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November 12, 2022

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555 Liberty St SE, Room 305
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RE: 22-119636 Class 3 Site Plan Review & Class 2 Adjustment: Written Statement

Ms. Donaldson:

This written statement addresses the approval criteria in SRC 250.005(d)(2) for an adjustment, and the approval criteria in SRC 220.005(f)(3) for the Class 3 Site Plan Review.

The previous request for an adjustment for loading spaces has been withdrawn. Both required loading spaces are now shown on the site plan.

Proposal

The applicant proposes a 90' x 150' three story building and associated parking for Open Dental Software, Inc. The zone is Industrial Commercial. The first floor will be daycare for children of our employees, with a capacity of 100 infants, toddlers, and preschoolers. The second and third floors will be open space with cubicles and some conference rooms. The area to the east of the new building will be the playground. There is an existing shop on the property that will remain and continue to be used as a shop. We will use it for maintenance and repair operations around our campus, including woodworking and metalworking. There will only be one employee in the shop. There are two lots being developed. Lot 3 will contain the buildings and some parking, while lot 2, to the west, will contain the remainder of the parking.

Criteria

SRC 220.005(f)(3) Class 3 site plan review. An application for Class 3 site plan review shall be granted if:

(A)The application meets all applicable standards of the UDC;

Response:

Chapter 551

551.005 Uses: All three uses are permitted, as listed in Table 551-1:

Day Care: Permitted

Office (2nd and 3rd floor): Permitted

Building and Grounds Services (shop): Permitted

551.010 (b) Table 551-3. Setbacks:

Abutting street: Buildings and accessory: min 5 ft.

Vehicle use areas: per SRC chapter 806

All other setbacks are according to the zone-to-zone setback (Table 551-4)

Table 551-4. Zone-to-zone Setbacks

All abutting zones are Industrial Commercial

Buildings and accessory structures: None

Vehicle use areas: Min 5 ft.

The vehicle use setback to adjacent properties is not met. An adjustment is requested in a separate section further down.

551.010(c)

551-5. Lot Coverage; height

Lot coverage: No max

Buildings and accessory: 70 ft. Building height on this project is 49 ft.

551-10(d) Landscaping

Required setbacks shall be landscaped.

A minimum of 15% of the development site shall be landscaped. Shall meet Type A standard. Lot 2 is 17% landscape, and lot 3 is 29% landscaped.

The plans shows compliance with the standards in chapter 551, except for the 5 ft vehicle use setback, for which an adjustment is requested in a separate section further down.

Chapter 800. - General Development Standards

800.055. -Solid waste service area

The solid waste area is chain link fence, has an internal curb, and meets all the required dimensions.

(b)(3) There is no roof over the enclosure and there are no overhead obstructions.

(d) Screening standards are met by the fence with obscuring slats, and by gates.

(e)(1) Front opening meets the 12' requirement

(e)(3) Gates swing open more than 120 degrees.

(f) Vehicle operation area is provided that is greater than 45' x 15', perpendicular to opening.

Drawings of the solid waste area are provided which meet all of these requirements.

800.065. - Pedestrian access

(a)(1) Connections are provided between buildings and the street.

(a)(2) Connection between buildings on the same development site. All buildings on the site have connections.

(a)(3) Connection through off-street parking areas. Connections are provided as described.

(a)(5) Connection to abutting properties. Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. A pedestrian connection is not required, however:

(a)(5)(A) To abutting properties used for activities falling within the following use classifications: (if) single family.

Regarding the property to the west of the new development, a pedestrian connection is provided to that property as required, directly adjacent to the vehicular connection. A pedestrian connection is not, however, provided to the old ranch house on the property to the west because single family use is a stated exception.

The plans shows compliance with standards in chapter 800.

Chapter 806. -Off-street parking, loading, and driveways.

806.015. - Amount of off-street parking

(a) Table 806-1. - Minimum required off-street parking

Office: 1 per 350 sf. $27,000/350=77$ spaces.

Day care serving 100 persons: 4 spaces.

Building and Grounds Services (shop): The greater of 0.75 per employee or 1 per 5,000 sf. There is one employee, so 1 parking space is required.

(c) Carpool. New developments with 60 or more required off-street parking spaces, and falling within business and professional services use category, shall designate a minimum of 5% for carpool. There are 224 spaces, so 12 spaces are designated carpool.

(d) Table 806-2A Maximum off-street parking

Office with 77 spaces: 1.75 times minimum. $77 \times 1.75 = 135$ max.

Day care with 4 spaces: 2.5 times minimum. $4 \times 2.5 = 10$ max.

Shop with 1 space: 2.5 times minimum. $1 \times 2.5 = 2$ max.

The parking calculations are all covered in the Parking and Summary Table, and all fall within the requirements.

806.020 (a)(1) Parking is provided by ownership of the properties.

806.035. - Off-street parking

(b)(1) Vehicle use areas shall not be located within required setbacks. Along Marietta St. at the end of the cul-de-sac, the vehicle use area setback is 8', which exceeds the 5' required setback in that area.

(b)(2) Carpool parking shall be located so it is the closest employee parking to the building, other than disabled parking. The designated carpool parking spaces meet this requirement.

(c)(2)(D) Perimeter setbacks and landscaping abutting streets, Method D. The vehicle use area shall be setback a minimum of six feet in conjunction with a minimum three-foot-tall brick, stone, or finished concrete wall.

At the end of the cul-de-sac, on the north side of the driveway, the vehicle use area is setback a eight feet in conjunction with a three-foot-tall concrete wall, meeting the requirements of this section.

(c)(3) Vehicle use areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet.

The shared driveways at the property boundaries have zero setback. An adjustment is requested in a separate section further down.

(d)(2) Table 806-5 Interior off-street parking area landscaping. Off-street parking for this project is over 50,000 sq. ft., so a minimum of 8% of interior landscaping is required. Lot 2 has 12.1% and lot 3 has 9.8% interior landscaping, as shown on the Landscaping Percentages drawing, meeting the requirements.

(d)(3) Trees. A minimum of one deciduous shade tree shall be planted for every 12 parking spaces. Peninsulas are provided at least every 12 spaces for shade trees. Those trees will show on the Landscape Plan submitted as part of the building permit application.

(e) Off-street parking area dimensions. All spaces are 90 degrees and sizes are according to the required dimensions. Parking spaces are 9'x19', except 9'x17' in some areas where a curb acts as a wheel stop.

All aisles are 24 feet wide.

806.055. - Amount of bicycle parking

(a) Table 806-9 lists required number of bicycle parking spaces.

Office: 1 per 3,500sf. $27,000/3,500 = 7.7$, rounded up to 8.

Day care: 4

Shop: 4

Total required bicycle spaces are 16. 16 spaces are provided.

806.060. - Bicycle parking development standards

(a)(1) Near primary entrance, no more than 50 ft away. The bicycle parking is immediately adjacent to the front door.

(c) Dimensions. Table 806-10 lists dimensions. Length: 6ft. Width: 2ft standard, and 1.5ft side-by-side.

(e) Figure 806-11 gives an example of Staple/Inverted racks that meet the standards.

Drawings of the bicycle racks are provided which meet these requirements.

806.075. - Amount of off-street loading.

Table 806-11 lists amounts and dimensions.

Office: 1 required, size 12'x19'

Educational Services (day care): 1 required, size 12'x30'

Shop: None, since less than 5,000 sf.

The plans show the two required loading spaces of the given sizes above, as required.

These plans are in compliance with all the standards in chapter 806.

Chapter 807. - Landscaping

807.015 (a) Landscaping types. Where landscaping is required without reference to a specific landscaping type, the required landscaping shall meet the Type A standard. All of the landscaping is Type A.

Table 807-1 lists required plant units (PU) for Type A as Min 1 PU per 20 sq. ft. of landscaped area.

Table 807-2 lists PU values for various plant materials.

807-020 (a) A landscaping plan is required for all building permit applications.

A Landscaping Plan will be submitted as part of the building permit application.

Chapter 808. - Preservation of Trees and Vegetation

808.005. - Definitions

Critical root zone means the circular area beneath a tree. It measures one foot in radius for every one inch of dbh.

Significant tree means:

(a) An Oregon white oak with a dbh of 20" or greater.

(b) Any other tree with a dbh of 30" or greater.

There is one tree on the property which qualifies as a significant tree. It is a white oak with a dbh of 30", and a critical root zone radius of 30'.

808.046. - Protection measures during construction

(a) All trees shall be protected during construction with the installation of an above ground silt fence.

(a)(1) The silt fence shall encompass 100 percent of the critical root zone of the tree.

The plans show the silt fence at 30' radius, in compliance with the standards in chapter 808.

The plans show compliance with chapters 551, 800, 806, 807, and 808, and this criterion is met.

(B)The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;

Response:

The applicant has already improved the entire length of Marietta, from the freeway to the dead end cul-de-sac, according to Public Works requirements and Standards. The applicant owns all property along both sides of this street, so the only traffic on this dead end street is for the applicant's businesses. There is minimal impact to the transportation system. The plans meet this criteria.

(C)Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians;

Response:

Each parking lot has two entrances/exits, with no dead ends. Walkways are provided through the development in all directions. A transit stop is located 1200 ft down the hill on 32nd Avenue. The street sidewalk along Marietta and the sidewalks throughout the development provide safe and convenient access. The plans meet this criteria.

(D)The proposed development will be adequately served with City water, sewer, stormwater facilities, and other utilities appropriate to the nature of the development.

Response:

City water, sewer, stormwater, and other utilities were already put in place in previous phases. The plans meet this criteria.

Summary:

This application for Class 3 site plan review should be granted because it meets all four criteria.

Adjustment

An adjustment is requested. Sec. 551.010 states that a zone-to-zone setback of 5 ft. is required for vehicle use areas on interior front, interior side, and interior rear lot lines, and that required setbacks must be landscaped. But on this project, nearly all lot lines are existing shared driveways where it is impossible to have a 5ft setback. An adjustment is requested to allow zero setback in these areas.

Criteria

SRC 250.005(d)(2) An application for a Class 2 adjustment shall be granted if all the following criteria are met.

(A)The purpose underlying the specific development standard proposed for adjustment is:

- (a)Clearly inapplicable to the proposed development; or*
- (ii)Equally or better met by the proposed development.*

Response:

The requirement for a 5ft setback is clearly inapplicable where there is an existing shared driveway and the property line falls on the middle of that driveway.

(B)If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

Response:

This proposed development is not located in a residential zone, so this criterion is not applicable.

(C)If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Response:

Only one adjustment has been requested, so this criterion is not applicable.

Summary:

This application for a Class 2 adjustment should be granted because all three criteria are met.

