

BEFORE THE STAYTON PLANNING DEPARTMENT

In the matter of) Site Plan Review
The application of) File # 2-01/24
Roberts Industries. LLC, Applicant)

ORDER OF CONDITIONAL APPROVAL

I. NATURE OF APPLICATION

Application for Site Plan Review modification to an industrial site. The property is currently developed with a warehouse storage facility, located at 1840 Pacific Court and is zoned Light Industrial (LI). The proposal is to build create an additional 3,440 square foot (40’ x 86’) storage building with associated parking and site improvements.

II. FINDINGS OF FACT

A. GENERAL FINDINGS

1. The owner and applicant is Robert Industries LLC.
2. The property can be described on Marion County Assessors Map as Tax Lot 091W09DB02500.
3. The property is addressed as 1840 Pacific Court and has frontage on Pacific Court. The property contains approximately 1.93 acres.
4. The property is zoned Light Industrial (IL).
5. The site is bounded on all sides by property within the IL zoning district and developed with industrial uses.
6. The property received approval for Site Plan Review (Land Use File 18-09/91) and modification to Site Plan Review (Land Use File 19-10/06).

B. EXISTING CONDITIONS

The site is developed with the development of 2,400-square-foot shop/office building and a 9,600-square-foot (240' by 40') warehouse storage building.

C. PROPOSAL

The proposal is to add a 3,440 square foot (86’ by 40’) rental warehouse storage building at the southeast corner of the site.

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.

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.*

Finding: The property is already developed and has access to existing utilities, including a 6-inch water main and a 10-inch storm drainage system within Pacific Court, as well as a private 2-inch pressure sanitary sewer system running along the north side of Pacific Court to Wilco Road. The proposal indicates that no additional sewer, water, or site lighting improvements are planned for the project.

No water master planned improvements are identified in the Water Master Plan that are needed along the frontage of the proposed development site. No wastewater master planned improvements shown in the Water Master Plan. There are no stormwater master planned improvements identified in the Stormwater Master Plan.

Due to the increase in impervious surface, stormwater management will be necessary. A stormwater analysis, drainage report, and supporting documentation must be submitted in accordance with PWDS 603.01. Stormwater quality facilities that comply with PWDS 607 will also be required. The stormwater drainage system for the development must be designed to meet PWDS standards, with design calculations provided for review. Before a Site Development Permit is issued, the developer must submit engineered plans for stormwater conveyance, quality, and quantity, along with a stormwater analysis, report, and an O&M plan and agreement. These documents must conform to Public Works Standards and meet the requirements of the Building Official for review and approval. The Developer shall submit to the City for review and approval an erosion and sediment control plan conforming to Public Works Standards.

The applicant must coordinate with the Fire Code Official to ensure compliance with all relevant fire codes and regulations. Before final approval of the Site Development Permit, the developer shall provide written confirmation 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.

Conditions: Engineered plans and supporting documentation shall be submitted to the City for review and approval prior to issuance of a Site Development Permit.

- 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.

Finding: Pacific Court is considered a Commercial Local Street in the City's Transportation System Plan. The existing driveway access meets the standards of the City's code. The parking lot has the correct amount of parking and necessary ADA parking stall.

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.

Finding: Pacific Court, as a Commercial Local Street, requires a minimum of 60' of R/W for Commercial Local Streets. From the tax assessor's map, it appears that additional R/W dedication will not be required along the frontage in order to meet the half-width R/W requirement in the Public Works Design Standards. Pacific Court is considered to be developed along the frontage with asphalt pavement, curbs, and sidewalks.

The City Traffic Engineer provided information about the proposed development at 1840 Pacific Court with a 3,440 square foot warehouse storage building and stated that the traffic generated by the warehouse storage is well below the threshold to trigger a comprehensive traffic impact study and the existing driveways meet the city code. They recommend waiving the transportation assessment letter, but that will need to be waived by the Public Works Director.

Condition: Request a waiver from the Public Works Director to be exempt from submitting a Transportation Assessment Letter (TAL).

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

Finding: A warehouse facility must provide one vehicle parking space per 1,000 square feet of building area. The proposed 3,440-square-foot warehouse storage building requires a minimum of four parking spaces. The site plan includes one handicapped parking space positioned perpendicular to the existing warehouse and three parallel parking spaces per tenant space (totaling six spaces) along the frontage of the proposed structure, thereby meeting the parking requirement.

For bicycle parking, warehouse spaces must provide either two spaces or 0.1 spaces per 1,000 square feet, whichever is greater, with each space measuring at least 6 feet in length by 2 feet in width. The proposed building, with a total area of 3,440 square feet, requires a minimum of two bicycle parking spaces, which are provided to the north of the structure as shown on the site plan. Therefore, the proposal includes sufficient vehicle and bicycle parking for the intended use.

d. Open storage areas or outdoor storage yards shall meet the standards of Section 17.20.070

Finding: There are no storage or outdoor storage area proposed. If they were, screening is only required when storage yards are adjacent to Commercial or Residential districts or directly across the street right-of-way from those districts. The property and abutting properties are zoned Light Industries; therefore, the standards of 17.20.070 are not applicable.

e. Site design shall minimize off site impacts of noise, odors, fumes or impacts.

Finding: No off-site impacts (i.e., noise, odors, or fumes) are anticipated because of the proposed use.

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

Finding: The proposed building is a one-story, 3,440-square-foot (86' by 40') warehouse with a pitched roof, and it is not subject to height step-down requirements. The structure extends approximately 235 feet in length. Architectural interest is achieved through horizontal variations in wall design, along with differing exterior materials and colors that highlight building entrances.

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

- h. *(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.*

Finding: The total area of the site is 1.93-acres. A minimum of 12,611 square feet of landscaping is required. As shown on the site plan 12,611 square feet of landscaping is provided. 15% landscaping is required - 12,610 square feet. This meets the requirement.

There are two existing street streets. The proposed street trees comply with standards.

The existing vehicle parking stalls are located approximately 218 feet from the Pacific Court and separated from property boundaries by existing and proposed warehouse storage buildings. Therefore, street side landscaping buffer is not applicable.

Screening is only required when storage yards are adjacent to Commercial or Residential districts or directly across the street right-of-way from those districts. The subject property and abutting properties are zoned Light Industries; therefore, the standards of 17.20.070 are not applicable.

As shown on the site plan, landscaped areas along Pacific Court and east property setback area are included in the overall landscaping area calculations.

Parking lot landscaping is not required as proposed parking will be separated from property boundaries by the rental warehouse storage facility.

As shown on the site plan, pedestrian access standards are met.

- 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.*

Finding: This is a previously developed site and no additional security lighting is included with this application submittal.

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

Finding: The applicant acknowledges that they will be responsible for will be responsible for upkeep and maintenance of the improvements.

- 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.*

Findings: The subject site is greater than 100 feet of the North Santiam River or Mill Creek and greater than 25 feet of the Salem Ditch; therefore, this criterion is not applicable.

- 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 Public Works Design Standards (PWDS.) A stormwater report with proposed stormwater facility design that complies with PWDS should be submitted. This section could be met if a proposed facility design are submitted with the application for Site Development Permit meeting the PWDS.

17.12.220.5.c. This section requires that provisions be made for all necessary improvements to local streets. To determine this, an applicant is required to submit a Traffic Assessment Letter. The City's Traffic Engineer recommends that the requirement be waived. The applicant should submit a waiver to the Public Works Director.

IV. ORDER

Based on the conclusions above the City Planner approves the application for Site Plan Review as submitted and prepared by Udell Engineering and Land Surveying, LLC dated August 24, 2024, including sheets C102, C103, C104, C200, C201, and C400, and Architectural Drawings by Varitone Architecture dated July 2024 pages 1-3, 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. Request a waiver from the Public Works Director to be exempt from submitting a Transportation Assessment Letter (TAL).
2. The City of Stayton Standard Conditions of Approval shall apply. All required easements, agreements, 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.

3. 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.
 - b) If modifications to the existing water system are needed, then the Developer shall submit to the City for review and approval an engineered water system plan 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) If modifications to the existing sanitary sewer system are needed, then the Developer shall submit to the City for review and approval an engineered sanitary sewer system plan conforming to the SMC, Public Works Standards, and meeting the requirements of the Building Official.
 - 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. It shall be the responsibility of the Developer to provide an acceptable point of discharge for stormwater from the development which will not harm or inconvenience any adjacent or downstream properties and that conforms to Public Works Standards. An acceptable point of discharge is to be designed by the Design Engineer and approved by the City.
 - f) A stormwater operation and maintenance plan and agreement (as approved by the City) to ensure future operation and maintenance of the stormwater quality and quantity facilities.
 - g) An erosion and sediment control plan for the site grading and earth disturbing activities conforming to Public Works Standards.

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 Planning Commission’s action may be appealed to the Stayton City Council pursuant to Stayton Municipal Code Section 17.12.110 APPEALS.

Planning Commission Chairperson

Date

Jennifer Siciliano,
Director of Community and Economic Development

Date

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.