storage areas or outdoor storage yards shall meet the standards of Section 17.20.070*

Analysis: The only proposed storage area will not be in a designated parking area. The storage area is not located between the street right-of-way and the building and does not exceed 25% of the area between the front lot line and a parallel line drawn from the nearest point of the building. The storage yard area is adjacent to industrial districts and as such does not need to be screened. The applicant stated they will maintain a dust-free condition at all times, and it will be paved with crushed rock. See comments regarding lighting standards in section l.

Finding: As discussed above, this standard is met

- f. *Site design shall minimize off site impacts of noise, odors, fumes or impacts.*

Analysis This historical use of this site was a cannery facility. The proposed warehousing and manufacture use and physical changes will not increase off-sight impacts compared to the historic usage.

Finding: As discussed above, this standard is met.

- g. *The proposed improvements shall meet all applicable criteria of Section 17.20.230 Industrial Design Standards*

Analysis No new building is being proposed for the proposed site development modification. The outdoor service areas are 300 feet or more from neighboring residential dwellings. See comments regarding lighting standards in section l.

Finding: As discussed above, this standard is met

- h. *(Repealed Ord. 913, September 2, 2009)*

- i. *(Repealed Ord. 913, September 2, 2009)*

- j. *Landscaping of the site shall prevent unnecessary destruction of major vegetation, preserve unique or unusual natural or historical features, provide for vegetative ground cover and dust control, present an attractive interface with adjacent land uses and be consistent with the requirements for landscaping and screening in Section 17.20.090.*

Analysis: The proposed development shows 393,037 square feet of landscaped area (for the future partitioned parcel), which is 23% of the lot. This exceeds the 8% requirement in the Light Industrial (IL) zone.

The landscaping plan states that all new landscaped areas will be manually irrigated. This scenario is acceptable provided the applicant understands that landscaping is required and if the landscaping is not maintained (including watering) that it may be a violation of the code. If the applicant proposes to install an automatic watering system, the applicant should submit an irrigation plan that shows the source of water and show the materials, size and location of all components, including back flow or anti-siphon devices, valves, and irrigation heads to be approved by Public Works.

To present an attractive interface and to be consistent with requirements with landscaping, the code requires that street trees be planted outside the street right-of-way along the frontage of W Washington and N Evergreen where possible. Given the extensive asphalt coverage on the site, it is unlikely that a significant number of trees can be accommodated. However, staff would like to see documentation identifying potential locations for street trees in any feasible gravel areas.

Of the street trees that will be possible to install, they must be from a list of species maintained by the Department of Public Works. Where possible, they should be spaced no closer than either 20 feet on center for medium canopy species or 25 feet on center for large canopy species. Trees shall be a species that has an average mature crown that spreads greater than 15 feet and has trunks which can be maintained in a clear condition so there is over 5 feet without branches.

Finding: The amount of landscaped area meets the IL zone requirements. The requirement for irrigation is met if the manual irrigation continues to effectively maintain the proposed landscaping. The site already includes some street trees.

- k. *The design of any visual, sound, or physical barriers around the property such as fences, walls, vegetative screening, or hedges, shall allow them to perform their intended function without undue adverse impact on existing land uses.*

Finding: No new visual, sound, or physical barriers are proposed for this site plan development.

- l. *The lighting plan satisfies the requirements of Section 17.20.170.*

Analysis: The provided Lighting Plan satisfies the requirement of 17.20.170.4 Non-Residential Lighting Standards. C. Lighting for Parking Areas. All pole lights proposed within the parking lot will be full-cut off. The illumination levels were supplied on the plans C1.50 conform to the standard, and the height of the lights do not exceed the maximum of 25 feet maximum mounting height within an industrial zone.

The parking area lighting shall provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas as is stated in Stayton Land Use and Development Code 17.20.170.4.c.. There are a proposed 47 pole and 67 wall mounted lights. It is unclear if this is the minimum need to adequately illuminate the parking and yard areas.

Finding: The proposed pole lights in the submitted plan comply with the zoning code for outdoor lighting and the condition is met.

- m. *The applicant has established continuing provisions for maintenance and upkeep of all improvements and facilities.*

Analysis: The applicant acknowledges that they will be responsible for the maintenance of the site including buildings, vehicular areas, and landscaping. As part of a Site Development Permit, the applicant will be required to submit a stormwater operations and maintenance (O&M) plan to be approved by the Public Works Department for the maintenance of stormwater facilities.

Finding: The applicant has established continuing provisions for maintenance and upkeep that will be solidified through the development process when the applicant obtains a Site Development Permit.

- n. *When any portion of an application is within 100 feet of the North Santiam River or Mill Creek or within 25 feet of Salem Ditch, the proposed project will not have an adverse impact on fish habitat.*

Analysis: The parcel being developed is located within 25 feet of the Salem Ditch, but no construction will take place within this 25-foot buffer area. The project involves converting 114,693 square feet of landscaped area into paved space while changing 41,203 square feet of paved area into landscaped space, resulting in a net increase of 73,490 square feet of paved,

impervious surface. Consequently, the amount of stormwater requiring detention and treatment will rise. As part of the Site Development Permit process, the applicant must submit a stormwater analysis and report that complies with the PWDS, which include provisions for pollution reduction. Pollution reduction measures will ensure that runoff is properly treated before entering the Salem Ditch, thereby preventing harmful contaminants from reaching the water and adversely impacting the fish population.

Findings: The proposed plan will not have an adverse impact on fish habitat since no development will take place within the 25-foot buffer area around the Salem Ditch and stormwater runoff from the development will need to comply with pollution reduction as part of a required Site Development Permit.

- o. Notwithstanding the above requirements the decision authority may approve a site plan for a property on the National Register of Historic Places that does not meet all of the development and improvement standards of Chapter 17.20 and the access spacing standards of Chapter 17.26 provided the decision authority finds that improvements proposed are in conformance with Secretary of the Interior's Standards for Treatment of Historic Properties, the site will provide safe ingress and egress to the public street system, and that adequate stormwater management will be provided.*

Findings: This criterion is not applicable since no building on the property is listed on the National Register of Historic Places.

III. CONCLUSION

The applicant's request meets the requirements established in SMC 17.12.220.5 except the following:

17.12.220.5.a. This section requires adequate utility systems and connections to properly serve the development in accordance with the city's master plans and PWDS. The City Engineer noted that submitted site plan does not indicate how existing water, sewer, and fire water service are being provided. A stormwater report with proposed stormwater facility design that complies with PWDS should be submitted. This section could be met if the site plan is revised to reflect how existing water, sewer, and fire water service are being provided, supply engineered utility plans, any necessary easements, and a stormwater report with proposed facility design are submitted with the application for Site Development Permit meeting the Public Works Design Standards.

17.12.220.5.c. This section requires that provisions be made for all necessary improvements to local streets, including dedication of additional right-of-way. Due to the proposal's impacts proportionality was determined to require some improvements. The PWDS calls for N Evergreen Avenue, a Local Street, to dedicate an additional 10-foot-wide right-of-way along the property's frontage. In addition, a 10-foot public utility easement along the right-of-way for W Washington Street and N Evergreen Avenue shall be provided.

17.12.220.5.d. This section requires that provisions be made for parking and loading facilities as required by Section 17.20.060. Due to the fact that the property is already built out and parking exists, as new tenants lease units, a Change of Use permit will need to be obtained and parking requirements new to be fulfilled.

IV. ORDER

Based on the conclusions above the City Planner approves the application for Site Plan Review as submitted and prepared by Brain Varricchione from Mackenzie Architecture, Engineering, Design, and Planning dated March 12, 2024, including exhibit 5 sheet G0.02, C0.01, C1.00, C1.10, C1.11, C1.20, C1.30, C1.50, L0.01, L1.10, L1.11, L1.12, L1.13, L1.14, A2.11, A2.12, A2.13, A2.14, a “Response to Revised Draft Order of Approval dated July 31, 2024” dated September 25, 2024, a revised Transportation Assessment Letter dated September 26, 2024, and the accompanying materials on file in the Planning Department subject the following specific conditions of approval and subject to the Standard Conditions of Approval for Land Use Applications attached to this decision.

1. Prior to the Site Development Permit approval, the applicant shall fulfill conditions of approval and finalize the 3-lot partition LU #4-05/23.
2. Prior to the Change of Use permits, the applicant shall submit site plans that identify pedestrian walkways connecting new parking areas to their respective entrance ways into existing buildings to meet SMC 17.20.060.11.c.1).
3. Prior to obtaining a Site Development Permit, a fee-in-lieu of \$110,000 will be provided and keep by the city in a restricted account to be spent on improvements including sidewalks and street trees along the properties frontage on W Washington Street.
4. The City of Stayton Standard Conditions of Approval shall apply. All required easements, agreements, right-of-way dedications, and other documentation required by the Planning Conditions of Approval, SMC, PWDS and other agencies having jurisdiction over the work shall be provided to the City for review and approval prior to issuance of a Site Development Permit.
5. Engineered plans and supporting documentation shall be submitted to the City for review and approval prior to issuance of a Site Development Permit:
 - a) Site and street improvement plans conforming to the SMC and Public Works Standards that are proportional to improvements as layout out in criteria c.
 - b) Water system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official and Fire Code Official. The developer shall provide written documentation that the Fire Code Official has reviewed and approved all required private fire access, protection devices, and system modifications, unless otherwise deferred in writing by the Fire Code Official.
 - c) Sanitary sewer system plans conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official. It is recommended that in order to verify the applicant’s compliance with SMC 17.12.220.5.a for the sewer system, the developer shall submit with the Site Development Permit application, sewer calculations to the City documenting the expected occupancy of the building (number of people and days/hours of occupancy), the number and type of plumbing fixtures, and the expected sewage generation for the project. The city will then incorporate the expected sewage generation from the project into the City’s Wastewater Master Plan model to review the impacts to the

downstream sewer mains. The Public Works Director will then verify, based on the sewer modeling results, that there is adequate capacity for the expected sewage generation from the project.

- d) A stormwater analysis and report conforming to Public Works Standards. Careful review and consideration of the area's seasonal high groundwater impacts, including the necessary vertical separation requirements, will need to be included in the analysis.
- e) Stormwater conveyance, quality, and quantity facility plans conforming to Public Works Standards and meeting the requirements of the Building Official.
- f) An erosion and sediment control plan for the site grading and earth disturbing activities conforming to Public Works Standards. A 1200-C permit will need to be obtained by the Developer from DEQ for any site disturbance of one or more acres through clearing, grading, excavating, or stockpiling of fill material.

V. OTHER PERMITS AND RESTRICTIONS

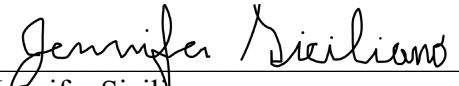
The applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, State or Federal agencies.

The City of Stayton Land Use review and approval process does not take the place of, or relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions there on. The land use permit approval herein does not remove, alter, or impair in any way the covenants or restrictions imposed on this property by deed or other instrument.

In accordance with Section 17.12.120.7, the land use approval granted by this decision shall be effective only when the exercise of the rights granted herein is commenced within 1 year of the effective date of the decision. In case such right has not been exercised or extension obtained, the approval shall be void. A written request for an extension of time may be filed with the City Planner at least 30 days prior to the expiration date of the approval.

VI. APPEAL DATES

The City Planner's action may be appealed to the Stayton Planning Commission pursuant to Stayton Municipal Code Section 17.12.110 APPEALS.



Jennifer Siciliano,
Director of Community and Economic Development

November 8, 2024

Standard Conditions of Approval for Land Use Applications

1. Minor variations to the approved plan shall be permitted provided the development substantially conforms to the submitted plans, conditions of approval, and all applicable standards contained in the Stayton Land Use and Development Code.
2. **Permit Approval:** The applicant shall obtain all necessary permits and approvals from the City of Stayton prior to construction of the project.
3. **Change in Use** - Any change in the use of the premises from that identified in the application shall require the City Planner to determine that the proposed use is an allowed use and that adequate parking is provided on the parcel.
4. **Landscaping** - The applicant shall remain in substantial conformance to the approved landscaping plan and follow the criteria established in SMC 17.20.090 for maintenance and irrigation. Dead plants shall be replaced within six months with a specimen of the same species and similar size class.
5. **Utilities** - Utility companies shall be notified early in the design process and in advance of construction to coordinate all parties impacted by the construction.
6. **Agency Approval** - The Developer shall be responsible for all costs relating to the required public improvements identified in the approved plan and the specific conditions of approval and within the City Ordinances and Standard Specifications. The developer is also responsible for securing design approval from all City, State and Federal agencies having jurisdiction over the work proposed. This includes, but is not limited to, the City of Stayton, the Fire District, Marion County, DEQ, ODHS (water design), DSL, 1200C (state excavation permit), etc
7. **Construction Bonding** - Bonding shall be required if there are any public improvements. Prior to start of construction of any public improvement, the developer shall provide a construction bond in the amount of 100% of the total project costs, plus added City costs associated with public construction. The bond shall be in a form acceptable to the Director of Public Works.
8. **Inspection** - At least five days prior to commencing construction of any public improvements, the Developer shall notify the Director of Public Works in writing of the date when (s)he proposes to commence construction of the improvements, so that the City can arrange for inspection. The written notification shall include the name and phone number of the contracting company and the responsible contact person. City inspection will not relieve the developer or his engineer of providing sufficient inspection to enforce the approved plans and specifications.
9. **Public Works Standards** - Where public improvements are required, all public and private public works facilities within the development will be designed to the City of Stayton, Standard Specifications, Design Standards & Drawings (PW Standards) plus the requirements of the Stayton Municipal Code (SMC). (SMC 12.08.310.1)
10. **Engineered Plans** - Where public improvements are required, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in conditions of approval. All design plans must meet the Stayton PW Standards. Engineered construction plans and specifications shall be reviewed by the City

Engineer and signed approved by the City Engineer, or Stayton Public Works Department, prior to construction.

11. **Street Acceptance** - Where public improvements are required, acceptance of completed public street improvements associated with the project shall be in accordance with SMC 12.04.210.
12. **Construction Approval** - All public improvements and public utilities shall be fully constructed and a letter of substantial completion provided by the City Engineer prior to any building permit applications being accepted or issued unless the required improvements are deferred under a non-remonstrance or other agreement approved and signed by the City. Construction items must be completed within a specified period of time provided in the approval letter or the approval of any additional building permits will be withdrawn by the City.
13. **Maintenance Bond** - After completion and acceptance of a public improvement by the City, the developer shall provide a 1-year maintenance bond in the amount of 30% of the construction bond amount. The bond shall be in a form acceptable to the Director of Public Works.
14. **As-Builts** - Where public improvements are required, the developer shall submit to the City, reproducible as-built drawings and an electronic file of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). As-built drawings shall be submitted prior to final acceptance of the construction, initiating the one-year maintenance period.
15. **Drainage Permit** – A 1200C permit will be secured by the developer if required under the rules of the Oregon State DEQ.
16. **SDC** - Systems Development Charges are applied to the project at the time of issuance of a building permit.