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CITY OF SILVERTON – PLANNING COMMISSION REGULAR MEETING

Silverton High School Library at 1456 Pine Street
with a Teleconference option via Zoom with a telephone call in number.

June 11, 2024 - 7:00 PM

AGENDA

I. ROLL CALL

II. MINUTES

Approval of Minutes of the Meeting held May 14, 2024.

III. BUSINESS FROM THE FLOOR

Items not on the Agenda.

IV. PUBLIC HEARINGS

- 4.1** File Number DR-24-04. Design Review Adjustment application to construct a 5,000 square foot warehouse building to be a Manufacturing and Production Use at 827 Railway Ave. NE. The application will be reviewed per SDC section 4.2.510 & 600.

V. REPORTS AND COMMUNICATIONS

VI. ADJOURNMENT

Americans with Disabilities Act – *The City of Silverton intends to comply with the A.D.A. The meeting location is accessible to individuals needing special accommodations such as a sign language interpreter, headphones, or other special accommodations for the hearing impaired. To participate, please contact the City at 503-874-2204 at least 48 hours prior to the meeting.*

Please submit written comments to Jgottgetreu@silverton.or.us prior to 4:00 p.m. on June 11, 2024. Comments received will be shared with Planning Commission at the meeting and included in the record. Comments may be mailed to City Hall at 306 S Water Street or dropped off inside City Hall. Please contact Jason Gottgetreu at 503-874-2212 to obtain a method to listen to the meeting.

1 **CITY OF SILVERTON PLANNING COMMISSION MINUTES**

2 **7:00 P.M.**

May 14, 2024

3 The Planning Commission of the City of Silverton, met in person at the Silverton High School
4 Library, located at 1456 Pine Street with a Teleconference option through the virtual meeting
5 platform, Zoom on May 14, 2024, at 7:00 p.m. with Chairman Flowers presiding.
6

7 **I. I. PLANNING COMMISSION ROLL CALL:**

Present	Absent	
<u> X </u>		Chairman Clay Flowers
	<u> X </u>	Madam Vice-Chair Cara Kaser
<u> X </u>		David Castle
<u> X </u>		Peter Matzka
<u> X </u>		Morry Jones
<u> X </u>		Randall Walling
<u> X </u>		Derek Evan

9
10 **STAFF PRESENT:**

11 Community Development Director, Jason Gottgetreu, Associate Planner Shauna Godlevsky,
12 Planning and Permit Assistant, Cleone Cantu.
13

14 **II. MINUTES:**

15 Commissioner Castle moved to approve the minutes from the January 9, 2024, meeting.
16 Commissioner Matzka seconded the motion, and it passed unanimously.
17

18 **III. BUSINESS FROM THE FLOOR:** There were no comments.
19

20 **IV. AGENDA:**

21 **4.1** File Number CP-24-01. Comprehensive Plan amendment to adopt the 2024 Parks Master
22 Plan as a support document to the Silverton Comprehensive Plan. The application will be
23 reviewed following the criteria found in Silverton Development Code section 4.12.400.
24

25 **V. PUBLIC HEARINGS:**

26 Chairman Flowers went over the general guidelines and process for a public hearing in reference
27 to File Number CP-24-01 a Comprehensive Plan amendment to adopt the 2024 Parks Master
28 Plan as a support document to the Silverton Comprehensive Plan. The public hearing was opened
29 at **7:05pm.**
30

31 Chairman Flowers asked the Commission if anyone wished to abstain from the hearing; there
32 were none.

33 Chairman Flowers asked the Commission if anyone wished to declare conflict of interest; there
34 were none.
35

36 Chairman Flowers asked the audience if any member wished to challenge the jurisdiction of the
37 Planning Commission to review the matter at hand or challenge any member of the Commission

1 for conflict of interest; there were none.

2
3 Chairman Flowers iterated the process for testimony and potential for appeal.

4
5 Director Gottgetreu began their presentation and stated the potential Comprehensive Plan
6 amendment before the Planning Commission was an update to the 2008 Parks and Recreation
7 Master Plan. The purpose, objective, community profile, community need, strategic issue
8 findings, vision, goals, and policies were reviewed from the 2008 plan and updated with the
9 current community vision. The Parks and Recreation Master Plan Advisory Committee
10 [PRMPAC] was appointed on April 3, 2023. The Committee was comprised of eleven citizens,
11 one Planning Commissioner, and three City Councilors; the Committee met ten times and in
12 December of 2023 they held a public open house. The PRMPAC met with community
13 stakeholders such as local sports clubs, the local school district, and the YMCA for feedback.
14 Additionally, the Committee released an online survey to the community receiving four-hundred
15 and sixty responses. Director Gottgetreu provided a summary of each of the Committee's
16 meetings and the feedback-data they received from the community. Director Gottgetreu then
17 displayed a vision diagram comprised from the public feedback including parks, greenspaces,
18 and facilities; the priority level for each project was then iterated. Director Gottgetreu provided
19 the order of operations to create a Capital Improvement Plan [CIP] to initiate the production and
20 development of the potential park's facilities, and greenspaces. Current available funding and
21 potential funding were then iterated. Director Gottgetreu provided a summary of each of the
22 potential projects and their locations. Along with the CIP update, an update to System
23 Development Charges [SDCs] would need to be initiated to evaluate the number of households
24 potentially utilizing the future park development. Director Gottgetreu went forth with their
25 presentation relaying the status of each project and their potential. The method for adoption of
26 the Master Plan was relayed to the Planning Commission.

27
28 **Director Gottgetreu opened the floor for questions.**

29
30 Commissioner Walling requested clarification on the Planning Commission's role in adopting
31 the Parks Master Plan.

32
33 Director Gottgetreu iterated the process for a type four procedure.

34
35 Commissioner Castle stated they were on the Committee and acquainted with the document; they
36 were in favor of a recommendation to City Council for adoption.

37
38 Commissioner Matzka inquired about a past project at [Abiqua Heights]; the park is private to
39 the community, and Commissioner Matzka asked how the park amenity was classified during
40 development.

41
42 Director Gottgetreu provided requirements for subdivision development in correlation with open
43 space dedication.

44
45 Commissioner Matzka and Director Gottgetreu discussed SDC modification in relationship with
46 subdivision-HOA communities. The discussion led to monetary demand for park maintenance.

1 Commissioner Castle interjected; the document was aspirational, concrete park development
2 would be readdressed with the Planning Commission in the future.
3
4 Commissioner Evan referred to the Silverton Reservoir vehicle parking expansion and asked if
5 the dimensions for the expansion had been discussed.
6
7 Director Gottgetreu iterated the topography constraints [of the area] will be what determine the
8 size of the expansion.
9
10 It was determined there had not been a survey or Geotech information at the time for the
11 topography of the area.
12
13 Commissioner Evan inquired if the vehicle parking expansion would impact and/or increase
14 [parking] cost.
15
16 Director Gottgetreu relayed there had not been a decision.
17
18 Commissioner Jones asked if the Planning Commission would be affected by the Parks Master
19 Plan update; if so, to what degree.
20
21 Director Gottgetreu relayed potential affects the Master Plan adoption would have on
22 construction development and SDCs.
23
24 Commissioner Jones inquired about water conservation and its lack of presence within the
25 document. They addressed Commissioner Castle and asked if it had been a consideration within
26 the Committee.
27
28 Commissioner Castle did not recall the Committee addressing water conservation.
29
30 Director Gottgetreu inferred the Planning Commission had the opportunity to add a
31 recommendation to City Council to consider water efficiency features or water conservation
32 features.
33
34 Commissioner Jones relayed positive comments about the Master Plan and then stated the
35 negatives they found.
36
37 There was open conversation on the development growth within Silverton and how to navigate it
38 in comparison with park expansion.
39
40 Commissioner Walling asked for the status and arrangement with the School District and their
41 facilities being utilized by the community.
42
43 Director Gottgetreu relayed current agreements with the School District to their knowledge.
44 They and Commissioner Walling discussed potential amendments to the agreements with the
45 School District to benefit the Master Plan.
46

1 Commissioner Castle iterated discussions the Committee had had regarding School District
2 facilities.

3
4 Commissioner Walling offered their opinion on avoiding redundancy and maintaining
5 congruency with sports field development. They then asked if the City had broached the idea of
6 specific organizations i.e. Disc Golf developing the Ike Mooney property in lieu of the City
7 maintaining responsibility for the development.

8
9 Director Gottgetreu elucidated the City would be seeking community partnership for the park
10 development. They and Commissioner Walling discussed the potential of that process.

11
12 Chairman Flowers referred to a passage of the Master Plan regarding a lack of established
13 preventative maintenance for [Parks & Recreation] buildings.

14
15 Director Gottgetreu confirmed this and stated the City Manager is addressing this through
16 changes in policy.

17
18 Chairman Flowers and Director Gottgetreu spoke about managing facility buildings with lease
19 agreements.

20
21 Commissioner Walling and Director Gottgetreu discussed potential pushback from micro-
22 communities as facilities are developed.

23
24 **PUBLIC TESTIMONY:**

25 **Proponent Testimony:** There were no comments.

26
27 **Opponent Testimony:** There were no comments.

28
29 **Neutral Testimony:** There were no comments.

30
31 **Written Testimony:** There were no comments.

32
33 **Additional Staff Comment:** There were no comments.

34
35 **Rebuttal:** There were no comments.

36
37 Commissioner Walling moved to close the public hearing, Commissioner Matzka seconded the
38 motion, and it passed unanimously. The public hearing was closed at **8:01pm**.

39
40 **Discussion:**

41 Commissioner Walling iterated they believed the document was well prepared. From a Planning
42 perspective, they did not disagree with the contents of the Master Plan and were in favor of a
43 recommendation to City Council for implementation.

44
45 Commissioner Castle shared the PRMPAC met with Public Works Maintenance Supervisor
46 Mike Dahlberg, and the Committee was shocked at the lack of resources the City had for Parks

1 and Recreation. They added the Master Plan is aspirational as its production will be tied to the
2 potential monetary demand and the available maintenance support. PRMPAC received
3 community feedback and they believe it is a good plan yet they reiterated the feasibility with
4 maintenance support and monetary demand; they were in favor of recommending the document
5 to City Council.

6
7 Commissioner Matzka expressed their favor for the Master Plan and the reference of
8 connectivity creation. They relayed a current international arborist code standard
9 recommendation for the Planning Commission. They requested the following recommendations
10 included for City Council consideration in direct correlation to design review criteria for the
11 potential park's developments: water conservation, maintenance, and environmental hazard
12 reduction; they clarified their meaning of environmental hazard reduction as trash, drug use etc.
13 Commissioner Matzka stated they do not want to create spaces to provide opportunities for [illegal
14 activity; drug use; unhoused persons] they believed the best way to avoid this was fine tuning
15 design review criteria. They additionally wanted to limit user fees and honor the City's diverse
16 history.

17
18 There was open discussion on modifications to the Master Plan.

19
20 Commissioner Evan stated they understood the importance of setting [the Master Plan] in place
21 to preserve land [for Parks and Recreation] before additional growth and development occurs.
22 They wanted to witness a list of hierarchy of importance for [Park development] with the
23 potential Return On Investment [ROI]. Commissioner Evan stated if you are forward thinking
24 about the future generations of the City considering the acquisition of additional funding for the
25 projects was necessary. They relayed they did not want the monetary need for park development
26 and maintenance to become a financial burden through additional tax on residents; thus, they
27 requested a form of continued funding or reimbursement to the City for resource to the capital
28 expense the projects will initiate.

29
30 Chairman Flowers iterated System Development Charges [SDCs] are acquired through
31 development and they are funneled through funding for the present and future expense for parks
32 regardless of cost increase. Though SDCs are a one-time fee and can lose momentum for the
33 future. Chairman Flowers recalled a past group wanting to initiate a taxing district for parks and
34 recreation.

35
36 Director Gottgetreu and the Planning Commission had collective discussion on SDCs and
37 funding for parks development with a specific focus on ROI. A focus on projects that had the
38 potential to produce a ROI theoretically could fund projects that did not have ROI creating a net
39 neutral. There was discussion on grant opportunities and other funding sources to supplement
40 development funding.

41
42 Commissioner Castle stated parks do not generate revenue or pay for themselves, the City should
43 develop the parks that they can afford to build. [Parks] are an amenity and they make the City
44 more livable, the return on investment is that people want to live in [Silverton] and move here
45 because there are parks, trails, and [greenspaces] to take their kids to. Commissioner Castle
46 iterated they did not want to be in a situation where the [Commission] is encouraging the City to

1 charge people for park use; [parks] are for the public and the City provides them.

2
3 Commissioner Matzka added charging people to park their vehicles at parks will cause people to
4 move parking into the outlying neighborhoods. They ruminated on avenues to create a ROI while
5 ensuring local citizens continued to have access to recreational facilities.

6
7 The Planning Commission discussed creating offset and ROI for park facilities. They and
8 Director Gottgetreu discussed modifying the sustainability goals and policies for water
9 conservation, maintenance, and environmental hazard reduction.

10
11 Commissioner Walling relayed in summary they did not want to create excessive restriction on
12 the Master Plan.

13
14 Chairman Flowers iterated the importance of adding design considerations to the Master Plan for
15 future development guidance.

16
17 Commissioner Castle motioned to recommend to the City Council a modification of the
18 proposed legislative action so it meets review criteria, Commissioner Matzka seconded the
19 motion, and it passed unanimously.

20
21 **IV.REPORTS AND COMMUNICATIONS:**

22 Chairman Flowers applauded Commissioner Castle for their time investment on the PRMPAC.
23 They believed the Planning Commission being part of committees was important. The
24 Comprehensive Plan would be having an update soon and they believed Planning Commission
25 being a part of its production was important.

26
27 Commissioner Walling inquired about bias when Commissioners sit on multiple committees.

28
29 Chairman Flowers stated there is no conflict of interest as the Planning Commission must adhere
30 to policies and code.

31
32 Director Gottgetreu elucidated conflict of interest, bias, and ex parte contact. They provided the
33 Commission with updates on upcoming meetings.

34
35
36 **V. ADJOURNMENT:**

37 The meeting was adjourned at **9:05pm**

38 /s/ Cleone Cantu,

39 Planning and Permit Assistant.



City of Silverton
Community Development
306 South Water Street
Silverton, OR 97381

PC STAFF REPORT

PROCEDURE TYPE III

FILE NO. DR-24-04

LAND USE DISTRICT:

GC, GENERAL COMMERCIAL

PROPERTY DESCRIPTION:

ASSESSOR MAP#: 061W34CA

LOTS#: 00700

SITE SIZE: 1.46 ACRES

ADDRESS: 827 RAILWAY AVE NE

APPLICANT:

RAILWAY INVESTMENTS LLC

827 RAILWAY AVE NE

SILVERTON, OR 97381

APPLICANT'S REPRESENTATIVE

CASCADIA PLANNING & DEVELOPMENT SERVICES:

STEVE KAY

PO BOX 1920

SILVERTON, OR 97381

CONTACT PERSON:

STEVE KAY 503-804-1089

PROPERTY OWNER:

RAILWAY INVESTMENTS LLC

827 RAILWAY AVE NE

SILVERTON, OR 97381

LOCATION: LOCATED ON THE SOUTH SIDE OF

RAILWAY AVE.

PROPOSED DEVELOPMENT ACTION: DESIGN REVIEW APPLICATION TO CONSTRUCT A 5,000 SQUARE FOOT WAREHOUSE BUILDING TO BE A MANUFACTURING AND PRODUCTION USE. THE APPLICATION INCLUDES ADJUSTMENT REQUESTS TO ADJUST THE 20' BUILD-TO SETBACK REQUIREMENT OF SECTION 2.3.150.C(1), TO ADJUST SECTION 2.3.170.B FOR PEDESTRIAN AMENITY STANDARDS, TO ADJUST SECTION 2.3.180(C)(5) FOR PERCENTAGE OF GROUND FLOOR WINDOWS, TO ADJUST SECTION 2.3.180(C)(7) FOR AWNING PROJECTIONS OVER SIDEWALKS OR PEDESTRIAN SPACES, TO ADJUST SECTION 2.3.180(D)(4)(A) TO PROVIDE A 2-:12 PITCH FOR THE NEW BUILDING'S GABLED ROOF, AND TO ADJUST SECTION 3.2.300(E)(4)(E) SCREENING AND BUFFERING REQUIREMENTS.

DATE: JUNE 4, 2024

Attachments

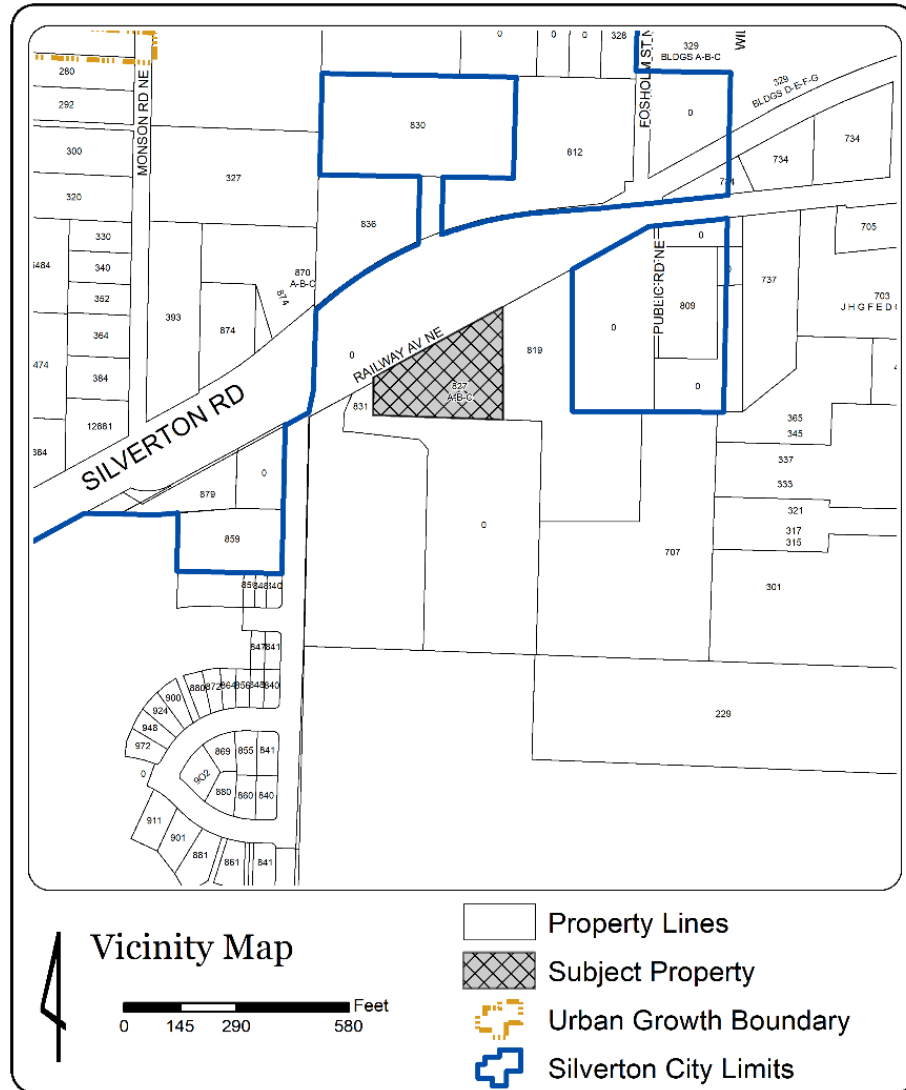
- A. Vicinity Map and Site Plan
- B. Applicant's Findings
- C. Conditions of Approval
- D. Staff Report
- E. Testimony
- F. Appeal Information

ATTACHMENT A: VICINITY MAP & SITE PLAN

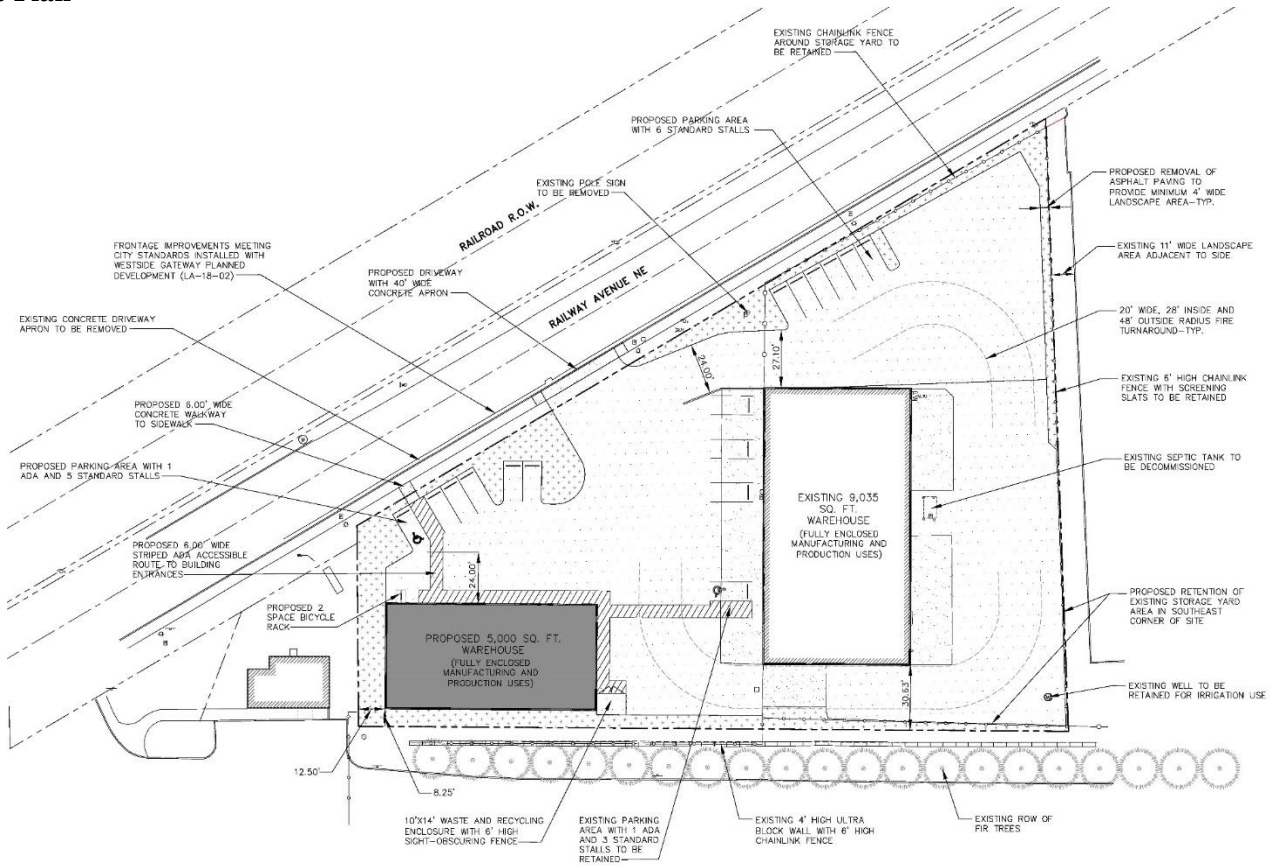
Case File: DR-24-04

Vicinity Map and Surrounding Land Use Districts

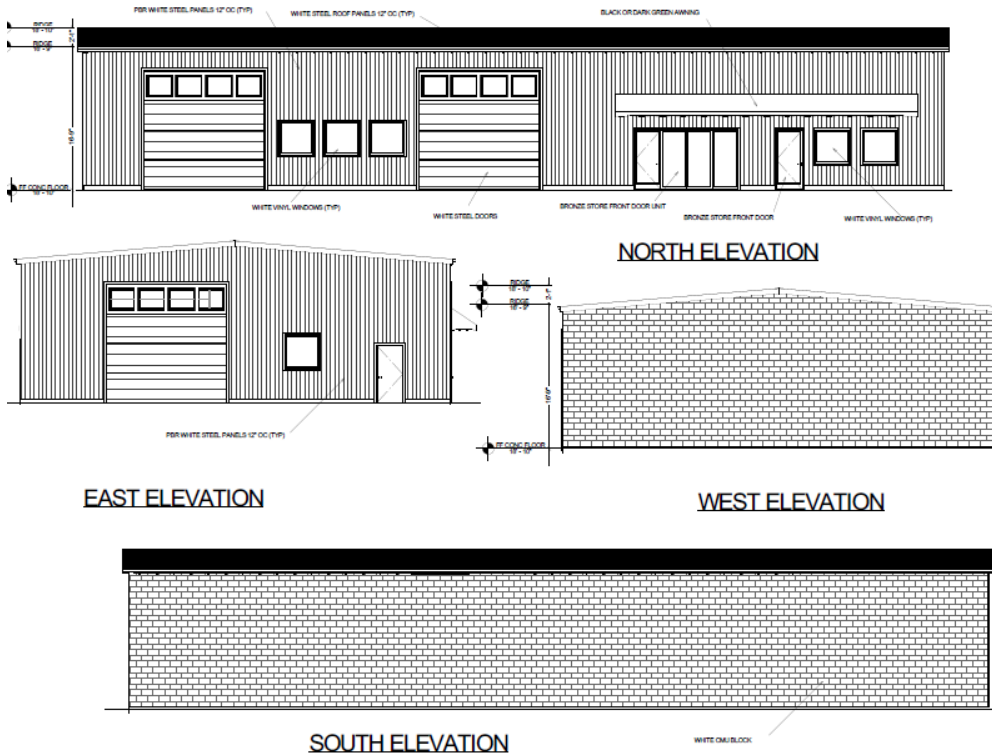
- North – UT-5, Urban Transition
- East – IP, Industrial Park
- South – LI, Light Industrial
- West – LI, Light Industrial



Site Plan



Elevations



ATTACHMENT B: APPLICANT'S FINDINGS



PO Box 1920, Silverton, OR 97381
www.cascadiapd.com / 503-804-1089

**CITY OF SILVERTON
APPLICATION FOR
LAND USE REVIEW**

**RAILWAY INVESTMENTS
DESIGN REVIEW**

Location: 827 Railway Street
Silverton, OR 97381
Tax Lot 700 of
Tax Map 61W34CA in
Marion County, Oregon

Prepared by: Steve Kay, AICP
Mason McGonagall, PhD Arch

Prepared for: Railway Investments, LLC
827 Railway Street
Silverton, OR 97381

May 7, 2024

APPLICANT'S STATEMENT

PROJECT NAME: Railway Investments Design Review

REQUEST: Approval of Design Review Application with Performance Option Adjustments in the General Commercial Zone

LEGAL DESCRIPTION: Tax Lot 700
Tax Map 61W34CA
Marion County, Oregon

APPLICANT'S REPRESENTATIVE: Steve Kay, AICP
Cascadia Planning + Development Services
P.O. Box 1920
Silverton, OR 97381
503-804-1089
steve@cascadiapd.com

APPLICANT/OWNER: Railway Investments, LLC
827 Railway Street
Silverton, OR 97381

PROPERTY SIZE: 1.46 acres +/-

LOCATION: 827 Railway Street
Silverton, OR 97381

I. APPLICABLE REGULATIONS

A. Silverton Development Code:

Article 2: Land Use (Zoning) Districts

Chapter 2.3: Commercial Districts

Article 3: Community Design Standards

Chapter 3.0: Design Standards Administration

Chapter 3.1: Access and Circulation

Chapter 3.2: Landscaping, Street Trees, Fences and Walls

Chapter 3.3: Parking and Loading

Chapter 3.4: Public Facilities

Article 4: Administration of Land Use and Development

Chapter 4.2: Land Use Review and Design Review

II. BACKGROUND:

The applicant, Railway Investments, is requesting approval of a Type III Design Review for a proposed 5,000 sq. ft. warehouse located on Tax Lot 700 of Tax Map 61W34CA. The site contains 1.46 acres and is addressed as 827 Railway Street. The proposed warehouse will be fully enclosed and will be used for manufacturing and production uses. The applicant is also proposing to reconfigure a portion of the paved yard to provide designated parking spaces and landscape areas as illustrated in the attached Preliminary Site Plan and Planting Plan (see Exhibit 3).

The attached Existing Conditions Plan indicates that the site is currently zoned GC (General Commercial) (see Exhibit 3). The property was annexed in 2023 and was previously developed in 1981 with a 9,035 sq. ft. warehouse structure and a paved yard area. The applicant operates Kaufman Masonry out of the existing structure and is renting a portion of the warehouse to Tiny Mountain Houses. When the first phase of the nearby West-Side Gateway project was developed, the applicant dedicated an additional 10-ft. of right-of-way along Railway Street so that street frontage improvements could be installed. To facilitate the new development, the applicant is proposing to relocate the existing driveway approach as illustrated on the Preliminary Site Plan. The eastern portion of the fence along the right-of-way will be removed, while the remaining fencing around paved yard area will be retained with the proposed development.

The Existing Conditions Plan illustrates that the site generally slopes down from the southeast to northwest corner of the property. No natural hazards, natural resources, or critical areas are identified on the parcel. As indicated by the attached Existing Conditions Plan, public utilities are in the vicinity of the subject site and can accommodate the proposed use. Currently, stormwater is collected by several catch basins and discharged into a public storm main line within Railroad Street. Since additional impervious area is not proposed, the development does not include the installation of new stormwater facilities on the site.

When the Fire District extended the sanitary sewer main along Railway Street and connected to City service in 2019, a sewer lateral was installed and capped for the subject site. The applicant is proposing to decommission the existing septic holding tank and connect public sewer services to both buildings. The property is currently served by an on-site well, however with the proposed development, both structures on the parcel will connect to an existing stubbed water line at the right-of-way. The applicant intends to retain the well for irrigation and non-domestic use.

The attached Preliminary Site Plan demonstrates that the amount of impervious area on the property will decrease with the addition of new landscape areas around the perimeter of the site. While improvements to legally established non-conforming development is not required under Section 5.2.300, new development must either be designed to meet current Design Review application criteria under Section 4.2.600. Several adjustments to Code standards are requested though the application of Performance Option Standards in Section 4.2.510. To provide consistency with the existing character of the development on the site and on adjacent properties, the applicant is requesting several adjustments to the General Commercial design standards under Section 2.3.180. Also, due to the compatibility of the proposed warehouse use with the adjacent fire station and mini-storage uses, as well as the presence of mature plantings on adjacent parcels, the applicant is requesting an adjustment to the screening and buffering standards of Section 3.2.300(E)(4)(e).

This Applicant’s Statement addresses the applicable provisions of the Silverton Development Code. Copies of the signed Application Form, Property Deed, Preliminary Development Plans, and Photos of Adjacent Buildings have been attached to this narrative. The exhibits and narrative demonstrate that the submitted land use application meets the criteria for approval.

III. FINDINGS

A. SILVERTON DEVELOPMENT CODE

ARTICLE 2: LAND USE (ZONING) DISTRICTS

CHAPTER 2.3: COMMERCIAL DISTRICTS

Section 2.3.110: Commercial Districts – Allowed Land Uses.

Table 2.3.110 identifies the land uses that are allowed in the commercial districts. The specific land use categories are described and uses are defined in Chapters 1.5 and 1.6 SDC.

COMMENT:

The attached Existing Conditions Plan indicates that the subject site is currently developed with a 9,035 sq. ft. warehouse structure with an associated asphalt storage yard and parking area. The building contains Kaufman Masonry, which specializes in fireplace, concrete block, brick, and stone construction and is operated by the applicant. A portion of the structure is also leased to Tiny Mountain Houses for the construction of towable tiny homes. Both of these businesses currently undertake manufacturing and production activities within the existing fully enclosed structure.

Following approval of a recent Annexation application, the subject site is now zoned GC (General Commercial). Per Table 2.3.110, manufacturing and production uses are permitted in the GC zone when the use is fully enclosed within a structure. The attached Preliminary Site Plan indicates that the applicant intends to develop an additional 5,000 sq. ft. fully enclosed warehouse structure in the southwest corner of the site for manufacturing and production use.

Section 2.3.120: Commercial Districts – Development Standards.

The development standards in Table 2.3.120 apply to all new structures, buildings, and development, and major remodels, in the commercial districts. In addition to meeting the following standards, project proposals must be reviewed through design review.

COMMENT:

The applicant is proposing to develop a new 5,000 sq. ft. warehouse structure, construct parking area improvements, and install landscape areas on the subject site. Therefore, Design Review application requirements are applicable to the proposed development. The attached Preliminary Site Plan and this Applicant’s Statement indicates that either the Design Review standards of Section 4.2.600, or the alternate performance option standards of Section 4.2.510, are met for the proposed development (see Exhibit 3).

Section 2.3.130: Commercial Districts – Zero Setbacks and Build-to Line.

- A. Zero Setbacks and Build-To Line – Purpose; Fire Code; and Clear Vision. The setbacks and build-to lines, as provided in Table 2.3.120, are intended to encourage pedestrian-oriented development, while providing more flexibility in site design than what is possible with large setbacks. With buildings placed close to the street, a development affords good access for emergency service providers in the case of a fire or other emergency. Where no minimum setback is required, all structures and buildings shall conform to the vision clearance standards in Chapter 3.1 SDC and the applicable fire and building codes (e.g., for attached structures, fire walls, and related requirements).**

COMMENT:

The attached Preliminary Site Plan illustrates that the existing structure is located a minimum of 29-ft. from adjacent parcels, and the proposed warehouse is located at least 8-ft. from the boundaries of the site. In addition, the two structures are located more than 70-ft. apart. Therefore, the setback standards of Table 2.3.120 and the Building Code are met (see Exhibit 3).

Section 2.3.140: Commercial Districts – Lot Coverage and Impervious Surfaces.

Impervious surfaces are regulated under Table 2.3.120. Lot coverage is not limited; provided, that impervious surface limitations are met.

COMMENT:

The attached Preliminary Planting Plan indicates that 12%, or 7,659 sq. ft. of the 63,761 sq. ft. site area will be landscaped, exceeding the 10% minimum landscape requirement of Table 2.3.120.

Section 2.3.150: Commercial Districts – Building Orientation and Commercial Block Layout.

- A. Purpose. This section orients buildings close to streets to promote pedestrian-oriented development where walking is encouraged, and to discourage automobile-dominated development. Placing commercial storefronts and other**

buildings close to the street also encourages crime prevention, natural surveillance or security, and safety by having more “eyes on the street.”

- B. Applicability. This section applies to all new buildings and major remodels that are subject to design review.**

COMMENT:

The subject site is located in the GC (General Commercial) zone, and the applicant is proposing to develop a new 5,000 sq. ft. warehouse on the site. Therefore, these standards apply.

- C. Building Orientation Standards. Developments subject to this section shall have their buildings oriented to a street, as generally shown in Figure 2.3.150.C(1). All of the following criteria must be met:**

- 1. Compliance with the setback and build-to line standards in SDC 2.3.130, where applicable. The build-to line may be set back to provide additional space for pedestrian amenities between a building and its adjoining street. In the DC zone, the maximum setback is five feet.)**
- 2. Except as provided in subsections (C)(4) and (5) of this section, all buildings shall have at least one primary building entrance (i.e., a dwelling entrance, tenant entrance, lobby entrance, or breezeway/courtyard entrance) facing an adjoining street (i.e., within 45 degrees of the street property line), or if the building entrance is turned more than 45 degrees from the street (i.e., front door is on a side elevation), the primary entrance shall not be more than 60 feet in the GC district, except to provide pedestrian amenities; a walkway shall connect the primary entrance to the sidewalk. In the DCF zones, all buildings with street frontage must have at least one primary building entrance facing an adjoining street. Additionally, street-facing facades of buildings shall provide an entrance at least every 45 feet along the street.**

COMMENT:

The attached Preliminary Site Plan and the Building Floor Plan and Elevations demonstrate that the primary entrance for the proposed warehouse faces Railway Street (see Exhibit 3). The plan indicates that a 6-ft. walkway connects the building entry to the existing sidewalk along Railway Street. The applicant is requesting an adjustment to the 20-ft. maximum build-to line standard through the application of performance option standards under Section 4.2.510.

4. **In the GC district, the building orientation standard may be met with vehicle areas allowed between the street right-of-way and a building's primary entrance when the approval body finds that all of the following criteria are met:**
 - a. **Placing vehicle areas between the street right-of-way and the building's primary entrance will not adversely affect pedestrian safety, comfort or convenience, based on the distance from the street sidewalk to the building entrance, projected vehicle traffic volumes, and available pedestrian walkways;**

COMMENT:

The applicant is proposing to provide a parking area between Railway Street and the new warehouse. The attached Preliminary Site Plan demonstrates that a striped crossing is proposed to provide a safe pedestrian route from the proposed parking area to the new warehouse structure (see Exhibit 3). The distance between the parking area and the building entrance averages 30-ft., and the distance between the sidewalk and building entrance is approximately 50-ft., therefore comfort and convenience are not significantly impacted for pedestrians. As illustrated by the plan, only 6 parking spaces are located in the vehicle parking area so projected traffic volumes are low.

The Existing Conditions Plan indicates that an existing 4-space parking area is located to the west of the existing warehouse. To provide additional stalls for this building, an additional 6-space parking area is proposed to the north of the existing structure. These additional parking spaces are within the storage yard area that is secured by an existing chain link fence (see Exhibit 3).

- b. **The proposed vehicle areas are limited to one drive aisle of not more than 20 feet in width with adjoining bays of not more than eight consecutive parking spaces per bay (including ADA accessible spaces) on the side(s) of the drive aisle. (The intent of which is to create a drive aisle that is street-like, and to break up parking into small bays with landscaping); and**

COMMENT:

As required, the proposed parking areas contain no more than eight spaces in conformance with the above standards.

- c. **The building's primary entrance is connected to an adjoining street by a pedestrian crosswalk as specified under SDC 3.1.300.**

COMMENT:

As required, a 6-ft. wide pedestrian path and striped crosswalk provides a connection between the existing building entrance, the new building entrance, and the sidewalk along Railway Street (see Exhibit 3).

5. **Where a development contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to a plaza or courtyard. When oriented in this way, the primary entrance(s) plaza or courtyard shall be connected to the street by a pedestrian walkway meeting the standards in SDC 3.1.300.**

COMMENT:

The proposed warehouse structure is oriented with the primary entrance facing Railway Street, therefore the above stated condition does not apply.

- D. **Block Layout (Pedestrian-Orientation) Standard. Developments containing more than one building, including commercial subdivisions with outlying commercial pads, shall meet all of the following standards:**

1. **The site shall be configured into blocks having frontage onto streets, interior parking courts (as generally shown in Figure 2.3.150.C(2)), or shopping streets (as generally shown in Figure 2.3.150.C(3)). All parking courts and shopping streets shall contain on-street parking bays (parallel or angled parking), street- or plaza-facing building entrances and sidewalks with street trees, pedestrian lighting and furnishings (benches and trash receptacles) where appropriate;**

COMMENT:

The submitted Preliminary Site Plan illustrates that 2 buildings will be located on the subject site when the new warehouse structure is developed (see Exhibit 3). The applicant and their tenants will operate manufacturing and production uses within the two structures, which is a permitted use in the GC zone. Since the site does not include a commercial use, the applicant is applying performance option standards of Section 4.2.510 to permit the development of parking areas between new and existing buildings and Railway Street.

2. **In the GC district, blocks shall not exceed 400 feet in length, and shall have a perimeter not exceeding 1,400 feet. Pedestrian walkways inside buildings are not counted as block edges. In the DC and DCF**

districts, blocks shall not generally exceed 250 feet in length and 160 feet in width, in keeping with the historic block pattern in the downtown;

COMMENT:

The block length between Westgate Drive and McClaine Street is approximately 1,000 feet. There are no through street to the south of the site, therefore it is not possible to measure the perimeter block length. Properties to the west, south, and east of the site are fully improved and zoned IP (Industrial Park) and LI (Light Industrial). Therefore, block length standards for the GC zone are not applicable to the area around the subject site.

- 3. Pedestrian pathways shall connect the street right-of-way to building entrances and the interior parking courts between buildings to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking.**

COMMENT:

As required, a pedestrian pathway connects the primary entrances of the proposed and existing buildings to the parking areas and the adjacent street (see Exhibit 3). The proposed pedestrian connection will be a striped crosswalk and 6-ft. walkway, providing a safe and direct route through the parking areas.

- F. Site Design in Commercial Districts. In determining the specific access, circulation, building orientation, and street frontage standards that apply to a particular project, the applicant, in consultation with the community development director, shall select from the following prototypes:**
 - 1. Parking in Front without Shopping Street (Performance Standard No. 6). Where the community development director finds that it is necessary to place surface parking between a building's primary entrance and the street, and it is not possible to develop an internal shopping street as described above, e.g., due to the small size of a property, its configuration, or other physical site constraints, then the following standards shall apply: All surface parking and internal drives shall be set back at least 20 feet from the street behind a landscape buffer; adequate vehicle queuing distances shall be provided between the street and all parking areas, subject to design review; a six-foot minimum width walkway shall connect the primary building entrance to a public sidewalk with four-foot minimum width planter strips placed between such**

walkways and abutting driveways; raised or textured paving with ADA wheelchair-accessible ramps shall be provided at all pedestrian crossings of vehicle areas; and provisions shall be made for potential future driveway extensions as adjacent properties develop or street connections can be made.

COMMENT:

Due to the location of the existing structure on the site, the small size and triangular shape of the property, and the need to provide a fire turnaround, the applicant is proposing parking in front of the new and existing buildings without a shopping street. The submitted Preliminary Site Plan illustrates that the applicant is proposing to provide a 6-ft. wide walkway between the sidewalk and the new building. In addition, a 4-ft. wide landscaped area is proposed between the parking areas and the street (see Exhibit 3).

Section 2.3.170: Commercial Districts – Pedestrian Amenities.

- A. Purpose and Applicability.** This section provides standards for pedestrian amenities when pedestrian amenities are required as part of new developments and major remodels, and when pedestrian amenities are provided to meet the requirements of other code sections. Pedestrian amenities serve as informal gathering places for socializing, resting, and enjoyment along street frontages, and they support the community’s public safety and transportation objectives through natural surveillance and walkability.

- B. Standards.** All new developments and major remodels in the GC and DC zones shall provide one or more of the “pedestrian amenities” as generally illustrated in Figure 2.3.170.B. Pedestrian amenities may be provided within a street furnishing zone, building frontage zone, or plaza, or within the pedestrian through zone, as shown in Figure 2.3.170.B; provided, that applicable minimum clearance and ADA standards are met. Use of the public right-of-way requires approval by the roadway authority.
 - 1. New developments and major remodels in the GC zone may use the elements listed below to fulfill this standard:**
 - a. A plaza, courtyard, square or extra-wide sidewalk next to the building entrance with a minimum width of five feet.**

 - b. Sitting space (e.g., dining area, benches, garden wall or ledges between the building**

entrance and sidewalk) with a minimum of 16 inches in height and 30 inches in width.

- c. Public art that incorporates seating (e.g., fountain, sculpture).
- d. Transit amenity, such as bus shelter, per the standards of the transit service provider, as applicable.
- e. Decorative sidewalk paving.
- f. Planters.
- g. Covered entryway with seating.

COMMENT:

As discussed earlier, an industrial use is currently established within a 9,035 sq. ft. structure on the property. The applicant is proposing to develop a second warehouse structure for fully enclosed manufacturing and production uses, which is a permitted use in the General Commercial zone. While the above pedestrian amenity standards are appropriate for commercial uses and shopping streets, the standards are inconsistent with industrial uses. The use of the above pedestrian amenities at this location is also unlikely since the site is adjacent to a self-storage facility and a fire station. A required, this adjustment request has been included when addressing the performance option standards of Section 4.2.510.

Section 2.3.180: General Commercial District Design Standards.

- A. **Purpose.** This section promotes the public health, safety, and welfare by requiring at least a minimum level of design on every building in the general commercial district. Design is important to identifying Silverton as a unique place with successful commercial areas. The design standards are intended to:
 - 1. Encourage architecture that is consistent with the character of Silverton.
 - 2. Ensure that new development creates a close, intimate human scale and architectural designs address all four sides of a building.
 - 3. Encourage the use of contextually appropriate materials, textures and colors.
 - 4. Promote pedestrian-oriented uses by orienting buildings and their entrances to the street or to civic spaces abutting the street.

5. **Create vibrant civic spaces (e.g., plazas, public art, cafe seating areas, etc.) oriented to take advantage of southern exposures; civic spaces should help identify the village, create intrigue, and offer weather protection and comfort to pedestrians while adding value to adjoining properties.**
6. **Break down large building masses and provide visual interest along the street.**
7. **Balance rhythm and continuity – encourage creativity in the design of building elevations, rooflines and facade elements.**
8. **Treat corner lots as focal points with vertical elements, public art, seating, and other design features.**
9. **Provide weather protection where commercial and mixed-use buildings abut the street.**

COMMENT:

The attached Preliminary Development Plans illustrate that the proposed warehouse building and the site design adheres to applicable design standards (see Exhibit 3). As stated above, a commercial building layout within the General Commercial District provides opportunities for pedestrian-oriented design and commercial exchange where foot traffic will occur in commercial-oriented areas of the community. However, the subject site is located in an area that is dedicated to industrial, institutional, manufacturing, and warehouse uses. As such, commercial pedestrian activity along Railway Street is not reasonably anticipated. Since pedestrian-oriented commercial design standards are not relevant to the fully-enclosed manufacturing and production uses on the site, the applicant is requesting a performance option adjustment, pursuant to Section 4.2.510.

C. Pedestrian Orientation. The design of all buildings on a site shall support a safe and attractive pedestrian environment. This standard is met when the approval body finds that all of the criteria in subsections (C)(1) through (8) of this section are met. Alternatively, the approval body may approve an alternate design under SDC 4.2.510 through a Type III procedure upon finding that the proposed design equally or better achieves the above standard.

1. **The building orientation standards under SDC 2.3.150 are met;**
2. **Primary building entrances shall open directly to the outside and, if not abutting a street, shall have**

walkways connecting them to the street sidewalk; every building shall have at least one primary entrance that does not require passage through a parking lot or garage to gain access;

COMMENT:

The attached Preliminary Site Plan and the Building Floor Plan and Elevations demonstrate that the primary entrance for the proposed warehouse faces Railway Street (see Exhibit 3). The Site Plan also indicates that a 6-ft. walkway connects the existing and proposed building entries to the existing sidewalk along Railway Street.

- 3. Corner buildings (i.e., buildings within 20 feet of a corner as defined by the intersecting curbs) shall have corner entrances, or shall provide at least one entrance within 20 feet of the street corner or corner plaza;**

COMMENT:

The applicant is not proposing a corner building, therefore this standard does not apply.

- 4. At least 50 percent of a building's street-facing elevation(s) shall be located at the build-to line or closer to the street; build-to lines are prescribed by SDC 2.3.120;**

COMMENT:

The applicant is requesting an adjustment to the 20-ft. maximum build-to line standard through a performance option adjustment under Section 4.2.510.

- 5. Ground floor windows or window displays shall be provided along at least 50 percent of the building's (ground floor) street-facing elevation(s). Design elements such as large, regularly spaced and similarly shaped windows with window trim, and with transom or clerestory windows above building entrances, are counted; windows and display boxes shall be integral to the building design and not mounted to an exterior wall;**
- 6. Windows shall cover no more than 90 percent of the ground floor facade length, and shall not begin less than 18 inches or more than 30 inches above the walkway (except transom windows). Second and third story windows shall match the vertical and horizontal character of ground level windows;**

COMMENT:

The attached Building Elevations illustrate that the proposed manufacturing and production warehouse will include a significant number of windows along the street-facing elevation. As mentioned previously, the proposed industrial use is inconsistent with commercial building design requirements for shopping streets. However, the proposed building design is consistent with the existing warehouse on the subject property, and is similar to the metal-sided structures on the adjacent Fire District and self-storage properties. Based on these factors, the applicant is requesting an adjustment to the above window standards under Section 4.2.510.

- 7. Street-facing elevations shall be designed with weather protection, such as awnings, canopies, overhangs, or similar features. Such weather protection shall project a minimum of four feet and a maximum of eight feet over sidewalks or other pedestrian space.**
 - a. A plaza, courtyard, square or extra-wide sidewalk next to the building entrance with a minimum width of five feet.**
 - b. Sitting space (e.g., dining area, benches, garden wall or ledges between the building entrance and sidewalk) with a minimum of 16 inches in height and 30 inches in width.**

COMMENT:

As discussed above, a commercial use is not proposed with this application, therefore the applicant is requesting an adjustment to the above standard through the performance option. However, the attached Building Elevations illustrate that an awning that projects approximately 2-ft. over the new building entrance is proposed for weather protection (see Exhibit 3).

- 8. Drive-up and drive-through facilities, when allowed, shall conform to SDC 2.3.160.**

COMMENT:

The applicant is not proposing a drive-up or drive-through facility, therefore this standard does not apply.

- D. Compatibility. All new buildings and major remodels shall be designed consistent with the architectural context in which they are located. This standard is met when the approval body finds that all of the criteria in subsections (D)(1) through (7) of this section are met. Alternatively, the applicant may propose different design elements as provided under SDC 4.2.510, Design review – Adjustments**

(performance option).

1. There is continuity or effective transitions in building sizes between new and existing buildings;
2. A standardized prototype or franchise design and color scheme shall be modified if necessary to meet the provisions of this section;
3. The ground floor and upper floor elevations and architectural detailing are compatible with adjacent commercial buildings;

COMMENT:

The Fire District Main Station and the adjacent self-storage facility were both developed with metal siding. In addition, the existing warehouse structure on the subject site is a metal-sided structure. The attached Building Elevations illustrate that the proposed warehouse also includes metal siding to provide design continuity with existing buildings in the area (see Exhibit 3).

4. Roof Pitch, Materials and Parapets.

- a. Pitched (gabled or hipped) roofs are required to have minimum pitch of 4:12. Pitched roof surfaces visible from an abutting public street shall provide a secondary roof detail every 30 feet (minimum two), such as a dormer, decorative brackets, exposed beams, etc. Visible roof materials must be wood shingle or architectural grade composition shingle, slate, vinyl, or concrete tile. Metal with standing or batten seam may also be used conforming to the Silverton color palette.
- b. Parapet roofs shall have steps and detailed coursing shall be provided on those elevations visible from an abutting public street. Parapets shall be varied so that the length of a parapet does not exceed 30 feet without a change in the parapet height of at least two feet or as necessary to hide rooftop equipment (minimum two). A decorative cornice shall be provided along the elevations visible from an abutting street. Parapet corners shall be stepped and the parapet be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building. Decorative cornices in excess of three feet tall that include plane separation

and color variation may be provided in lieu of the change in parapet height.

- c. **Mansard roofs and barrel roofs are generally not permitted as the primary roof type, unless approved by the planning commission through SDC 4.2.510.**
- d. **Back-lit or internally illuminated roofs are prohibited;**

COMMENT:

The existing building on the subject site was developed with a 2:12 pitched roof, therefore, the proposed building is also designed with a 2:12 roof pitch to provide continuity in the design (see Exhibit 3). Therefore, the applicant is requesting an adjustment to the above roof design standards through the performance option under Section 4.2.510.

- 5. **There is continuity in the rhythm of windows and doors on the proposed building(s);**

COMMENT:

The existing building on the site has limited windows along the street-facing elevation. As demonstrated by the attached Building Elevations, similar window placement is proposed for the new building which faces Railway Street (see Exhibit 3).

- 6. **The relationship of buildings to public spaces, such as streets, plazas, other areas, and public parking, including on-street parking, is strengthened by the proposed building(s);**

COMMENT:

The Preliminary Site Plan indicates that the awning covered building entrance and the windows along the street-facing façade are oriented towards Railway Street, consistent with the above standards.

- 7. **Materials, Color and Design.**
 - a. **Preferred Building Materials. Building exteriors shall be constructed from high quality, durable materials. Preferred exterior building materials that reflect the city's desired traditional character are as follows:**
 - i. **Brick or better.**
 - ii. **Basalt stone or basalt veneer.**
 - iii. **Narrow horizontal wood or composite**

siding (generally five inches wide or less); wider siding will be considered where there is a historic precedent.

- iv. **Other materials subject to approval by the community development director.**

COMMENT:

The attached Building Elevations illustrate that the proposed warehouse structure will be constructed with corrugated metal siding, which is consistent with existing structures on the site and on the adjacent Fire District and self-storage properties (see Exhibit 4). The proposed material is durable and appropriate for permitted manufacturing and production uses. As discussed previously, there are no commercial uses in the vicinity of the site.

- b. **Prohibited Materials. The following materials shall be prohibited in visible locations unless an exception is granted by the planning commission through the design review performance option in SDC 4.2.510:**
 - i. **Vinyl or plywood siding (including T-111 or similar plywood).**
 - ii. **Glass block or highly tinted, reflected, translucent or mirrored glass (except stained glass) as more than 10 percent of the building facade.**
 - iii. **Poured tilt up concrete.**
 - iv. **Corrugated fiberglass.**
 - v. **Chain link fencing (except for temporary purposes such as a construction site or as a gate for a refuse enclosure).**
 - vi. **Crushed colored rock/crushed tumbled glass.**
 - vii. **Noncorrugated and highly reflective sheet metal.**

COMMENT:

The applicant is not proposing to construct the proposed building with any materials listed above..

- c. **Special Material Standards. The following materials are allowed if they comply with the**

requirements found below:

- i. **Concrete Block.** When used for the front facade of any building, concrete blocks shall be split, rock- or ground-faced and shall not be the prominent material of the elevation. Plain concrete block or plain concrete may be used as foundation material if the foundation material is not revealed more than three feet above the finished grade level adjacent to the foundation wall.

COMMENT:

The attached Building Elevations illustrate that the applicant is proposing to install corrugated metal siding on the front façade of the new structure (see Exhibit 4). Concrete block will only be used on the south and west elevations of the building, which will not be visible from the street.

- ii. **Metal Siding.** Metal siding shall have visible corner moldings and trim and incorporate masonry or other similar durable/permanent material near the ground level (first two feet above ground level).

COMMENT:

As required, the submitted Building Elevations illustrate that the metal siding includes moldings and trim and incorporates durable materials near the ground level (see Exhibit 3).

- iii. **Exterior insulation and finish system (EIFS) and similar troweled finishes** shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.
- iv. **Board and batten siding, and/or stucco** (when trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods) are allowed as accent materials to account for no more than 40 percent of a facade visible from the street.

COMMENT:

The applicant is not proposing to utilize the above materials, therefore these standards do not apply.

- d. Color. Building exteriors shall comply with the following standards:**
 - i. Permitted colors include warm earth tones (tans, browns, reds, grays and greens) conforming to the Silverton color palette.**
 - ii. Primary colors, metallic colors and black may be utilized as trim, detail, and accent colors only, not to exceed five percent of the surface area of any elevation. Such colors shall not be used as primary wall colors.**
 - iii. Day-glow colors, highly reflective colors, and similar colors are not permitted.**
 - iv. A standardized prototype or franchise color scheme shall be modified or muted if necessary to meet the provisions of this section.**

COMMENT:

The attached Building Elevations demonstrate that the applicant is proposing to use white metal panels, which are consistent with the existing structure on the site (see Exhibits 3 and 4).

- e. Design Elements. Each building shall incorporate at least four of the following elements listed below:**
 - i. Canopies, porticos or pergolas;**
 - ii. Overhangs;**
 - iii. Recesses/projections;**
 - iv. Raised corniced parapets over the door;**
 - v. Outdoor patios;**
 - vi. Window shutters;**
 - vii. Transom windows;**

viii. Corner detailing;

ix. Architectural details such as tile work, moldings, trellises, or lighting which are integrated into the building structure and design;

x. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting;

xi. Cobbled, patterned or paved stone or enhanced concrete;

xii. Planter boxes and street furniture placed in the right-of-way shall be approved for use according to materials, scale and type.

COMMENT:

The attached Building Elevations indicate that the design includes an awning over the building entrance and transom windows on the roll-up doors. A new landscaped area will also be installed between the building and the street. In addition, the new structure will include exterior lighting which is integrated into the building design. Therefore, the above building design standards are met.

E. Human Scale. The design of all buildings shall be to a human scale. This standard is met when the approval body finds that all of the criteria in subsections (E)(1) through (8) of this section are met. Alternatively, the applicant may propose different design elements as provided under SDC 4.2.510, Design review – Adjustments (performance option). Figure 2.3.180.E contrasts examples of building elevations that are consistent/inconsistent with human scale criteria.

1. Regularly spaced and similarly shaped windows are provided on all building stories;

COMMENT:

As illustrated in the attached Building Elevations and Streetview Photos, the applicant is proposing to develop a new warehouse structure with regular spaced windows similar to the existing metal-sided building on the site (see Exhibit 3).

2. Ground floor retail spaces have tall ceilings (i.e., 12 to 16 feet) with display windows on the ground floor;

COMMENT:

The applicant is not proposing ground floor retail spaces with the proposed building, therefore this criterion does not apply.

- 3. Display windows are trimmed, recessed, or otherwise defined by wainscoting, sills, water tables, or similar architectural features;**

COMMENT:

The applicant is proposing to develop a warehouse structure for fully enclosed manufacturing and production uses. Therefore, display windows are not proposed with the attached Building Elevations (see Exhibit 3).

- 4. On multi-story buildings, ground floors are defined and separated from upper stories by appropriate architectural features (e.g., cornices, trim, awnings, canopies, arbors, trellises, overhangs, or other features) that visually identify the transition from ground floor to upper story; such features should be compatible with the surrounding architecture;**

COMMENT:

The applicant is not proposing a multi-story building, therefore this criterion does not apply.

- 5. The tops of flat roofs are treated with appropriate detailing (i.e., cornice, pediment, flashing, trim, or other detailing) that is compatible with the surrounding architecture;**

COMMENT:

The applicant is not proposing a flat roof for the new warehouse structure, therefore this criterion does not apply.

- 6. Pitched roofs have eaves, brackets, gables with decorative vents, or other detailing that is consistent with the surrounding architecture;**

COMMENT:

As illustrated in the attached Building Elevations, the applicant is proposing to develop a warehouse structure that is similar in design to the existing metal-sided building on the site, the abutting fire station, and the adjacent self-storage facility buildings. The attached Streetview Photos demonstrate that the details described above are not installed on the adjacent metal-sided structures (see Exhibits 3 and 4).

7. **Historic design and compatibility requirements under Chapter 3.5 SDC, where applicable, are met; and**

COMMENT:

The subject site is not in the vicinity of historic structures or within a historic district, therefore this criterion does not apply.

8. **Where buildings with greater than 10,000 square feet of enclosed ground-floor space are proposed, they shall provide articulated facades on all street-facing elevations. This criterion is met when there is a major break in the building plane not less than once for every 30 feet of a building's horizontal length. Breaks in the building plane include windows, primary entrances, weather protection (awnings, canopies, arbors, arcades), offsets/projections/changes in elevation or horizontal direction, sheltering roofs, terraces, a distinct pattern of divisions in surface materials, ornamentation, screening trees, small-scale lighting (e.g., wall-mounted lighting or up-lighting), and/or similar features as generally shown in Figure 2.3.180.E. See also subsection (C) of this section.**

COMMENT:

The proposed warehouse structure will contain approximately 5,000 sq. ft., therefore the above standards do not apply.

9. **Utility equipment within landscaped areas or attached to structures shall be screened from view from public rights-of-way.**

COMMENT:

The applicant plans to install utility equipment on the south side of the proposed structure. Therefore, the equipment will not be visible from Railroad Street.

ARTICLE 3: COMMUNITY DESIGN STANDARDS

CHAPTER 3.0: DESIGN STANDARDS ADMINISTRATION

Section 3.0.200: Design Standards Applicability.

This article is applied differently based on whether a project is

classified as a major project or a minor project. In addition to the following criteria, each chapter of this article contains “applicability” directions.

- A. **Major Project.** Major projects are those that require design review (Chapter 4.2 SDC), land division (Chapter 4.3 SDC), conditional use review (Chapter 4.4 SDC), or planned development (Chapter 4.5 SDC) approval. Such projects must conform to the applicable sections of all of the following chapters:
 - 1. Land use district standards (Article 2).
 - 2. Access and Circulation (Chapter 3.1 SDC).
 - 3. Landscaping, Street Trees, Fences and Walls (Chapter 3.2 SDC).
 - 4. Parking and Loading (Chapter 3.3 SDC).
 - 5. Public Facilities (Chapter 3.4 SDC).
 - 6. Historic Landmarks (Chapter 3.5 SDC).

COMMENT:

At the January 5, 2024 pre-application conference, the City confirmed that a Design Review application will be required for the new warehouse structure and other proposed site improvements. Since the proposed project can be defined as a Major Project and several adjustments to the design standards are requested, the applicant has submitted a Type III Design Review Application for Planning Commission review. As required, all of the chapters listed above are addressed within this narrative.

CHAPTER 3.1: ACCESS AND CIRCULATION

Section 3.1.200: Vehicular Access and Circulation.

- A. **Intent and Purpose.** This section implements the access management policies of the city of Silverton transportation system plan. The intent of this section is to manage vehicular access and on-site circulation to ensure the continued operational safety, capacity and function of the transportation system.
- C. **Access Permit Required.** Access to a public street (e.g., a new curb cut or driveway approach) requires an access permit. An access permit may be in the form of a letter from the roadway authority to the applicant, or it may be attached to a land use decision notice as a condition of

approval. In either case, approval of an access permit shall follow the procedures and requirements of the applicable roadway authority, as determined through the review procedures in Article 4.

COMMENT:

The attached Existing Conditions Plan indicates that the subject site has frontage on Railway Street, which is classified as a Local Street. An existing driveway approach is located in the northwest corner of the site. The applicant is proposing to relocate the access as shown on the Preliminary Site Plan and install a new 40-ft. wide concrete apron to provide connection from the street to the parking areas and storage yard (see Exhibit 3).

- D. Traffic Impact Study Requirements. The public works director may require a traffic study prepared by a registered traffic engineer to determine access, circulation, and other transportation requirements in conformance with SDC 4.1.900, Traffic impact studies.**

COMMENT:

At the pre-application conference with the City of Silverton, staff indicated that a traffic impact study would not be required for the proposed project.

- E. Conditions of Approval. The public works director or other road authority may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system.**

COMMENT:

As demonstrated by the submitted Existing Conditions Plan and Preliminary Site Plan, there are no safety concerns along Railway Street. Therefore, it is not necessary to consolidate access with adjacent parcels when serving the proposed use (see Exhibit 3).

- F. Corner and Intersection Separation – Backing onto Public Streets. New and modified accesses shall conform to the following standards:**
 - 1. Except as provided under subsection (F)(4) of this section, the distance between street intersections or other street accesses shall meet the minimum spacing requirements as provided in the transportation system plan.**

2. **New property access shall be subject to the design requirements of the transportation system plan and public works design standards. The public works director may limit or require the closure and/or combination of driveway approaches, and/or impose turning restrictions (i.e., right in/out, right in only, or right out only), consistent with public works design standards or those of other roadway authorities, as applicable.**

COMMENT:

The TSP indicates that the minimum spacing distance from driveways to street intersections, and from driveway to driveway, is 10 feet. The submitted Preliminary Site Plan demonstrates that the proposed driveway approach meets these standards (see Exhibit 3). As required, the driveway apron will be constructed to meet Public Works design standards.

3. **Vehicular access to and from off-street parking areas shall not permit backing onto a public street, except as allowed through design review or a planned development approval. (Single-family dwellings and duplex dwellings are exempt.)**

COMMENT:

As demonstrated by the Preliminary Site Plan, vehicles will be able to turn around within the parking areas and leave the site in a forward manner.

4. **The roadway authority may reduce the required separation distance of access points where the standard would otherwise result in a taking of private property, or conformance to the standard is not feasible due to existing lot dimensions, development, other physical features, or conflicting code requirements (e.g., driveway grade requirements, or building or fire code requirements). Where the roadway authority finds that reducing the separation distance is warranted, the total number of access points to the site shall be limited to the minimum necessary to provide reasonable access and shared/joint access may be required.**

COMMENT:

The applicant is not requesting a reduction to the access spacing standards. Therefore, the above section does not apply.

- G. **Site Circulation. New developments shall be required to provide a circulation system that accommodates expected**

traffic generated from development. Pedestrian connections, including connections through large sites, connections between sites (as applicable), and to adjacent sidewalks, must be provided and shall conform to SDC 3.1.300.

COMMENT:

As required, the proposed development includes pedestrian connections and circulation through the site and to the sidewalk along Railway Street (see Exhibit 3).

H. Joint and Cross-Access – Requirements. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveway approaches for adjoining commercial, industrial and multifamily developments, and for other uses where they abut a collector or arterial street. When necessary for traffic safety and access management purposes, or to access flag lots, the city may require joint access and/or shared driveways in the following situations:

1. For shared parking areas.
2. For adjacent developments, where access onto an arterial or collector street is limited and access spacing standards cannot otherwise be met.

COMMENT:

As demonstrated by the attached Preliminary Site Plan, the applicant is proposing to relocate a single driveway connection to Railway Street, a Local Street. Therefore, Arterial and Collector street standards do not apply. Shared access within the site is provided for the existing and proposed warehouse buildings.

I. Joint and Cross-Access – Reduction in Required Parking Allowed. When a shared driveway is provided or required as a condition of approval, the land uses adjacent to the shared driveway may have their minimum parking standards reduced in accordance with the shared parking provisions of SDC 3.3.300(D).

COMMENT:

The applicant is not requesting a reduction to the City's parking requirements. Therefore, the above standards do not apply.

J. Joint and Cross-Access – Easement and Use and Maintenance Agreement. Pursuant to this section, and concurrent with final plat recordation, property owners

sharing an access drive must provide a joint agreement, consistent with subsections (J)(1) through (3) of this section. For projects not involving a land division, the city may not issue certificate(s) of occupancy until the property owners have completed subsections (J)(1) through (3) of this section.

COMMENT:

The subject property, existing warehouse, and proposed warehouse are under single ownership. The Preliminary Site Plan, and Preliminary Utility Plan indicate that shared access and utility services will be provided for both warehouses on the site.

K. Access Connections and Driveway Design. All openings onto a public right-of-way (access connections) and driveways shall conform to all of the following design standards:

- 1. Driveway Approaches. Driveway approaches, including private alleys, shall be designed and located to provide exiting vehicles with an unobstructed view of other vehicles and pedestrians, and to prevent vehicles from backing into the flow of traffic on the public street or causing conflicts with on-site circulation. Construction of driveway accesses along acceleration or deceleration lanes or tapers should be avoided due to the potential for vehicular conflicts. Driveways should be located to allow for safe maneuvering in and around loading areas. See also SDC 3.3.500, Loading areas.**
- 2. Access Connections. Access connections shall be the minimum width practicable based on projected traffic volumes and functional requirements. For specific design and construction standards, refer to the public works design standards.**

COMMENT:

The attached Preliminary Site Plan identifies the location and width of the proposed access connection (see Exhibit 3). The proposed access will serve manufacturing and production uses with deliveries which involve larger vehicles. Therefore, the proposed 40-ft. wide driveway width is practicable based on the anticipated industrial use.

- 3. Driveways. Driveways shall meet the following standards, subject to review and approval by the public works director:**
 - c. Commercial and industrial use driveways shall be the minimum width necessary to efficiently and safely serve the proposed development. The**

maximum width allowed is 40 feet, except where the public works director determines that a greater width is necessary for traffic operations and safety at street intersections.

COMMENT:

The attached Preliminary Site Plan illustrates that the proposed driveway is 40-ft. wide, which complies with the maximum width standard (see Exhibit 3).

- d. Driveway grades should be less than 12 percent. Those grades exceeding 12 percent shall be subject to review and approval by the building official. Grades of 12 percent may not exceed 300 feet in length. The applicant shall provide an engineered plan for any driveway exceeding a grade of 12 percent for review and approval by the building official. Before approval, the building official must determine the driveway does not pose a safety concern.**

COMMENT:

The attached Existing Conditions Plan demonstrates that the proposed access will not exceed the maximum 12% grade standard (see Exhibit 3).

- e. Driveway cross-slopes shall not exceed two percent, and shall be designed to properly accommodate stormwater runoff.**

COMMENT:

As required, cross-slope for the proposed driveways will not exceed 2 percent. This standard will be verified by the City when building permits are issued for the development.

- f. Driveways 150 feet in length or more shall be provided with a vehicle turnaround meeting the approval of the Silverton fire district.**

COMMENT:

The attached Preliminary Site Plan demonstrates that the driveway is not greater than 150 feet in length (see Exhibit 3). Therefore, this standard does not apply.

- g. All driveways must be located the maximum distance which is practical from a street intersection. In no instance shall the distance from an intersection be closer than the following as measured from the near driveway edge, and**

the through curb line, as shown by the following illustration:

COMMENT:

The relocated access is located more than 200-ft. from the nearest street intersection, Westgate Drive. Since Railway Street is classified as a Local Street, the 10-ft. spacing standard is met.

- 4. Driveway Construction. Driveway aprons connecting a driveway to a public street shall be constructed of concrete and installed consistent with the city's public works design standards. The public works director may require appropriate grade transitions between driveways and abutting sidewalks or walkways to address accessibility requirements. See Figure 3.1.200.K.**

COMMENT:

As required, the proposed driveway apron will be constructed of concrete and will meet Public Works design standards.

- L. Fire Apparatus Access Ways. When required under the Uniform Fire Code, city-approved fire apparatus access ways shall be provided in accordance with city standards.**

COMMENT:

The attached Preliminary Site Plan demonstrates that fire apparatus will be able to turnaround on the subject property in accordance with Fire Code standards (see Exhibit 3).

- M. Vertical Clearances. Driveways, private streets, aisles, turnaround areas and ramps shall have a minimum vertical clearance of 13 feet, six inches for their entire length and width.**

COMMENT:

As required, the minimum vertical clearance will be maintained for all driveway, aisles, ramps, and turnaround areas.

- N. Vision Clearance. No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) between two feet and eight feet in height shall be placed in "vision clearance areas" on streets, driveways, alleys, or mid-block lanes where no traffic control stop sign or signal is provided, as shown in Figure 3.1.200.N. The sides of the minimum vision clearance**

triangle are the curb line or, where no curb exists, the edge of pavement. Vision clearance requirements may be modified by the public works director upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). This standard does not apply to light standards, utility poles, tree trunks and similar objects.

COMMENT:

The attached Preliminary Site Plan and Planting Plan demonstrate that the required vision clearance will be provided at the intersection of the proposed driveway with Railway Street (see Exhibit 3).

- O. Construction. The following construction standards apply to all driveways:**
 - 1. Surface Options. Driveways, parking areas, aisles, and turnarounds must be paved with asphalt or concrete. Other paving materials may be used, subject to approval by the public works director. For example, porous paving materials such as porous concrete, pavers set in sand, or concrete blocks that allow grass to grow through may be permitted to reduce surface water runoff and protect water quality.**
 - 2. Surface Water Management. All driveways, parking areas, aisles, and turnarounds shall allow on-site collection of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with the standards contained in the public works design standards. (Single-family dwellings and duplex dwellings exempt.)**
 - 3. Driveway Aprons. When driveway approaches or “aprons” are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing and conform to the city’s engineering design criteria and standard specifications.**

COMMENT:

The attached Preliminary Site Plan demonstrates that the proposed concrete driveway apron will be designed to meet City standards. The City will verify that the design standards are met when building permits are requested.

Section 3.1.300: Pedestrian Access and Circulation.

- A. Site Layout and Design. To ensure safe, direct, and**

convenient pedestrian circulation, all developments, except single-family detached housing and duplex dwellings, shall provide a continuous pedestrian system. The pedestrian system shall be designed based on the criteria in subsections (A)(1) through (3) of this section:

1. **Continuous Walkway System.** The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose in accordance with the provisions of SDC 3.1.200, Vehicular access and circulation, and SDC 3.4.100, Transportation standards.

COMMENT:

The submitted Preliminary Site Plan identifies the location of a 6-ft. wide pedestrian walkway system from the existing and proposed building entries to the sidewalk along Railway Street (see Exhibit 3).

2. **Safe, Direct, and Convenient.** Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following criteria:
 - a. **Reasonably Direct.** A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
 - b. **Safe and Convenient.** Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
 - c. **“Primary entrance”** for commercial, industrial, mixed use, public, and institutional buildings is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

COMMENT:

The attached Preliminary Development Plans illustrate that the proposed on-site walkway system provides a direct route to public sidewalk along Railway Street (see Exhibit 3). The existing sidewalk in turn connects to a commercial center to the east of the site. The plan demonstrates that the route is ADA compliant, free from hazards, and leads to the primary entrance of the proposed and existing buildings.

- 3. Connections within Developments. Connections within developments shall be provided as required in subsections (A)(3)(a) through (c) of this section:**
 - a. Walkways must connect all building entrances to one another to the extent practicable, as generally shown in Figure 3.1.300.A;**
 - b. Walkways must connect all on-site parking areas, storage areas, recreational facilities and common areas, and connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections; and**

COMMENT:

The submitted Preliminary Site Plan demonstrates that the proposed walkway connects the new and existing building entries to the adjacent sidewalk (see Exhibit 3).

- c. Large parking areas shall be broken up so that no contiguous parking area exceeds one acre or 150 parking spaces, whichever is less. Parking areas may be broken up with plazas, landscape areas with pedestrian access ways (20 feet minimum total width), public streets or shopping streets (driveways with street-like features). For the purpose of this section, a “shopping street” means a raised sidewalk of at least four feet in width, six-inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting.**

COMMENT:

The attached Preliminary Site Plan and Planting Plan indicate that the applicant is proposing to develop separate small parking areas in the northwest and northeast corners of the site. An existing small parking area in the central area of the property will also be retained with the proposed development. The site is not associated with a shopping street. Therefore, all applicable standards are met.

B. Walkway Design and Construction. Walkways, including those provided with pedestrian access ways, shall conform to all of the standards in subsections (B)(1) through (4) of this section, as generally illustrated in Figure 3.1.300.B:

1. Vehicle/Walkway Separation. Except for crosswalks (subsection (B)(2) of this section), where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway/street. Alternatively, the decision-making body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway has visually contrasting materials (e.g., pavers or stamped/scored concrete) and is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed to withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

COMMENT:

The applicant is not proposing to develop a walkway that abuts a street or driveway, therefore the above standards do not apply.

2. Crosswalks. Where a walkway crosses a parking area, driveway, or street ("crosswalk"), it shall be clearly marked with painted or thermo-plastic striping or similar types of nonpermanent applications. Contrasting paving materials (e.g., stamped or scored concrete or pavers inlaid between asphalt) are permitted. The public works director may require the crosswalk be designed as a raised, speed table-type crossing area.

3. Walkway Width and Surface. Walkway and access way surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the public works director, at least five feet wide. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt and subject to the city of Silverton public works design standards.

COMMENT:

The attached Preliminary Site Plan demonstrates that the proposed 6-ft. wide striped crosswalk is surfaced in asphalt and connects the existing and proposed building entries to the sidewalk along Railway Street.

4. Accessible Routes. Walkways shall conform to

applicable Americans with Disabilities Act (ADA) guidelines. The ends of all raised walkways, where the walkway intersects a driveway or street, shall provide ramps that are ADA accessible, and walkways shall provide unobstructed, direct routes to primary building entrances.

COMMENT:

The submitted Existing Conditions Plan and Preliminary Site Plan indicate that the proposed walkways are ADA compliant and provide direct paths to the primary building entrances (see Exhibit 3).

CHAPTER 3.2: LANDSCAPING, STREET TREES, FENCES AND WALLS

Section 3.2.200: Landscape Conservation.

- B. Significant Vegetation. “Significant vegetation” means street trees and plants within designated sensitive land areas such as floodplains, hillside protection areas, and wetlands, and trees not within such area that have a caliper of six inches or larger at four feet above grade; except that protection shall not be required for nonnative, invasive plants (blackberries, poison oak, poison ivy, etc.) and any plants designated by the city as prohibited.**

COMMENT:

The attached Existing Conditions Plan indicates that there are no existing trees on the subject site. Therefore, the standards for existing landscape conservation do not apply (see Exhibit 3).

Section 3.2.300: Landscaping.

- A. Applicability. This section shall apply to all new developments requiring land use review and design review.**
- B. Landscaping Plan Required. A landscape plan is required. All landscape plans shall conform to the requirements in SDC 4.2.500(B)(5).**

COMMENT:

Proposed landscape design elements for the planned development have been identified on the submitted Planting Plan (see Exhibit 3).

- C. Landscape Area Standards. Landscape areas shall be as provided in the base zone (Article 2) and other applicable**

provisions of this code (e.g., parking areas, buffering, screening, street trees, etc.).

- D. Landscape Materials.** Permitted landscape materials include trees, shrubs, ground cover plants, nonplant ground covers, and outdoor hardscape features, as described below. “Coverage” is based on the projected size of the plants at maturity, i.e., typically three years after planting.
- 1. Existing Vegetation.** Existing noninvasive vegetation may be used in meeting landscape requirements. When existing mature trees are protected on the site (e.g., within or adjacent to parking areas) the decision-making body may reduce the number of new trees required by a ratio of one inch caliper of new tree(s) for every one-inch caliper of existing tree(s) protected.
 - 2. Plant Selection.** A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions. When new vegetation is planted, soils shall be amended, as necessary, to allow for healthy plant growth.
 - 3. Nonnative, invasive” plants, as per SDC 3.2.200(B), shall be removed during site development and the planting of new invasive species is prohibited.**
 - a. Trees Prohibited in Right-of-Way.** Because of their potential negative impact on public infrastructure, it is unlawful to plant any of the following trees in or on a public right-of-way: box elder, tree of heaven, golden chain, holly, silver maple, bamboo, poplar, willow, conifer, cottonwood, fruit trees (other than ornamental fruit trees), nut trees (other than ornamental nut trees), and ailanthus.
 - b. Trees Requiring Approval.** It is unlawful to plant willow, cottonwood or poplar trees anywhere in the city unless the public works director approves the site as one where the tree roots will not be likely to interfere with public sewers.
 - 4. Hardscape features, such as plazas, pathways, patios and other pedestrian amenities may count toward 10 percent of the required landscape area, except in the commercial districts, where hardscape features may**

count toward 50 percent of the landscape area; provided, that such features conform to SDC 2.3.170. Street trees, where required, do not count toward the minimum landscape area. Swimming pools, sports courts, decks and similar facilities may not be counted toward fulfilling the landscape requirement in any zone.

5. **Ground Cover Standard.** All landscaped areas, whether or not required, that are not planted with trees and shrubs, or covered with nonplant material (subsection (D)(8) of this section), shall have ground cover plants that are sized and spaced with a minimum of one plant per 12 inches on center in triangular spacing, or other planting pattern that is designed to achieve 50 percent or greater coverage of all areas not covered by shrubs or trees.
6. **Tree Size.** Trees shall have a minimum diameter or caliper four feet above grade of two inches or greater at time of planting.
7. **Shrub Size.** Shrubs shall be planted from five-gallon containers or larger.
8. **Nonplant Ground Covers.** Bark dust, chips, aggregate, or other nonplant ground covers may be used, but shall cover no more than 50 percent of the area to be landscaped and shall be confined to areas underneath plants. Nonplant ground covers cannot be a substitute for ground cover plants.
9. **Significant Vegetation.** Significant vegetation protected in accordance with SDC 3.2.200 may be credited toward meeting the minimum landscape area standards. Credit may be granted for trees at a ratio of one caliper inch per inch of tree(s) protected, except that parking lot landscaping shall be provided as required by subsection (E)(3) of this section. The street tree standards of SDC 3.2.400 may be waived by the city when existing significant trees protected within the front yard provide the same or better shading and visual quality as would otherwise be provided by street trees.
10. **Stormwater Facilities.** Stormwater facilities (e.g., detention/retention ponds and swales designed for water quality treatment), when allowed, shall be landscaped with water-tolerant, native plants.

COMMENT:

Proposed landscape design elements meeting the above standards have been identified on the submitted Planting Plan (see Exhibit 3).

E. Landscape Design Standards. All yards, parking lots, and required street tree planter strips shall be landscaped to provide, as applicable, erosion control, visual interest, buffering, privacy, open space and pathway identification, shading, and wind buffering, based on the following criteria and standards:

1. Yard Setback Landscaping Design. Landscaping in yards shall:

- a. Provide visual screening and privacy within side and rear yards; while leaving front yards and building entrances mostly visible for security purposes.**
- b. Use shrubs and trees as wind breaks and to screen parking areas.**
- c. Retain natural vegetation.**
- d. Define pedestrian pathways and open space areas with landscape materials.**
- e. Provide focal points within a development, for example, by preserving large or unique trees or groves, hedges, and flowering plants.**
- f. Use trees to provide summer shading within common open space areas and within front yards when street trees cannot be provided.**
- g. Use a combination of plants for year-long color and interest.**
- h. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales, and detention/retention ponds.**

COMMENT:

The attached Planting Plan illustrates that the above requirements have been incorporated into the proposed landscape design (see Exhibit 3).

2. Yard Setback Landscaping Requirements.
Landscaping requirements listed by type of use:

- b. **Commercial and Multifamily.** All required yards adjacent to a street (exclusive of access ways and other permitted intrusions) are required to be landscaped with one tree at least six feet in height (two-inch minimum caliper) and five five-gallon shrubs or accent plants per 1,000 square feet of required yard area with the remaining area to be treated with an attractive ground cover (e.g., lawn, bark, rock, ivy, evergreen shrubs) prior to issuance of an occupancy permit.

COMMENT:

The attached Planting Plan demonstrates that the above standards are met along the Railway Street frontage (see Exhibit 3).

3. **Parking Areas.** A minimum 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of “evenly distributed” shade trees with shrubs and/or ground cover plants that conform to the criteria in subsections (E)(1)(a) through (h) of this section. “Evenly distributed” means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per 10 parking spaces on average shall be planted to create a partial tree canopy over and around the parking area. Parking areas shall include landscape islands with trees to break up the parking area into rows of not more than 10 contiguous (side-by-side) parking spaces. All parking area landscapes shall have dimensions of not less than 24 square feet of area, or not less than four feet in width by six feet in length, to ensure adequate soil, water, and space for healthy plant growth. Such areas shall have irrigation or temporary irrigation to ensure plant survival and success.

COMMENT:

The attached Preliminary Site Plan identifies the location of new parking areas in the northwest and northeast corners of the property (see Exhibit 3). As required, the submitted Planting Plan illustrates that at least 10% of the parking areas will be landscaped in accordance with the above standards.

4. Screening and Buffering Required. Screening and buffering are required under the following conditions:

- a. **Parking/Maneuvering Area Adjacent to Streets and Drives. Where a parking or maneuvering area is adjacent and parallel to a street or driveway, an evergreen hedge, decorative wall (masonry or similar quality material) with openings, arcade, trellis, or similar partially opaque structure six feet in height shall be established between street and driveway. The required screening shall have breaks to allow visibility (natural surveillance) into the site and to allow pedestrian access to any adjoining walkways. Hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number, and spacing as to provide year-round screening within one year after planting. Vegetative ground cover is required on all surfaces between the wall/hedge and the street/driveway line.**

COMMENT:

The attached Planting Plan illustrates that a hedge meeting the above standards will be provided between the proposed parking stalls and the adjacent street (see Exhibit 3).

- b. **Parking/Maneuvering Area Adjacent to Building. Where a parking or maneuvering area or driveway is adjacent to a building, the area shall be separated from the building by a curb and a raised walkway, plaza, or landscaped buffer not less than five feet in width and six feet in height. Raised curbs, bollards, wheel stops, or other design features shall be used to protect pedestrians, landscaping, and buildings from being damaged by vehicles. Where parking areas are located adjacent to residential ground-floor living space, a four-foot-wide landscape buffer with a curbed edge may fulfill this**

requirement.

COMMENT:

The attached Preliminary Site Plan indicates that the proposed parking areas are not adjacent to existing or proposed buildings, therefore these standards do not apply.

- c. **Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Other Screening When Required. All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas shall be screened from view from all public streets and adjacent residential districts. When these or other areas are required to be screened, such screening shall be provided by:**
 - i. **A decorative wall (i.e., masonry or similar quality material);**
 - ii. **An evergreen hedge;**
 - iii. **An opaque or sight-obscuring fence complying with SDC 3.2.500; or**
 - iv. **A similar feature accepted by the approval authority providing an adequate screen.**

Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with Chapter 3.1 SDC, Access and Circulation. (See SDC 3.2.500 for standards specific to fences and walls.)

COMMENT:

As required, outdoor mechanical equipment for the proposed warehouse structure will be screened in accordance with the above standards. In addition, a sight obscuring fence will be installed around the proposed waste and recycling enclosure adjacent to the new building. The subject site is not proposing to modify non-conforming development on the site, including the existing chain link fence around the storage yard in the eastern portion of the site.

- d. **Existing Significant Vegetation. Where significant vegetation exists it shall be preserved as a “buffer” around the development/subdivision within the setback areas at a minimum. The reviewing body may**

require preservation of other tree groves and clusters of significant vegetation through design review or the planned development process when an applicant has requested an adjustment to code standards, as provided under Chapters 4.2 and 4.5 SDC.

COMMENT:

Per the Existing Conditions Plan, there is no significant vegetation on the site. Therefore, the above standards do not apply.

- e. **Between Different Land Uses.** Perimeter screening and buffering requirements of Table 3.2.300(E)(2), Table 3.2.300(E)(3) and Figure 3.2.300(E)(4) are in addition to standard setbacks of the applicable zoning district and the yard setback landscaping requirements of subsection (E)(2) of this section. Perimeter screening and buffering shall be located as near to the property line as possible. In a case of two overlapping screening and buffering types, the higher type shall prevail. To determine the type of perimeter screening and buffering required, the following procedures shall be used:
 - i. Identify the subject property's zoning district. Identify the adjacent property(ies) zoning district(s) and determine if the property(ies) is developed or vacant.
 - ii. Determine the perimeter screening and buffering type by referring to Table 3.2.300(E)(2).
 - iii. Determine the perimeter screening and buffering type standards by referring to Table 3.2.300(E)(3). For the landscaping requirements, all plant units shall be rounded up and existing vegetation may be used to satisfy planting requirements.
 - iv. Determine the perimeter screening and buffering structures by referring to Figure 3.2.300(E)(4).
 - v. Screening and buffering requirements

for developments adjacent to the city limits or urban growth boundary shall be determined by the community development director or designee.

- vi. When the subject property develops prior to an adjacent vacant property, the vacant perimeter screening and buffering type shall be used. When the adjacent vacant property develops, all remaining screening and buffering requirements of Table 3.2.300(E)(2) shall be installed between the two developed uses.
- vii. The perimeter screening and buffering standards of this section are not required when properties are separated by a public street.
- viii. When different land uses are developed with a planned development, screening and buffering standards between those uses shall be similar to Table 3.2.300(E)(2), as determined by the community development director or designee.

COMMENT:

The subject property is zoned GC, however it is currently developed with an industrial use. The applicant is proposing to develop an additional warehouse on the property for manufacturing and production uses. To the east of the site is an IP zone property that is developed as the main station for the Silverton Fire District. To the south and west of the site is a LI zoned parcel that has been developed as a self-storage facility. To the north of the subject property is the Railroad Street right-of-way. Per Table 3.2.300(E)(2), Type 3 screening and buffering is required between the subject site and adjacent parcels to the east, west, and south of the subject property.

As stated above, the purpose of Section 3.2.300(E)(4)(e) standards is to provide screening and buffering between different land uses. The applicant is requesting a modification to the buffering and screening requirements since the permitted existing and proposed use of the site will include fully enclosed manufacturing and production activities that are typically developed on industrial zoned properties. If the subject site were zoned IP or LI and contained the same use, no screening and buffering would be required by Table 3.2.300(E)(2). Therefore, additional screening and buffering is not needed along the boundaries of the site. The existing, and the proposed, use on the site does not currently conflict with the existing uses on adjacent parcels. In addition, there is a significant amount of screening and buffering provided by existing landscape areas on the adjacent properties.

In addition to the proposed 4-ft. wide landscape buffer in the northeast boundary of the of the site, an existing 11-ft. wide landscape buffer is provided on the Fire District property. In addition to the 2 to 8-ft. wide landscaped area along the south boundary of the site, there is a 20-ft. wide landscaped buffer that is located on top of a 4-ft.. high Ultra Block wall on the self-storage property. West of the site is a 12-ft. wide landscape buffer on the self-storage property in addition to the 12-ft. wide landscaped buffer on the subject property. The applicant is proposing to utilize these existing and proposed landscape screening and buffers in lieu of Table 3.2.300(E)(2), Table 3.2.300(E)(3) and Figure 3.2.300(E)(4) requirements. As required, the applicant is requesting an adjustment to the screening and buffering standards through the performance option of Section 4.2.510.

Section 3.2.400: Street Trees.

Street trees shall be planted in all new subdivisions and any project classified as a major project, except where specifically exempt under this code or where the reviewing body approves an adjustment to the street design standards under SDC 3.4.100, Transportation standards. Planting of street trees shall generally follow construction of curbs and sidewalks; however, the city may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction. The planting and maintenance of street trees shall conform to the following standards and guidelines and any applicable road authority requirements:

- A. Growth Characteristics.** Trees shall be selected based on climate zone, growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. Drought-resistant trees should be chosen where they suit the specific soil type.
- B. Caliper Size.** The minimum diameter or caliper size at planting, as measured four feet above grade, is two inches.
- C. Spacing and Location.** The intent of this section is to provide a procession of trees for shade, buffering, pedestrian comfort and aesthetics on all city streets. Street trees shall be spaced so that there is at least one tree planted for every 35 feet of street frontage, except where existing utilities, vision clearance requirements or similar factors preclude such spacing. Actual spacing of trees may vary based on the growth habits of selected trees. See the city of Silverton street trees list.
- D. Soil Preparation, Planting and Care.** The developer shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for one year after planting. The developer shall also be responsible for tree care (pruning, watering,

fertilization, and replacement as necessary) during the first two years after planting, after which the adjacent property owners shall maintain the trees.

- E. **Assurances.** The city shall require the developer to provide a performance and maintenance bond or cash deposit in an amount determined by an estimate provided by the developer or by the community development director, to ensure the planting of the tree(s) and care during the first year after planting.
- F. **Street Tree List.** A list of approved street trees is available at Silverton City Hall.

COMMENT:

Since the applicant is proposing the development of a new warehouse building, the proposal is considered a major project. The size and location of the proposed street trees have been noted on the attached Planting Plan. As required, the tree species was selected from City's street tree list. To ensure that required street trees avoid damage during the construction of the proposed development, the applicant is requesting that tree planting be deferred until final building inspection is completed for the proposed project.

Section 3.2.500: Fences and Walls.

Construction of fences and walls shall conform to all of the following requirements:

- A. **General Requirements.** All fences, walls, or hedges shall comply with the height limitations of the respective zoning district (Article 2, Tables 2.2.120.A and 2.3.120) and the standards of this section. The city may require installation of walls and/or fences as a condition of development approval, in accordance with land division approval (e.g., flag lots), approval of a conditional use, or design review approval. A building permit is required for fences greater than six feet in height (see also SDC 3.2.300 for landscape screening wall requirements). All fences shall be located outside any vision clearance area.

COMMENT:

The attached Preliminary Site Plan notes the location of existing fencing on the subject property (see Exhibit 3). Since no proposed fences are greater than 6-ft. in height, a building permit will not be required.

CHAPTER 3.3: PARKING AND LOADING

Section 3.3.300: Automobile Parking Standards.

- A. Vehicle Parking – Minimum Standards by Use.** The number of required off-street vehicle parking spaces is determined in accordance with the standards in Table 3.3.300.A or, alternatively, through a separate parking demand analysis as described in subsection (A)(2) of this section.
1. Where a use is not specifically listed in this table, parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described below.
 2. An applicant may propose parking in amounts less than listed in Table 3.3.300.A by submitting a parking demand analysis to the community development director for review and approval. The parking demand analyses must be based on the proposed use and provide an estimate of parking demand based on the number of employees and customers/visitors who are likely to travel to the subject site by automobile, transit, bicycle and foot. The analysis is reviewed through a Type II land use review, or a Type III review if the request is part of an application that is already subject to Type III review. The reviewing body may approve, approve with conditions or deny the proposal.
 3. Parking that counts toward the minimum requirement is parking in garages, carports, parking lots, bays along driveways, shared parking, and designated on-street parking when approved through land use review or design review, as applicable, and subject to subsection (C) of this section. In recognition that downtown is the most compact and walkable area of Silverton, off-street parking requirements are waived in the downtown commercial (DC) district.

COMMENT:

Table 3.3.300.A indicates that a minimum of 2 parking spaces are required, or 1 space per 1,000 sq. ft. of manufacturing and production floor area. Therefore, a total of 14 parking spaces are required for the 9,035 sq. ft. existing building and 5,000 sq. ft. proposed building. The attached Preliminary Site Plan demonstrates that 14 standard and 2 ADA parking stalls will be provided for the two warehouses.

B. Vehicle Parking – Minimum Accessible Parking.

1. Accessible parking shall be provided for all uses in

accordance with the standards in Table 3.3.300.B; parking spaces used to meet the standards in Table 3.3.300.B shall be counted toward meeting off-street parking requirements in Table 3.3.300.A;

2. Such parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway;
3. Accessible spaces shall be grouped in pairs where possible;
4. Where covered parking is provided, covered accessible spaces shall be provided in the same ratio as covered nonaccessible spaces;
5. Required accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such.

COMMENT:

The attached Preliminary Site Plan indicates that 1 ADA stall and an access aisle is currently provided in the existing parking area to the west of the existing structure. An additional ADA stall and unobstructed aisle is proposed to the north of the new warehouse. In conformance with this section, the ADA spaces will be identified with pavement markings and signage meeting the above standards.

- C. **On-Street Parking.** On-street parking shall conform to the following standards:

COMMENT:

As shown on the Preliminary Site Plan, off-street parking is provided for the proposed use (see Exhibit 3). No on-street parking is proposed.

- D. **Shared Parking.** Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses); and provided, that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. The city may approve

owner requests for shared parking through land use review or design review, as applicable.

COMMENT:

The applicant will own both warehouse structures on the subject site, therefore a shared parking agreement is not required for the proposed development.

- E. Off-Site Parking. Except for single-family dwellings, the vehicle parking spaces required by this chapter may be located on another parcel of land, provided the parcel is within 500 feet of the use it serves and the city has approved the off-site parking through land use review or design review, as applicable. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.**

COMMENT:

The applicant is not proposing to establish off-site parking. Therefore, the above standards do not apply.

F. General Parking Standards.

- 1. Location. Parking is allowed only on streets, within garages, carports, and other structures, or on driveways or parking lots that have been designed and developed in conformance with this code. Article 2, Land Use (Zoning) Districts, prescribes parking location for some land uses (e.g., the requirement that parking for some multiple-family and commercial developments be located to the side or rear of buildings), and Chapter 3.1 SDC, Access and Circulation, provides design standards for driveways. Street parking spaces shall not include space in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, pedestrian access way, landscape, or other undesignated area.**
- 2. Mixed Uses. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are less (i.e., the uses operate on different days or at different times of the day). The city may reduce the total**

parking required accordingly through land use review or design review, as applicable.

3. **Availability of Facilities.** Owners of off-street parking facilities may post a sign indicating that such off-street parking, or portions thereof, is available only for residents, customers, and/or employees.
4. **Lighting.** Parking areas shall have lighting to provide not less than two footcandles of illumination over walkways leading to and from parking area. Similar lighting should be provided over parking areas but complete illumination of parking spaces at two footcandles is not required. Light standards shall be directed downward only and shielded to prevent lighting spillover into any adjacent residential district or use and to prevent light pollution in the night sky.
5. **Screening of Parking Areas.** Parking spaces shall be located or screened so that headlights do not shine onto adjacent residential uses, per subsection (E) of this section.

COMMENT:

Similar to the existing structure, the proposed building will include wall-mounted lights to illuminate the parking areas and building entrance. Screening of lighting from adjacent residential uses is not necessary, since the adjacent parcels are zoned industrial. Detailed exterior lighting plans will be provided when building permits are requested to demonstrate compliance with the above standards.

- G. **Parking Stall Design and Minimum Dimensions.** All off-street parking spaces shall be improved to conform to city standards for surfacing, stormwater management, and striping. Standard parking spaces shall conform to the following standards and the dimensions in Figures 3.3.300.F(1) and (2), and Table 3.3.300.F:
 1. **Motor vehicle parking spaces shall measure nine feet wide by 18 feet long or by 16 feet long, with not more than a two-foot overhang when allowed;**
 2. **All parallel motor vehicle parking spaces shall measure eight feet wide by 22 feet;**
 3. **Parking area layout shall conform to the dimensions in Figures 3.3.300.F(1) and (2), and Table 3.3.300.F in this section;**
 4. **Not more than 20 percent of the total parking spaces**

in a parking lot may be designated for compact cars and shall measure eight feet wide by 16 feet long. Such spaces must be signed and/or the space painted with "Compact Car Only";

5. Parking areas shall conform to Americans with Disabilities Act (ADA) standards for parking spaces (dimensions, van-accessible parking spaces, etc.). Parking structure vertical clearance and van-accessible parking spaces should refer to federal ADA guidelines; and
6. Bicycle parking shall be on a two-foot by six-foot minimum concrete pad per bike, or within a garage or patio of residential use.

COMMENT:

The attached Preliminary Site Plan demonstrates that the proposed off-street vehicle parking stalls meet the dimensional standards of this section. As required, the parking areas include ADA compliant stalls and accessible routes to the building entrances.

Section 3.3.400: Bicycle Parking Requirements.

Except for single-family dwellings and duplex dwellings, all uses that are subject to land use review or site design review, as applicable, shall provide bicycle parking, in conformance with the standards in Table 3.3.400, and subsections (A) through (I) of this section.

- A. **Minimum Required Bicycle Parking Spaces.** Uses must provide bicycle parking spaces, as designated in Table 3.3.400. Where two options are provided (e.g., two spaces, or one per eight bedrooms), the option resulting in more bicycle parking is used.
- B. **Exemptions.** This section does not apply to single-family and duplex dwellings, home occupations, agriculture and livestock uses.
- C. **Long-Term Bicycle Parking.** Long-term bicycle parking (covered or enclosed) may be used to fulfill bicycle parking requirements.
- D. **Location.** Bicycle parking when located outside the building it is intended to serve must be no farther from the main building entrance than the distance to the closest motor vehicle space, or 50 feet, whichever is less.

- E. **Visibility and Security.** Bicycle parking for customers and visitors of a use must be visible from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.

- F. **Design Options.** Bicycle parking requirements for multiple-family uses and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building. For example, covered bicycle parking may be under a stairway, projecting walls, or roof overhangs. Bicycle parking, when allowed within a public right-of-way, must conform to the city of Silverton’s public works design standards.
 - 1. **Bike racks must be securely anchored to the ground, wall or other structure.**

 - 2. **Racks for required bicycle parking spaces shall ensure that bicycles may be locked to them without undue inconvenience. Provision of bicycle lockers for long-term (employee) parking is encouraged but not required.**

 - 3. **Bicycle parking spaces shall be at least two feet wide by six feet long and, when covered, have a vertical clearance of seven feet. An access aisle of at least five feet in width shall be provided and maintained beside or between each row of bicycle parking.**

 - 4. **Each bicycle parking space must be accessible without moving another bicycle.**

COMMENT:

Per Table 3.3.400, a minimum of 2 bicycle parking spaces are required in addition to the 14 required vehicle parking spaces. As required, the applicant is proposing to install a bicycle rack with 2 spaces near the entrance of the proposed structure. The City will verify that all of the above requirements are met when building permits are requested for the proposed development.

Section 3.3.500: Loading Areas.

- C. **Number of Loading Spaces.**
 - 2. **Nonresidential and Mixed-Use Buildings.** Buildings where any floor area is in nonresidential uses shall meet the following standards:
 - a. **Less than 20,000 square feet total floor area: no loading spaces required.**

COMMENT:

The applicant is not proposing more than 20,000 sq. ft. of total floor area, therefore loading spaces are not required.

CHAPTER 3.4: PUBLIC FACILITIES

Section 3.4.100: Transportation standards.

- A. Development Standards. The following standards shall be met for all new uses and developments:**
- 1. All new lots created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation must have frontage or approved access to a public street, except as specifically allowed through a planned development approval under Chapter 4.5 SDC or as provided for flag lots under Chapter 4.3 SDC, Land Divisions and Property Line Adjustments.**
 - 2. Streets within or abutting a development shall be fully improved in accordance with the transportation system plan and the design standards. Three-quarter-street improvements may be accepted only when requiring a full-width street improvement cannot be justified based on the proportionate impact of the development on the transportation system, as approved by the public works director. Where a less than full street is allowed, the minimum total paved width shall not be less than 28 feet to provide for two travel lanes and bicycle lanes, unless otherwise approved by the public works director.**
 - 3. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this section, and public streets shall be dedicated to the applicable road authority.**
 - 4. When development occurs with frontage on a substandard right-of-way and right-of-way dedication is not required as part of the development, the setback for the new development shall be calculated based on the anticipated future right-of-way.**
 - 5. All new streets and drives shall be paved in accordance**

with design standards.

COMMENT:

When the West-Side Gateway project was developed, the applicant dedicated an additional 10-ft. of right-of-way along Railway Street so that the street frontage improvements could be installed. The existing right-of-way is fully improved to comply with City Local Street standards, therefore no additional street improvements are proposed.

- B. Guarantee. The city may accept a future improvement guarantee in lieu of street improvements if the following conditions exist:**

COMMENT:

The applicant is not proposing to defer required street improvements. Therefore, the above standards do not apply.

- C. Creation of Rights-of-Way for Streets and Related Purposes. Streets shall be created through the approval and recording of a final subdivision or partition plat; except the city may approve the creation of a street by acceptance of a deed; provided, that the street is deemed in the public interest by the city council for the purpose of implementing the transportation system plan, and the deeded right-of-way conforms to the standards of this code.**

COMMENT:

Additional right-of-way is not required for Railway Street, therefore the above standards do not apply.

- D. Creation of Access Easements. The city may approve an access easement when the easement is necessary to provide for access and circulation in conformance with Chapter 3.1 SDC, Access and Circulation. Access easements shall be created and maintained in accordance with applicable provisions of the Uniform Fire Code.**

COMMENT:

An access easements is not required or proposed for the proposed development. Therefore, the above standards do not apply.

- E. Street Location, Width, and Grade. The location, width and grade of all streets shall conform to Figures 3.4.100(E)(1) through (3), the transportation system plan, and approved street plans or subdivision plats. Street location and design**

shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets as follows:

COMMENT:

As discussed above, Railway Street currently meets City standards along the site's frontage. The applicant is not proposing to install street improvements with this application, therefore street location, width, and grade standards do not apply to the proposed development.

- F. Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements must conform to the standards and specifications of the transportation system plan and design standards. Where a range of right-of-way or roadway width is indicated, the width shall be the narrower in the range unless unique and specific conditions exist as determined by the reviewing body based upon the following factors:**
- 1. Street classification in the transportation system plan;**
 - 2. Anticipated traffic generation;**
 - 3. On-street parking needs;**
 - 4. Sidewalk and bikeway requirements based on anticipated level of use;**
 - 5. Requirements for placement of utilities;**
 - 6. Street lighting;**
 - 7. Minimize drainage, slope, and sensitive lands impacts;**
 - 8. Street tree location, as provided for in Chapter 3.2 SDC;**
 - 9. Protection of significant vegetation, as provided for in Chapter 3.2 SDC;**
 - 10. Safety and comfort for motorists, bicyclists, and pedestrians;**
 - 11. Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;**
 - 12. Access needs for emergency vehicles; and**

13. Transition between different street widths (i.e., existing streets and new streets).

COMMENT:

The subject site fronts Railway Street, which is classified as a Local Street. The Existing Conditions Plan indicates that 30-ft. of right-of-way is currently provided from centerline, which meets City standards. The plan also demonstrates the required pavement width, curb, sidewalk, and street lighting were previously installed along the site frontage. Therefore, the existing street section meets City standards.

H. Traffic Signals and Traffic Calming Features.

COMMENT:

The applicant is neither required nor proposing to install traffic signals or traffic calming features with the proposed development. Therefore, these standards do not apply.

I. Future Street Plan and Extension of Streets.

- 1. A future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development. The plan must show the pattern of existing and proposed future streets from the boundaries of the proposed land division and include other divisible parcels within 600 feet surrounding and adjacent to the subject site. The street plan is not binding; rather, it is intended to show potential future street extensions with future development.**

COMMENT:

The applicant is not proposing a land division, therefore a Future Streets Plan is not required with this application.

Section 3.4.200: Public Use (Park) Areas.

A. Dedication of Public Use (Park) Areas.

- 1. The availability of parkland and open space is a critical element in maintaining and improving the quality of life in Silverton. All new development that results in the creation of new residential dwelling units (subdivisions, partitions, planned unit developments, multifamily developments, manufactured home parks, etc.) is required to provide through payment and/or dedication public use areas (such as parks, playgrounds, community centers, trails, etc.) based on the city's most current parks and recreation master**

plan.

COMMENT:

The applicant is not developing residential use property or dedicating parkland. Therefore, these standards do not apply.

Section 3.4.300: Sanitary sewers, water, street lights and fire protection.

- A. Sanitary Sewer, Storm Drainage and Water System Improvements. Sanitary sewer system and water system improvements shall be installed with new development in accordance with the city's sanitary sewer master plan, water system master plan, and public works design standards. When streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements shall also be stubbed with the streets, except where the public works director finds that future extension is not practical due to topography or other constraints. Where public sanitary sewer or water service is not available within 300 feet of a property, private wells and septic systems may provide service for the development of a single-family dwelling or use serving the public on parcels containing at least two acres; provided, that a petition for improvement/waiver of remonstrance is signed for their share of the costs for and future connection to public water and sewer services. These provisions are supplementary to the provisions in Chapters 13.12 and 13.36 SMC. Any private well or septic system allowed by this section must be approved by Marion County and the State Water Resources Department.**

COMMENT:

The attached Existing Conditions Plan demonstrates that existing public sanitary sewer and water utilities within Railway Street have the capacity to accommodate the proposed development. Currently, stormwater is collected by several catch basins and discharged into the existing storm main line within Railroad Street. Since additional impervious area is not proposed for the site, and the proposed development increases the amount of landscaped area on the property, the applicant is not developing new stormwater facilities with the project.

- B. Plan Approval. Development permits for sewer and water system improvements shall not be issued until the public works director has approved all sanitary sewer and water plans in conformance with city standards.**

COMMENT:

As required, no construction of proposed utility improvements will occur until development permits are issued.

- C. Over-Sizing Facilities.** The city may require as a condition of development approval that sewer and water systems serving new development be sized to accommodate future development within the area as projected by the applicable water and sewer master plans and public works design standards. Oversizing of facilities may be eligible for credit toward system development charges.

COMMENT:

If oversizing of public facilities is required as a Condition of Approval, the applicant intends to request SDC credits for eligible facilities.

- D. Street Lights.** Street lights shall be provided in all developments within the city and shall be provided in accordance with the city's design standards. The reviewing body may add street lights at other locations and authorize specific exceptions to the above priorities when necessary in order to enhance the public safety and welfare.

COMMENT:

The attached Existing Conditions Plan indicates that street lights were previously installed along the Railroad Street frontage.

- E. Fire Protection.** Developers shall provide third party verification of existing and proposed water service mains and hydrant flow supporting the development site. Hydrant flow analyses and plans for hydrants and water service mains shall be subject to review and approval by the fire marshal as part of the development review process.

COMMENT:

If requested, the applicant will provide third party verification of water mains and hydrant flows during the development review process.

- F. Inadequate Facilities.** Development may only occur where existing or proposed public facilities are adequate to serve the site as required per subsection (A) of this section. If services do not meet these standards, service upgrades may be required or the development permits may be restricted

by the city. Deficiencies in the existing water or sewer system that cannot be rectified by the development and that if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water or sewerage treatment systems will not be approved.

COMMENT:

The Existing Conditions Plan demonstrates that the existing public storm, sanitary sewer, and water facilities within Railway Street have the capacity to serve the proposed development (see Exhibit 3).

Section 3.4.400: Storm Drainage and Erosion Control.

- A. General Provisions.** The city shall issue a development permit only where adequate provisions for stormwater runoff and erosion control have been made in conformance with the city of Silverton storm drainage master plan and public works design standards.

COMMENT:

As required, erosion control measures will be installed prior to the initiation of construction activities.

- B. Accommodation of Upstream Drainage.** Culverts and other drainage facilities shall be large enough to accommodate existing stormwater. Such facilities shall be subject to review and approval by the public works director.
- C. Effect on Downstream Drainage.** Where it is anticipated by the public works director that the additional runoff resulting from the development will overload an existing drainage facility, the city shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development. Stormwater detention and/or retention facilities, including water quality treatment, may be required in conformance with city standards.
- D. Over-Sizing.** The city may require as a condition of development approval that storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable storm drainage master plan. Over-sizing of facilities may be eligible for credit towards SDCs.

COMMENT:

The submitted Existing Conditions Plan, Preliminary Site Plan, and Planting Plan demonstrate that the amount of impervious area on the site will be reduced with the installation of additional landscaped areas on the site (see Exhibit 3). Stormwater will continue to be managed by utilizing catch basins and directing drainage to the public storm main line within Railway Street. Therefore, the proposed development will not have an effect on upstream or downstream drainage.

- E. Existing Watercourse. Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety.**

COMMENT:

The attached Existing Conditions Plan illustrates that there is a small drainageway along the rear and west boundary of the site. As required, the Preliminary Site Plan indicates that this drainageway will be preserved when the new warehouse on the site is developed (see Exhibit 3).

- F. Erosion Control. Specific erosion control measures shall be designed, installed and monitored in conformance with the city's design standards. City-approved erosion control measures must be in place prior to, during and after construction activities for projects that disturb one or more acres of land over a period of time. A National Pollution Discharge Elimination System (NPDES) permit must be obtained from the Department of Environmental Quality prior to the issuance of a development permit or land use permit.**

COMMENT:

As required, erosion control measures will be installed, and appropriate permits will be obtained prior to the commencement of construction activities.

- G. Detention. All required stormwater detention must provide for the 25-year storm event. Detention shall be located in underground facilities, or, if aboveground detention is utilized, it shall be with the review and approval of the public works director.**

COMMENT:

The attached Preliminary Utility Plans indicate that stormwater is collected by several catch basins and discharged into the public storm main line within Railway Street. Since a smaller impervious area is proposed with the new development, the applicant is not proposing to install new stormwater facilities on the site (see Exhibits 3).

Section 3.4.500: Sidewalks.

- A. Requirement. Sidewalks shall be constructed on all public streets in the city by the owners of property next adjacent thereto. As such, sidewalks shall be constructed in accordance with the specifications hereinafter provided. All development for which land use applications are required must include sidewalks adjacent to public streets. This requirement also applies to new single-family houses and duplexes if they are located on arterial or collector streets or on curbed local streets if there is an existing sidewalk within 500 feet on the same side of the street.**

In the case of arterial or collector streets, sidewalks shall be built during their construction and considered during their reconstruction. This provision shall also apply to local streets that serve commercial and multifamily development. Sidewalks are required on both sides of all streets except in hillside developments and mini-subdivisions. If an interim street standard is being constructed which does not include bike lanes or sidewalks, interim bikeways or walkways for pedestrians shall be provided through construction of paved roadway shoulders at least eight feet in width on arterials and six feet on other streets.

- B. Specifications for Construction. Specifications for the construction of the various kinds of walks provided for have been made by the city engineer and filed in the office of the city recorder, which specifications are hereby especially referred to and by reference are made a part hereof; provided, however, that changes may be made in such specifications by the city council at any time, and when so made and approved and filed in the office of the city recorder, such changed or amended specifications shall become a part hereof the same as though such specifications were now on file in the office of the city recorder.**

COMMENT:

The attached Preliminary Site Plan indicates that the sidewalk along the site's Railway Street frontage is 5-ft. wide and currently complies with City Local Street standards (see Exhibit 3).

- C. **Mid-Block Requirements.** In the case of blocks greater than 500 feet in length, the review body shall require mid-block pedestrian walks and/or bikeways on a right-of-way at least 20 feet in width with a minimum eight-foot-wide paved surface. All walkways or bikeways between streets shall be subject to the requirements of the public works director.

COMMENT:

The distance along Railway Street between Westgate Drive and McClaine Street is approximately 1,000-ft. in length. However, since properties to the east, west, and south of the subject property are fully developed, it is not feasible to extend a public pedestrian and or bikeway through the site.

- D. **Design, Width, and Location.** All sidewalks must be constructed, replaced or repaired in accordance with the Silverton transportation system plan and the Standard Construction Specifications. The required width and location of sidewalks is as follows:

- 2. **Sidewalks along residential and other local streets must be a minimum of five feet in width. Street trees shall be selected from the list of approved street trees established by the city. Other tree species may be approved if they have similar qualities as those on the list. The planter strip shall be of permeable materials.**

COMMENT:

The attached Existing Conditions Plan illustrates that a 5-ft. wide sidewalk is currently installed along the Railway Street frontage (see Exhibit 3). The submitted Planting Plan indicates that the applicant is proposing to install street trees which are selected from the City's street tree list.

- 4. **Regardless of other provisions contained in this section, any sidewalk project that is less than 200 feet in length and connects on either end to an existing sidewalk may be designed to match the existing pattern with the approval of the city public works director.**
- 5. **Where obstructions exist or are proposed (including but not limited to mail boxes, utility poles, trees, planters, fire hydrants, signs, benches, bus stops, etc.), provisions must be made to maintain a minimum of four feet of unobstructed sidewalk width on local streets, five feet on collector and arterial streets, and five feet in the downtown commercial district.**

COMMENT:

The applicant is not proposing to install a new sidewalk with this project and no obstructions exist, therefore the above standards do not apply.

- 6. Maintenance of sidewalks and planter strips shall be the continuing obligation of the adjacent property owner. Planter strips shall be landscaped and maintained in like manner to the front yard setback requirements of Article 3, Community Design Standards.**

COMMENT:

As required, the proposed landscaped areas within site boundaries and adjacent rights-of-way will be maintained by the property owner.

- 7. Sidewalks shall be designed to parallel streets in line and grade and shall avoid unnecessary meandering from the curb line and elevation changes except as necessary to avoid significant trees or traverse topographic barriers. All sidewalks shall be constructed to the official city specifications grade and at such lateral grade or slope as has been or may be specified in the general specification therefore by the city engineer. Grades shall be furnished without charge to property owners, when applied for, for the purpose of constructing sidewalks.**

COMMENT:

The attached Existing Conditions Plan demonstrates that the existing sidewalk is parallel to the street and is graded to City specifications (see Exhibit 3).

- 8. Pedestrian/bike access ways not adjacent to a public street shall be a minimum of 20 feet wide and dedicated to the public. The access way improvement shall be a minimum eight-foot-wide paved surface and shall be provided with pedestrian-scaled lighting along the access way. Lighting shall not shine into adjacent residences. Trees shall be provided within the dedicated access way in accordance with the requirements of Chapter 3.2 SDC.**

COMMENT:

This application does not include a pedestrian/bike access way, therefore this section does not apply.

E. Conformance to Street Grades. All sidewalks constructed

adjacent to a street must be placed upon the street grade as established at the time of sidewalk construction. If a space is left between the property line and the sidewalk and/or between the sidewalk and the curb, the space shall be filled and surfaced with earth or other approved material level with the sidewalk. Grade shall be furnished without charge to property owners, when applied for, for the purpose of constructing sidewalks.

- F. **Timing of Sidewalk Construction.** Sidewalk construction may be deferred until the proposed improvement on the property is completed. No occupancy permit shall be issued by the building official for a development until the provisions of this title are satisfied. The public works director shall require a future improvement assurance (as described in SDC 3.4.700) when, in his opinion, the construction of the sidewalk is impractical for one or more of the following reasons:

COMMENT:

A new sidewalk is not proposed, therefore these standards do not apply.

- 4. **Whenever the construction of a sidewalk has been deferred, the property owner shall, unless otherwise allowed by the public works director or his/her designee:**

COMMENT:

The applicant is not requesting deferment of the sidewalk construction, therefore these standards do not apply.

Section 3.4.600: Utilities.

A. Underground Utilities.

- 2. **New Development.** The following additional standards apply to all new development, in order to facilitate underground placement of utilities:
 - a. **The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all aboveground equipment does not obstruct required vision clearance areas;**
 - b. **The city reserves the right to approve the location of all surface-mounted facilities;**

- c. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
- d. Stubs for service connections shall be sufficient in length to avoid disturbing the street improvements when service connections are made.

COMMENT:

Prior to installation of utility services, the developer will coordinate with the City and other utility service providers. As required, all utilities will be placed underground in accordance with City standards.

Section 3.4.700: Construction plan approval and assurances.

- A. **Plan Approval and Permit.** No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements, shall be undertaken except after the plans have been approved by the city, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the city for construction and other services in connection with the improvement. The permit fee shall be set by the city council.
- B. **Performance Guarantee.** The city may require the developer or subdivider to provide assurance, bonding or other performance guarantees to ensure completion of required public improvements. See Chapter 4.2 SDC, Land Use Review and Design Review, and Chapter 4.3 SDC, Land Divisions and Property Line Adjustments.

COMMENT:

As required, the applicant will pay appropriate fees and obtain necessary permits before public improvements are installed. If required, the developer will provide a performance guarantee for the public improvements.

- C. **Petition for Improvement/Waiver of Remonstrance.** Existing single-family residential lots of record and lots created by a land partition may be developed, provided the lots are subject to a petition for improvement/waiver of remonstrance for a future assessment district for the lacking public facilities as determined and approved by the public works director in consultation with the Silverton fire district.

COMMENT:

The applicant is not requesting a deferment for the construction of required public facilities, therefore a waiver of remonstrance is not required for the project.

Section 3.4.900: Easements.

- A. Provision. The developer is responsible for making arrangements with the city, the applicable district, and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. Public main line utility easements shall conform to city specification. See the design standards.**

COMMENT:

When the West-Side Gateway project was developed, the applicant dedicated an additional 10-ft. of right-of-way along Railway Street so that the street frontage improvements could be installed. The attached Existing Conditions Plan indicates that public water, sanitary sewer, and stormwater main lines are currently located in the adjacent Railway Street right-of-way. In addition, private service provider utilities are also located within the current right-of-way. Therefore, public utility easements are not required to serve the proposed development.

ARTICLE 4: ADMINISTRATION OF LAND USE AND DEVELOPMENT

CHAPTER 4.20: LAND USE REVIEW AND DESIGN REVIEW

Section 4.2.200: Applicability.

Land use review or design review shall be required for all new developments and modifications of existing developments described below, except existing single-family dwellings undergoing a remodel or minor addition (i.e., lot coverage increase by less than 50 percent over existing lot coverage). Regular maintenance, repair and replacement of materials (e.g., roof, siding, awnings, etc.), parking resurfacing and similar maintenance and repair shall be exempt from review.

- B. Design Review. Design review ensures compliance with the land use and development standards in Article 2 and the design standards and public improvement requirements in Article 3. All of the following actions are subject to design review:**
 - 1. Development for a new multifamily, attached single-family, commercial, industrial or institutional use, including land divisions, site preparation and construction of buildings, parking, landscaping,**

signage, and other site improvements for the same;

- 3. Building addition exceeding 1,000 square feet, or 10 percent of an existing structure, whichever is greater, where there is no change in occupancy or use;**

COMMENT:

The applicant is proposing to develop a 5,000 sq. ft. warehouse for a permitted industrial use in the GC zone. Therefore, Design Review is applicable to the submitted application.

Section 4.2.400: Design Review – Application Review Procedure.

Design reviews are classified as limited land use decisions (Type II), except as provided by subsections (A) and (B) of this section:

- A. Applications involving one or more adjustments, as provided in SDC 4.2.510, are reviewed through a quasi-judicial (Type III) process and require a public hearing.**

COMMENT:

The applicant is requesting several adjustments with this Design Review application, Therefore, this application is subject to a Type III review.

Section 4.2.500: Design Review – Application Submission Requirements.

All of the following information is required for design review application submittal:

- A. General Submission Requirements. An application for design review shall contain all of the information required for a Type III review under SDC 4.1.400, and provide:**
 - 1. Traffic Estimate. The application shall describe the proposed access to and from the site and estimate potential vehicle traffic increases resulting from the project. The community development director may require a traffic impact study, in accordance with SDC 4.1.900; and**

COMMENT:

During the pre-application conference, the City of Silverton determined that a traffic impact study would not be required for the proposed development.

- 2. In situations where this code requires the dedication of property to the city, the city shall either, (1)**

include in the written decision evidence that shows that the required property dedication is directly related to and roughly proportional to the projected impacts of the development on public facilities and services, or (2) not require the dedication as a condition of approval; this does not preclude the city from accepting voluntary dedications.

COMMENT:

The applicant does not anticipate that dedication of property to the City will be required, therefore these standards do not apply.

- B. Design Review Information.** In addition to the general submission requirements and number of required copies for a Type III review (SDC 4.1.400), an applicant for design review shall provide the following information, as deemed applicable by the community development director. The community development director may deem applicable any information that he or she needs to review the request and prepare a complete staff report and recommendation to the review body.
 - 1. Site Analysis Map.** At a minimum the site analysis map shall contain the following:
 - a.** The applicant's entire property and the surrounding property to a distance sufficient to determine the location of the development in the city, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions and gross area shall be identified;
 - b.** Topographic contour lines at two-foot intervals or less for slopes of less than 10 percent, and five-foot intervals for steeper slopes;
 - c.** Identification of slopes greater than 12 percent, consistent with the method of measurement and contour intervals required by the city engineer;
 - d.** The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site;

- e. Potential natural hazard areas, including any flood areas subject to Chapter 2.5 SDC, areas subject to high water table, and areas mapped by the city, county, or state as having a potential for geologic hazards.
- f. Resource areas, including marsh and wetland areas, streams, and wildlife habitat identified by the city or any natural resource regulatory agencies as requiring protection.
- g. Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches.
- h. Locally or federally designated historic and cultural resources on the site and adjacent parcels or lots;
- i. The location, size and species of trees and other vegetation having a caliper (diameter) of six inches or greater at four feet above grade;
- j. North arrow, scale, names and addresses of all persons listed as owners of the subject property on the most recently recorded deed;
- k. Name and address of project designer, engineer, surveyor, and/or planner, if applicable.

COMMENT:

The submitted Existing Conditions Plan includes all of the applicable information listed above (see Exhibit 3).

- 2. **Proposed Site Plan.** The site plan shall contain the following information:
 - a. The proposed development site, including boundaries, dimensions, and gross area;
 - b. Features identified on the existing site analysis maps that are proposed to remain on the site;
 - c. Features identified on the existing site map, if any, which are proposed to be removed or modified by the development;

- d. The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;
- e. The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;
- f. The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;
- g. The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops);
- h. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;
- i. Loading and service areas for waste disposal, loading and delivery;
- j. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements;
- k. Location, type, and height of outdoor lighting;
- l. Location of existing and proposed mailboxes;
- m. Name and address of project designer, if applicable;
- n. Locations of bus stops and other public or private transportation facilities;
- o. Sign concept plan (e.g., locations, general size, style and materials of signs). (Signs are subject to review and approval under Chapter 15.16 SMC.)

COMMENT:

The attached Preliminary Site Plan includes all applicable information listed above (see Exhibit 3).

3. **Architectural Drawings.** Architectural drawings showing one or all of the following shall be required for new buildings and major remodels:
 - a. **Building elevations with building height and widths dimensioned, and materials labeled;**
 - b. **Building Materials, Colors and Type.** A materials sample board may be required;
 - c. **The name of the architect or designer.**

COMMENT:

The applicant has submitted Building Plans and Elevations which comply with the above standards (see Exhibit 3).

4. **Preliminary Grading Plan.** A preliminary grading plan prepared by a registered engineer shall be required for development sites one-half acre or larger. The preliminary grading plan shall show the location and extent to which grading will take place, indicating general changes to contour lines, slope ratios, slope stabilization proposals, and location and height of retaining walls, if proposed. Surface water detention and treatment plans may also be required, in accordance with SDC 3.4.400.

COMMENT:

The applicant is not proposing to grade the site and is developing a new warehouse where an existing paved storage yard exists (see Exhibit 3). Therefore, the above standards do not apply.

5. **Landscape Plan.** A landscape plan may be required and at the direction of the community development director shall show the following:
 - a. **The location and height of existing and proposed fences, buffering or screening materials;**
 - b. **The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;**
 - c. **The location, size, and species of the existing and proposed plant materials (at time of planting);**

- d. Existing and proposed building and pavement outlines;
- e. Specifications for soil at time of planting, irrigation if plantings are not drought-tolerant (may be automatic-underground or other approved method of irrigation) and anticipated planting schedule;
- f. Other information as deemed appropriate by the community development director. An arborist's report may be required for sites with mature trees that are protected under Chapter 3.2 SDC, Landscaping, Street Trees, Fences and Walls;

COMMENT:

The attached Planting Plan provides all of the information listed above (see Exhibit 3).

- 6. Deed Restrictions. Copies of all existing and proposed restrictions or covenants, including those for access control;

COMMENT:

There are no property restrictions or covenants that are applicable to the subject site.

- 7. Narrative. Letter or narrative report documenting compliance with the applicable review criteria contained in SDC 4.2.600, Review criteria – Design review;

COMMENT:

This Applicant's Statement addresses all of the applicable review criteria.

- 8. Traffic impact study, when required, shall be prepared in accordance with the road authority's requirements. See SDC 4.1.900 for relevant standards.

COMMENT:

At the pre-application conference, the City of Silverton indicated that a Traffic Impact Study would not be required.

- 9. Other information determined by the community

development director. The city may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, noise, environmental features, natural hazards, etc.), in conformance with this code.

COMMENT:

All known study and exhibit requirements have been met and are included with the submitted application.

Section 4.2.510: Design Review – Adjustments (performance option).

- A. **Adjustments.** The intent of this section is to allow reasonable flexibility and to promote creativity in project designs. An “adjustment” is a modification to a code standard (decrease, increase, waiver, or material substitution) resulting in a design that is as good or better than what would likely result under the standard with respect to the code’s intent; the adjustments may be approved only when the proposal is consistent with the stated purpose of the code. An application for design review may include, and the decision body may approve, a request for adjustment(s) to one or more of the site/building design standards in the following code sections:

SDC 2.3.150: Commercial districts – Building orientation and commercial block layout;

COMMENT:

As discussed above, the applicant is requesting an adjustment to the 20’ build-to setback requirement of Section 2.3.150.C(1) to permit the development of the proposed parking area improvements. The review criteria for this adjustment are addressed below.

SDC 2.3.170: Commercial districts – Pedestrian amenities;

COMMENT:

Since the applicant is expanding an existing industrial use on the site versus developing a commercial use, the applicant is requesting an adjustment to the pedestrian amenity standards of Section 2.3.170(B).

SDC 2.3.180: General commercial district design standards;

COMMENT:

Section 2.3.180(C) references the same 20' build-to setback standard that is being adjusted above. Since the proposed warehouse will be used for manufacturing and production uses verses a commercial use, the applicant is also requesting an adjustment to Section 2.3.180(C)(4), which required that 50% of the street facing elevation be located on the 20-ft. build-to line. In addition, to conform with existing development on the site and adjacent properties, the applicant is requesting adjustments to Section 2.3.180(C)(5) for percentage of ground floor windows, Section 2.3.180(C)(7) for awning projections over sidewalks or pedestrian spaces, and Section 2.3.180(D)(4)(a) to provide a 2-:12 pitch for the new building's gabled roof.

Chapter 3.2 SDC: Landscaping, Street Trees, Fences and Walls;

COMMENT:

To utilize a combination of existing and proposed landscape screening and buffers in lieu of Table 3.2.300(E)(2), Table 3.2.300(E)(3) and Figure 3.2.300(E)(4) requirements, the applicant is requesting an adjustment to Section 3.2.300(E)(4)(e) standards.

- B. Limitation. Allowable adjustments under this section are limited to the code provisions listed in subsection (A) of this section. Land use, density, structure height, lot coverage, setbacks, and other provisions not listed above are not to be adjusted or modified under this section.**

COMMENT:

The applicant is requesting allowable adjustments in accordance with the above standards.

- C. Procedure. An adjustment request made under this section must be made in writing and submitted with a design review application. Design review applications involving adjustment(s) are reviewed by the planning commission through a Type III (quasi-judicial) public hearing procedure, which is outlined in SDC 4.1.400. In acting on an adjustment request, the commission shall approve, deny, or approve with conditions the request concurrently with the subject design review application. The decision body shall approve an adjustment only upon finding that it conforms to the criteria in subsection (D) of this section.**

COMMENT:

As required, the submitted Design Review application and requested adjustments will be reviewed by the Planning Commission through the Type III procedure.

- D. Review Criteria. The city shall consider the following**

review criteria and may approve, approve with conditions, or deny a design review adjustment based on the following; the applicant shall bear the burden of proof.

- 1. Adjusting the subject code standard(s), i.e., decreasing, increasing, waiving, or making a material substitution, will result in a design that is as good or better than what would likely result under the base standard;**

COMMENT:

The 20' build-to setback requirement of Section 2.3.150.C(1) encourages the development of pedestrian-oriented development along shopping streets. To the east of the site are several buildings used by the Silverton Fire District and to the west and south of the site is a self-storage facility. The subject property currently contains a warehouse structure which is setback approximately 42-ft. from Railway Street and is utilized for manufacturing and production uses. Since there are no retail commercial uses in the vicinity of the site, and no commercial uses will be developed in the proposed warehouse, the proposed 39-ft. setback for the new structure will result in a design that is as good as what would result under the base standard.

The pedestrian amenity standards of Section 2.3.170(B) include design features which promote visual interest and the functionality of commercial shopping streets. However, the applicant is proposing to expand manufacturing and production uses on the site. The adjacent parcels along Railway Street are also industrial zoned and there are no retail uses in the vicinity of the subject property. Therefore, the requested adjustment to forgo pedestrian amenities on the site will result in a design that is as good as what would result under the base standard.

Section 2.3.180(C)(4) requires a build-to line along 50% of the street facing elevation to promote ground floor retail commercial uses along shopping streets. As discussed above, commercial uses are not located along Railway Street, therefore a build-to line is not applicable to the proposed manufacturing and production use. As a result, the proposed 38-ft. setback will result in a design that is as good as what would result under the 20-ft. base standard.

Section 2.3.180(C)(5) requires ground floor windows along at least 50% of the street-facing elevation of buildings to promote retail commercial use along shopping street. However, the attached Photos of Adjacent Buildings illustrate that the existing warehouse on the site has fewer windows along Railway Street to accommodate manufacturing and production uses on the site (see Exhibit 4). Similar metal-sided structures with limited or no windows are also located on adjacent properties. Therefore, the proposed adjustment to the percentage of ground floor windows is consistent with existing development on the site and adjacent properties, resulting in a design that is as good as what would result under the base standard.

Section 2.3.180(C)(7) requires a minimum 4-ft. deep projection for awnings that extend over sidewalks or pedestrian spaces. The submitted Preliminary Site Plan illustrates that the proposed warehouse structure will not be adjacent to a public sidewalk, plaza, or other similar pedestrian amenity. The attached Building Elevations illustrate that the proposed awning projects approximately 2-ft. over the entrance to the warehouse to provide weather protection (see Exhibit 3). Since a commercial use is not proposed for the site, the proposed awning will result in a design that is as good as what would result under the base standard.

To provide consistency with existing development, the applicant is also requesting an adjustment to Section 2.3.180(D)(4)(a) standards that require a 4:12 minimum pitch for gable roofs. The attached Photos of Adjacent Buildings, as well as the submitted Building Plan and Elevations, demonstrate that both the existing and proposed buildings on the site provide a 2-:12 pitch for the warehouse structures (see Exhibits 2 and 3). While the Section 2.3.180(D)(4)(a) standard is appropriate for commercial structures along shopping streets, it is not necessary for metal-sided warehouse structures along Railway Street. Therefore, the proposed roof pitch will result in a design that is as good as that what would result under the base standard.

Section 3.2.300(E)(4)(e) specifies screening and buffering requirements between different land uses. The standards would be appropriate if a commercial use were located adjacent to permitted uses on IP and LI zoned parcels. However, the applicant is proposing to expand an existing manufacturing and production use on the site. Although the screening and buffering standards are not necessary for the proposed use, existing and proposed landscaping on and adjacent to the site do still provide a level of separation between the uses (see Exhibit 3). For all of these reasons, the adjustment provides a design that is as good as what would result under the base standard.

2. The adjustment is consistent with the code's stated intent and is in the public interest; and

COMMENT:

The intent of Section 2.3.150.C(1) is to orient buildings close to the street where commercial uses are present, to encourage pedestrian activity, and provide crime prevention. Since there are no retail commercial uses in the vicinity of the site, the 20-ft. build-to line requirement does not serve the public interest when developing additional manufacturing and production uses on the site. Therefore, the proposed adjustment to permit a 39-ft. front setback does not conflict with the intent of the standard. The proposed site layout will permit the development of a 5,000 sq. ft. warehouse on the site, which will support small business and create additional jobs for the community.

The purpose of Section 2.3.170(B) pedestrian amenity standards is to provide gathering places for pedestrians along street frontages. However, the applicant is proposing to develop an additional warehouse for manufacturing and production uses on the site versus a commercial use that benefits from pedestrian traffic. Since the subject site supports an industrial use, and adjacent parcels along Railway Street are also industrial zoned, the proposal to develop a warehouse without pedestrian amenities is consistent with the intent of Section 2.3.170(B) standards.

Section 2.3.180(C)(4) provides design standards which identify and enhance commercial areas in Silverton. As discussed above, the applicant is proposing to expand the industrial use on the site with the development of an additional warehouse structure. There are no commercial uses along Railway Street, therefore a build-to line is not applicable to the proposed development. The adjustment will allow the site to be efficiently developed with additional manufacturing and production uses, which will serve the public interest by creating new jobs for the local workforce.

Section 2.3.180(C)(5) promotes visual interest and pedestrian use through the placement of windows along street facing facades. While this standard is beneficial to retail commercial uses along shopping streets, it is not applicable to the proposed manufacturing and production use. Therefore, the adjustment to the percentage of ground floor windows does not conflict with the intent of this Code section.

The purpose of Section 2.3.180(C)(7) standards is to provide weather protection for sidewalks or pedestrian spaces that are adjacent to commercial buildings. The submitted Preliminary Site Plan indicates that the proposed warehouse structure is not adjacent to a public sidewalk or a similar pedestrian amenity. Therefore, the proposed 2-ft. awning projection provides adequate weather protection for members of the public that visit the proposed warehouse and is consistent with the intent of this Code section.

The purpose of Section 2.3.180(D)(4)(a) standards is to design buildings consistent with the architectural context in which they are located. The attached Photos of Adjacent Buildings, as well as the submitted Building Plan and Elevations, demonstrate that both the existing and the proposed warehouse have a 2:12 roof pitch for (see Exhibits 2 and 3). As such, the proposed adjustment from the minimum 4:12 standard provides design consistency, meeting the intent of the Code section.

The intent of Section 3.2.300(E)(4)(e) standards is to mitigate impacts between conflicting land uses. The subject site is zoned CG, but It contains manufacturing and production uses. The applicant is proposing to develop an additional warehouse on the property for industrial use. The adjacent IP and LI zoned parcels are developed as a Fire Station and a self-storage facility. The proposed reduction to the landscape and screening standards is proposed since there are currently no conflicts between adjacent uses, and no conflicts are anticipated with the development of a second warehouse. Therefore, the proposed adjustment does meet the intent of the Code section and is consistent with the public's interest.

- 3. In interpreting the public interest, consideration shall be given to intended public benefits or protections such as compatibility with surrounding uses; pedestrian safety and comfort; complementary development scale, materials, and detailing; street visibility; and/or aesthetic concerns.**

COMMENT:

The intended public benefit of Section 2.3.150.C(1) is to facilitate commercial uses along shopping streets. However, the subject property currently contains a warehouse structure, to the east of the site is a Silverton Fire District property, and to the west is a self-storage facility. Therefore, the proposed setback is appropriate for the proposed industrial use, and serves the public interest by providing similar setbacks as other structures along Railway Street.

The intended public benefit of Section 2.3.170(B) is to encourage pedestrian use within commercial areas through the development of pedestrian amenities. The properties along Railway Street contain non-commercial uses including a cemetery, a fire station, and a self-storage facility. Since the applicant is proposing to expand manufacturing and production uses on the site, the public interest would not be served by the development of pedestrian amenities listed under Section 2.3.170(B).

The intended public benefit of Section 2.3.180(C)(4) is to promote visual interest and develop a concentration of ground floor retail commercial uses along shopping streets. As discussed above, commercial uses are not located in the vicinity of the subject site. Therefore, the public interest is not served by applying a 20-ft. build-to line standard to the proposed manufacturing and production use.

Section 2.3.180(C)(5) provides the intended public benefit of encouraging pedestrian interest where commercial buildings are adjacent to public sidewalks. However, the percentage of ground floor windows does not serve this public interest when considering the proposed manufacturing and production use. The attached Building Elevations and Photos of Adjacent Buildings demonstrate that the proposed percentage of ground floor windows is consistent with existing development on the site.

Section 2.3.180(C)(7) provides the intended public benefit of providing weather protection over a public sidewalk or pedestrian amenities which front a public street. As discussed above, pedestrian amenities do not serve a public interest when developed in areas which do not contain commercial uses. Therefore, the proposed reduction to the awning projection for the new building does not negatively impact the public interest.

The intended public benefit of Section 2.3.180(D)(4)(a) is to design buildings that are consistent with the architectural context in which they are located. The attached Photos of Adjacent Buildings, as well as the submitted Building Plan and Elevations, demonstrate that both the existing and proposed buildings on the site provide a 2-:12 pitch for the warehouse structures (see Exhibits 2 and 3). Therefore, the public interest would not be served by developing a new warehouse on the site with a minimum 4:12 roof pitch.

Section 3.2.300(E)(4)(e) provides the intended public benefit of mitigating impacts between conflicting land uses, such as a commercial use in the GC zone and industrial uses on properties adjacent to the site. However, the screening and buffering standards are not necessary between existing and proposed manufacturing and production uses of the site, the adjacent Fire Station, and the adjacent self-storage facility. In addition, the attached Planting Plan demonstrates that there are existing landscape buffers and additional plantings that will be added between uses on the site and the adjacent properties. Therefore, the public interest is not served by the installation of Section 3.2.300(E)(4)(e) screening and buffering requirements.

Section 4.2.600: Review Criteria – Design Review.

The city shall consider the following review criteria and may approve, approve with conditions, or deny a design review based on the following; the applicant shall bear the burden of proof.

- A. Complete. The application is complete, as determined in accordance with Chapter 4.1 SDC, Types of Review**

Procedures, and SDC 4.2.500;

COMMENT:

Following review of the submitted narrative and exhibits, City Staff will determine if the application is deemed complete.

- B. Zoning District. The application complies with all of the applicable provisions of the underlying zoning district (Article 2), including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses;**

COMMENT:

As required, the applicant has addressed applicable provisions of the GC zone in the narrative provided above.

- C. Conformance. The applicant shall be required to upgrade any existing development that does not comply with the applicable zoning district standards, in conformance with Chapter 5.2 SDC, Nonconforming Uses and Development;**

COMMENT:

The Existing Conditions Plan demonstrates that the subject property does not conform with current landscape requirements. The applicant is not proposing to modify or enlarge the existing warehouse structure on the site. The submitted Planting Plan demonstrates that the existing paved storage yard and new parking areas will be modified as discussed in the narrative above to better comply with the City's landscaping requirements.

- D. Design Standards. The application complies with all of the design standards in Article 3:**
 - 1. Article 2, design standards and special use standards of the applicable district;**
 - 2. Chapter 3.1 SDC, Access and Circulation;**
 - 3. Chapter 3.2 SDC, Landscaping, Street Trees, Fences and Walls;**
 - 4. Chapter 3.3 SDC, Parking and Loading;**
 - 5. Chapter 3.4 SDC, Public Facilities;**

COMMENT:

As required, this Applicant's Statement addressed all of the applicable Code sections listed above.

- E. Conditions of Approval. Existing conditions of approval required as part of a prior land division (Chapter 4.3 SDC), conditional use (Chapter 4.4 SDC), planned development (Chapter 4.5 SDC) or other approval shall be met.**

COMMENT:

There are no prior conditions of approval which apply to the subject site.

V. SUMMARY AND CONCLUSIONS

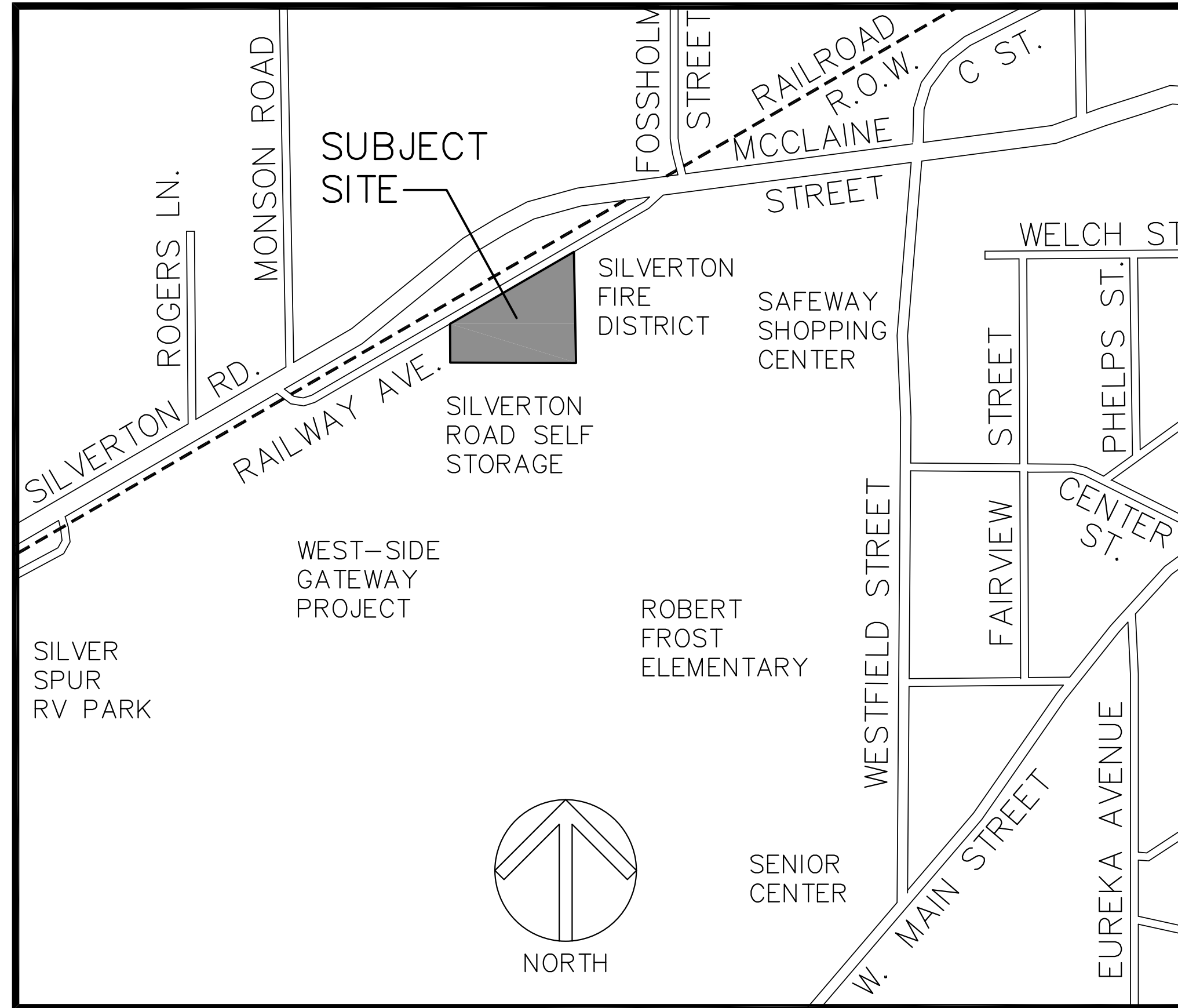
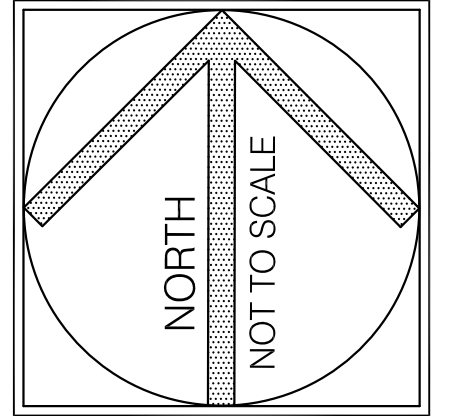
Based upon the findings of this Applicant's Statement and submitted exhibits, the applicant has demonstrated compliance with relevant sections of the Silverton Development Code. Therefore, the applicant requests that the submitted application be approved.

PRELIMINARY PLANS

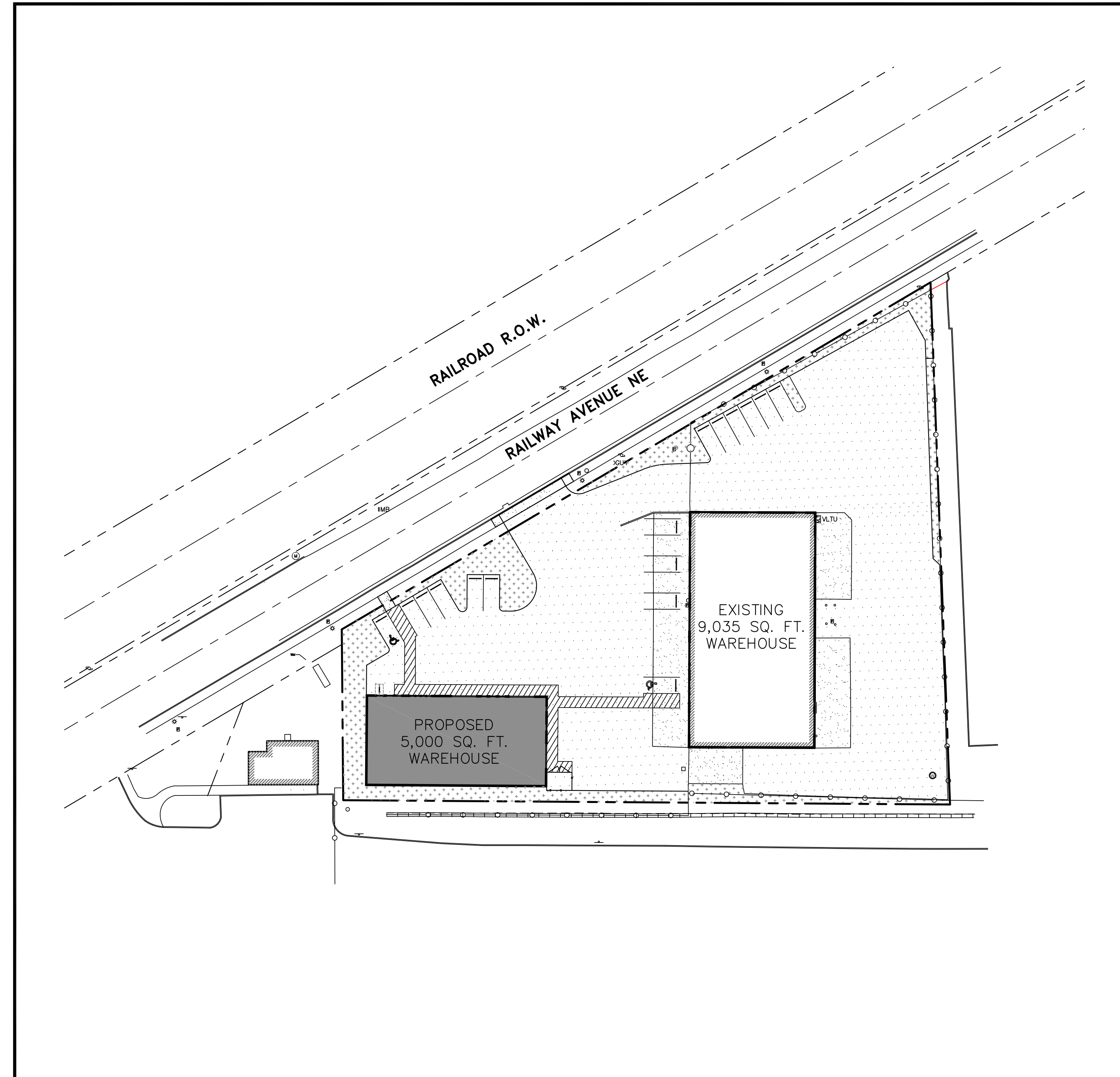
EXHIBIT 3

RAILWAY INVESTMENTS DESIGN REVIEW

SILVERTON, ORE.



VICINITY MAP



SITE MAP

INDEX OF DRAWINGS

- P-1 COVER SHEET
- P-2 EXISTING CONDITIONS PLAN
- P-3 PRELIMINARY SITE PLAN
- P-3 PRELIMINARY UTILITY PLAN

APPLICANT / PROPERTY OWNER

RAILWAY INVESTMENTS ANNEXATION
 827 RAILWAY AVENUE NE
 SILVERTON, OR 97381
 503-510-9431
 CONTACT: FRED KAUFMAN

APPLICANT'S REPRESENTATIVE

CASCADIA PLANNING + DEVELOPMENT SERVICES
 PO BOX 1920
 SILVERTON, OR 97038
 503-804-9294
 CONTACT: STEVE KAY, AICP

LANDSCAPE ARCHITECT

LAURUS DESIGN
 1012 PINE STREET
 SILVERTON, OR 97381
 503-784-6494
 CONTACT: LAURA ANTONSON, RLA, ASLA

LAND SURVEYOR

BARKER SURVEYING
 3657 KASHMIR WAY SE
 SALEM, OR 97317
 503-588-8800
 CONTACT: GREG WILSON, PLS

CITY OF SILVERTON LAND USE APPLICATION
RAILWAY INVESTMENTS DESIGN REVIEW
 TAX LOT 1200 TAX MAP 131E29DA
 LINN COUNTY, OREGON

CITY OF SILVERTON LAND USE APPLICATION

RAILWAY INVESTMENTS DESIGN REVIEW

3681 GREEN RIVER ROAD
 SWEET HOME, OR 97386

COVER SHEET/
 SITE MAP

APRIL 9, 2024
 REVISIONS



P-1
 SHEET 1 OF 4

ASPH	ASPHALT	IRR	IRRIGATION
AD	AREA DRAIN	IE	INVERT ELEVATION
ASSY	ASSEMBLY	JB	JUNCTION BOX
BLDG, BLD	BUILDING	LP	LIGHT POLE
BW	BOTTOM OF WALL	M	METER, MAIN
CATV	CABLE TELEVISION	MB	MAILBOX
CB	CATCH BASIN	MH	MANHOLE
CO	CLEAN-OUT	OH	OVER-HEAD
CONC	CONCRETE	P/L	PROPERTY LINE
CL	CENTERLINE	PP	POWER POLE
DIP	DUCTILE IRON PIPE	PVC	POLYVINYL CHLORIDE
EG	EDGE OF GRAVEL	PWR	POWER
EOP, EP	EDGE OF PAVEMENT	R	RADIUS
ELEV	ELEVATION	ROW, R/W	RIGHT-OF-WAY
EX, EXIST.	EXISTING	SS	SANITARY SEWER
FDC	FIRE DEPT. CONNECTOR	SD	STORM DRAIN
FF	FEET	SVC	SERVICE
FG	FINISH GRADE	SWK, S/W	SIDEWALK
FI	FIELD INLET	TC	TOP OF CURB
FM	FORCE MAIN	TEL	TELEPHONE
GRAV	GRAVEL	TR	TRANSFORMER
GM	GAS METER	TS	TRAFFIC SIGNAL
GP	GATE POST	TW	TOP OF WALL
GS	GROUND SHOT	TYP	TYPICAL
GV	GAS VALVE	UG, U/G	UNDER GROUND
HC	HANDICAP	UTL	UTILITY
HDPE	HIGH-DENSITY POLYETHYLENE	W/	WITH
HYD	HYDRANT	WM	WATER METER
IR	IRON ROD	WLM	WETLANDS MARKER
IP	IRON PIPE	YPC	YELLOW PLASTIC CAP

AD	AREA DRAIN	SP	SIGN POST
CB	CATCH BASIN	PE	PEDESTAL
CO	CLEANOUT	MB	MAIL BOX
FH	FIRE HYDRANT	IV	IRRIGATION VALVE
GV	GAS VALVE	LP	LIGHT POLE
WV	WATER VALVE	UP	UTILITY/POWER POLES
GPW	GAS/POWER/WATER METER	TP	TEST PIT
DS	DOWN SPOUT	MF	MONUMENT FOUND
M	MANHOLE TELEPHONE		
MS	MANHOLE STORM DRAIN		
MSW	MANHOLE SANITARY SEWER		
T	TREES - *TREENAME* DIAMETER (INCHES)/DRIP RADIUS (FEET)		

NOTE: DIAMETER MEASURED AT BREAST HEIGHT

LINE TYPES	CATV LINE	CATV	CATV	CATV	CATV	CATV	CATV	CATV	CATV
COMMUNICATION LINE	COM	COM	COM	COM	COM	COM	COM	COM	COM
EASEMENT LINE	EAS	EAS	EAS	EAS	EAS	EAS	EAS	EAS	EAS
FENCE LINE	F	F	F	F	F	F	F	F	F
FIBER OPTIC LINE	FOC	FOC	FOC	FOC	FOC	FOC	FOC	FOC	FOC
GAS LINE	GAS	GAS	GAS	GAS	GAS	GAS	GAS	GAS	GAS
EDGE OF GRAVEL LINE	OH LINES	OH LINES	OH LINES	OH LINES	OH LINES	OH LINES	OH LINES	OH LINES	OH LINES
OVERHEAD LINE	PH	PH	PH	PH	PH	PH	PH	PH	PH
PHONE LINE	ELEC	ELEC	ELEC	ELEC	ELEC	ELEC	ELEC	ELEC	ELEC
POWER LINE	SS	SS	SS	SS	SS	SS	SS	SS	SS
SANITARY SEWER LINE	SD	SD	SD	SD	SD	SD	SD	SD	SD
STORM DRAIN LINE	W	W	W	W	W	W	W	W	W
WATER LINE									

BENCHMARK UTILIZED:
OREGON STATE HIGHWAY DIVISION

NGVD 29
ELEV: 223.31'

3" BRASS CAP IN CONCRETE LOCATED AT THE NE CORNER OF
McCLAIN ST AND FOSSHOLM ST. MARKED X 677, 1980

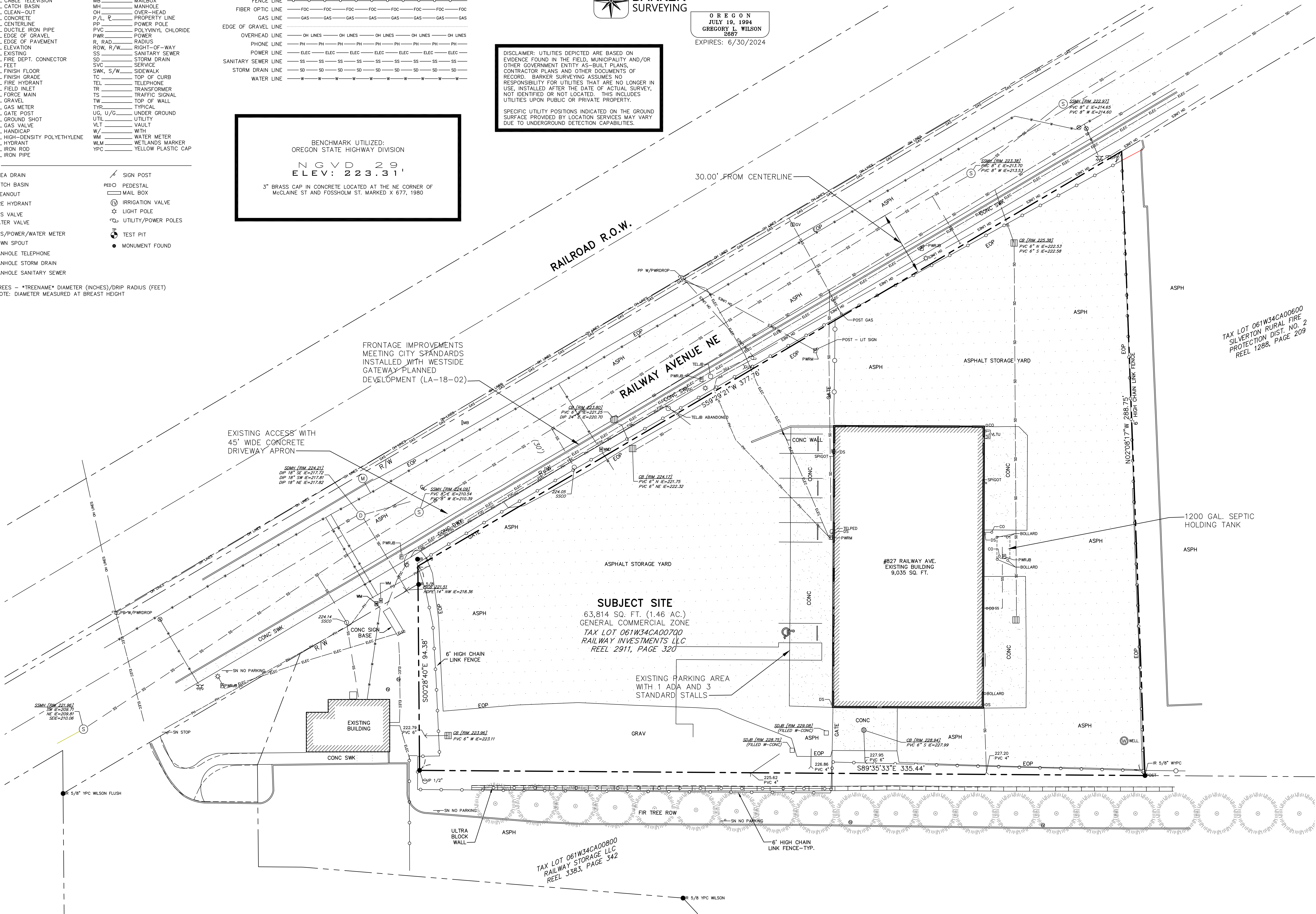
DISCLAIMER: UTILITIES DEPICTED ARE BASED ON EVIDENCE FOUND IN THE FIELD, MUNICIPALITY AND/OR OTHER GOVERNMENT ENTITY AS-BUILT PLANS, CONTRACTOR PLANS AND OTHER DOCUMENTS OF RECORD. BARKER SURVEYING ASSUMES NO RESPONSIBILITY FOR UTILITIES THAT ARE NO LONGER IN USE, INSTALLED AFTER THE DATE OF ACTUAL SURVEY, NOT IDENTIFIED OR NOT LOCATED. THIS INCLUDES UTILITIES UPON PUBLIC OR PRIVATE PROPERTY.

SPECIFIC UTILITY POSITIONS INDICATED ON THE GROUND SURFACE PROVIDED BY LOCATION SERVICES MAY VARY DUE TO UNDERGROUND DETECTION CAPABILITIES.

BARKER SURVEYING

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 19, 1994
GREGORY L. WILSON
2887
EXPIRES: 6/30/2024

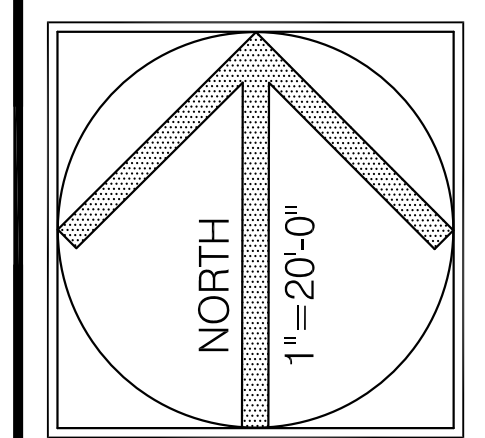


TAX LOT 061W34CA00600
SILVERTON RURAL FIRE
PROTECTION DIST. NO. 2
REEL 1288, PAGE 209

TAX LOT 061W34CA00800
RAILWAY STORAGE LLC
REEL 3383, PAGE 342

Cascadia
Planning + Development Services

PO Box 1920
Silverton, Oregon 97381
503-804-1089
steve@cascadiapl.com
www.cascadiapl.com



CITY OF SILVERTON LAND USE APPLICATION

RAILWAY INVESTMENTS DESIGN REVIEW

TAX LOT 1200 TAX MAP 131E29DA
LINN COUNTY, OREGON

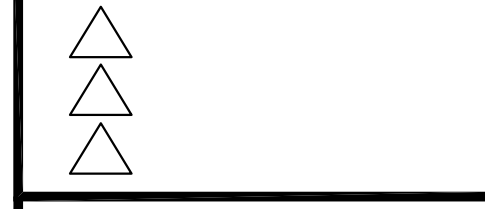
CITY OF SILVERTON LAND USE APPLICATION

RAILWAY INVESTMENTS DESIGN REVIEW

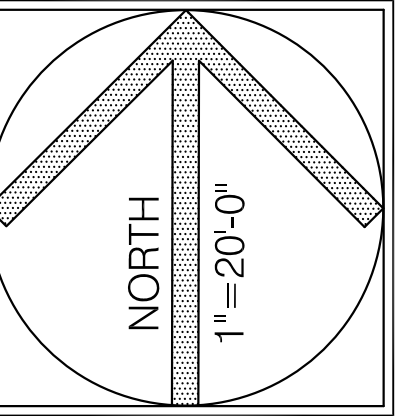
3681 GREEN RIVER ROAD
SWEET HOME, OR 97386

EXISTING CONDITIONS

APRIL 9, 2024
REVISIONS



P-2
SHEET 2 OF 4



CITY OF SILVERTON LAND USE APPLICATION
RAILWAY INVESTMENTS DESIGN REVIEW
 TAX LOT 1200 TAX MAP 131E29DA
 LINN COUNTY, OREGON

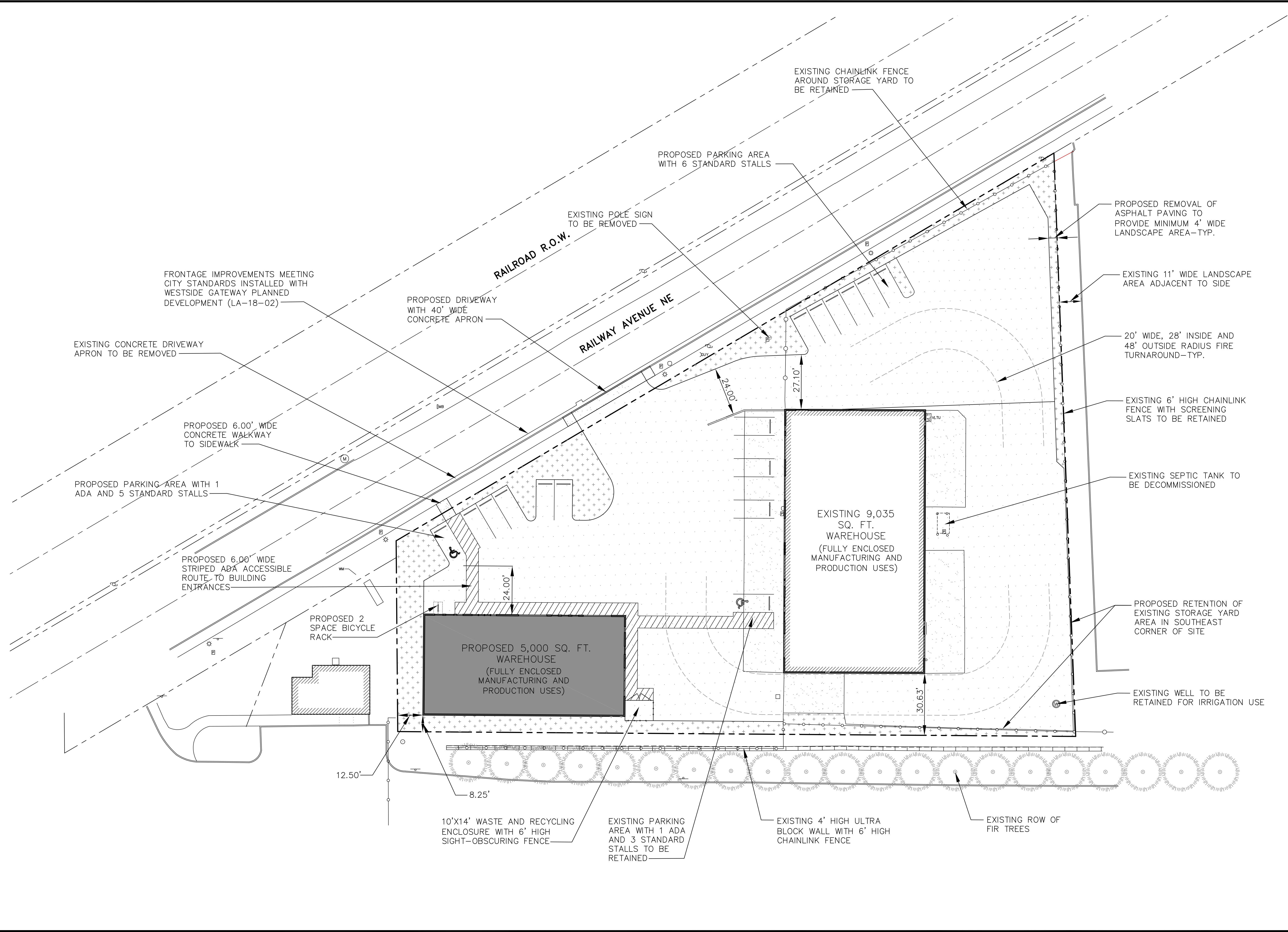
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 SWEET HOME, OR 97386

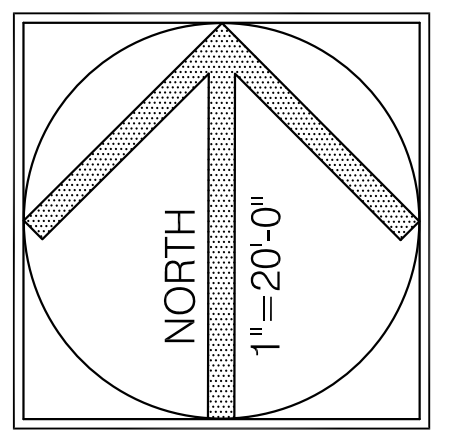
PRELIMINARY
 SITE PLAN

APRIL 12, 2024
 REVISIONS



P-3
 SHEET 3 OF 4





TAX LOT 1200 TAX MAP 131E29DA
 LINN COUNTY, OREGON

CITY OF SILVERTON LAND USE APPLICATION

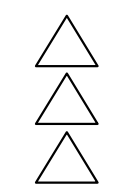
RAILWAY INVESTMENTS DESIGN REVIEW

3681 GREEN RIVER ROAD
 SWEET HOME, OR 97386

PRELIMINARY
 UTILITY PLAN

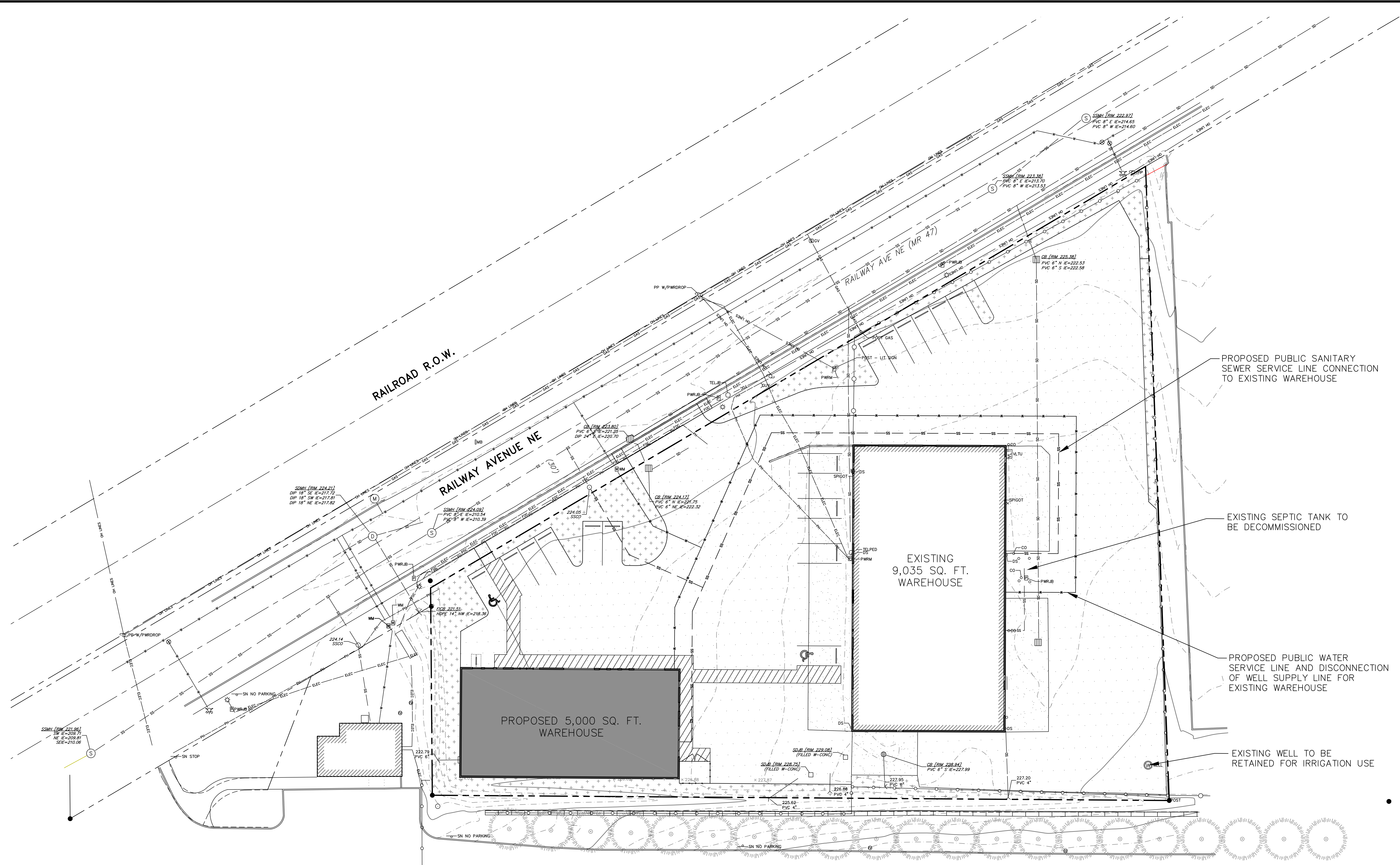
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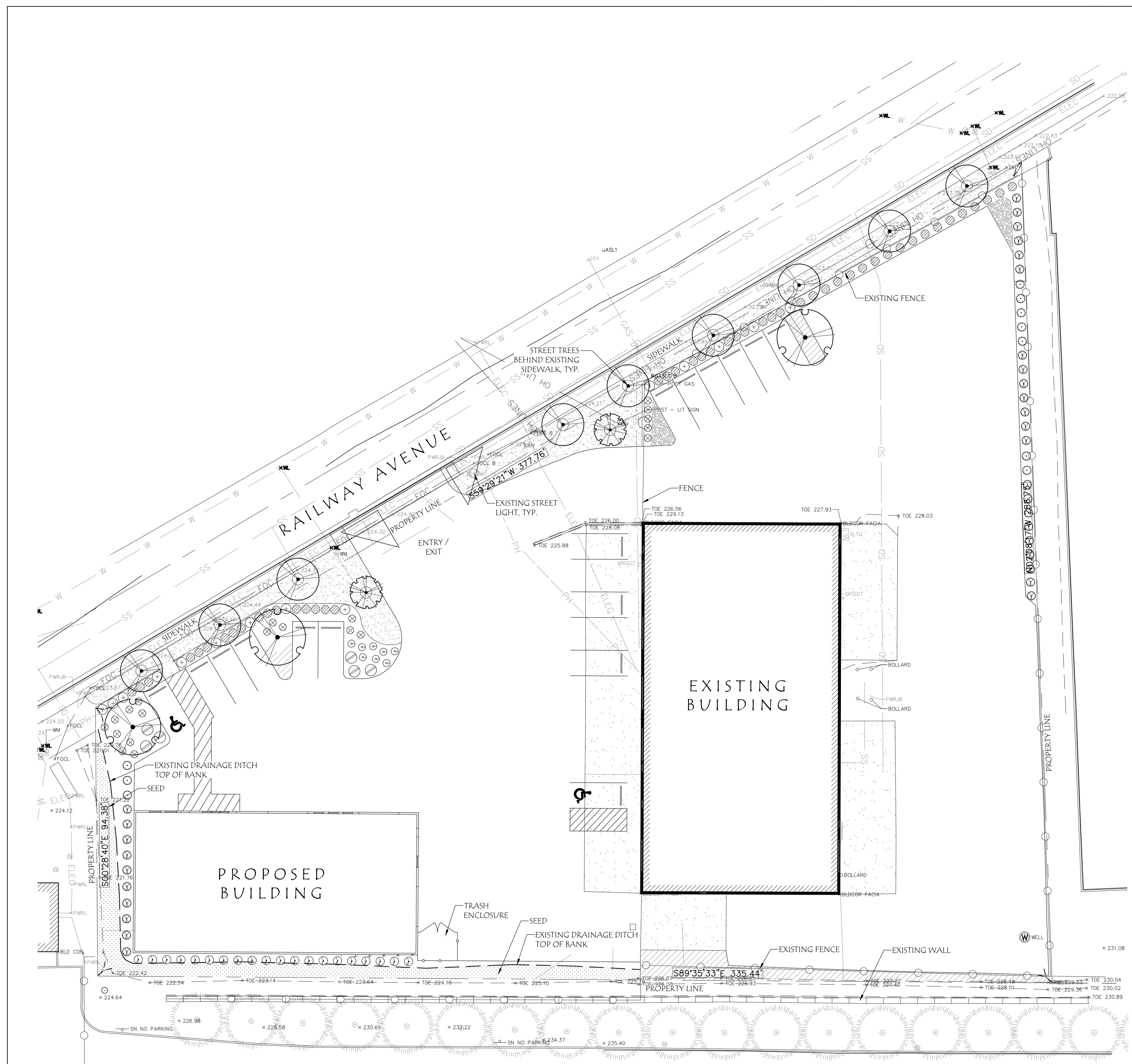
REVISIONS



P-4

SHEET 4 OF 4





Site Information:

ZONE: GENERAL COMMERCIAL
 TOTAL SITE AREA SQUARE FOOTAGE (SF): 63,761 SF
 LANDSCAPE PROPOSED: 12% (7,639 SF)

PLANT COVERAGE/SIZES
 TREES: 2" CALIPER
 SHRUBS: 5 GALLON CONTAINER
 GROUND COVER COVERAGE 50%
 NON-LIVING GROUND COVER, MAX. 50%

YARD ADJACENT TO STREET
 (1) TREE AND (5) 5 GAL. SHRUBS PER 1,000 SF
 STREET YARD SF: 1,658 SF
 TREES: 2
 SHRUBS: 8
 GROUND COVER REMAINING

PARKING LANDSCAPE
 10% MINIMUM LANDSCAPE
 PARKING AREA SF: 4,190 SF
 LANDSCAPE REQUIRED: 419 SF
 LANDSCAPE PROVIDED: 552 SF
 PARKING SPACES: 19 SPACES
 1 PER 10 SPACES = 2 TREES

BUFFER/SCREENING: DENSE SCREENING
 EXISTING ON ADJACENT PROPERTIES

Legend:

2"-3" ROUND ROCK, 4" DEPTH

General Notes:

- DRAWINGS ARE PRELIMINARY, NOT FOR CONSTRUCTION OR BIDDING.
- SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN, AREA CALCULATIONS AND COMMON AREAS.
- SEE CIVIL DRAWINGS FOR GRADING PLAN AND STORMWATER INFORMATION.
- PLANTS TO BE SIZED ACCORDING TO CITY OF SILVERTON REQUIREMENTS FOR GENERAL PLANTING PLAN.
- STREET TREES SELECTED FROM CITY OF SILVERTON APPROVED STREET TREE LIST. TREES TO BE PLACED BEHIND SIDEWALK. TREES SELECTED FOR SHORT STATURE AND USE BENEATH OVERHEAD LINES.
- PRELIMINARY PLANT SCHEDULE SEE THIS SHEET.
- MULCH ALL PLANTER BEDS WITH 2" DEPTH AGED FIR MULCH EXCEPT WHERE ROCK IS SHOWN.
- LANDSCAPE TO BE IRRIGATED BY AN AUTOMATIC UNDERGROUND SYSTEM.

Preliminary Plant Schedule

TREES	QTY	BOTANICAL / COMMON NAME	SIZE
	9	Acer griseum / Paperbark Maple	2" Cal., B&B, Street Tree
	2	Lagerstroemia indica x fauriei 'Muskogee' / Muskogee Crape Myrtle	2" Cal., B&B
	3	Nyssa sylvatica 'Wildfire' / Wildfire Tupelo	2" Cal., B&B

SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE
	14	Abelia x grandiflora 'Sherwoodii' / Sherwood Glossy Abelia	5 Gal.
	29	Euonymus japonicus 'Silver King' / Japanese Spindle	5 Gal.
	47	Ilex crenata 'Soft Touch' / Soft Touch Japanese Holly	5 Gal.
	20	Mahonia nervosa / Oregon Grape	5 Gal.
	15	Nandina domestica 'Gulf Stream' / Gulf Stream Nandina	5 Gal.

GROUND COVERS	QTY	BOTANICAL / COMMON NAME	SIZE	SPACING
	20	Cornus sericea 'Kelsey' / Kelsey's Dwarf Red Twig Dogwood	1 Gal.	As Shown on Plan
	8	Nandina domestica 'Atropurpurea Nana' / Dwarf Nandina	1 Gal.	As Shown on Plan
	6	Prunus laurocerasus 'Mount Vernon' / Mount Vernon English Laurel	1 Gal.	As Shown on Plan
	113	Arctostaphylos uva-ursi 'Massachusetts' / Massachusetts Manzanita	1 Gal.	36" o.c.
	2,832 sf	Pro Time 301 Water Smarter Fescue or Equal	Seed or Sod	Seed @ Rate of 7-10 lbs per 1,000 sf
	1,403 sf	Pro Time 402 Native Riparian Mix	Seed	Seed @ Rate of 1 lbs per 1,000 sf

Laurus Designs, LLC

1012 Pine Street
 Silverton, Oregon
 503.784.6494

Railway Investments

827 Railway Avenue
 Silverton, Oregon

REGISTERED
 643
 PRELIMINARY
 LAURA A. ANTONSON
 OREGON
 11/16/2007
 LANDSCAPE ARCHITECT

PRELIMINARY
 PLANTING PLAN

SCALE: 1"=20'-0"

0' 10' 20' 40'

SCALE

April 22nd, 2024

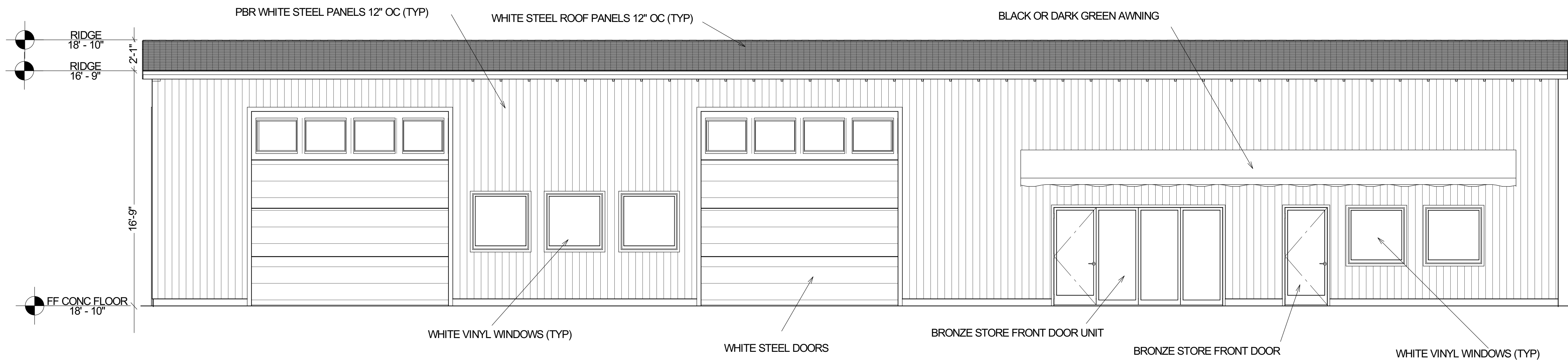
REVISIONS

#	DATE	NOTES	INITIALS

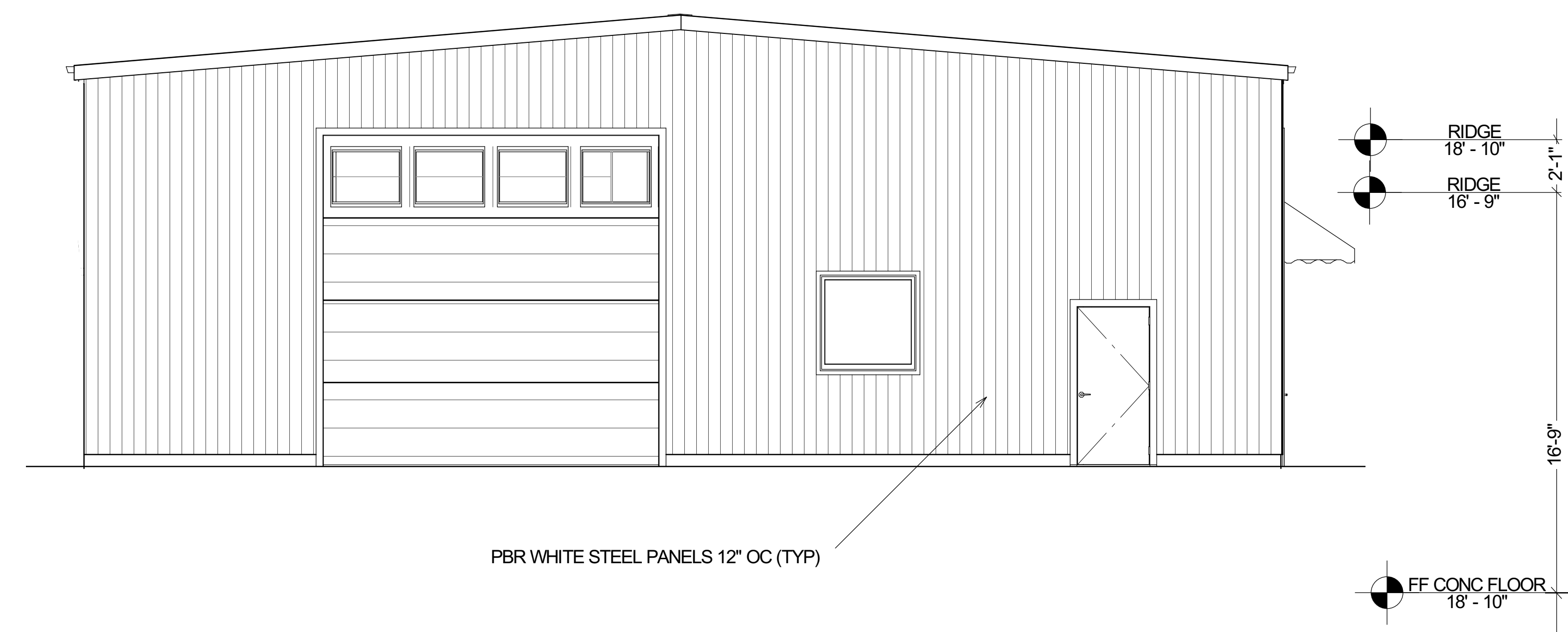
L1.1

SHEET 1 OF 1

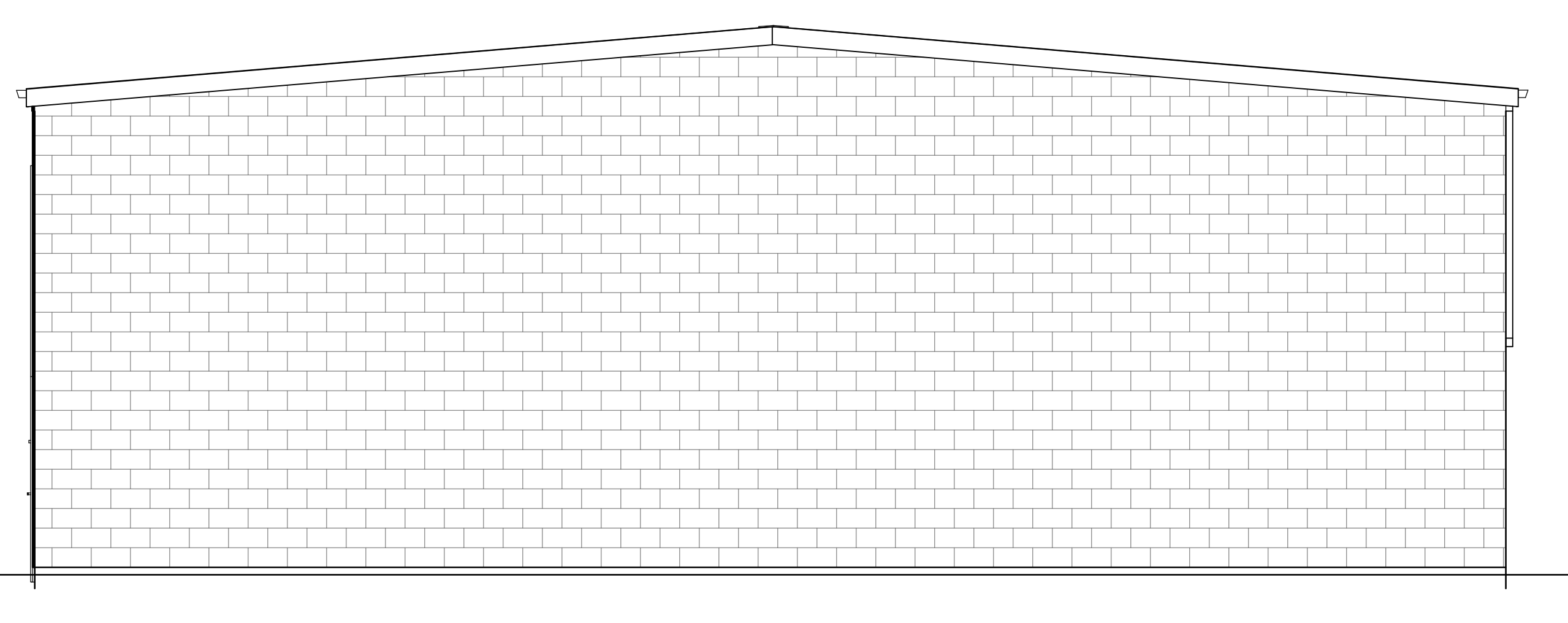
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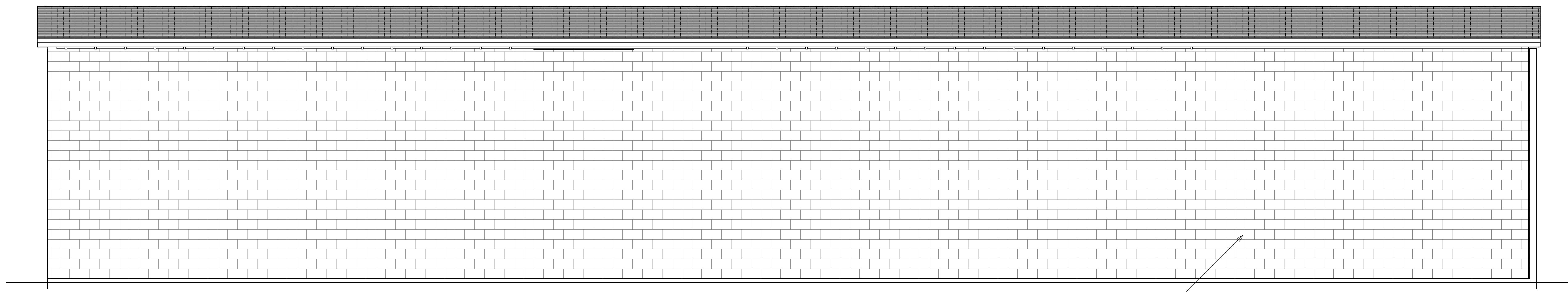
NORTH ELEVATION



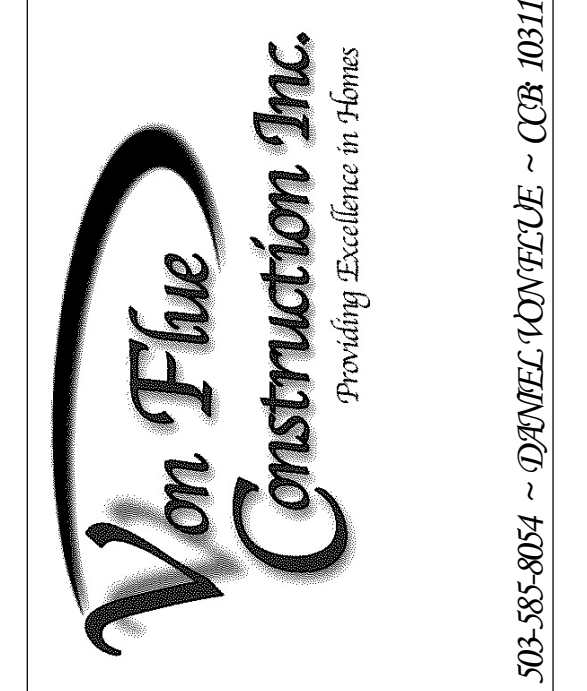
EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION

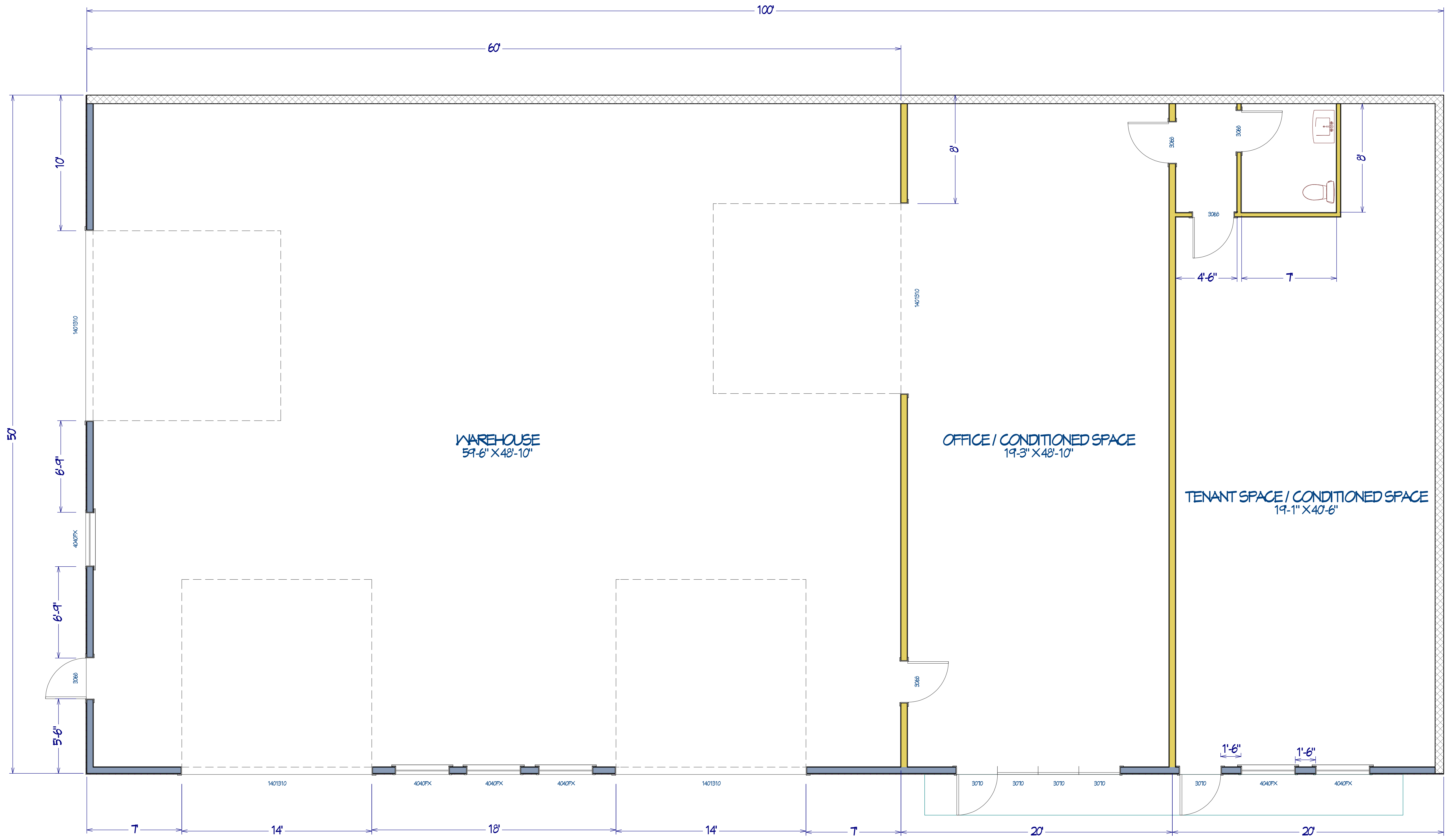


PROJECT
RAILWAY AV WAREHOUSE
827 RAILWAY AV
SILVERTON OR 97381

TITLE
ELEVATIONS

DATE: 1/04/2024
 PLAN #:
 DRAWN BY: DVF
 SCALE 1/4" = 1'-0"

SHEET
A-1
 2 of 6



PHOTOS OF ADJACENT BUILDINGS

EXHIBIT 4

THE STORAGE DEPOT STRUCTURES - 859 RAILWAY STREET



EXISTING ON-SITE STRUCTURE - 827 RAILWAY STREET



SILVERTON FIRE DISTRICT STRUCTURE - 819 RAILWAY STREET



ATTACHMENT C: CONDITIONS OF APPROVAL

1. All improvements to the site shall be in substantial conformance to the submitted plans taking all conditions of approval into account.
2. All Public Improvements shall be installed, inspected, and accepted by the City prior to release of building permits.
3. All applicable building permits shall be obtained prior to any work that requires a building permit.
4. The applicant proposes to relocate the access and install a new 40' wide concrete apron which shall meet Public Works design standards.
5. The new driveway location will need to meet sight-distance requirements. This includes providing adequate sight triangles at driveways that are clear of objects (large signs, landscaping, parked cars, etc.) that could potentially limit vehicle sight distance.
6. Where the walkway crosses the parking area, it shall be clearly marked with painted or thermo-plastic striping or similar types of nonpermanent applications.
7. Light standards shall be directed downward only and shielded to prevent lighting spillover into any adjacent residential district or use and to prevent light pollution in the night sky.
8. In accordance with SMC 13.70.110 this design review does increase the impacts to the public improvement facility and is therefore not exempt from transportation SDC charges. Final SDC's will be calculated at time of plan and building permit approval.
9. In accordance with SMC 13.70.110 this design review does increase the impacts to the public improvement facility and is therefore not exempt from sanitary sewer SDC charges.
10. Prior to occupancy, a Knox Box shall be installed and the use will have to comply with all other applicable Silverton Fire District regulations.
11. All new utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and similar facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground.
12. No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City, permit fee paid, and permit issued. The City may require the developer or subdivider to provide assurance, bonding or other performance guarantees to ensure completion of required public improvements.
13. Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this Chapter, approved construction plans, and to improvement standards and specifications adopted by the City. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest.

ATTACHMENT D: STAFF REPORT, DR-24-04

I. REVIEW CRITERIA:

Design Review: The City shall consider the following review criteria and may approve, approve with conditions or deny a design review based on the following:

- A. Complete.** The application is complete, as determined in accordance with Chapter 4.1 - Types of Applications and Section 4.2.500, above.
- B. Zoning District.** The application complies with all of the applicable provisions of the underlying Zoning District (Article 2), including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses;
- C. Conformance.** The applicant shall be required to upgrade any existing development that does not comply with the applicable zoning district standards, in conformance with Chapter 5.2, Non-Conforming Uses and Development;
- D. Design Standards.** The application complies with all of the Design Standards in Article 3:
 - 1. Article 2 – Design standards and special use standards of the applicable district;
 - 2. Chapter 3.1 - Access and Circulation;
 - 3. Chapter 3.2 - Landscaping, Street Trees, Fences and Walls;
 - 4. Chapter 3.3 - Parking and Loading;
 - 5. Chapter 3.4 - Public Facilities;
- E. Conditions of Approval.** Existing conditions of approval required as part of a prior land division (Chapter 4.3 SDC), conditional use (Chapter 4.4 SDC), planned development (Chapter 4.5 SDC) or other approval shall be met.

II. FINDINGS

A. Background Information:

1. The applicant submitted an application on May 9, 2024 requesting a Design Review Adjustment to construct a 5,000 square foot warehouse building at 827 Railway Ave. NE.
2. Public Notice was mailed to all property owners and residents within 700' of the site on May 22, 2024. A Notice was published in the Statesman Journal on May 29, 2024. The site was posted May 31, 2024.
3. The site consists of 1.46 acres and is zoned GC, General Commercial. The site currently contains a 9,035 square foot building used for manufacturing and production uses.
4. The applicant has made findings demonstrating compliance with applicable review criteria and standards. This report will focus on any outstanding criteria and standards.

B. Silverton Development Code:

1. Article 4 – Administration of Land Use Development

Section 4.2.600

Review Criteria – Design Review

The City shall consider the following review criteria and may approve, approve with conditions or deny a design review based on the following:

A. Complete. The application is complete, as determined in accordance with Chapter 4.1 - Types of Applications and Section 4.2.500, above.

1. **Findings:** The applicant submitted a Design Review application on May 9, 2024. All improvements to the site shall be in substantial conformance to the submitted plans taking all conditions of approval into account (**Condition 1**). All Public Improvements shall be installed, inspected, and accepted by the City prior to release of building permits (**Condition 2**). All applicable building permits shall be obtained prior to any work that requires a building permit (**Condition 3**).

B Zoning District. The application complies with all of the applicable provisions of the underlying Zoning District (Article 2), including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses;

2. Article 2 – Land Use Districts

Section 2.3.110 Commercial District – Allowed Uses

Findings: The property is currently zoned GC- General Commercial. The applicant is requesting Design Review approval to construct a 5,000 square foot warehouse building at 827 Railway Ave. NE. The application includes Adjustment requests to adjust the 20' build-to setback requirement of Section 2.3.150.C(1), to adjust Section 2.3.170.B for pedestrian amenity standards, to adjust Section 2.3.180(C)(5) for percentage of ground floor windows, to adjust Section 2.3.180(C)(7) for awning projections over sidewalks or pedestrian spaces, to adjust Section 2.3.180(D)(4)(a) to provide a 2:12 pitch for the new building's gabled roof, and to adjust Section 3.2.300(E)(4)(e) screening and buffering requirements. The use is classified as Manufacturing and Production, as found in SDC 1.6.310, which is permitted outright in the GC zoning district. The criterion is met.

Section 2.3.120 Commercial District – Development Standards

Findings: The structure is proposed to be 18'-10" tall below the 45' maximum height. The building will be 5,000 square feet, below the 45,000 square foot maximum footprint. The applicant is proposing 12% landscape coverage and is below the 90% maximum impervious surface. The building meets building code standards for setbacks and is a minimum of 40' from the Railway Avenue Right-of-Way. Based on the above findings the standards are met.

Section 2.3.130 Commercial District – Zero setbacks and build-to line

Findings: The proposed building is a minimum of 40' from the Railway Avenue right-of-way and a minimum of 8' from side and rear property lines. The proposed building is located more than 70' from the existing building. Based on the above findings the standards are met.

Section 2.3.140 Commercial District – Lot coverage and impervious surfaces

Findings: Landscaping accounts for over 7,000 square feet of the site, accounting for 12% coverage, exceeding the 10% minimum. Impervious surfaces on the site do not exceed the 90% maximum. The standard is met.

Section 2.3.150 Commercial District – Building orientation and commercial block layout

Findings: The applicant is requesting an adjustment to the 0'-20' build-to line requirement and proposes a parking lot located between Railway Avenue and the proposed building. Vehicle areas are allowed between the street right-of-way and a building's primary entrance if pedestrian safety will not be adversely affected. The distance between the parking area and the proposed building averages 30' and a striped pedestrian path is provided from the parking stalls to the building. Six parking stalls are proposed which will generate minimal traffic.

The property is utilizing Site Design Performance Standard 6, which is allowed in the GC zone. A 6' walkway is provided from the primary entrance and the public sidewalk with a minimum 4' wide planter strip between the public sidewalk and parking.

Section 2.3.170

Commercial Districts – Pedestrian amenities

Findings: The applicant is requesting an adjustment to pedestrian amenities since the proposed building will be manufacturing and production use. The standards required for general commercial are inconsistent with the proposed industrial use of the application. In addition, the surrounding properties are a fire station and self-storage which do not promote pedestrian activity.

Section 2.3.180

General Commercial District Design Standards

Findings: The applicant has made findings regarding general commercial district design standards. The building meets the orientation standards of Site Design Performance Standard 6. Parking is located between the building and the street. A 6' walkway is provided from the primary entrance and the public sidewalk with a minimum 4' wide planter strip between the public sidewalk and parking.

The entire street-facing elevation is a minimum of 40' from the property line and the applicant requests an adjustment to the 0'-20' build-to line requirement which is more consistent with retail use.

The applicant also requests an adjustment to the minimum 50% windows on the ground floor street facing elevation requirement. The applicant is proposing less than 50% window coverage but provides the amount to windows consistent with the existing warehouse and adjacent Fire District and self-storage buildings. The applicant is also proposing an awning that projects 2' for weather protection.

The proposed building materials include white steel panels on the northern street facing elevation in addition to the east elevation. The remaining west and south elevation are white CMU block. The metal siding is consistent with the Fire District station, the adjacent self-storage facility, and the existing warehouse on the subject site.

The applicant is requesting an adjustment to the roof pitch, materials and parapets requirement. The existing building on the subject site was built with a 2:12 pitched roof and the applicant has used the 2:12 pitch for the proposed building. Additional roof details such as dormers are not provided and would not be consistent with the surrounding buildings.

D. Design Standards. The application complies with all of the Design Standards in Article 3:

3. Article 3 – Community Design Standards

Section 3.1.200

Vehicle Access and Circulation

Findings: The applicant has made adequate findings regarding Vehicle Access and Circulation. The site currently has access off Railway Avenue, a local street under Marion County jurisdiction. The applicant proposes to relocate the access and install a new 40' wide concrete apron which shall meet Public Works design standards (**Condition 4**). The new driveway location will need to meet sight-distance requirements. This includes

providing adequate sight triangles at driveways that are clear of objects (large signs, landscaping, parked cars, etc.) that could potentially limit vehicle sight distance (**Condition 5**).

Section 3.1.300 Pedestrian Access and Circulation

Findings: Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets. Sidewalks exist along the site's frontage. The applicant shows a 6' wide sidewalk connection from the street sidewalk to parking in addition to a 6' wide striped ADA accessible route connecting the parking to the building. Another 6' wide striped accessible route connects the existing building to the proposed building. Where the walkway crosses the parking area, it shall be clearly marked with painted or thermo-plastic striping or similar types of nonpermanent applications (**Condition 6**). As conditioned, the standard is met.

Section 3.2.200 Landscape Conservation

Findings: No vegetation is proposed to be removed.

Section 3.2.300 Landscaping

Findings: The applicant has submitted a landscaping plan indicating a landscape coverage of 12%. The minimum coverage landscape required by code is 10%.

A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. The applicant has provided approximately 13% landscaping at the parking lot.

The applicant is requesting an adjustment from 3.2.300.E.4.e that requires buffering between two different zones. Properties to the East, West and South are zoned industrial, and the subject property is zoned general commercial. A type 3 buffer is required between these different land uses consisting of a 20' setback and a 6' masonry wall or a 10' setback and a 6' earthen berm with a 6' masonry wall.

The applicant is proposing to develop an additional warehouse with manufacturing and production use which is Permitted in both the General Commercial and Industrial zones. The property to the south currently has self-storage which is a conditional use allowed in the General Commercial zone and Permitted in the Industrial zones. As such, the same proposed building and use would be Permitted if the subject property were zoned Industrial with no required screening to the adjacent industrially zoned properties. Conversely, the self-service storage could have been constructed on the southerly property had the southerly property been zoned General Commercial and with no required screening the adjacent subject property. In addition, the southern property has a buffer consisting of a 4' high block wall with a 6' high chainlink fence and a line of evergreen trees bordering the subject property. The request to eliminate buffering requirements is consistent with the intent of the Code if one views the buffering and screening with regard to the actual land

uses being developed on the site and the land uses of the adjacent properties, rather than the base zones of the adjacent properties.

Section 3.2.400 Street Trees

Findings: Street trees shall be spaced so that there is at least one tree planted for every 35 feet of street frontage, except where existing utilities, vision clearance requirements or similar factors preclude such spacing.

Section 3.3.300 Automobile Parking Standards

A. *The number of required off-street vehicle parking spaces is determined in accordance with the standards in Table 3.3.300A.*

Findings: The applicant has made adequate findings regarding parking. Manufacturing and production uses requires a minimum of 2 spaces or 1 spaces per 1,000 sq ft of floor area, thereby making the minimum additional parking spaces required 5. The applicant is proposing 6 adequately sized paved parking spaces for the new building in addition to 10 paved parking spaces for the existing building. Two van accessible ADA spaces are provided. Light standards shall be directed downward only and shielded to prevent lighting spillover into any adjacent residential district or use and to prevent light pollution in the night sky (**Condition 7**). As conditioned, the standard is met.

Section 3.3.400 Bicycle Parking Standards

All uses that are subject to Land Use Review or Site Design Review, as applicable, shall provide bicycle parking, in conformance with the standards in Table 3.3.400

Findings: Two bicycle parking spaces are provided adjacent to the primary building entrance. The standard is met.

Section 3.4.100 Transportation Standards

Developers are required to improve their frontage and, in some cases, provide off-site improvements depending upon their level of traffic generation and the impact to the transportation system. Off-site mitigation measures can include, but are not limited to, Master Plan projects identified in the TSP.

Findings: The site has frontage along Railway Avenue, a local street under Marion County jurisdiction. The frontage along the street includes curb tight sidewalk and street lighting. No other improvements are required.

In accordance with SMC 13.70.110 this design review does increase the impacts to the public improvement facility and is therefore not exempt from transportation SDC charges. Final SDC's will be calculated at time of plan and building permit approval (**Condition 8**).

Section 3.4.300 Sanitary Sewers, Water, Street Lights and Fire Protection

Sanitary sewer system and water system improvements shall be installed with new development in accordance with the City's Sanitary Sewer

Master Plan, Water System Master Plan, and Public Works Design Standards.

Findings: Public water and sewer are available and capable of supporting the use.

Sanitary & Sewer SDC's – In accordance with SMC 13.70.110 this design review does increase the impacts to the public improvement facility and is therefore not exempt from sanitary SDC charges (**Condition 9**).

A Knox Box shall be installed prior to occupancy to each building space (**Condition 10**). The developer shall coordinate with Silverton Fire District to ensure all applicable code standards are met including access width and turning radii.

Section 3.4.400 Storm Drainage and Erosion Control

Findings: The applicant is not increasing impervious area on site so additional storm drainage is not required.

Section 3.4.500 Sidewalks

Sidewalks shall be constructed on all public streets in the City by the owners of property next adjacent thereto. As such, sidewalks shall be constructed in accordance with the specification hereinafter provided. All development for which land use applications are required must include sidewalks adjacent to public streets.

Findings: Sidewalks exist along the frontage of Railway Ave.

Section 3.4.600 Utilities

Findings: All new utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and similar facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground (**Condition 11**).

Section 3.4.700 Construction Plan Approval and Assurances

No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City, permit fee paid, and permit issued.

Findings: No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City, permit fee paid, and permit issued. The City may require the developer or subdivider to provide assurance, bonding or other performance guarantees to ensure completion of required public improvements (**Condition 12**).

Section 3.4.800 Installation

Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this Chapter, approved construction plans, and to improvement standards and specifications adopted by the City.

Findings: Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this Chapter, approved construction plans, and to improvement standards and specifications adopted by the City. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest **(Condition 13)**.

Section 3.4.900 Easements

Findings: A 10-foot wide public utility easement has been dedicated to the City adjacent to Railway Avenue.

- E. *Conditions of Approval. Existing conditions of approval required as part of a prior land division (Chapter 4.3 SDC), conditional use (Chapter 4.4 SDC), planned development (Chapter 4.5 SDC) or other approval shall be met.*

Findings: There are no existing conditions of approval required as part of a prior land use decision.

Section 4.2.510 Design Review Adjustment

1. *Adjusting the subject code standard(s), i.e., decreasing, increasing, waiving, or making a material substitution, will result in a design that is as good or better than what would likely result under the base standard;*
2. *The adjustment is consistent with the code's stated intent and is in the public interest; and*
3. *In interpreting the public interest, consideration shall be given to intended public benefits or protections such as compatibility with surrounding uses; pedestrian safety and comfort; complementary development scale, materials, and detailing; street visibility; and/or aesthetic concerns.*

Findings: The application includes Adjustment requests to adjust the 20' build-to setback requirement of Section 2.3.150.C(1) in order to accommodate a parking lot, to adjust Section 2.3.170.B for pedestrian amenity standards, to adjust Section 2.3.180(C)(5) for percentage of ground floor windows, to adjust Section 2.3.180(C)(7) for a 2' awning projections over sidewalks or pedestrian spaces, to adjust Section 2.3.180(D)(4)(a) to provide a 2:12 pitch for the new building's gabled roof, and to adjust Section 3.2.300(E)(4)(e) screening and buffering requirements.

The reason for the adjustment request is due to the nature of the proposed use and existing surrounding uses. The property is zoned general commercial but is surrounded by industrial use and the new building will be manufacturing and production which is consistent with industrial use. The above listed general commercial design requirements are intended to promote uses that are more pedestrian in nature such as retail. The applicant's adjustment requests allow the proposed building to match the surrounding building and uses.

III. CONCLUSION

The required findings have been made for all of the applicable Code sections. The proposal as conditioned meets all applicable Silverton Development Code Review Criteria and Standards. Therefore, Staff recommends the Planning Commission grant approval for a Design Review (DR-24-04) application to construct a 5,000 square foot warehouse building and a 6 stall parking lot at 827 Railway Avenue. The use will be a manufacturing and production, subject to the Conditions of Approval.

Planning Commission Options:

1. APPROVE the proposed Design Review as it meets the review criteria.
2. DENY the proposed Design Review as it does not meet the review criteria.
3. MODIFY the proposed Design Review with Conditions of Approval so that it meets the review criteria.

ATTACHMENT E: TESTIMONY

NONE RECEIVED

ATTACHMENT F: APPEAL INFORMATION

The applicant or owner of the subject property or any person who participated in the proceeding by submitting oral or written comments have legal standing to appeal a Type III decision.

The decision, including conditions of approval, may be appealed and a public hearing held by filing a signed, complete Notice of Appeal within 10 days of the date the Notice of Decision being mailed.

The Notice of Appeal shall contain:

- (1) An identification of the decision being appealed, including the date of the decision;
- (2) A statement demonstrating the person filing the Notice of Appeal has standing to appeal;
- (3) A statement explaining the specific issues being raised on appeal;
- (4) If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period;
- (5) Filing fee of \$500.00.

The decision will be final if an appeal is not filed by within 10 days of the date the Notice of Decision being mailed.

The complete file is available in the Community Development Department at City Hall located at 306 South Water Street for review.

For further appeal information, contact Jason Gottgetreu at (503) 874-2212.